

17 October 2012

Wanganui District Council
101 Guyton Street
Wanganui

Attn: Rachael Pull

Dear Rachael,

Department of Corrections - Designations

Please find attached our Notice of Requirement for the Department's two designations being Wanganui Prison (Kaitoke) and Whanganui Service Centre.

If you have any questions please feel free to contact me.

Yours sincerely



Stephanie Steadman
Senior RMA Advisor

stephanie.steadman@corrections.govt.nz

DDI: (04) 460 3234

Mobile: 027 837 6122

WANGANUI DISTRICT PLAN REVIEW

NOTICE OF REQUIREMENT FOR A DESIGNATION (WHICH HAS NOT LAPSED) UNDER CLAUSE 4 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To: Wanganui District Council
PO Box 637
WANGANUI 4540

From: Minister of Corrections
C/- Department of Corrections
PO Box 1206
Wellington 6140

1 Notice of Requirement

Under the terms of Clause 4 of the First Schedule to the Resource Management Act 1991 (the Act), the **Minister of Corrections** hereby gives written notice that the Ministry of Corrections designations D2 and D3 as listed in the Operative Wanganui District Plan and as described below (being a designation that has not lapsed) are required to be included in the Proposed Wanganui District Plan.

2 Description of the Designation to which this Requirement applies

The Minister of Corrections has two designations in the Operative Wanganui District Plan.

Designation D2 is the Whanganui Prison with the designation notation of "*Wanganui Prison (Kaitoke)*". The prison is located on Pauri Road at Kaitoke, and is also bounded by Pauri Domain Road. The site is zoned Rural and is shown on Planning Maps R21 and R22. The legal descriptions and Computer Freehold Registers for the Prison site are provided in Appendix A.

Designation D3 is the Whanganui Service Centre located at 39 Wilson Street in Wanganui. The site has a designation notation of "*Periodic Detention Centre*". The underlying zoning is Outer Commercial and the site is shown on Planning Map U21. The legal description and Computer Freehold Register for the facility is provided in Appendix B

3 Reasons for the Requirement

As a Minister of the Crown, the Minister of Corrections is a requiring authority under section 166 of the Act.

Designation, as a mechanism, provides a degree of certainty to the nature of the works, being the development and operation of facilities and services the Department of Corrections can carry out on a designated site. The designations also clearly identify to the community the current and potential future use of the site.

While there are no immediate planned changes or additions to the existing facilities on the designated sites, the flexibility to do so is necessary over the planning period for the reviewed Wanganui District Plan (i.e. 10-20 years). This flexibility is best realised through the Outline Plan process, where the design, location and mitigation of proposed works on designated sites can be detailed at the time the works are required.

It is considered that relying on District Plan zoning and resource consents do not provide the necessary long term planning certainty the Minister requires for these important community facilities.

4 Proposed Modifications and the Effects of any Modifications on the Environment

Both of the sites are long established facilities administered on behalf of the Minister by the Department of Corrections. Both have previously been through the Notice of Requirement process to establish the current designations.

Several minor modifications to the designations, and the reasons for them, are set out below. Appendix C of this document contains the designations in the format that is displayed in the designation schedule in the online version of the operative District Plan. The modifications required are shown, with deletions struck through and the additional text underlined and italicised.

Whanganui Prison

- Change the spelling of Wanganui to Whanganui in alignment with the 2009 recommendation of the Minister for Land Information.
- Removal of the reference to "*(Kaitoke)*" in the 'Purpose of Designation' so that the purpose is consistent with the prison name, this being "Whanganui Prison". Kaitoke is no longer relevant as only one prison remains in the district.
- To include Sections 2 and 3 SO 340748 located adjacent to Pauri Domain Road into the designation schedule and on the planning map as they are already part of the existing Prison site. These sections were added into the Prison boundary to accommodate the existing perimeter fence and buffer area. Pauri Domain Road was subsequently realigned. The area is small, with Section 2 SO 340748 being 1.3711ha in area and Section 3 SO 340748

is 1.0967ha (i.e. a total of 2.4678ha). The area is shown on the plan in Appendix D.

The note on the designation that signals that "*part of Pauri Domain Road (paper road) is not yet shown as designated on planning map U21. See planning staff for assistance*" and the reference to "*part of Pauri Domain Road (paper road)*" can subsequently be deleted, as the need for these has been superseded by the inclusion of Sections 2 and 3 SO 340748.

- Removal of Part Section 471 Left Bank Wanganui River from the legal description, as this allotment is not included within the existing Prison site.

