

The Finance and Performance Committee approved the disposal of 3,851m² of 84 Hobsonville Road, Hobsonville (subject to survey) comprised of an estate in fee simple being Section 2 SO 509537 contained in record of title 798035;

-The subject 3851m² parcel is a narrow 20m wide strip bordered on two sides by the adjacent development. The parcel was originally planned as an entrance to the proposed Rawiri Stream greenway, a route in the Upper Harbour Greenways Plan. However, an alternative entrance has been formed from a new road adjacent to the parcel. The new road includes a separated walkway and cycleway along its entire length within the road corridor to facilitate access from Hobsonville Road to the start of the Rawiri Stream greenway.

-Council's Healthy Waters department has confirmed that it does not require the subject 3851m² parcel to form the Rawiri Stream greenway or for stormwater management purposes. 18. Council's Community Investment team (formerly the Parks and Recreation Policy team) assessed the subject 3851m² parcel in July 2020 and advised it is not required to form the proposed aspirational greenway. Due to its size, shape and location, it is not needed to help meet the council's recreational open space provision targets now or in the future. As this parcel is no longer needed to form the greenway, there is no strategic reason to retain it.

-The 3851m² subject parcel is zoned Open Space – Informal Recreation under the Auckland Unitary Plan (AUP). The entirety of 84 Hobsonville Road has a 2021 council rating valuation of \$265,000. A registered valuation for the subject 3851m² parcel will be undertaken as part of any disposal process. Attachment A includes aerial and street view images of the subject 3,851m² parcel.

Eke Panuku received a notification of cultural significance from Te Runanga o Ngāti Whātua regarding 84 (part) Hobsonville Road. Eke Panuku has acknowledged the notification and confirmed its interests have been noted on the property files. Eke Panuku has further discussed with Te Runanga o Ngāti Whātua how council can recognise the significance, it has been confirmed there is no further interest beyond noting the cultural significance as part of the decision-making process

Other Consultations Included:

**MEETING VIDEO CONFERENCE BETWEEN COUNCIL AND AUSTINO AND ITS ADVISERS.
WEDNESDAY 21 SEPTEMBER 2022
MINUTES**

*Present: Matt Casy (council); Clare Covington (Harrison Grierson), Kerry Keogh (Austino)
Unable to attend: Anthony Lewis (Council); Carwyn Walker (Council)*

In response to Austino's request for Council to rezone the land Matt Casy advised

- He had discussion internally about rezoning open space. The advice was that Council would not be able to do it until 2024.
- Austino could progress it by Private Plan change but likely to be the same timing.
- In the mean time Austino could progress a Resource Consent covering the zoned land and the open space seeking Council sign off as land owner if at the time of lodgement Council still owned the land.
- If Austino confirms that it wishes to continue to purchase the land he will start the S138 Consultation and Austino can coordinate with Carwyn in regard to the process leading up to Sale and Purchase of the property.

Austino confirmed that:

- it is prepared to purchase the land;
- requested Matt to commence the S138 process asap;
- It is likely Austino will wait until 2023 for Council to rezone the land.
- Austino would contact Carwyn an request the process to S&P Agreement commence.

Clare asked if Austino drafted a non-conforming Resource Consent encompassing the zoned land and the current open space would Matt be the contact in Council. Mat advised that he could be the initial go-to person but would direct the matter to the relevant people in Council.

Mat advised he would also contact Carwyn and Anthony and advised them of the outcome of the meeting.

Email Trail:

Hi Kerry

I've received the email below from Council regarding the disposal of the **Open Space** land at **84 Hobsonville Road**. They have agreed to selling it off but are still checking if they need to follow another notification process so I will keep in contact with him to confirm this.

I saw your email on this and the screenshot below shows the 2 parcels that make up the total site area for this lot – I measured the strip next to the Austino site using the GIS measurement tool and it was approx. 3851m² as stated in the Council's 19 May meeting paper.

They have asked about the rezoning of the land – this is something that I previously raised with Eryn Shields as possibly being covered in the variation to PC5. The timing of the sale of land meant this didn't seem to be an option last year.

