

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Ross Moffatt, Team Leader, North West and Islands

FROM Cosette Saville, Planner, North West and Islands

DATE 30 July 2020

SUBJECT **Partial removal of Designation 4519 Glenfield College in accordance with section 182 of the Resource Management Act 1991 in the Auckland Unitary Plan(AUP) Operative in part (15 November 2016)**



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

Reason for update – <i>Partial removal of Designation 4519 Glenfield College in the Auckland Unitary Plan</i>	
Chapter	AUP GIS Viewer
Section	
Designation only	
Designation #	4519 Glenfield College – Ministry of Education
Locations:	52 Kaipatiki Road, Glenfield
Lapse Date	Given effect to (no lapse date)
Purpose	Educational purposes – secondary school (years 7 - 13)
Changes to text (shown in underline and strikethrough)	N/A
Changes to diagrams	N/A
Changes to spatial data	<p>Partial uplift of Designation 4519 Glenfield College at 52 Kaipatiki Road, Glenfield Section 1 SO 538056</p>
Attachments	<p>Attachment 1: Section 182 Partial Uplift Report</p> <p>Attachment 2: Updated GIS Viewer to Designation 4519</p>

<p>Prepared by: Cosette Saville Planner</p>	<p>Text Entered by: Harry Barnes Planning Technician</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Maps prepared by: Mitesh Bhula Geospatial Analyst</p>	<p>Reviewed by: Cosette Saville Planner</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Signed off by: Warren MacLennan Manager Planning – North West & Islands</p>	
<p>Signature:</p> 	

Attachment 1: Section 182 Partial
Uplift Report

Partial removal of a designation under section 182 of the Resource Management Act 1991



To: Ross Moffatt, Team Leader, North West and Islands

From: Cosette Saville, Planner, North West and Islands

Date: 30 July 2020

Subject: Partial removal of Designation 4519 Glenfield College in the Auckland Unitary Plan

Summary

Auckland Council has received a request from the Ministry of Education under section 182 of the Resource Management Act 1991 (RMA), dated 2 June 2020, to remove in part Designation 4519 Glenfield College.

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

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 partial removal be accepted.

Recommendation

1. That the section 182 request from the Ministry of Education for the partial removal of Designation 4519 Glenfield College in the Auckland Unitary Plan be **accepted** for the following reasons:
 - The Ministry of Education no longer requires the land for education purposes.
2. That Designation 4519 Glenfield College be partially removed, as soon as reasonably practicable, in the Designation overlay in the Auckland Unitary Plan.

1. Description

1.1. References

Designation number:	4519 Glenfield College
Lodgement date:	2 June 2020
Requiring authority:	Ministry of Education

Reporting officer:	Cosette Saville, Planner, Plans and Places
Site address:	52 Kaipatiki Road, Glenfield Section 1 SO 538056
UP Zoning:	Residential – Mixed Housing Suburban zone