It is considered that there will be no change to the existing environmental effects as a result of the modifications outlined above. The modifications are minor in nature and have been included to ensure that the site as it currently exists is accurately recorded in the District Plan.

Whanganui Service Centre

Two modifications are required to the designation over the Whanganui Service centre site as follows:

Purpose of the Designation

The designated purpose for the Whanganui Service Centre is '*Periodic Detention Centre*'. This term is out of date and does not reflect current activities and functions under the Corrections Act 2004, nor its rehabilitation and reintegration purpose under section 5 of that Act.

The Minister has taken the opportunity to review the terminology that is used in the Wanganui District Plan for non-custodial sites, which reflects the terminology of the Corrections Act 2004 as well as the activities undertaken on the Whanganui Service Centre site.

Sections 30 and 32 of the Corrections Act empower the Minister to establish '*Community Work Centres*'. Section 8(1) (e) sets out the powers and functions of the Chief Executive of Corrections, and allows the establishment of '*probation offices*'.

Community work is a community-based sentence which requires offenders to do unpaid work in the community. People sentenced to community work will report to a probation officer at a Community Work Centre, where community work is coordinated from. Such facilities were previously called '*Periodic Detention Centres*' and '*Probation Reporting Centres*'.

In order to provide for the current operation on this designated site and to ensure its future use aligns with the non-custodial activities provided by the Corrections Act 2004, the Minister seeks to modify the purpose of this designation.

The Minister requires that the designation purpose is modified to "*Corrections Purposes (Non-Custodial Facility), including Community Work Centres and Probation Offices, excluding Prisons*".

In order to ensure uses are restricted to non-custodial activities, 'prisons' are specifically excluded from the designation purpose.

Boundary of the Designation

In 2005 an additional area of land, this being Lot 1 DP 354737, was added into the site. This allotment adjoins 39 Wilson Street at the rear of service centre site and has frontage to Maria Place. The site was purchased to provide for better vehicle circulation and additional car parking spaces. The area to be included into the designation is shown on the plan in Appendix E.

There will be no change to the existing environmental effects generated by the two proposed modifications to this existing facility. As noted above, the inclusion of the additional area of land is to provide improved vehicle circulation and pedestrian safety on the site. The site itself is predominately being used for car parking and all vehicle access associated with the service centre is through this property. It is considered that this use is entirely compatible with the commercial activities on adjacent sites.

The modification to the designation notation (from 'Periodic Detention Centre' to '*Corrections Purposes (Non-Custodial Facility), including Community Work Centres and Probation Offices, excluding Prisons*') will better reflect the current activities and functions undertaken on these sites under the Corrections Act 2004. This change is being sought nationally as requests for designation rollovers arise.

6 Alternatives

As the requirement relates to existing Department of Corrections facilities, the consideration of alternative sites has not been undertaken.

The principle alternative method would be to not designate the sites. This is not favoured as it would not give the Minister of Corrections the long term certainty required for the on-going operation of these two facilities.

7 Consultation

As the requirement relates to sites that are already established, and the proposed modifications will not result in any change to the nature and scale of environmental effects, no specific consultation has been undertaken.

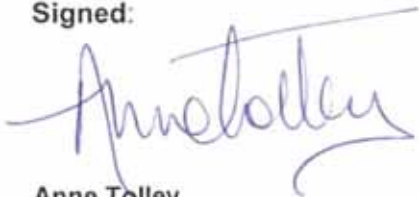
8 Other Resource Consents

No other resource consents are required.

9 Additional Information

No additional information is considered necessary.

Signed:

A handwritten signature in blue ink that reads "Anne Tolley". The signature is written in a cursive style with a horizontal line above the name.

Anne Tolley
Minister of Corrections

Dated this 15th day of October 2012

Address for Service:

Department of Corrections
PO Box 1206
Wellington 6140

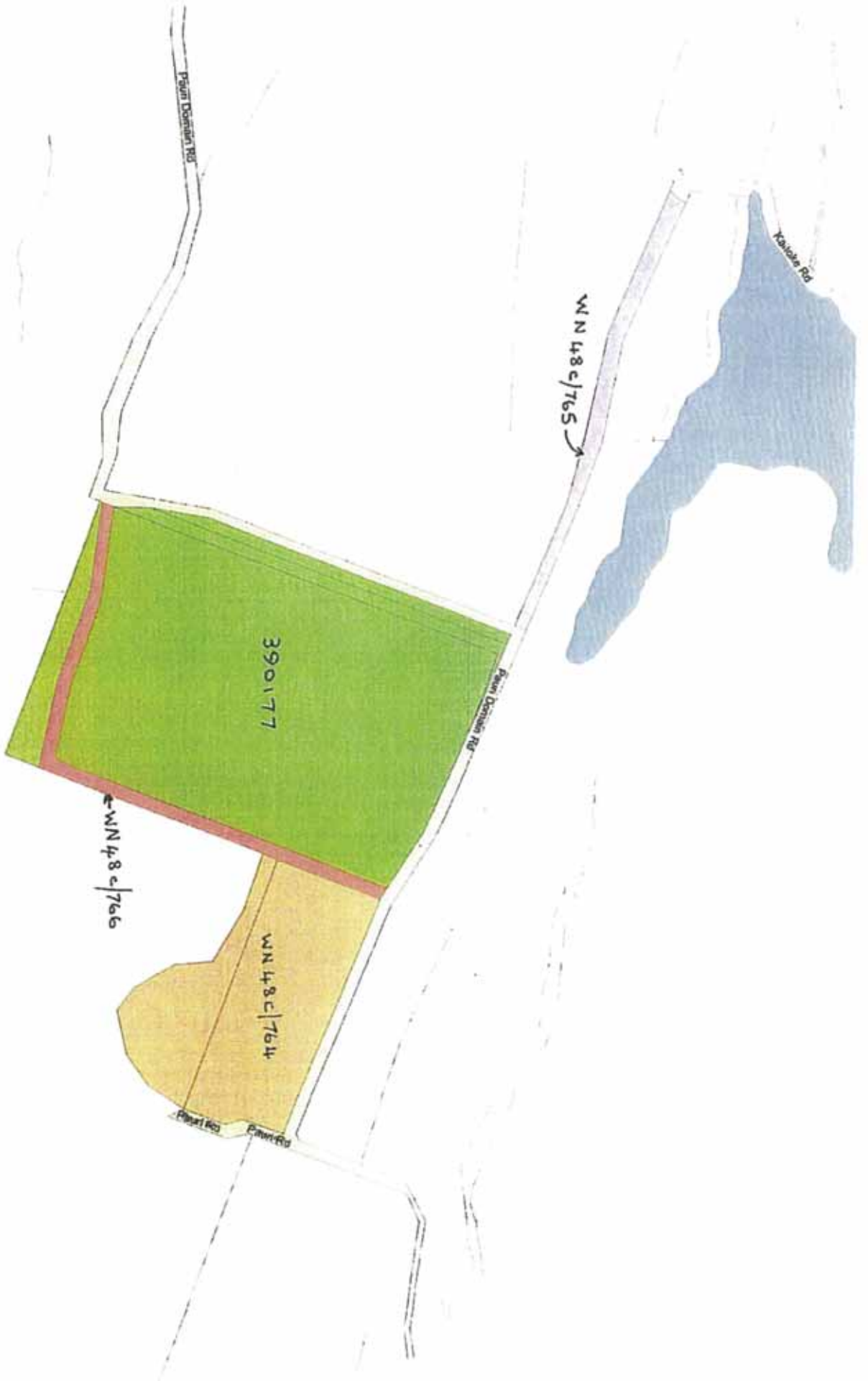
Attn: Stephanie Steadman
Senior Advisor RMA

Appendix A

Computer Freehold Registers – Whanganui Prison



QuickMap





**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Historical Search Copy

Identifier **WN48C/764**
Land Registration District **Wellington**
Date Issued **06 June 1996**

Prior References
GN 557599.1 GN B259796.1

Estate **Fee Simple**
Area **11.4903 hectares more or less**
Legal Description **Lot 2 Deposited Plan 46128 and Section 1**
 Survey Office Plan 36413
Purpose **Justice Purposes**

Original Proprietors
Her Majesty The Queen

Interests

Identifier

WN48C/764

References: Gaz. 557599.1 (NZ Gazette 5 May 1983, No. 59 p. 1378) Land and Deeds 69
Gaz. B.259796.1 (NZ Gazette 15 Oct. 1992, No. 164 p. 3402)

Transfer No.
N/C. Order No. B.521958.1



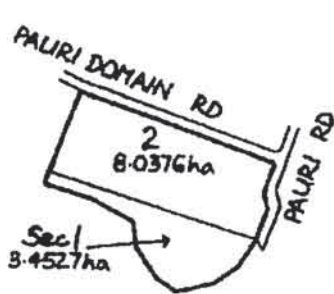
REGISTER

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 6th day of June one thousand nine hundred and ninety-six under the seal of the District Land Registrar of the Land Registration District of WELLINGTON