If it is something that Council can rezone more simply in the regular Plan Changes they do for **open space** land rezoning – that would seem the simpler approach. However, I'm unsure how it would affect the sale price for the land when it is offered to Austino – obviously residentially zoned land is worth more than **open space** zoned land.

It may be worthwhile contacting Anthony (Panuku) to discuss the sale process (his contact details are in the email below).

[Let me know if you would like me to follow up with him on this or leave this with you.](#)

Regards
Clare



CLARE COVINGTON

Technical Lead - Planning

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 D +64 9 917 5045 P +64 9 917 5000

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From: Anthony Lewis <Anthony.Lewis@panuku.co.nz>
Sent: Thursday, 19 May 2022 11:53 AM
To: Clare Covington <C.Covington@harrisingrierson.com>
Subject: RE: Austino - Hobsonville

Hi Clare,

Good news. The property was approved for sale this morning. It is currently zoned open space though and I'm getting legal advice if we have to publicly consult in accordance with s138 of the Local Government Act 2002.

Is it your preference that council undertakes the plan change?

Kind regards,

Anthony

From: Clare Covington <C.Covington@harrisingrierson.com>
Sent: Wednesday, 17 November 2021 12:00 PM
To: Anthony Lewis <Anthony.Lewis@panuku.co.nz>
Subject: RE: Austino - Hobsonville

Hi Anthony

Can you please give me an update on where this land disposal process has got to?
Did you get endorsement from the local board on 16 September?
Is this now being put to the Council's Finance and Performance Committee and if so is that happening in November or December?

Thanks
Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 D +64 9 917 5045 P +64 9 917 5000

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From: Anthony Lewis <Anthony.Lewis@panuku.co.nz>
Sent: Wednesday, 18 August 2021 2:16 PM
To: Clare Covington <C.Covington@harrisingrierson.com>
Subject: RE: Austino - [Hobsonville](#)

Hi Clare,

Apologies for the delay in responding.

Unfortunately I was awaiting legal advice relating to whether the site was [open space](#) subject to s138 of the Local Government Act 2002 and have to push the final decision out a few months.

I'm reporting to the local board on 16 September, where I'm recommending the board endorse the disposal.

This will push out the report to council's Finance and Performance Committee as well unfortunately. That is likely to be November or December (dependant on a November meeting occurring).

Kind regards,

Anthony

From: Clare Covington <C.Covington@harrisingrierson.com>
Sent: Tuesday, 17 August 2021 9:06 AM
To: Anthony Lewis <Anthony.Lewis@panuku.co.nz>
Subject: RE: Austino - [Hobsonville](#)

Hi Anthony

Can you please give me an update on this as per your email below? When in August is the final decision being made?

Any update that I can pass on to my client, Austino, would be much appreciated.

Thanks

Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 D +64 9 917 5045 P +64 9 917 5000

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From: Anthony Lewis <Anthony.Lewis@panuku.co.nz>
Sent: Monday, 24 May 2021 9:30 AM
To: Clare Covington <C.Covington@harrisingrierson.com>
Subject: RE: Austino - [Hobsonville](#)

Dear Clare,

Thank you for getting in contact again.
In terms of progress, council departments and the Upper Harbour Local Board have been consulted regarding the proposed disposal.
We hope to report on the proposed disposal to the local board in June and council's Finance and Performance Committee for the final decision in August.

Kind regards,

Anthony

Anthony Lewis
Senior Advisor Portfolio Review
Assets and Delivery
anthony.lewis@panuku.co.nz

M + 64 21 220 6788
P + 64 9 336 8820
Ground floor, 82 Wyndham Street, Auckland 1010
PO Box 90343, Victoria Street West, Auckland 1142
www.panuku.co.nz | [Twitter](#) | [Facebook](#)



From: Clare Covington <C.Covington@harrisingrierson.com>
Sent: Friday, 21 May 2021 10:44 AM
To: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>
Cc: Letitia Edwards <Letitia.Edwards@panuku.co.nz>
Subject: RE: Austino - Hobsonville

Hi Ezra/ Letitia

Can one of you please give me an update on what stage the review of the open space land at 86 Hobsonville Road has got to?

