

## UNITARY PLAN UPDATE REQUEST MEMORANDUM

**TO** Celia Davison – Manager Central South, Plans and Places

**FROM** Lee-Ann Lucas – Senior Policy Planner Central South, Plans and Places


**DATE** 25 March 2022





**SUBJECT** **Removal of Designation D5722 from the Auckland Unitary Plan (AUP) Operative in part (15 November 2016)**



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

<b>Reason for update – Removal of designation under s182 of the Resource Management Act 1991</b>	
<b>Chapter</b>	AUP(OIP) GIS viewer – Unitary Plan layer - Designations <b>Chapter K – Schedules and designations – Minister of Police</b>
<b>Section</b>	Schedules and Designations – Minister of Police AUP(OIP) GIS Viewer
<b>Designation only</b>	
<b>Designation #</b>	<b>5722 – Mt Roskill Community Policing Centre – Minister of Police</b>
<b>Locations:</b>	1213 Dominion Road, Mt Roskill
<b>Lapse Date</b>	Given effect to (i.e. no lapse date)
<b>Purpose</b>	The construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility and every use of the land for police and ancillary purposes as detailed in the Policing Act 2008 and subsequent updates.
<b>Changes to text (shown in underline and strikethrough)</b>	Removal of designation from Chapter K Refer to Attachment 2
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	Removal of Designation 5722 from AUP GIS viewer – Unitary Plan Layer – Designations. Refer Attachment 1.
<b>Attachments</b>	Attachment 1 - S182 recommendation report Attachment 2 – Updated text D5722 (Strikethrough/ underlined) Attachment 3 – Updated GIS Viewer

<b>Prepared by:</b> Lee-Ann Lucas Senior Policy Planner Central South – Plans and Places	<b>Text Entered by:</b> Sarah El Karamany Planning Technician
<b>Signature:</b> 	<b>Signature:</b>

	
<b>Maps prepared by:</b> Natalia Liana Geospatial Specialist	<b>Reviewed by:</b> Fiona Sprott Team Leader Central South – Plans and Places
<b>Signature:</b> 	<b>Signature:</b> 
<b>Signed off by:</b> Celia Davison Manager Planning Central South – Plans and Places	
<b>Signature:</b>  PP (Marc Dendale on behalf of Celia Davison)	

# **Attachment 1 - S182 recommendation report**

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



**To:** Fiona Sprott-Team Leader Central/South Plans and Places

**From:** Lee-Ann Lucas -Senior Policy Planner Central/South Plans and Places

**Date:** 25 March 2022

**Subject:** Removal of Designation D5722 Mt Roskill Community Policing Centre – 1213 Dominion Road, Mt Roskill in the Auckland Unitary Plan (Operative in Part)

## Summary

Auckland Council has received a request from the Minister of Police under section 182 of the Resource Management Act 1991 (RMA), dated 4 November 2021 to remove Designation D5722 – Mt Roskill Community Policing Centre – 1213 Dominion Road, Mt Roskill.

A section 182(1) request is required to remove the existing designation from land as it has been deemed surplus by New Zealand Police.

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.

It is recommended that the removal be **accepted**.

## Recommendation

1. That the section 182 request from the Minister of Police for the removal of Designation D5722 Mt Roskill Community Policing Centre in the Auckland Unitary Plan be **accepted** for the following reasons:
  - The property subject to Designation 5722 is no longer required by the Minister of Police for the purpose of the designation and is being on sold.
2. That Designation D5722 Mt Roskill Community Policing Centre – 1213 Dominion Road, Mt Roskill be removed, as soon as reasonably practicable, from the Designation overlay in the Auckland Unitary Plan.

## 1. Description

### 1.1. References

<b>Designation number:</b>	D5722
<b>Lodgement date:</b>	4 November 2021
<b>Requiring authority:</b>	Minister of Police
<b>Reporting officer:</b>	Lee-Ann Lucas

<b>Site address:</b>	1213 Dominion Road, Mt Roskill
<b>AUP Zoning:</b>	Business – Neighbourhood Centre Zone

## 2.0 Background

### 2.1 Details of designation

Designation 5722 applies to 1213 Dominion Road, Mt Roskill for the purpose of *the construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility and every use of the land for police and ancillary purposes as detailed in the Policing Act 2008 and subsequent updates.*

This designation is a rollover of Designation G06-02, Auckland Council District Plan (Isthmus Section) 1999.