WITNESSETH that HER MAJESTY THE QUEEN for Justice Purposes

is seised of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several measurements a little more or less, that is to say: All that parcel of land containing 11.4903 hectares more or less situated in the District of Wanganui being Lot 2 on Deposited Plan 46118 and Section 1 on Survey Office Plan 26413



Total Area: 11.4903ha
Measurements are Metric
S.O. 26413

No. 48C/764

No. 48C/764

Identifier

WN48C/764

CERTIFICATE OF TITLE No. 48C/764





**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

Identifier **390177**
Land Registration District **Wellington**
Date Issued 01 November 2007

Prior References
GN 7597870.1 WN17D/122 WN48C/767

Estate Fee Simple
Area 31.6573 hectares more or less
Legal Description Section 478, 480 Left Bank Wanganui
River and Section 2-3 Survey Office Plan
340748
Purpose Justice Purposes

Proprietors
Her Majesty the Queen

Interests
Subject to a right to convey gas in gross over part marked A, B, C, E on DP 356682 in favour of Vector Gas Limited created by Easement Instrument 7896241.1 - 4.8.2008 at 9:00 am

Identifier

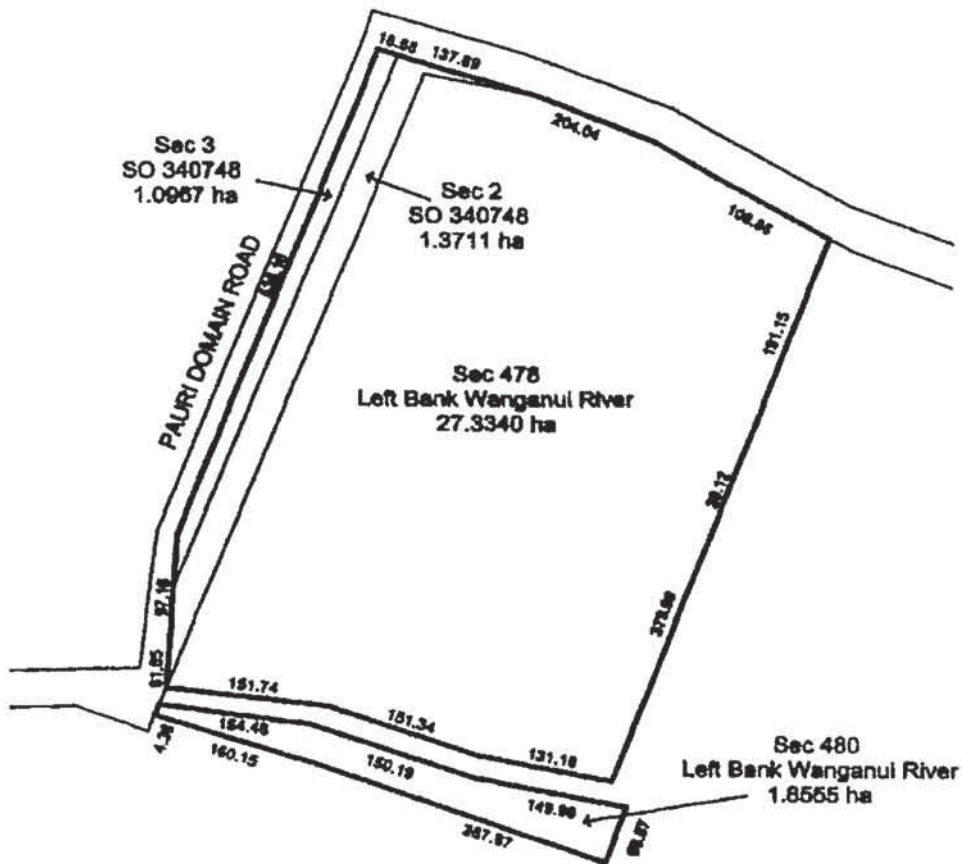
390177

Title Diagram CT 390177

Copy - 8/10/12, Page - 001, 0/11/007, 17/02



0010 21700009



Total area: 31.6573 ha



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Historical Search Copy

R. W. Muir
Registrar-General
of Land

Identifier **WN48C/765**
Land Registration District **Wellington**
Date Issued **06 June 1996**

Part-Cancelled

Prior References
GN B509443.4

Estate	Fee Simple
Area	1.6564 hectares more or less
Legal Description	Section 475 Left Bank Wanganui River
Purpose	Justice

Original Proprietors
Her Majesty the Queen

Interests

7597870.1 Gazette Notice (2007 p. 3075) declaring Section 5 SO 340748 (1283 m2) to be road and is vested in the Wanganui District Council - 1.11.2007 at 9:00 am

Identifier

WN48C/765

References Gaz. B.509443.4 (NZ Gazette 14 March 1996, No. 26 p. 823) Land and Domain 69
 Prior C/T
 Transfer No. D.521958.1
 W.C. Order No.