Last August I understood this was approximately 6 months away so may have now progressed.

Please send me an email response so I can pass this on to my client – thanks very much

Regards
Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000

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From: Clare Covington
Sent: Monday, 3 August 2020 3:21 PM
To: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>
Cc: Letitia Edwards <Letitia.Edwards@panuku.co.nz>
Subject: RE: Austino - Hobsonville

Thanks for that update Ezra - I thought you'd said that was the stage it has reached

Letitia - I just left you a message as it would be useful to understand what the Council's 6 month timeframe relates to (as per your phone message). Is that the time when the land can be offered for purchase? Is this to the market or has it been confirmed that Austino will have first offer?

Austino's plans for the neighbouring site are progressing as we speak and they need to make some decisions about whether to include this land in some of their design options - previously this was looking like it could align with the Council's proposed variation to change the zoning of the Light Industrial zoned land to residential - will this be discussed with Eryn Shields to work through zoning?

Hope to hear from you
Thanks
Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000

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From: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>
Sent: Monday, 3 August 2020 3:00 PM
To: Clare Covington <C.Covington@harrisingrierson.com>
Cc: Letitia Edwards <Letitia.Edwards@panuku.co.nz>
Subject: RE: Austino - **Hobsonville**

Hi Clare

I have confirmed to Panuku that the council does not need the land for **open space** purposes or for the Rawiri Stream walkway.

Letitia Edwards from Panuku is managing the process and can provide the info you seek.

Cheers
Ezra

Ezra Barwell | Senior Policy Advisor

Community Investment

DDI +64 9 890 8285

Mob +64 21 897 004

Auckland Council, Level 21, 135 Albert Street, Auckland Central
Private Bag 92300, Victoria Street West, Auckland 1142, New Zealand

Visit our website: www.aucklandcouncil.govt.nz

From: Clare Covington <C.Covington@harrisingrierson.com>

Sent: Monday, August 3, 2020 2:56 PM

To: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>

Subject: RE: Austino - **Hobsonville**

Hi Ezra

Can you please give me an update on where this review of the **open space** land and possible acquisition has got to in the process?

Austino are reviewing their design options for the neighbouring site to this piece of land and knowing the timeframe for this is critical to their decisions.

Thanks

Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road

Parnell, Auckland 1052

PO Box 5760, Victoria St West

Auckland 1142

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000

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From: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>

Sent: Thursday, 23 July 2020 3:29 PM

To: Clare Covington <C.Covington@harrisingrierson.com>

Subject: RE: Austino - **Hobsonville**

Thank you

Ezra Barwell | Senior Policy Advisor

Community Investment

DDI +64 9 890 8285

Mob +64 21 897 004

Auckland Council, Level 21, 135 Albert Street, Auckland Central

Private Bag 92300, Victoria Street West, Auckland 1142, New Zealand

Visit our website: www.aucklandcouncil.govt.nz

From: Clare Covington <C.Covington@harrisingrierson.com>

Sent: Thursday, July 23, 2020 12:40 PM

To: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>

Subject: RE: Austino - **Hobsonville**

Hi Ezra

Thanks for your call earlier

As requested here is the **road** cross-section for the Spine **Road** currently under construction.

As discussed, this includes a cycleway and separate footpath as per AT requirements.

Regards

Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road

Parnell, Auckland 1052

PO Box 5760, Victoria St West

Auckland 1142

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000

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From: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>

Sent: Tuesday, 21 July 2020 8:51 AM

To: Clare Covington <C.Covington@harrisingrierson.com>

Subject: RE: Austino - **Hobsonville**

Thank you.

I am still trying to get a response from Sophie.

As soon as I have spoken to her I will get back to you with the way forward.

