

In the Environment Court at Auckland

ENV-2016-AKL-218

In the matter of the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**) and the Resource Management Act 1991 (**RMA**)

And

In the matter of an appeal under section 156(1) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel on the Proposed Auckland Unitary Plan

And

In the matter of Proposed Auckland Unitary Plan Hearing Topic 042 – Infrastructure

Between **Transpower New Zealand Ltd**

Appellant

And

Auckland Council

Respondent

Notice by Murphys Park Development LP of wish to be a party to appeal

Dated 6 October 2016

DLA Piper

Solicitor Acting: **Justin March**

T: (09) 300 3846 P O Box 160, Shortland Street, Auckland 1140

Counsel Acting: **Matthew Casey QC / Asher Davidson**

T: (09) 337 0700 F: (09) 337 0800 E: asher@casey.co.nz P O Box 317 Auckland

To: The Registrar
Environment Court
Auckland

1. Murphys Park Development LP (**MPDL**) wishes to be a party to this appeal by Transpower New Zealand Ltd.
2. The appeal concerns the Council's decision to reject, in the Proposed Auckland Unitary Plan (**Unitary Plan**), the Independent Hearing Panel's recommendation regarding the width of the National Grid Corridor Overlay.
3. Murphys Development Ltd made a further submission on the Unitary Plan in support of a submission by Hugh Green Ltd which sought the removal of the Electricity Transmission Corridor Overlay / buffers and reliance on the existing electricity standards (NZCEP34:2001) in the Unitary Plan (Further Submission #2733). MPDL is a successor to Murphys Development Ltd in that it purchased the property at 125A Murphys Road, Flat Bush from Murphys Development Ltd after lodgement of the further submission.
4. MPDL also has an interest in the proceedings greater than that of the general public, because its land at 125A Murphys Road is affected by the National Grid Corridor Overlay.
5. MPDL is not a trade competitor for the purposes of s 308C of the Resource Management Act 1991.
6. MPDL opposes the relief sought. The reasons for its position include, but are not limited to:
 - (a) The relief sought creates uncertainty for subdivision or development of land containing an overlay subject to electrical transmission lines.
 - (b) The relief sought does not allow landowners to develop their land in a reasonable manner (i.e. underneath powerlines but with building platforms away from power lines).
 - (c) The relief sought does not prevent loss of property rights for landowners, including MPDL.

7. MPDL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated at Auckland the 6th day of October 2016.



Matthew Casey QC / Asher Davidson
Counsel for applicant