REGISTER

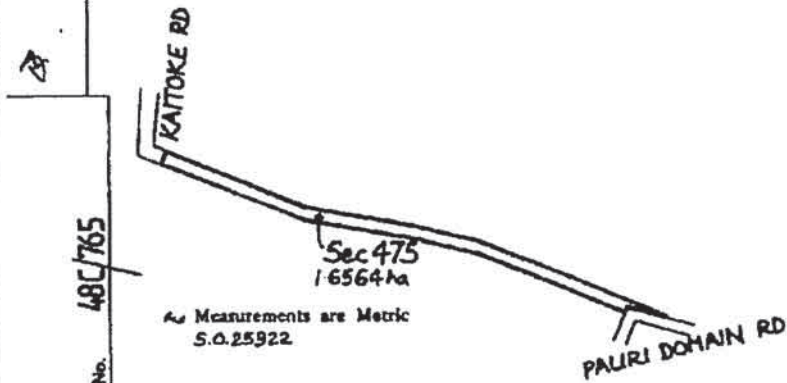
No. 48C/765

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 6th day of June one thousand nine hundred and ninety-six under the seal of the District Land Registrar of the Land Registration District of WELLINGTON

WITNESSETH that HER MAJESTY THE QUEEN for Justice Purposes

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, leases, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 1.6564 hectares more or less situate in the District of Wanganui being Section 475 East Wanganui River



Identifier

WN48C/765

CERTIFICATE OF TITLE No. 48C/765





**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Historical Search Copy

R. W. Muir
Registrar-General
of Land

Identifier WN48C/766
Land Registration District Wellington
Date Issued 06 June 1996

Prior References
GN B509443.5

Estate	Fee Simple
Area	2.0963 hectares more or less
Legal Description	Section 479 Left Bank Wanganui River
Purpose	Justice

Original Proprietors
Her Majesty the Queen

Interests

Subject to gas pipeline rights (in gross) over part marked G on DP 77798 in favour of Natural Gas Corporation of New Zealand Limited created by Transfer B380488.1

Identifier

WN48C/766

Reference: Gaz. B.509443.5 (NZ Gazette 14 March 1996 No. 26 p. 823)

Land and Deeds 69

Prior C/T



REGISTER

Transfer No.

N/C. Order No. B.521950.1

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 6th day of June 1996 was thousand nine hundred and ninety-six under the seal of the District Land Registrar of the Land Registration District of WELLINGTON

WITNESSETH that HER MAJESTY THE QUEEN for Justice Purposes

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) to the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 2.0963 hectares more or less situate in the District of Wanganui being Section 479 Left Bank Wanganui River



Subject to gas pipeline rights (in gross) over the part herein marked "G" on BP 77758 in favour of Natural Gas Corporation of New Zealand Limited created by Transfer B.300488.1

A.L.R.

B



48C/766

No.

As Measurements are Metric S.O 25322

No. 48C/766

Identifier

WN48C/766

CERTIFICATE OF TITLE No. 48C/766



Appendix B

Computer Freehold Register – Whanganui Service Centre



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **223299**
Land Registration District **Wellington**
Date Issued 27 September 2005

Prior References

WN34A/171 WN42C/273

Estate	Fee Simple
Area	1251 square metres more or less
Legal Description	Lot 1 Deposited Plan 354737 and Section 255 Town of Wanganui
Purpose	Justice