Cheers

Ezra

**Ezra Barwell | Senior Policy Advisor
Community Investment**

DDI +64 9 890 8285
Mob +64 21 897 004
Auckland Council, Level 21, 135 Albert Street, Auckland Central
Private Bag 92300, Victoria Street West, Auckland 1142, New Zealand

Visit our website: www.aucklandcouncil.govt.nz

From: Clare Covington <C.Covington@harrisingrierson.com>
Sent: Tuesday, July 21, 2020 8:47 AM
To: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>
Subject: RE: Austino - **Hobsonville**

Hi Ezra
No, Austino does not have development rights over 82 **Hobsonville Road**.

Regards
Clare



CLARE COVINGTON
Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000

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From: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>
Sent: Monday, 20 July 2020 4:24 PM
To: Clare Covington <C.Covington@harrisingrierson.com>
Subject: RE: Austino - **Hobsonville**

Hi Clare
Thank you for the info.

I will talk to Sophie and get written confirmation that Healthy Waters has no use for the land as it will have to go through a formal disposal process if it is no longer required.

The council is seeking to acquire around 3000m² of land in the location indicatively shown by the green dot on 82 **Hobsonville Road** on the GIS screenshot below.



Does Austino have development rights over 82 Hobsonville Road?

If so, perhaps we can do a land exchange.

Cheers
Ezra

Ezra Barwell | Senior Policy Advisor
Community Investment

DDI +64 9 890 8285

Mob +64 21 897 004

Auckland Council, Level 21, 135 Albert Street, Auckland Central
Private Bag 92300, Victoria Street West, Auckland 1142, New Zealand

Visit our website: www.aucklandcouncil.govt.nz

From: Clare Covington <C.Covington@harrisingrierson.com>

Sent: Monday, July 20, 2020 12:43 PM

To: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>

Cc: Letitia Edwards <Letitia.Edwards@panuku.co.nz>; Christine Smith
<Christine.Smith@aucklandcouncil.govt.nz>

Subject: RE: Austino - Hobsonville

Hi Ezra

I am happy to meet you – let me know when suits you.

The land in question was originally planned to have a pathway/cycleway leading off **Hobsonville Road**. Through discussions with Council as part of a recent subdivision creating a new **Spine Road** leading off **Hobsonville Road** (next to the **Open Space** zoned land), it was agreed that a new path connection point would be created off the spine **road** to link into the stream restoration project – the attached plan shows the new **road** (currently under construction) and the agreed path connection off the **Spine Road**. The other path shown running parallel to the **road** leading up to **Hobsonville Road** was considered to double up on the on**road** cycleway and adjacent footpath being constructed with the **Spine Road** and would no longer be constructed.

It was my understanding that given this, there was no requirement for the green strip of **Open Space** land to maintain this connection. We have been dealing with Sophie Bannister who is project manager of the Rawiri Stream Restoration project on this issue. Her contact details are below:

Sophie Bannister | Healthy Waters Specialist – Design and Delivery
Healthy Waters | Infrastructure & Environmental Services
Mobile 021 190 2462
Auckland Council | Bledisloe House | Level 8, 24 Wellesley Street, Auckland
Private Bag 92300 | Auckland 1142
Visit our website: www.aucklandcouncil.govt.nz

Austino's issue now is timing. Their aim is to move on plans for residential development of the adjacent site as soon as the Plan Change becomes operative so if the timing works then they are interested.

Hopefully this gives you a bit more information for now and I'm happy to expand on any of this when we meet.

