

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

Minister of Corrections

Minor matters and errors

May 2016

Report first prepared by Murray Kivell 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 12 August 2015 and updated 1 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 or others (submissions to correct errors or address minor matters);
- iii. modification to a designation and submissions lodged by the requiring authority or others (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:

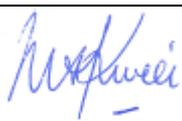
- i. involve no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned? or
- ii. involve only minor changes or adjustments to the boundaries of the designation?

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

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

3. Recommendation to Panel

That the Panel recommend to Auckland Council the modifications/designation be confirmed as set out in section 6.

Author	Murray Kivell
Author's Signature	
Date	12 August 2015 and updated on 1 October 2015 with no change

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 the designation included in the Proposed Auckland Unitary Plan.

This recommendation applies to the designations listed in section 6 below.

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	Minister of Corrections
Designation number (s)	3900 Auckland Prison, 3901 Auckland Prison Reservoir (no modifications; no submissions; no Panel recommendation required) 3902 Non-custodial Facility – Ratanui Street 3904 Non-custodial Facility – Jellicoe Road, 3905 Non-custodial Facility – Queens Road, 3906 Non-Custodial Facility – Portage Road 3907 Non-custodial Facility – Newsome Street, 3908 Non-custodial Facility – Fort Richard Road, 3909 Non-custodial Facility – Canning Crescent, 3911 Non-custodial Facility – Porchester Road, 3912 Non-custodial Facility – Roulston Street.
Designation purpose in Proposed Auckland Unitary Plan	Prisons (3900, 3903) and non-custodial facilities (3902-3912 and excluding 3903 and 3910).
Location	Various
Designation given effect to	Yes
Lapse date in operative plan if not marked as 'given effect to' in the Proposed Auckland Unitary Plan	None
Description of the modifications	<p>3900 – minor modifications to update conditions already amended by alterations to designation in March 2012 as follows:</p> <p>3902, 3904, 3905, 3907, 3908, 3909, 3911, 3912 – modification to standardise purpose statements to read:</p> <p style="padding-left: 40px;">Corrections Purposes (Non-Custodial Facility), including Community Work Centres and probation Offices, excluding Prisons.</p> <p>3902, 3906 - delete conditions that restate the information requirements for an outline plan of works under section 176A Resource Management Act 1991 and their supporting explanation, and explanatory text relating to sedimentation and erosion control.</p> <p>3907, 3908 – delete lapse period reference as works have already been given effect to.</p>
Land owned by the requiring authority	All land subject to these designations is owned by the requiring authority.
Submitter	None
Matters addressed in submission	NA
Assessment and reasons	<p>The minor modifications update the conditions to the designation (3900) made in March 2012 and are administrative in nature.</p> <p>The changes made to the designation purpose statements standardise the descriptions to more accurately reflect the</p>

	<p>range of activities undertaken on the sites.</p> <p>The modification to conditions to delete the lapse periods is appropriate because the designations have been given effect to and therefore there is no need for a lapse period to be recorded.</p> <p>Overall, the changes to conditions are administrative, and will not result in any change of effects that are more than minor on the environment.</p>
Recommendation to Panel	That the Panel recommends to Council that the designations are confirmed with modifications set out in Attachment 2.
Response from Requiring Authority	Agrees with the above recommendations to Panel (refer to letter to Panel from Boffa Miskell dated 11 September 2015.)
Report writer's further comments	None required.
Recommendation from Panel	The Panel agrees with the report writer's recommendations.
Panel Reasons	The Panel agrees with the report writer's reasons.