Proprietors

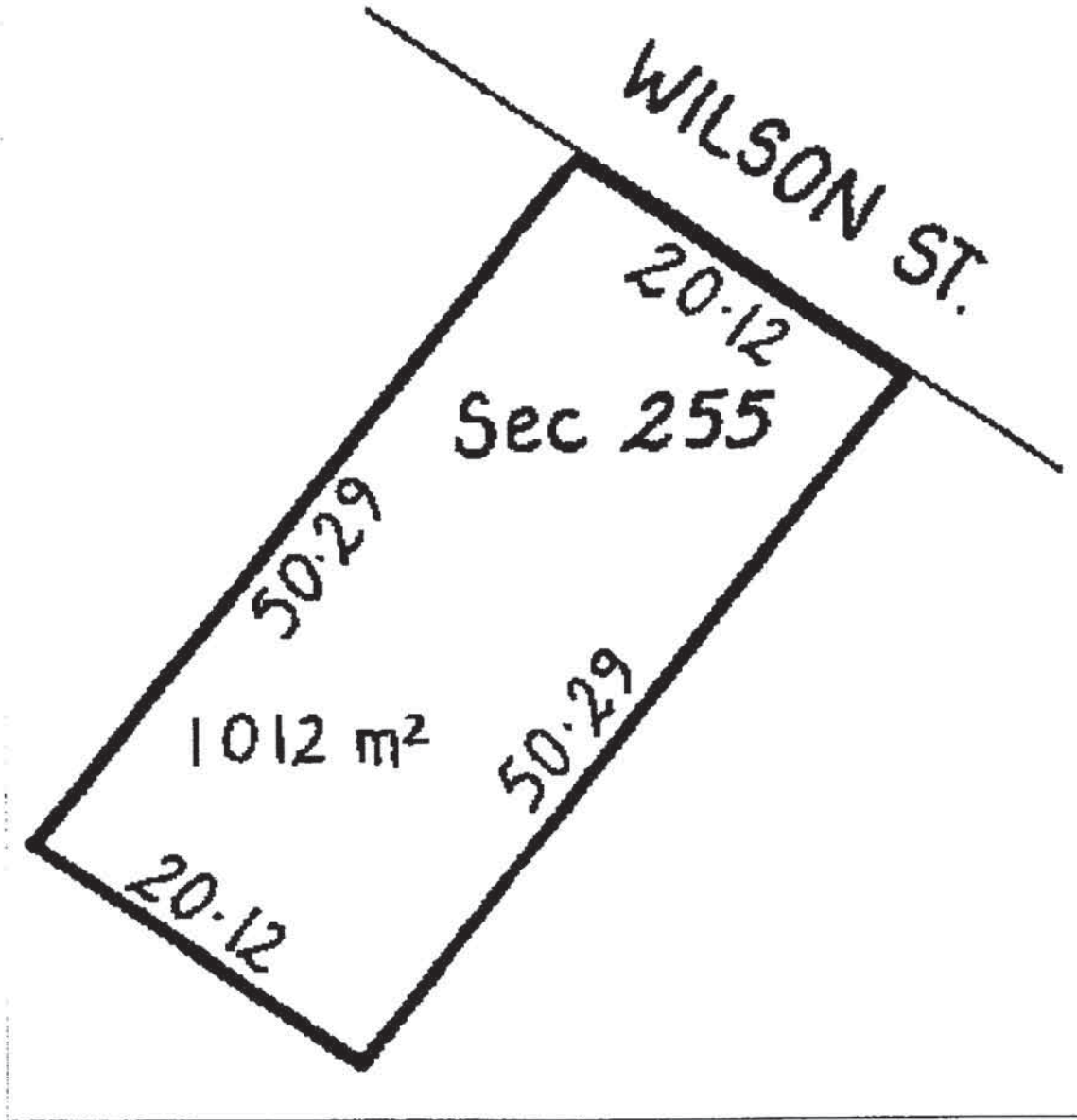
Her Majesty the Queen

Interests

Subject to Section 241(2) Resource Management Act 1991 (affects DP 354737)

