

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 Ltd

Designations 8826, 8830 and 8853

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 31 August 2015 and further amended 31 December 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 the modifications/designation be confirmed as set out in section 6.

<b>Author</b>	Harry Bhana
<b>Author's Signature</b>	
<b>Date</b>	31/8/2015 and further amended 31/12/2015

#### 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 modifications to the designations 8826, 8830 and 8853 shown in Attachment 1.

#### 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 Ltd
Designation number (s)	8826, 8830, 8853
Designation purpose	Electricity Works (Substation)
Location	<b>8826:</b> 250 Balmoral Road, Sandringham <b>8830:</b> 62-66 The Drive, Epsom <b>8853:</b> 37 Don Buck Road Massey
Designation given effect to	Yes
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	Yes
Description of the modification in the rollover	Rolled over without modification
Assessment of rollover modifications and reasons	NA
Submitters and summary of relief sought in submissions	Designations 8826 and 8830 are affected by Heritage New Zealand submissions. Following discussions between Vector Ltd and Heritage New Zealand, agreement has been reached on conditions which can apply to these designations addressing heritage matters. The agreed wording is duplicated below:

	<ol style="list-style-type: none"> <li>1. Where any works or development involve the demolition of, or, alterations or additions to the exterior of the Substation, an Outline Plan of Works is required.</li> <li>2. The following shall be submitted with the Outline Plan of Works: <ol style="list-style-type: none"> <li>a. An assessment of the effects on the historic heritage values of the Substation; and</li> <li>b. A consideration of alternative methods and/or appropriate mitigation where practicable to prevent or avoid damage, loss or destruction of the values of the Substation.</li> </ol> </li> </ol> <p><b>Exemptions:</b></p> <p>Conditions 1 and 2 do not apply in the following circumstances:</p> <ol style="list-style-type: none"> <li>i. the redecoration, repair and/or insignificant alteration of any existing fabric or detailing carried out in a manner and design and with materials similar in appearance to those originally used, which does not detract from those features for which the Substation has been scheduled;</li> <li>ii. Any routine maintenance which does not destroy, compromise, damage or impair the heritage values of the Substation; or</li> <li>iii. In recognition that the Substation is part of the existing Auckland electricity network, any works involving the following: <ol style="list-style-type: none"> <li>(A) the installation, replacement or removal of any cables or antenna, including any associated exterior works;</li> <li>(B) required to meet Health and Safety requirements;</li> <li>(C) the installation, replacement or removal of signage required for safety reasons and to reflect the electricity hazard present on the site;</li> <li>(D) repair, maintenance and upgrading of any fencing required around the site;</li> </ol> </li> <li>iv. Any structural strengthening required to be undertaken to the building to ensure the building is reasonably structurally sound, acknowledging that such strengthening is to be undertaken in a way that does not detract from those features for which the Substation has been scheduled</li> </ol> <p>(Email Sarah Glenn to Julie McKee dated 30 July 2015.)</p> <p>Designation 8853 is subject to a Vector Ltd submission seeking to remove a condition that has been duplicated.</p>
Assessment of submissions and reasons	<p>The Heritage New Zealand submission is only relevant to Designations 8826 and 8830. The requiring authority and the submitter have agreed that the imposition of specific conditions to protect heritage values is appropriate. None of these changes are likely to generate effects on the environment that are more than minor.</p> <p>The submission by Vector Ltd on Designation 8853 removes a duplicated condition and will have no environmental effect. The Panel's Submission Point Pathway Report described the submission in respect of 8852 as "Retain 8852 Oratia Substation and delete duplication Condition 12." [Applies to Designation 8853 'Ranui Substation']. 8852 does not have a Condition 12. However, 8853 does have a condition 12 and it is a duplication of Condition 9. In the circumstances the compiler of the summary of submissions assumed that it was an error and the requiring authority intended the submission to apply to 8853 and identified it by this comment. Since it was only a matter of correcting a duplicated condition that could have no effect on any other party it was appropriate to use this submission on 8852 to correct the duplication of the condition in 8853.</p>
Recommendation to Panel	That the Panel confirms the above designations as amended by the Vector Ltd submission.

Response from requiring authority	Agrees with the above recommendations to Panel.
Amendment to recommendation to Panel	Following the pre-hearing meeting there were further discussions between Vector Ltd and Heritage New Zealand. This resulted in a Memorandum of Agreement between Vector Ltd and Heritage New Zealand dated 15 November 2015 which set out an agreed amendment to the heritage conditions set out above. These conditions represent a more focused approach to the conditions to be imposed to ensure that there is an appropriate mechanism to balance the need for protection of heritage values with the need for continued provision of essential utility services. I accordingly recommend that the Panel recommends these two designations be subject to these amended conditions which are set out in Attachment 1.
Recommendation from Panel	The Panel agrees with the report writer's recommendations.
Reasons	The Panel agrees with the report writer's reasons.

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

### Designations 8826 and 8830

That the following conditions be inserted in Designations 8826 and 8830 in the Proposed Auckland Unitary Plan.

1. Where any construction works include the total or substantial demolition of, or, modifications to, the Substation, any outline plan that is required shall include:
  - a) An assessment of the effects on the historic heritage values of the Substation;
  - b) A consideration of alternative practicable methods and/or appropriate mitigation to prevent or avoid damage, loss or destruction of those features for which the Substation has been scheduled.
2. In recognition that the Substation is part of the existing Auckland electricity network, this condition shall not apply:
  - a) To any works that
    - i) involve the installation, replacement or removal of any cables or antenna, including any associated exterior works;
    - ii) are required to meet Health and Safety requirements;
    - iii) involve the installation, replacement or removal of signage required for safety reasons and to reflect the electricity hazard present on the site;
    - iv) involve upgrading of any fencing required around the site;
    - v) are required for any structural strengthening required to be undertaken to the Substation to ensure the Substation is reasonably structurally sound, acknowledging that such strengthening is to be undertaken in a way that does not detract from those features for which the Substation has been scheduled.

- b) To the repair or maintenance of, or minor alteration to, the Substation.
- c) Where there is a conservation plan or similar plan for the management of the Substation and the proposed new works are in accordance with this conservation or similar plan.