

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Phill Reid, Manager, Planning, Auckland-wide

FROM Sisira Jayasinghe, Planner, Planning Central & South

DATE 6 August 2019

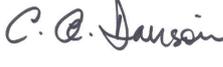
SUBJECT Designation to be updated in the AUPOP in accordance with s182 of the Resource Management Act



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update	
Chapter	Chapter K
Section	Schedules and Designations
Designation only	
Designation # 3905	Non-Custodial Facility – Queens Road, Minister of Corrections
Locations:	222 Queens Road, Panmure, Auckland
Lapse Date	Given effect to (i.e. no lapse date)
Purpose	Corrections purposes (non-custodial facility), including community work centres and probation offices, excluding prisons.
Changes to text (shown in underline and strikethrough)	Text of Designation 3905 to be deleted in its entirety.
Changes to diagrams	Not applicable
Changes to spatial data	Refer to the Team Leader Approved Decision Report dated 5 August 2019
Attachments	<p>Attachment 1</p> <ul style="list-style-type: none"> • Team Leader Approved Decision Report dated 5 August 2019 (including map showing removal of Designation 3905) • 3905 Non-Custodial Facility – Queens Road designation text to be removed in full • Minister of Corrections' Notice to remove Designation 3905 under s 182(1) and Form 23 <p>Attachment 2 – Updated text</p> <p>Attachment 3 – Updated GIS Viewer map</p>

Prepared by: Sisira Jayasinghe	Text entered by: Sophia Coulter
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Planner, Planning Central & South	Planning Technician
Signature: 	Signature: 
Maps prepared by: Aching Konyak Geospatial Analyst	Reviewed by: Sisira Jayasinghe Planner, Planning Central & South
Signature 	Signature: 
Signed off by: Celia Davision Manager, Planning Central and South	
Signature: 	

Attachment 1

- Team Leader Approved Decision Report dated 5 August 2019 (including map showing removal of Designation 3905)
- 3905 Non-Custodial Facility – Queens Road designation text to be removed in full
- Minister of Corrections' Notice to remove Designation 3905 under s 182(1) and Form 23

Removal of a designation under section 182 of the Resource Management Act 1991



To: Marc Dendale, Team Leader Planning Central and South

From: Sisira Jayasinghe, Planner, Planning Central and South

Date: 5 August 2019

Subject:

Removal of Designation 3905 (Non-Custodial Facility – 222 Queens Road, Panmure) in the Auckland Unitary Plan (Operative in Part)

Summary

Auckland Council has received a request from Minister of Corrections under section 182 of the Resource Management Act 1991 (RMA), dated 25 July 2019, to remove in full Designation 3905 Non-Custodial Facility – 222 Queens Road, Panmure.

A section 182(1) request is required to uplift the existing designation in full from land which has been deemed surplus by the Minister of Corrections.

Auckland Council, as the territorial authority, is required to amend its district plan, without using the process in Schedule 1, as soon as reasonably practicable after receiving a section 182 request unless it considers that the effect of the removal of part of the designation on the remaining designation is more than minor.

It is recommended that the removal be accepted.

Recommendation

1. That the section 182 request from the Minister of Corrections for the removal of Designation 3905 Non-Custodial Facility – 222 Queens Road, Panmure in the Auckland Unitary Plan (Operative in Part) be **accepted** for the following reasons:
 - The Department of Corrections no longer uses the site for corrections purposes; and
 - Therefore the designation is no longer required by the Minister of Corrections. The Department has transferred the property to Land Information New Zealand (LINZ) to dispose of on behalf of the Crown.
 - No persons are likely to be affected by the removal of the designation.

2. That Designation 3905 Non-Custodial Facility – 222 Queens Road, Panmure be removed, as soon as reasonably practicable, and that the Auckland Unitary Plan (Operative in Part) Designation overlay and Chapter K Designations be amended accordingly.