Regards
Clare



CLARE COVINGTON
Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000

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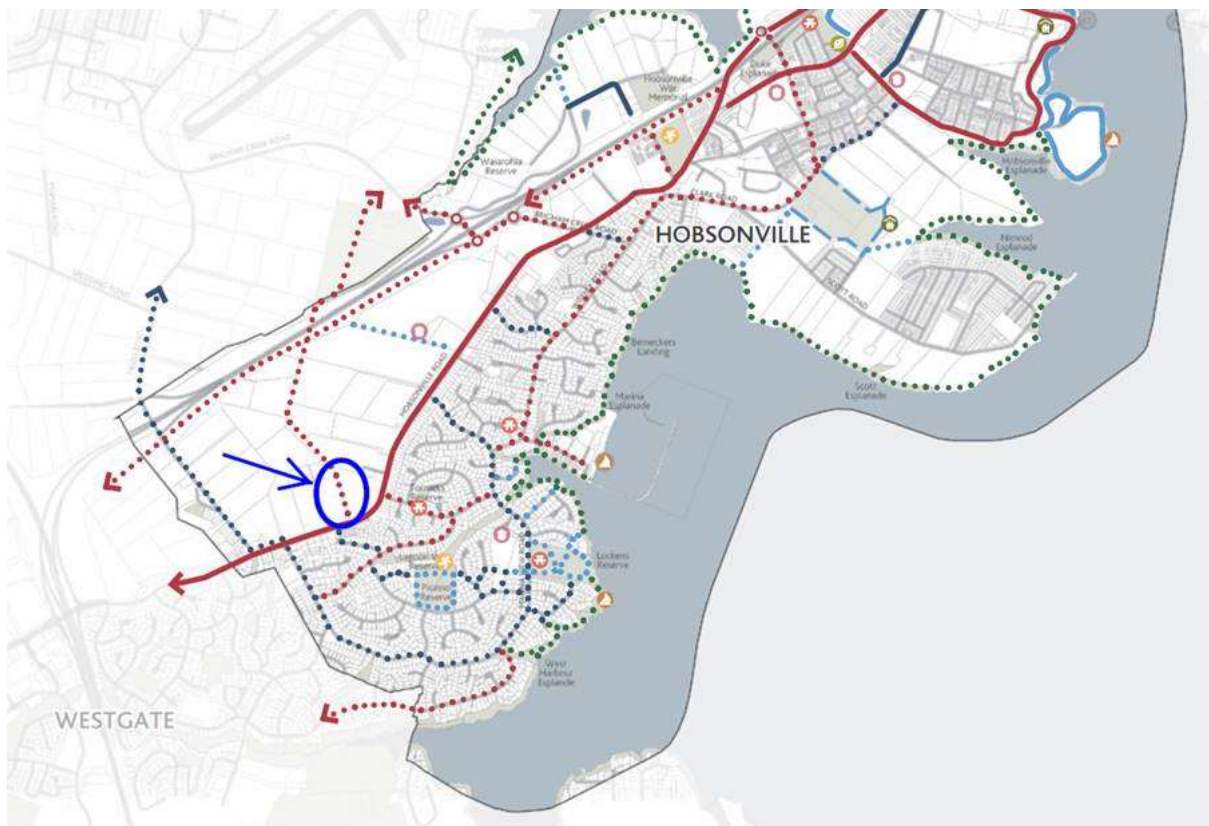
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From: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>
Sent: Monday, 20 July 2020 12:01 PM
To: Clare Covington <C.Covington@harrisingrierson.com>
Cc: Letitia Edwards <Letitia.Edwards@panuku.co.nz>; Christine Smith <Christine.Smith@aucklandcouncil.govt.nz>
Subject: RE: Austino - **Hobsonville**

Hi Clare

Sine my providing my initial advice that the land seemed surplus to requirements I received some historic documentation and have investigated further.

Council records show that the land was purchased to form part of a walkway/cycleway that is identified on page 39 of the Upper Harbour Greenways Plan (2019) – see location circled in blue on the screenshot below.



I would like to meet with you to get an understanding of what Austino has planned in the location – including indicative scheme plans for the wider area (this will of course be kept in strict confidence).

This will help the council to understand how the **open space** network could best be developed in the area and help establish if there is a benefit to the council of undertaking a land exchange with Austino or disposing of part of the land to Austino.

As long as the intention of the Upper Harbour Greenways Plan can be achieved, the actual location of the route could be moved if it would result in a better outcome.

Let me know if you would like to meet and what date/time suits and I will send you a meeting invite.