### 1.2 Land affected by removal

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

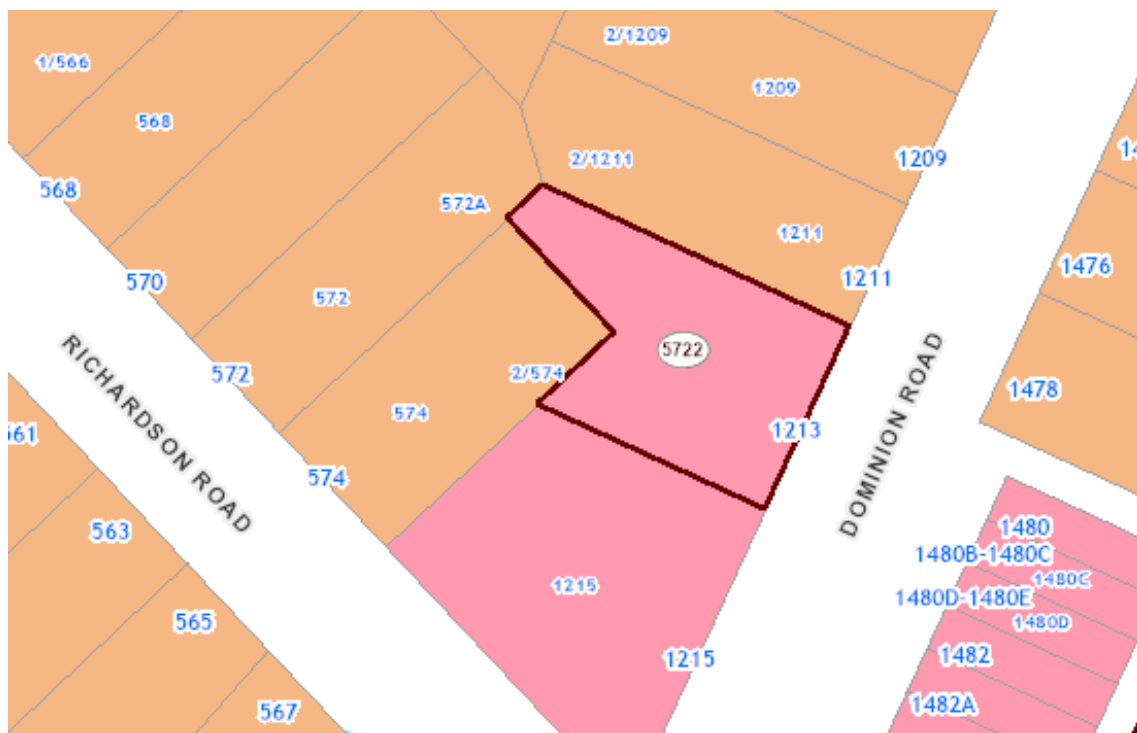


Figure 1 – Underlying zone of designation site and surrounding area



**Figure 2 – aerial photograph of designation site**

The underlying zone of the designation site is Business – Neighbourhood Centre zone. The site is also subject to the Designation 1102 Obstacle Limitation, Runway Protection and Ground Light Restriction which is administered by the Auckland International Airport. This designation remains over the property. Otherwise the site is not subject to any other management controls of the Auckland Unitary Plan (Operative in Part).

The Requiring Authority confirms that they no longer require the facilities and will be on-selling. The property is currently vacant.

### **1.3 Delegated authority to consider alterations to designations**

The Team Leader - Planning Central South (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2021), 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 South (Plans and Places Tier 5) and accepted or declined.

### **1.4 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.

It is considered that the Minister of Police has provided sufficient justification for the removal of Designation 5722 Mt Roskill Community Policing Centre – 1213 Dominion Road, Mt Roskill for the following reasons:

- The designation of Community Policing Centre is redundant as the property is no longer required or used for these purposes. The Requiring Authority intends to dispose of the property.

