

AUCKLAND UNITARY PLAN  
INDEPENDENT HEARINGS PANEL

*Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau*

---

Report on  
Hearing topic 074: Designations

Minister for Social Development

Child, Youth and Family Designations  
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 14 August 2015 and updated 21 September 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.**

## Contents

1. Introduction .....	3
2. Assessment .....	3
3. Recommendation to Panel .....	3
4. Panel recommendations to Auckland Council .....	4
5. Panel reasons .....	4
6. Assessment of modifications and designations .....	5

## 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, this report concludes that the modifications and designations in section 6 meet the above criteria.

## 3. Recommendation to Panel

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


<b>Author</b>	Murray Kivell
<b>Author's Signature</b>	
<b>Date</b>	14 August 2015 and updated on 21 September 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 notices of requirement for the modifications to designations 5900, 5901 and 5903 included in the Proposed Auckland Unitary Plan.

#### 5. Panel reasons

The reasons for the Panel's recommendation are set out in section 6 below.

<b>Panel Chair</b>	David Kirkpatrick
<b>Chair's Signature</b>	
<b>Date</b>	18 May 2016

## 6. Assessment of modifications and designations

Requiring authority	Minister for Social Development
Designation number (s)	5900, 5901, 5903
Designation purpose	5900: Care and Protection Residential Centre 5901: Child Welfare Institution 5903: Child Welfare Institution
Location	5900: 398 Weymouth Road, Weymouth 5901: 26-28 Normandy Place, Henderson 5903: 116, 118 Wharf Road, Te Atatu Peninsula
Designation given effect to	Yes
Lapse date in operative plan if not marked as 'given effect to' in the Proposed Auckland Unitary Plan	NA
Land owned by the requiring authority	5900: No. Owner Waimahia Inlet Neighbourhood Limited Partnership Lot 500 DP 477136. Special Housing Area. Requiring authority owns 400 Weymouth Road, Weymouth Section 2 SO 362124.  5901: Yes 26 Normandy Place Lots 79 & 80 DP 56436 No 27 Normandy Place. Owner L Fan LOT 67 DP 56436  5903: Yes
Description of the modification in the rollover	<b>5900</b>  i. Remove conditions 1 and 3 as no longer relevant. Construction of the facility completed in 2006.  <b>5901 and 5903</b>  i. Remove condition 1(a) requiring a statement on the relevant objectives, policies and rules as they are ultra vires in terms of section 176(2) ii. Remove condition 1(b) as it is superfluous in that it restates the requirements of section 176A(3)(f). iii. Remove condition 2 requiring appropriate sedimentation and erosion control measures for any earthworks as these are already a requirement under the Auckland Regional Plan: Sediment Control.
Assessment of rollover modifications and reasons	The modification:  i. involves no more than a minor change to the effects on the environment associated with the use or proposed use of land; ii. involves deletion of conditions that either are superfluous or ultra vires.
Submitters and summary of relief sought in submissions	None.
Assessment of submissions	The modifications to the respective designation conditions

and reasons	are now consistent with the provisions under Part 8 of the Resource Management Act 1991.
Recommendation to Panel	That the Panel recommends to Council that the designations are confirmed with all modifications.
Response from requiring authority: 11 September 2015	Agrees with the above recommendations to the Panel.
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.