1. Description

1.1. References

Designation number:	3905 Corrections purposes - Non-Custodial Facility – 222 Queens Road, Panmure
Lodgement date:	25 July 2019
Requiring authority:	Minister of Corrections
Reporting officer:	Sisira Jayasinghe, Planner, Planning Central & South
Site address:	222 Queens Road, Panmure, Auckland 1072
Legal Description	LOT 3 DP 45483
UP Zoning:	Residential – Mixed Housing Urban Zone

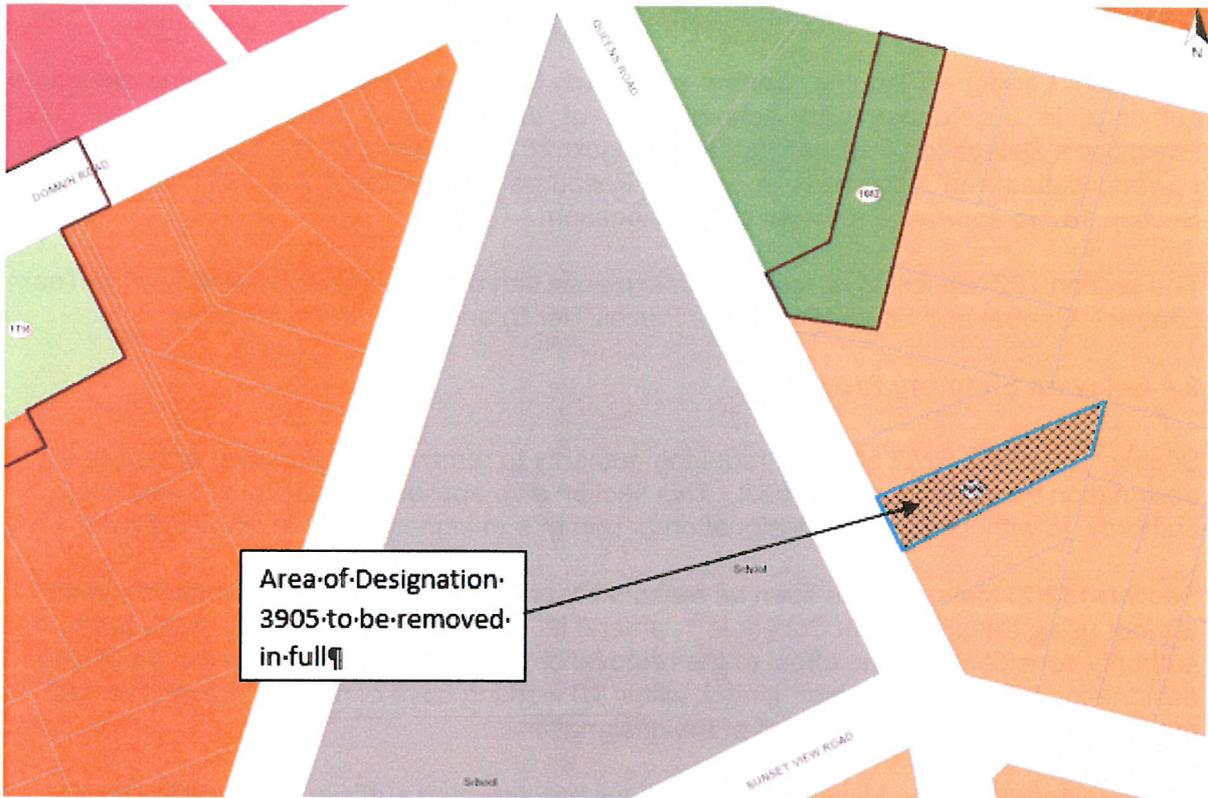
2.0 Background

2.1 Details of designation

Designation 3905 is a Rollover Designation from the Auckland Council District Plan – (Isthmus Section) 1999. The Lapse date is given as 'Given effect to' (i.e. no lapse date). The Purpose is given as corrections purposes (non-custodial facility), including community work centres and probation offices, excluding prisons.