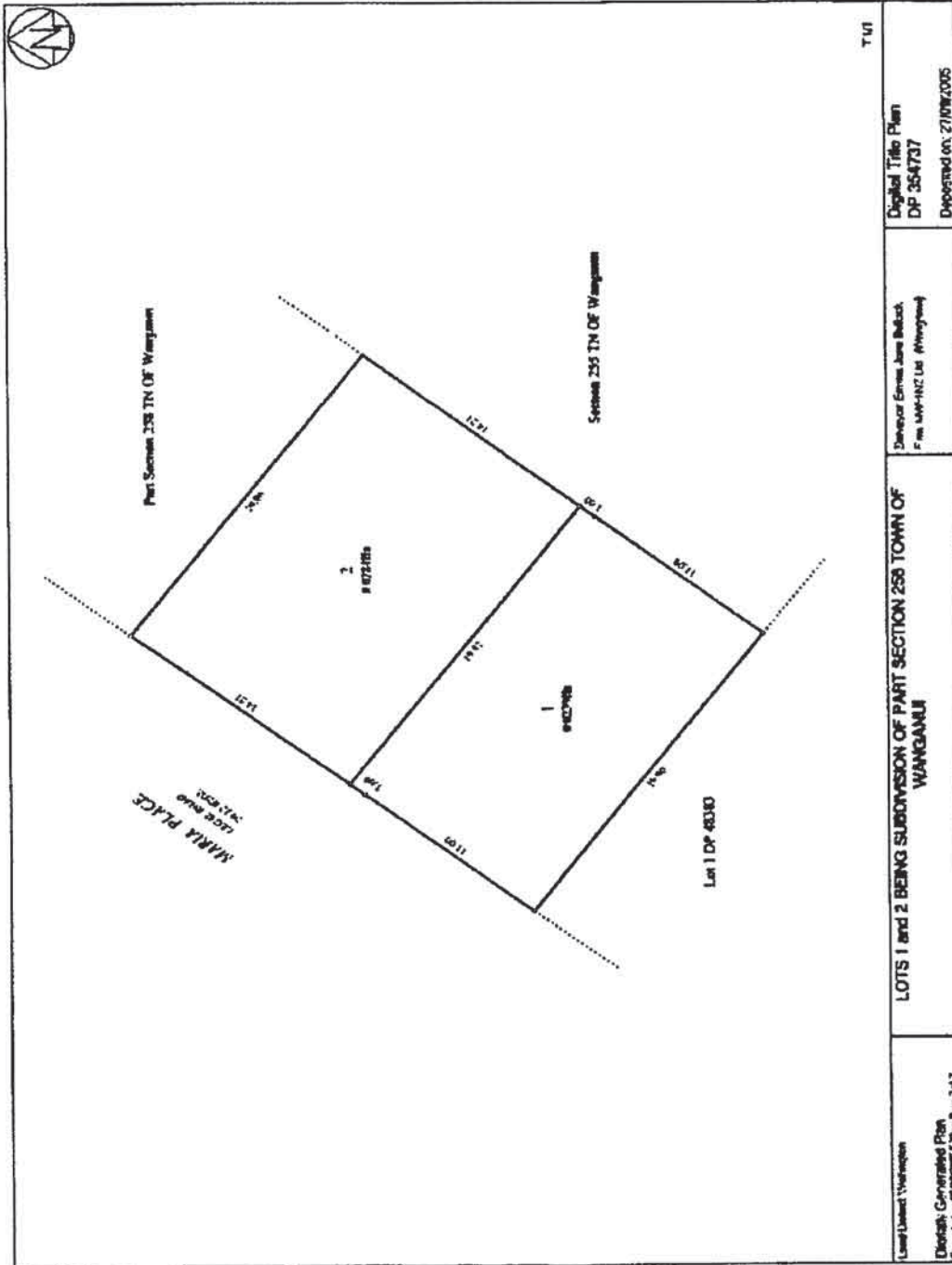
Identifier

223299



Identifier

223299



TU1

<p>Land Used: Vines Diotech Generated Plan Boundaries: 27/08/2005 Page: 2 of 2</p>	<p>Developer: Ernie Jane Bullock P no: MM-142 Lot: (Anonymous)</p>	<p>Lot 1 and 2 BEING SUBDIVISION OF PART SECTION 258 TOWN OF WANGANUI</p>	<p>Digital Title Plan DP 354737 Deposited on: 27/08/2005</p>
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Appendix C

Details of the Designations with Modifications



Note that existing text to be deleted is shown as ~~strikethrough~~ and proposed text is shown in *italics and underlined*.

Ministry of Corrections

Designation Number: D2

Purpose of Designation: ~~Wanganui Prison (Kaitoke)~~ *Whanganui Prison*

Location: Pauri Domain Road Kaitoke

Legal Description:

Lot 2 DP 46128, Secs 475 & 478-480 LBWR, Sec 1 SO 36413, *Section 2-3 SO 34078*

~~Part of Pauri Domain Road (paper road)~~

~~Part Section 471 Left Bank Wanganui River~~

~~Note: part of Pauri Domain Road (paper road) is not yet shown as designated on planning map U21. Please see planning staff for assistance.~~

Area: 46.7362ha *47.767ha*

Planning Map: R21

R22

Underlying Zone: Rural

Status: Operative

Ministry of Corrections

Designation Number: D3

Purpose of Designation: ~~Periodic Detention Centre~~ *"Corrections Purposes (Non-Custodial Facility), including Community Work Centres and Probation Offices, excluding Prisons"*

