

**Form 18**  
**Roll Over Notice of a Designation by The Minister of Courts**

*Sections 168(1), (2) and 181 and clause 4 of First Schedule, Resource Management Act 1991*

**To Far North District Council**

1. The Minister for Courts, the Hon. Aupito William Sio, gives notice of a rollover of a requirement for a designation for a public work, being the Kaitaia and Kaikohe Courthouses. The designation detailed within this notice is to be included with modification into the Far North District Plan via a plan review.

**The sites to which the requirement applies is as follows:**

2. The sites to which the requirement applies are detailed in Table 1 below.

Table 1. Designations in the Far North District Plan

Designation Unique Identifier	Requiring Authority	Designation Purpose	Site Name	Physical Address	Legal Description
MC39	Minister for Courts	Kaitaia Court House	Kaitaia District Court	15 Redan Road, Kaitaia	0.3792ha, more or less being Lot 1 DP177374, CFR NA109B/539
MC40	Minister for Courts	Kaikohe Courthouse	Kaikohe District Court	21-25 Station Road, Kaikohe	0.5325ha, more or less being Part Marino 2B2 Blk, Blk XV Omapere SD CFR NA88C/877

**The nature of the proposed public works**

3. The public work is the continued operation and management of the Courthouses in Kaitaia and Kaikohe. As part of the rollover process, the Minister requires that the designated purpose of the sites identified in this notice be amended to:

*“Judicial, court, tribunal and related purposes including collection of fines and reparation, administration, support, custodial services, and ancillary activities. Works include development and operation of land and buildings for aforementioned purposes.”*

**The nature of the Modification**

4. As identified in Paragraph 3 and Appendix 1, the Minister is amending the description of the purpose of the Kaitaia Court House and Kaikohe Courthouse within the Far North District Plan.
5. This new description provides a national standardised and refined purpose and replaces the existing descriptions (“Kaitaia Court House and Kaikohe Courthouse”) in the Far North District Plan. This amended purpose will provide greater certainty to an ordinary member of

the public as to what activity can occur on the site and will provide a planning framework for assessing activities and development at the Courthouses.

6. This description is being adopted by the Minister for other sites across New Zealand as part of the District Plan review processes being undertaken progressively by other territorial authorities.
7. For administrative purpose the Requiring Authority is the Minister for Courts as shown in Appendix 1.

**The nature of the proposed restrictions that would apply**

8. The following condition applies to an existing designation MC39 and the Minister seeks to rollover the condition without modification in the upcoming plan review.

Table 2 Designation Condition in the Far North District Plan

Identifier	Existing Conditions	Amendment
MC39	<p>Additional Condition applying to MC39 (Kaitaia Court House)</p> <p>a) Where the designated area's external boundaries adjoin land zoned for residential or rural living purposes (and not designated or other purposes):</p> <ol style="list-style-type: none"> <li>i) the maximum building height shall not exceed 2m plus the shortest horizontal distance to the affected boundary;</li> <li>ii) the details of landscaping fences or walls proposed in relation to any new substation structures shall be submitted to the Council as part of an outline plan of works.</li> </ol>	No change proposed

**The effects that the public work (*or* project or work) will have on the environment, and the ways in which any adverse effects will be mitigated.**

9. The Kaitaia Court House and Kaikohe Courthouse identified within this notice are existing facilities which have been lawfully established.
10. The areas to be rolled over encompasses the existing designated areas only and, the activities on the sites have not altered. As such, the effects of the maintenance and operation of the Kaitaia Court House and Kaikohe Courthouse remain unchanged.

**Alternative sites, routes, and methods have been considered to the following extent:**

11. No alternative sites, routes, and methods have been considered. As such, the designations and associated activities are already well established on the site and consideration of alternative sites and methods is not deemed necessary.

**The public work and designation are reasonably necessary for achieving the objectives of the requiring authority**

12. These “roll over modifications” corresponds to the Kaitaia Court House and Kaikohe Courthouse designation in Kaitaia and Kaikohe which have not lapsed.
13. The public works and designations are reasonably necessary for achieving the Minister’s objectives because they authorise the ongoing operation and management of the existing Courthouses, protect the sites for this purpose and identify them as a public works.
14. The Minister for Courts is a requiring authority under section 166 of the Resource Management Act 1991. The Minister has the responsibility for providing administrative and other services necessary to:
  - Operate the New Zealand Court System;
  - Support independent judicial decision making;
  - Oversee the collection of fines and reparations;
  - Serve court documents; and
  - Enforce civil justice orders.

These designations are considered necessary to ensure effective court services can be continued to be delivered in Kaitaia and Kaikohe and to continue operate the Kaitaia and Kaikohe court system in an efficient and effective manner.

### **Consultation**

15. No consultation has been undertaken as part of the designation’s rollover process. The designations apply to the existing designated sites and will not authorise any activities that are not already allowed as part of the existing designations. The proposed modifications have been limited to the refinement of the designated purpose for the Courthouse and administrative changes to update the property details of the designation. There is an existing condition and the Minister is not proposing any new conditions. Finally, it is not considered these modifications will give rise to any effects above that which currently exist.

**Attachments**

The Minister attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

Appendix 1 – Schedule of Courts Designations to be rolled over with Modifications



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On behalf of the Hon. Aupito William Sio

Fraser Gibbs  
General Manager, Commercial and Property  
Ministry of Justice  
(Acting under delegated authority from the Minister for Courts)

24/2/2022  
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Date

Map No	Designation Unique Identifier	Requiring Authority	Designated Purpose	Legal Description	Condition
103	MC40	Minister for Courts	<del>Kaikōhe Courthouse</del> <u>Judicial, court, tribunal and related purposes including collection of fines and reparation, administration, support, custodial services, and ancillary activities.</u> <u>Works include development and operation of land and buildings for aforementioned purposes</u>	0.5325ha, more or less being Part Marino 2B2 Blk, Blk XV Omapere SD SO 62701 CFR NA88C/877	

Note: ~~Strike through~~ indicates deletions. Underline indicates additions.

## Appendix 1: Schedule of Justice Designations to be rolled over with Modification

### Minister for Courts – Designations in the Far North District Plan

Map No	Designation Unique Identifier	Requiring Authority	Designated Purpose	Legal Description	Condition
72	MC39	Minister for Courts	<del>Kaitaia Court House</del> <u>Judicial, court, tribunal and related purposes including collection of fines and reparation, administration, support, custodial services, and ancillary activities.</u> <u>Works include development and operation of land and buildings for aforementioned purposes.</u>	0.3792ha, more or less being Lot 1 DP177374, CFR NA109B/539	Condition 1 a) Where the designated area's external boundaries adjoin land zoned for residential or rural living purposed (and not designated or other purposes) i) the maximum building height shall not exceed 2m plus the shortest horizontal distance to the affected boundary; ii) the details of landscaping fences or wall proposed in relation to any new substation structures shall be submitted to the Council as part of an outline plan of works.