

AUCKLAND UNITARY PLAN  
INDEPENDENT HEARINGS PANEL

*Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau*

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Report to Auckland Council  
Hearing topic 074 Designations

Vector Gas Ltd

Designations 9101 and 9102

May 2016

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**Report first prepared by Harry Bhana in accordance with the Auckland Unitary Plan Independent Hearing Panel procedure and in accordance with section 142 of the Local Government (Auckland Transitional Provisions) Act 2010, on 10 September 2015 amended and updated 6 October 2015.**

**Adopted as Auckland Unitary Plan Independent Hearings Panel recommendations in accordance with the Auckland Unitary Plan Independent Hearing Panel procedure and in accordance with section 144 of the Local Government (Auckland Transitional Provisions) Act 2010 on date of signature.**

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## 1. Introduction

The purpose of this report is to provide an assessment and recommendation in relation to modifications to and submissions on designations classified by the Independent Hearings Panel as minor matters and errors. This classification applies where there is a:

- i. modification to a designation and no submissions;
- ii. rollover of a designation with no modification and submissions lodged by the requiring authority (submissions to correct errors or address minor matters);
- iii. modification to a designation and submissions lodged by the requiring authority (modifications address minor matters and submissions to correct errors or address minor matters);
- iv. where the modification involves changes to the boundary to incorporate additional land, and the requiring authority has an interest in the land sufficient for undertaking the proposed work.

## 2. Assessment

Errors do not require an assessment. The assessment applies the following criteria.

Does the modification/submission:

- i. involve no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned? or
- ii. involve only minor changes or adjustments to the boundaries of the designation?

See section 6 of this report for the application of these criteria to the individual designations.

On the basis of the assessment, this report concludes that the modifications and designations in section 6 meet the above criteria.

## 3. Recommendation to Panel

That the Panel recommends to Auckland Council that Designations 9101 and 9102 as set out in the Proposed Auckland Unitary Plan are confirmed subject to the modifications set out in Attachment 2.

<b>Author</b>	Harry Bhana
<b>Author's Signature</b>	
<b>Date</b>	10 September 2015 amended and updated 6 October 2015, and subsequently on the 7 April 2016.

#### 4. Panel recommendations to Auckland Council

The Auckland Unitary Plan Independent Hearings Panel recommends that Auckland Council recommends to the requiring authority that it confirms the notice of requirement for the modifications to designations 9101 and 9102 included in the Proposed Auckland Unitary Plan subject to the further modifications shown in Attachment 2.

#### 5. Panel reasons

The reasons for the Panel's recommendation are set out in section 6 below.

<b>Panel Chair</b>	David Kirkpatrick
<b>Chair's Signature</b>	
<b>Date</b>	18 May 2016

## 6. Assessment of modifications and designations

Requiring authority	Vector Gas
Designation number (s)	9101 and 9102
Designation purpose	Gas Transmission Pipeline
Location	9101 - 102 Amreins Road, Taupaki to 109 Vipond Road, Topuni 9102 - 100 Highbrook Drive, Waiouru Peninsula to 102 Amreins Road, Taupaki
Designation given effect to	Both designations have been given effect to.
Lapse date in operative plan if not marked as 'given effect to' in the Proposed Auckland Unitary Plan	NA
Land owned by the requiring authority	Pipeline designations have been given effect to passing through roads and private land under various agreements.
Description of the modification entailed in the rollover	9101 - no modifications proposed. 9102 - this designation involved the amalgamation of designations over three operative plans (Auckland City, Waitakere and Franklin). This required amendments and adjustments to achieve consistency and to update standards and other references.  The alignment of the designations was unintentionally displaced from their correct positions on incorporation into the Proposed Auckland Unitary Plan. For the purposes of this report this error is not regarded as a modification as it was not requested by the requiring authority and occurred in the context of the transition from the low resolution mapping in the operative plan to the higher resolution available in the Proposed Auckland Unitary Plan.
Assessment of rollover modifications and reasons	Overall the rollover provisions result in a successful melding of conditions/provisions from the three operative plans in a manner that avoids any removal or modification of conditions or other provisions which might be required to manage adverse effects on the environment. I am satisfied that the rolled over designation modified as discussed above involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned.
Submitters and summary of relief sought in submissions	Submission 2745-742 by the requiring authority on Designation 9101 seeks the retention of the designation.  Submission 5716-2707 by the Council on Designation 9101 seeks a review of the mapping of the designation to ensure it matches the true designation corridor.
Assessment of submissions and reasons	I understand that the requiring authority and the Council have agreed that the concerns regarding mapping of the designation have been resolved and will not be pursued

	further. However refer to updated recommendation below.
Recommendation to Panel	That the Panel recommends to Council that Designations 9101 and 9102 as set out in the Proposed Auckland Unitary Plan be confirmed.
Response from requiring authority and from the Auckland Council	<p>Agree with the above recommendations to Panel.</p> <p>The Council responded to the statement above, (that the concerns in submission 5716-2707 regarding mapping of the designation were resolved), as follows:</p> <p style="padding-left: 40px;">Not accepted. The Council and Vector agree that the mapping should be reviewed and will be undertaking the review prior to the 074 hearing in the expectation that any boundary adjustments necessary can be addressed in evidence. The recommendation to confirm the designation without change is therefore premature.</p> <p>In its response to the section 142 report the requiring authority responded to the mapping issue as follows:</p> <p style="padding-left: 40px;">Vector agrees the Council's submission seeking that the mapping of the designation be reviewed and will work with the Council to complete this as soon as possible.</p> <p>Following a meeting between the Council's representatives and the representatives of Vector on 29 September 2015 it was agreed that the parties would work together to ensure that the boundaries of the designation were correctly aligned and that any necessary amendments to the planning maps would be prepared to provide for that outcome.</p>
Report writer's further response	None required, all issues have been resolved.
Updated recommendation in response to receipt of updated mapping information.	The requiring authority supplied shape files to update the mapping of the designations. These have been incorporated into the Panel's GIS viewer. On 7 April 2016 the report writer carried out a visual inspection of the mapping amendments in GIS that have been made to implement this required change and was satisfied that the corrections requested appear to have been made.
Recommendation from Panel	The Panel agrees with the report writer's recommendation
Reasons	The Panel agrees with the report writer's reasons

## 7. Attachment 1 changes to the text of the Proposed Auckland Unitary Plan

None.

## **8. Attachment 2 changes to the maps of the Proposed Auckland Unitary Plan**

That the maps for designations 9101 and 9102 be amended as set out in the Panel's GIS viewer map of the designation as of 7 April 2016. No map attachments are provided in this report because of the length of the designation makes this impracticable.