2.2 Land affected by removal

Designation 3905 to be removed is currently shown in the AUP maps as follows:



222 Queens Road – Minister of Corrections Designation 3905 (Non-Custodial Facility)



222 Queens Road – Designation 3905 (Non-Custodial Facility) – Aerial Map

2.3 Delegated authority to consider alterations to designations

The Team Leader – Planning, Central and South (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Combined Chief Executive’s Delegation Register (updated August 2018), to exercise the Council’s functions, powers, duties and discretions under the Resource Management Act 1991 in relation to Section 182 to approve a removal of a designation.

The section 182 request to remove the designation can therefore be considered by the Team Leader – Central and South (Plans and Places Tier 5) and accepted or declined.

2.4 Relevant Statutory Provisions

Section 182 of the RMA allows a requiring authority to remove a designation or part of a designation if it no longer requires it. This section also applies to a notice by a territorial authority, to withdraw its own designation or part of a designation within its own district.

Section 182(2) states that as soon as reasonably practicable the territorial authority shall, without using the process in Schedule 1, amend its district plan accordingly. If the territorial authority considers that the effect of the removal of part of a designation on the remaining designation is more than minor, it may, within 20 working days of receipt of a section 182 notice, decline to remove that part of the designation.

It is considered that the Minister of Corrections has provided sufficient justification for the removal of Designation 3905 Non-Custodian Facility – 222 Queens Road), namely that:

- The Department of Corrections no longer uses the site for corrections purposes; and
- Therefore the designation is no longer required by the Minister of Corrections. The Department has transferred the property to Land Information New Zealand (LINZ) to dispose of on behalf of the Crown.
- No persons are likely to be affected by removal of the designation.

3.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 the removal of Designation 3905 Non-Custodian Facility – Queens Road) be **accepted** and the Auckland Unitary Plan (Operative in Part) designation overlay and text in Chapter K Designations be amended accordingly.

Prepared by :

Sisira Jayasinghe
Planner, Planning Central & South

Signature:

Date :

05 August 2019

Accepted by :

Marc Dendale
Team Leader, Planning Central & South

Signature :

Date :

06 August 2019

SCHEDULE OF ATTACHMENTS:

1. Minister of Corrections request to the Auckland Council to amend the AUP
2. Form 23 - Copy of the notice served on the owner of land which Designation 3905 relates to
3. Copy of Designation 3905 Non-Custodial Facility – 222 Queens Road, Panmure

24 July 2019

Auckland Council
Central/South Plans and Places Department
Private Bag 92300
AUCKLAND 1142

Attention: Celia Davison

Dear Celia,

NOTICE TO UPLIFT DESIGNATION 3905 – 222 QUEENS ROAD, PANMURE

Pursuant to s182 of the Resource Management Act (RMA), the Department of Corrections gives notice that Designation 3905 for non-custodial community corrections purposes can be removed from 222 Queens Road, Panmure.

The designation is contained in Chapter K Designation of the Auckland Unitary Plan (Operative in Part) and is shown on the Auckland Council GeoMaps.

The Department no longer uses the site for Corrections purposes, and therefore the designation is no longer required by the Minister of Corrections. The Department transferred the property to Land Information New Zealand (LINZ) to dispose of on behalf of the Crown.

To meet the requirement of s182(1)(b) of the RMA, LINZ has received a copy of this notice. The Certificate of Title and correspondence with LINZ confirming they have no concerns with the designation being uplifted is enclosed.

No persons are likely to be affected by removal of the designation.

The Department of Corrections requests that Auckland Council amends the Auckland Unitary Plan accordingly, and look forward to confirmation that Designation 3905 has been uplifted.

Please contact me if you have any queries (04 460 3234, rmalm@corrections.govt.nz).