## 2.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 that the removal of Designation 5722 Mt Roskill Community Policing Centre – 1213 Dominion Road, Mt Roskill be **accepted** and the Auckland Unitary Plan Operative in part designation overlay be amended accordingly.

**Prepared by:** Lee-Ann Lucas  
Senior Planner  
Planning Central and South

**Accepted by:** Fiona Sprott  
Team Leader  
Planning Central and South

**Signature:**



**Signature:**



Date: 25 March 2022

### **SCHEDULE OF ATTACHMENTS:**

**Attachment A:** Minister of Police s182 Request to remove Designation 5722 Mt Roskill Community Policing Centre – 1213 Dominion Road, Mt Roskill, dated 4 November 2021.

4 November 2021  
Our Job no. 717828

**The Property Group Limited**  
Level 11, Cornerstone House  
36 Customhouse Quay  
Wellington 6011  
PO Box 2874  
Wellington 6011

Resource Consents  
Auckland Council  
Private Bag 92300  
Victoria Street West  
Auckland 1142

Dear Sir/Madam,

**Uplift of Designation – #5722: 1213 Dominion Road, Mt Roskill**

The Property Group Limited (TPG) is acting on behalf of New Zealand Police to apply for the Uplift of the Designation **5722** pursuant to Section 182 of the Resource Management Act 1991.

Please find enclosed a notice of removal of a designation. New Zealand Police has determined this designation is no longer required and requests the Auckland Unitary Plan be amended to reflect this.

For your information, New Zealand Police has determined that no other parties are affected by this uplift.

Please feel free to contact me if you have any questions or require further information.

Yours sincerely



**Anna Muller**

Planner

04 470 6105 / 021 858 498  
[amuller@propertygroup.co.nz](mailto:amuller@propertygroup.co.nz)



## Form 23

### Notice of Removal of Designation - Section 182, Resource Management Act 1991

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**To the relevant local authority:** Auckland Council

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**And to the current owner of the site:** New Zealand Police on behalf of Her Majesty the Queen.

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**And to any likely affected parties:** No parties are considered likely to be affected by the removal of the Designation 5722 from the Auckland Unitary Plan.

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**Requiring Authority:** Minister of Police

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**Agent:** Anna Muller  
Planner  
The Property Group Limited (TPG)  
021 858 498  
[amuller@propertygroup.co.nz](mailto:amuller@propertygroup.co.nz)

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**Address for service:** The Property Group Limited  
PO Box 2874  
Wellington 6140  
Attention: Anna Muller

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**Site Description:** 1213 Dominion Road, Mt Roskill

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**Legal description:** Lot 4 DP 40240

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**Enclosed:** Notice of Removal supporting information  
Appendix 1 – Record of Title  
Appendix 2 – Letter from New Zealand Police

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The New Zealand Police on behalf of the Minister of Police gives notice that it no longer requires the Designation 5722 in the Auckland Unitary Plan. The designation is for 'Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility...'.

The New Zealand Police on behalf of the Minister of Police requests the territorial authority to amend the Auckland Unitary Plan accordingly as required by section 182 of the Resource Management Act 1991.



## Removal of Designation

**Applicant:** New Zealand Police

**Address:** 1213 Dominion Road, Mt Roskill

**Date:** 4 November 2021

Document control

<b>Title:</b>	Notice of Removal of the Designation at 1213 Dominion Road, Mt Roskill
<b>Client:</b>	New Zealand Police
<b>Job number:</b>	717828
<b>Prepared by:</b>	Anna Muller - Planner
<b>Signature:</b>	
<b>Reviewed by:</b>	Karen Williams – Principal Planner
<b>Signature:</b>	

**1. Introduction**

New Zealand Police hereby gives notice under Section 182 of the Resource Management Act 1991 that the parcel of land designated as *Designation 5722, 1213 Dominion Road* and identified in *Chapter K Designations, Designation Schedule - Minister of Police* is no longer required for the designation purpose.