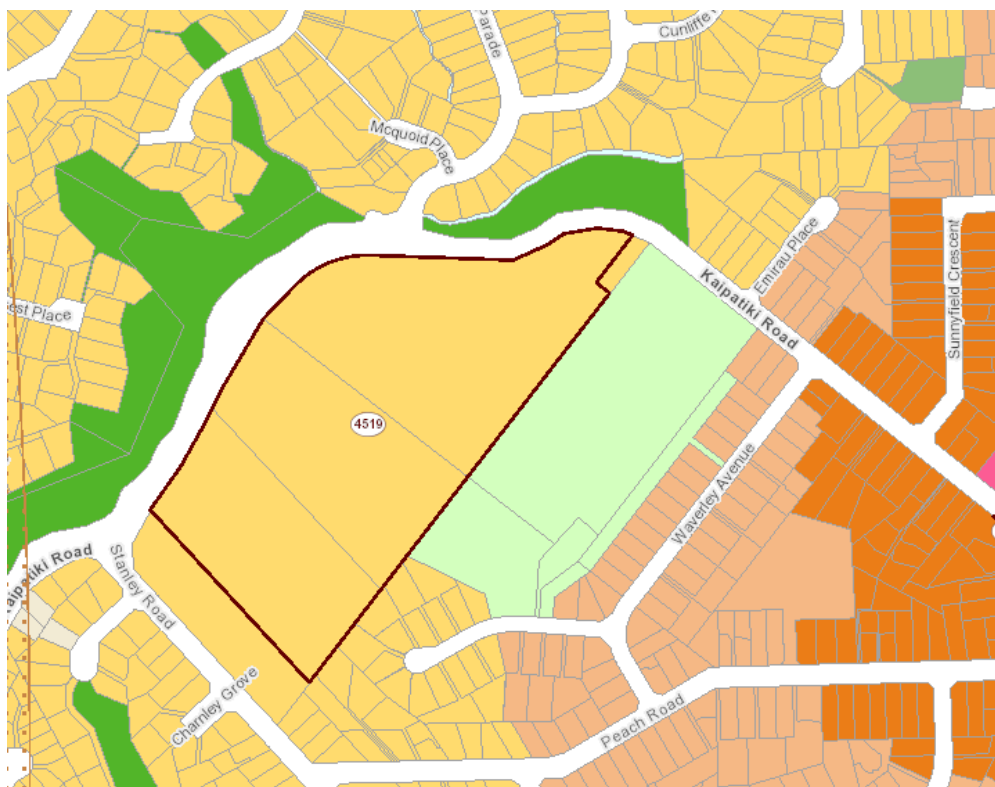
2.0 Background

2.1 Details of designation

The purpose of Designation 4519 (Glenfield College) is for *Educational purposes – secondary school (years 7-13)*. Designation 4519 is a rollover designation (Designation 48, Auckland Council District Plan (North Shore Section), 2002).

2.2 Land affected by removal

The designation is currently shown in the AUP maps as follows:



The Ministry of Education has provided a site plan (refer to image below) showing the extent of the designation which is to be partially removed. The area outlined in red which is now Section 1 SO 538056 is in disposal and is the area sought to be removed from the designation.



2.3 Delegated authority to consider alterations to designations

The Team Leader - Planning North, West and Islands (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2017), 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 – North, West and Islands (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 wants 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 Ministry of Education has provided sufficient justification for the partial removal of Designation 4519 Glenfield College for the following reasons:

- The part of the designation legally described as Section 1 SO 538056 held for Glenfield College is no longer required for education purposes.

3.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 that the partial removal of Designation 4519 Glenfield College be **accepted** and the Auckland Unitary Plan Operative in part designation overlay be amended accordingly.

Prepared by: Cosette Saville
Planner
North, West and Islands

Signature:



Accepted by: Ross Moffatt
Team Leader
North, West and Islands

Signature:



Date: 30 July 2020

SCHEDULE OF ATTACHMENTS:

Attachment A: Designation 4519 Glenfield College s182 Notice of Removal

**NOTICE TO AUCKLAND COUNCIL
OF REMOVAL OF DESIGNATION UNDER
SECTION 182 OF THE RESOURCE MANAGEMENT ACT 1991**

1. I, Brian Mitchell, Group Manager, Infrastructure and Advisory Services, Ministry of Education, acting under delegated authority from the Minister of Education, hereby give notice that I no longer require the following designation:

A partial land at Glenfield College (Land) - Kaipatiki Road, Glenfield

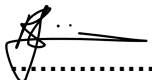
The property comprises an area of 2.5077 hectares more or less and is held as per below

2.3345 ha Section 1 Survey Office Plan 538056 (formerly Part Lot 10 and Part Lot 11 DP 58) being all of the land held in Part Record of Title NA35C/313 (Part-Cancelled), North Auckland Land District

Designated for Ministry of Education under the Auckland Council District Plan - Operative North Shore Section 2002 being Designation 48 in Map 24.

2. I now request the Auckland Council to amend its District Plan as required by Section 182 of the Resource Management Act 1991.

Dated at Wellington this ...2nd..... day ofJune..... 2020



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Brian Mitchell
Group Manager, Infrastructure and Advisory Services
Ministry of Education

**Attachment 2: Updated GIS Viewer to
Designation 4519**

BEFORE



AFTER



0 30 60 120 Metres

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: 6/08/2020

Partial Removal of Ministry of Education (4519)