Yours faithfully,



Pip Hurrell
Senior Advisor Environment

CC Land Information New Zealand
PO Box 5501
WELLINGTON 6145

Attention: Jacob Taulealea

Enclosed:

- Form 23 notice of removal of designation
- Certificate of Title
- Correspondence with LINZ

Form 23

NOTICE OF REMOVAL OF DESIGNATION UNDER SECTIONS 182 OF THE RESOURCE
MANAGEMENT ACT 1991

To Auckland Council

And to Land Information New Zealand, as manager of Lot 3 DP 45483 on behalf of owner Her Majesty the Queen

The Minister of Corrections gives notice that it no longer requires the following designation:

Designation: Designation 3905 of the Auckland Unitary Plan (Operative in Part)

Affecting: 222 Queens Road, Panmure, Auckland

Legal description: Lot 3 DP 45483

Purpose of Designation: Corrections purposes (non-custodial facility), including community work centres and probation offices, excluding prisons.

Requiring Authority: Minister of Corrections

The Minister of Corrections requests Auckland Council amends the Auckland Unitary Plan accordingly as required by section 182 of the Resource Management Act 1991.



Andrea Millar

Manager RMA and Land Management – Department of Corrections

On behalf of the Minister of Corrections

24 July 2019

Date

Electronic address for service of requiring authority: rmalm@corrections.govt.nz

Telephone: +64 4 460 3234

Postal address: Department of Corrections, Private Bag 1206, Wellington 6140

Contact person: Pip Hurrell, Senior Environmental Adviser



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



Identifier NA88C/865
Land Registration District North Auckland
Date Issued 09 March 1993

Prior References

GN C311506.8

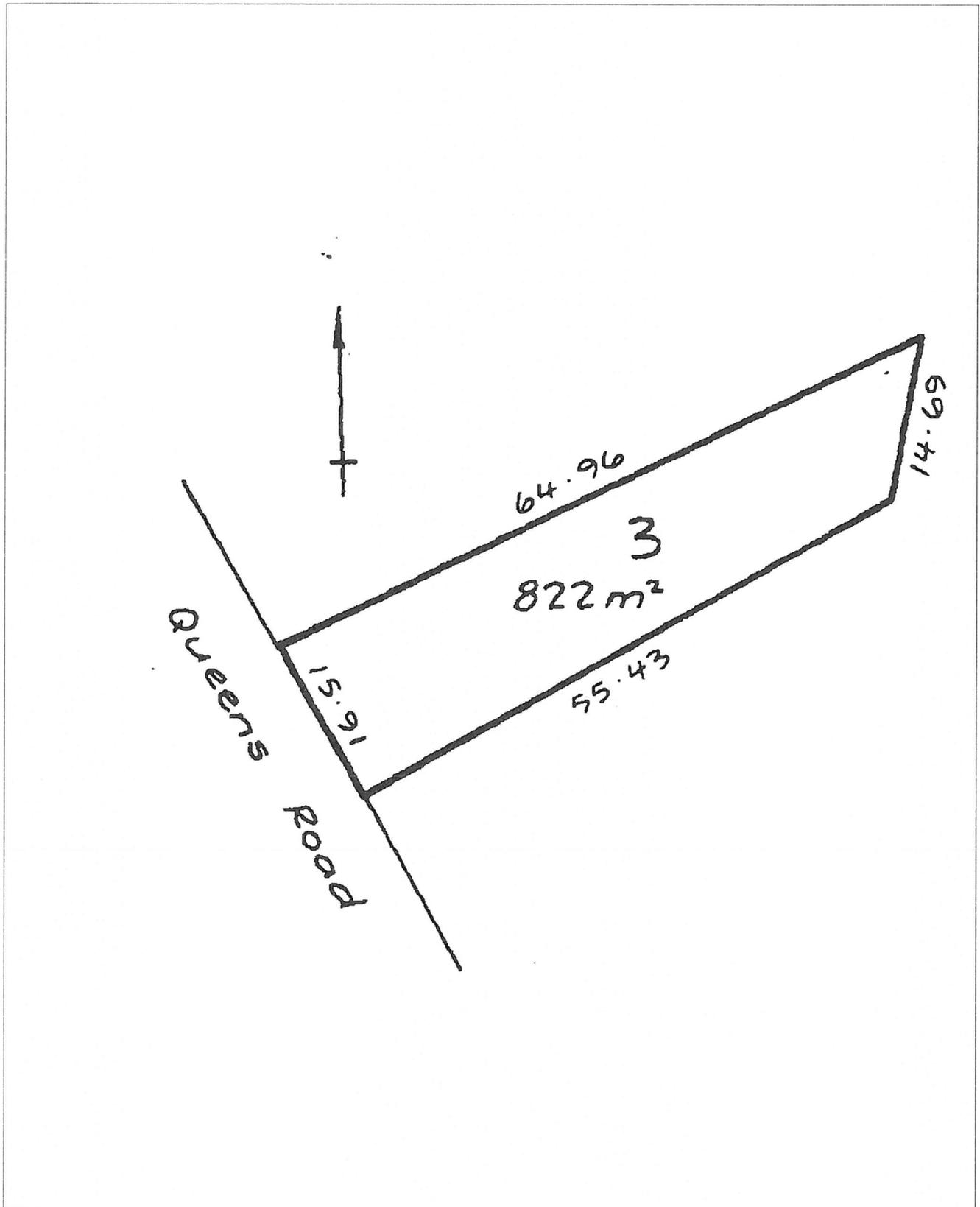
Estate	Fee Simple
Area	822 square metres more or less
Legal Description	Lot 3 Deposited Plan 45483
Purpose	Justice