**2. Site Description**

The 905m<sup>2</sup> site is located on the western side of Dominion Road, Mt Roskill. The site contains a central building with accessory buildings along the northwest and southern boundary. There is parking to the north and east of the main building, with access to Dominion Road at the sites north-eastern corner.

Figure 1 (below) shows an aerial view of the subject site and its relationship to neighbouring properties.



Figure 1: Location of the site at 1213 Dominion Road, Mt Roskill (outlined in yellow).

**3. Unitary Plan Information**

The site is identified as designation 5722 on the Unitary Plan Map G06. The schedule of designations in Chapter K of the Unitary Plan notes the purpose of Designation 5722 Mt Roskill Community Policing Centre is for the “Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility and every use of the land for police and ancillary purposes as detailed in the Policing Act 2008 and subsequent updates.”

The site is zoned Business – Neighbourhood Centre Zone in the Unitary Plan. With the removal of the designation, the site will be subject to the activity specific standards that apply in the underlying H12 Business – Neighbourhood Centre Zone.

It is noted that in accordance with section 10(1)(b) of the RMA that existing use rights apply to any non-compliance that exist once the designation is removed.



Figure 2: Unitary Plan experts showing the designated site (left, in red) and the underlying zone (right, in pink).

There are no other relevant Unitary Plan notations for the site. Dominion Road is identified as an arterial road.

**4. Notice of Removal Assessment**

The property at 1213 Dominion Road is no longer required or used for New Zealand Police purposes and is being disposed of. As such, New Zealand Police no longer require the designation.

**4.1. Names and addresses of owners and occupiers**

Section 182(1)(b) of the RMA requires that the requiring authority must give notice in the prescribed form to every person who is known to be the owner or occupier of the land to which the designation relates.

The site at 1213 Dominion Road is currently owned by Her Majesty the Queen for the purpose of a Community Policing Centre. New Zealand Police are requesting this designation is removed on behalf of the requiring authority, the Minister of Police and as such notice being served on the owner of the site can be assumed.

**4.2. Names and addresses of who are likely to be affected by the removal of the designation**

Section 182(1)(c) of the RMA requires that the requiring authority gives notice in the prescribed form to every other person who, in the opinion of the requiring authority, is likely

to be affected by the designation. No parties will be affected by the removal of the designation for the reasons outlined below:

- The subject site will retain its existing underlying zoning of H12 Business – Neighbourhood Centre Zone (see Figure 2 above).
- Adjoining sites to the south and southeast are in the H12 Business – Neighbourhood Centre Zone and sites to the north and west are in the H5 Residential – Mixed Housing Urban Zone. The removal of the designation will not impact the ability of surrounding neighbours to use their site as provided for by the Unitary Plan.
- The site is no longer required for its designated purpose and there will be no occupiers as a result.

With the removal of the designation, owners of neighbouring properties will have more certainty over what activities can or will occur on the subject site as the designation provisions will no longer be able to override the Unitary Plan provisions.

## **5. Conclusion**

This notice has been completed in the prescribed form (Form 23) and given to Auckland Council (as the territorial authority concerned). New Zealand Police are acting on behalf of the Her Majesty the Queen as the owner of the site and no parties are affected by the removal of the designation.

Removing the designation is considered best practice and essentially contributes to keeping the Unitary Plan provisions up to date. It also ensures the site can be sold without any unnecessary uncertainty for future owners and occupiers.

The New Zealand Police on behalf of the Minister of Police request that Auckland Council to amend the Unitary Plan without using a Schedule 1 process as required by section 182 of the RMA.