Location: 39 Wilson Street

Legal Description: Sec 255, Town of Wanganui SP 10571, *Lot 1 DP 354737*

Area: *0.1251* 041ha

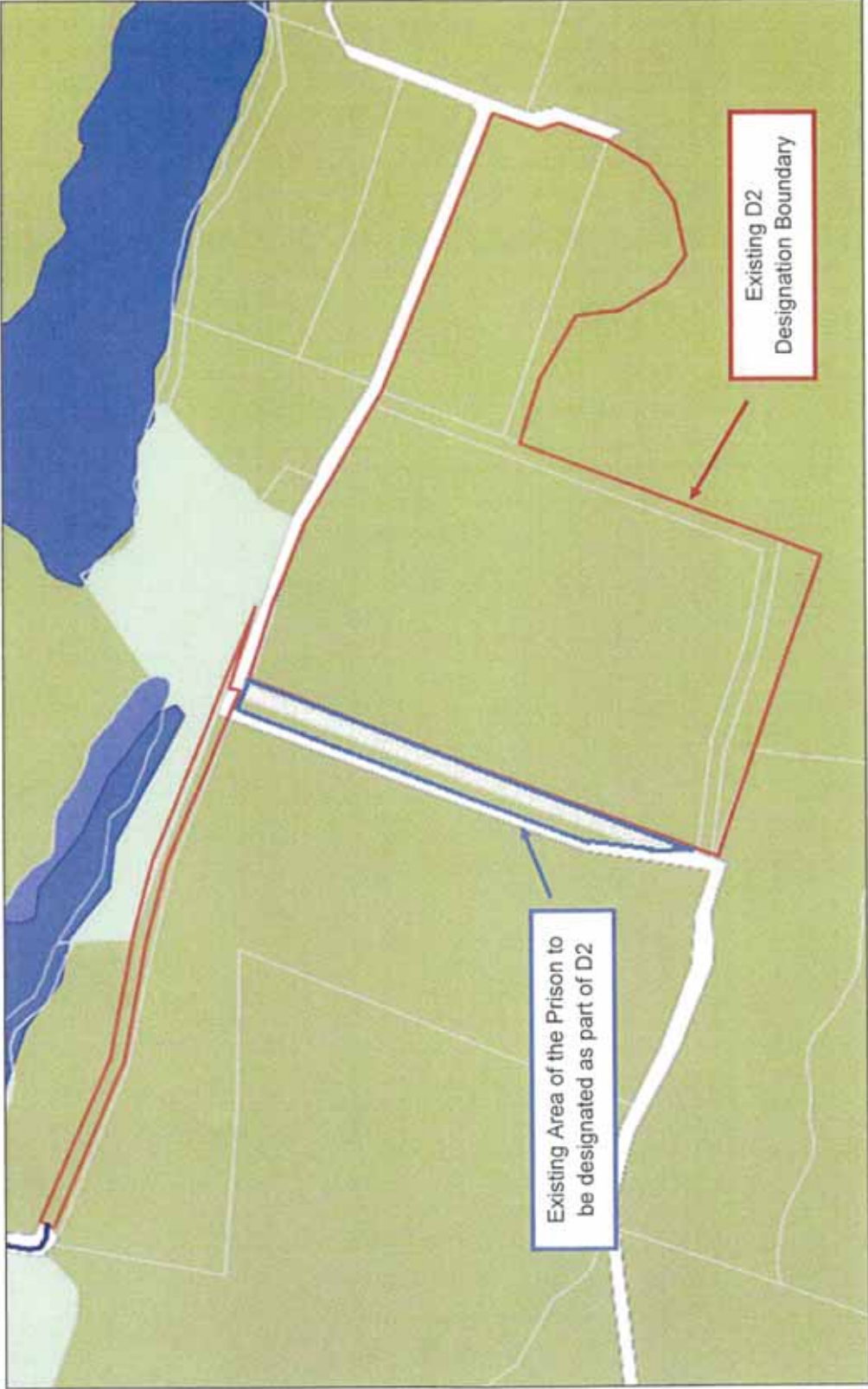
Planning Map: U21

Underlying Zone: Outer Commercial

Status: Operative

Appendix D

**Existing Area of Prison Land to be designated as part of
Designation D2 – Whanganui Prison**



Existing Area of the Prison to be designated as part of D2

Existing D2 Designation Boundary

Existing Area of the Prison to be designated as part of D2

(See Sections 2 and 3 Survey Office Plan 340748, contained with Certificate of Title 390177)

Appendix E

**Existing Area of Whanganui Service Centre land to be
designated as part of Designation D3**



Land to be included as part of Designation D3