Registered Owners

Her Majesty the Queen

Interests

9889372.1 Certificate under section 148 of the Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014 that the within land is RFR land as defined in section 118 and is subject to Subpart 1 of Part 4 of the Act (which restricts disposal, including leasing of the land) - 10.11.2014 at 7:00 am



HURRELL, Philippa (WELLHO)

From: Jacob Taulealea <jtaulealea@linz.govt.nz>
Sent: 19 July 2019 09:43 a.m.
To: HURRELL, Philippa (WELLHO)
Subject: RE: Uplift of designation on 222 Queens Rd, Panmure

Thanks Phillips
We have no concerns with lifting the designation.

Cheers
JT

Jacob Taulealea
Manager Land and Property Wellington
jtaulealea@linz.govt.nz | DDI 04 495 6203 | M 027 273 5843

From: HURRELL, Philippa (WELLHO) [<mailto:Pip.Hurrell@CORRECTIONS.GOVT.NZ>]
Sent: Thursday, 18 July 2019 2:56 p.m.
To: Jacob Taulealea
Subject: Uplift of designation on 222 Queens Rd, Panmure

Hi Jacob,

There is a RMA designation for non-custodial corrections purposes over the property at 222 Queens Road, Panmure. This site is with LINZ for disposal (NaPALIS ID 3241080).

As this property is no longer being used for corrections purpose, the designation is no longer required by the Minister of Corrections and we would like to remove it. Prior to lodging the notice to remove the designation with Auckland Council, please can you confirm that LINZ has no concerns with the designation being uplifted.

I have attached the notice to remove the designation for your information.

Please let me know if you have any questions.

Regards,
Pip

Pip Hurrell

Senior Adviser Environment

Department of Corrections, *Ara Poutama Aotearoa*

a: National Office, Mayfair House, 44 - 52 The Terrace, Wellington, 6011

p: 04 460 3234 **m:** 027 545 5698 **ext:** 68234

e: philippa.hurrell@corrections.govt.nz



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3905 Non-Custodial Facility – Queens Road

Designation Number	3905
Requiring Authority	Minister of Corrections
Location	222 Queens Road, Panmure
Rollover Designation	Yes
Legacy Reference	Designation F15-38 Auckland Council District Plan (Isthmus Section) 1999
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Corrections purposes (non-custodial facility), including community work centres and probation offices, excluding prisons.