Appendix One – Record of Title





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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** NA67C/813  
**Land Registration District** North Auckland  
**Date Issued** 13 March 1989

**Prior References**  
PROC 13868

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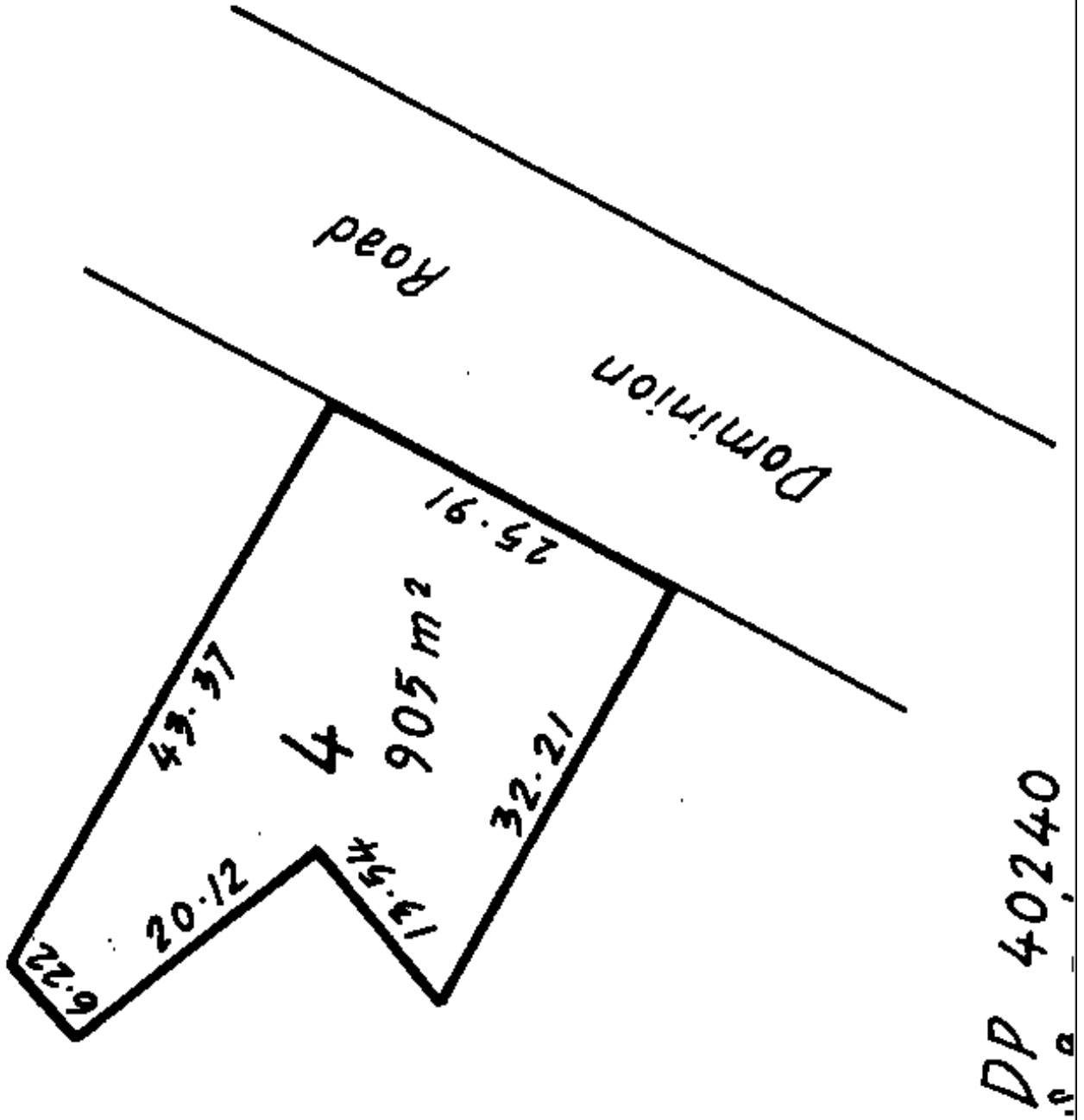
**Estate** Fee Simple  
**Area** 905 square metres more or less  
**Legal Description** Lot 4 Deposited Plan 40240  
**Purpose** police station  
**Registered Owners**  
Her Majesty the Queen

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**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





Appendix Two – Letter from the New Zealand Police



27 October 2021

Auckland Council  
Private Bag 92300  
Victoria Street West  
**Auckland 1142**

Dear Sir / Madam

**Removal of Designation 5722 at 1213 Dominion Road, Mt Roskill**

Pursuant to section 182 of the Resource Management Act 1991, New Zealand Police hereby gives notice that it no longer requires the following designation:

**Designation 5722: Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility and every use of the land for police and ancillary purposes as detailed in the Policing Act 2008 and subsequent updates: 1213 Dominion Road, Mt Roskill**

The designation is no longer required as the site is no longer used as a police station and is being sold. The site is currently vacant.

