

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

Report to Auckland Council
Hearing topic 074 Designations

Wiri Oil Services Limited

May 2016

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 27 August 2015 updated and amended on 30 September 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.

Author	Harry Bhana
Author's Signature	
Date	27 August 2015 updated and amended 30 September 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 notice of requirement for modifications to designation 9700 included in the Proposed Auckland Unitary Plan subject to the further modifications shown in Attachment 1.

5. Panel reasons

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

Panel Chair	David Kirkpatrick
Chair's Signature	
Date	18 May 2016

6. Assessment of modifications and designations

Requiring authority	Wiri Oil Services Ltd
Designation number	9700
Designation purpose	Jet fuel transmission purposes
Location	149 Roscommon Road (Wiri Oil Terminal) to the intersection of Orrs Road and Puhinui Road (Auckland International Airport), Wiri
Designation given effect to	Yes
Lapse date in operative plan	NA
Description of the modification	Minor corrections to update the legal description of a site that had been subdivided.
Land owned by the requiring authority	NA
Submitter	Wiri Oil Services Limited (Primary 5682)
Matters addressed in submission	5682-17: Amend condition 11(d) to correct formatting error and as a matter of clarification. 5682-18: Retain designation 9700. No third party submitters.
Assessment and reasons	The modification is seeking to update the legal description of the properties. The submission is simply seeking to correct a typographical error and restates its support for the retention of the designation. Consequently these changes result in less than minor effects on the environment.
Recommendation to Panel	That the Panel recommends to Council that the designation as recorded in the Proposed Auckland Unitary Plan is confirmed with the amendments shown in Attachment 1.
Response from requiring authority	Agrees with the above recommendations to Panel but sought correction of typographical error not sufficiently corrected. Wish to be heard on the following matters: Not required. Mediation requested on the following matters: Not required.
Report writer's response	Typographical error now further redrafted as requested by requiring authority.
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 text of Proposed Auckland Unitary Plan

That the Condition 11(d) be reformatted as follows:

11(d) The Requiring Authority's approval is not required under sections 176 or 177 of the RMA for the following works or activities:

- i. Road widening or associated works in accordance with an existing road designation;*
- ii. Repair, maintenance or upgrading of an existing road surface;*
- iii. Repair, maintenance or upgrading of any existing network utility infrastructure;*

Prior to undertaking works or activities under (i)-(iii), where a Corridor Access Request ("CAR") Road Opening Notice ("RON") has been must be first obtained from the Council where required. In addition, all works or activities must comply with the following requirements: ~~provided in all cases that~~

- Soil is not disturbed below a depth of 0.4 m from the surface; and*
- The finished surface level is not reduced below the pre-existing surface datum; and*
- No structure is erected or tree or shrub planted within the designated corridor.*