Conditions

No conditions

Attachments

No attachments

Attachment 2 – Updated text

~~3905 Non-Custodial Facility – Queens Road~~

Designation Number	3905
Requiring Authority	Minister of Corrections
Location	222 Queens Road, Panmure
Rollover Designation	Yes
Legacy Reference	Designation F15-38 Auckland Council District Plan (Isthmus Section) 1999
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

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Conditions

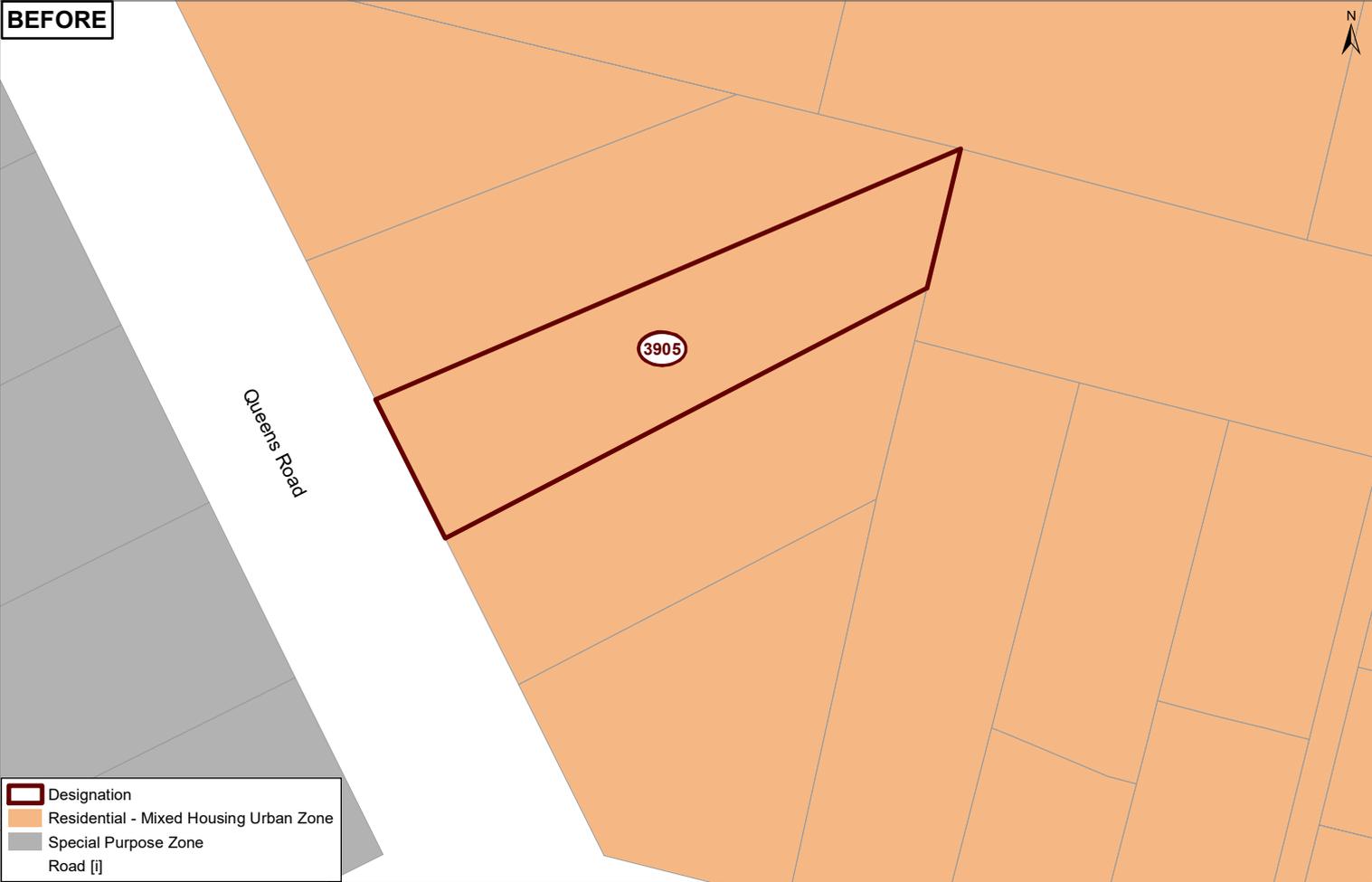
~~No conditions~~

Attachments

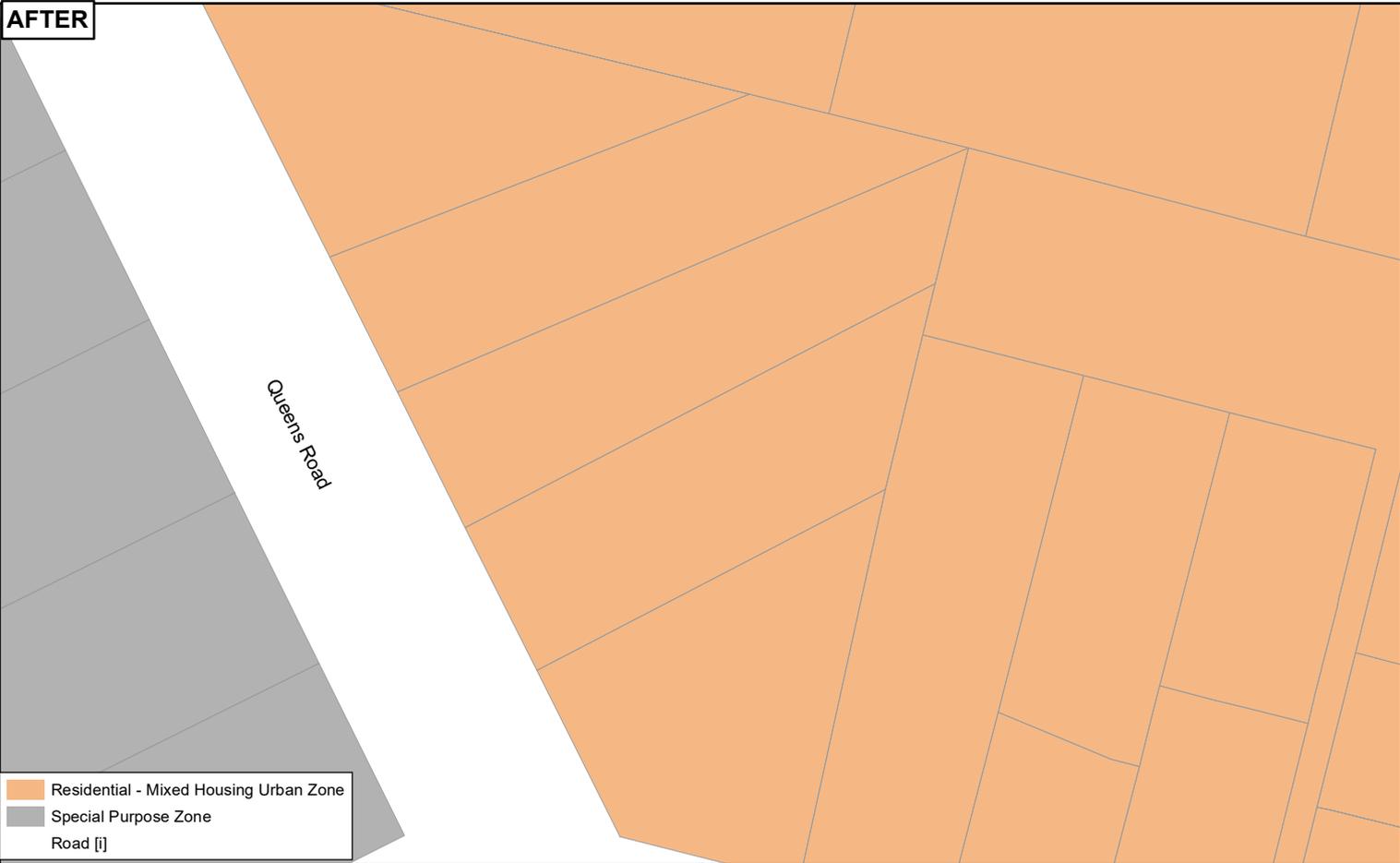
~~No attachments~~

Attachment 3 – Updated GIS Viewer map

BEFORE



AFTER



Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Date: 8/08/2019

Designation 3905 removed



Plans and Places