The New Zealand Police requests that Auckland Council amends the Auckland Unitary Plan accordingly as required by section 182 of the Resource Management Act 1991.

Yours sincerely



**Michelle Diston**

Director – Infrastructure

**Police National Headquarters**

180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand.  
Telephone: 04 474 9499. Fax: 04 498 7400. [www.police.govt.nz](http://www.police.govt.nz)

**Attachment 2 – Updated text D5722 (Strikethrough/  
underlined)**

## Designation Schedule - Minister of Police

Number	Purpose	Location
5700	Police purposes - Auckland Police Station	67-101 Vincent Street, Auckland Central
5701	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	1832-1834 Great North Road, Avondale
5702	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	1-3 Halston Road, Balmoral
5703	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	488 Roscommon Road, Manurewa
5704	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	7 Buscomb Avenue, Henderson
5705	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	92 Bader Drive, Mangere
5706	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	42 Manukau Station Road, Manukau City Centre
5707	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	12-16 Halver Road, Manurewa
5708	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	390 Don Buck Road, Massey
5709	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	3092 Great North Road, New Lynn
5710	Northern Region Police Headquarters	482-486 Great South Road, Otahuhu
5713	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	492 Te Atatu Road, Te Atatu
5714	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	16 Library Lane, Albany
5715	Police patrol base and dog section	35 Main Highway Ellerslie
5716	Police communication purposes	159 Great North Road, Arch Hill
5717	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	10 Bayview Road, Browns Bay
5718	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	88-90 Line Road, Glen Innes
5719	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	365 Glenfield Road, Glenfield
5720	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	6-12 Rimu Street, Helensville
5721	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	4-6 Matua Road, Huapai
5722	<del>Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...</del> <u>Withdrawn</u>	<del>1213 Dominion Rd, Mt Roskill</del>
5723	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	58 Remuera Rd, Newmarket
5724	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	126 Onehunga Mall, Onehunga

5725	Police purposes	4-6 Riverside Road, Orewa
5726	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	176 Great South Road, Otahuhu
5727	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	64 Wood Street, Papakura
5728	Police and emergency services radiocommunication and telecommunication	501 Otau Mountain Road, Clevedon
5729	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	19 Pollen Street, Ponsonby
5730	Withdrawn	
5731	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	31-39 Manukau Road, Pukekohe
5732	Motorway patrol office	14 Tecoma Street, Ellerslie
5734	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	3-7 Court Street, Waiuku
5735	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	6 Falls Street, Warkworth
5736	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	108 Rodney Street (State Highway 1), Wellsford
5737	Construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility ...	716 Whangaparoa Road, Stanmore Bay
5738	Motorway administration and maintenance	28 Sulphur Beach Road, Northcote Point

## 5722 Mt Roskill Community Policing Centre

Designation Number	5722
Requiring Authority	Minister of Police
Location	1213 Dominion Rd, Mt Roskill
Rollover Designation	Yes _____
Legacy Reference	N/A
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

The public work authorised by the designation is the construction, undertaking, establishment, management, operation, alteration and maintenance of a policing facility and every use of the land for police and ancillary purposes as detailed in the Policing Act 2008 and subsequent updates.

### Conditions

No conditions

### Attachments

No attachments

## **Attachment 3 – Updated GIS Viewer**



**BEFORE**



	Parcel boundary
	Designations

**AFTER**



	Parcel boundary
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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: 31/03/2022

**Designation Number 5722**  
**Mt Roskill Community Policing Centre**  
**Minister of Police**

**Auckland Council**  
 Te Kaunihera o Tamaki Makaurau

*Plans and Places*