Cheers
Ezra

**Ezra Barwell | Senior Policy Advisor
Community Investment**

DDI +64 9 890 8285

Mob +64 21 897 004

Auckland Council, Level 21, 135 Albert Street, Auckland Central
Private Bag 92300, Victoria Street West, Auckland 1142, New Zealand

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From: Clare Covington <C.Covington@harrisingrierson.com>

Sent: Monday, July 20, 2020 10:24 AM

To: Letitia Edwards <Letitia.Edwards@panuku.co.nz>

Cc: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>

Subject: RE: Austino - Hobsonville

Thanks for getting back to me Letitia

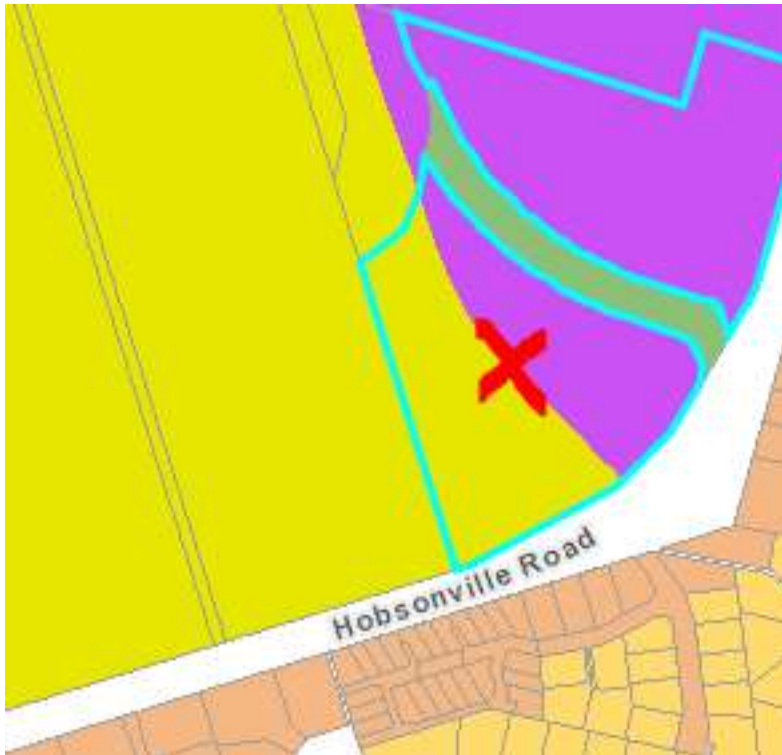
Ezra if you would like to contact me about this - let me know what information you require

At this stage Austino have begun development of a Spine Road to the north of this open space land (consented last year) and are advancing their plans for the adjacent portion of land (as per the plan below with their site marked with an X)
The Council's policy team are working through Plan Change 5 so that this site will become zoned residential (Mixed Housing Urban) and so this is the zoning they are progressing with. Their intention is to have a proposed development plan to align with the council's rezoning - hopefully later this year.

They have been advised that the open space land is no longer required by Council and that it may be offered to Austino to purchase back.
That's as far as things have got.

I look forward to hearing from you.

Regards
Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 D +64 9 917 5045 P +64 9 917 5000

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From: Letitia Edwards <Letitia.Edwards@panuku.co.nz>
Sent: Friday, 17 July 2020 1:18 PM
To: Clare Covington <C.Covington@harrisingrierson.com>
Cc: Ezra Barwell <Ezra.Barwell@aucklandcouncil.govt.nz>
Subject: RE: Austino - [Hobsonville](#)

Hi Clare

As part of the due diligence we were undertaking on this site, we have become aware that that this site is indicatively required for the Upper Harbour Greenways Plan (August 2019). This was referred back to the Parks and Recreation Policy team, which has further reviewed this site and now advise that it should be retained by council until the exact route of the greenway is determined. I have had a discussion with Ezra Barwell in the Parks and Recreation Policy team about this. Ezra has advised that they would like to better understand your clients plans and next steps so that they can understand if your clients plans and the Upper Harbour Greenways Plan can potentially achieve the same purpose.

Given this, I will refer you back to Ezra Barwell (copied into this email) for further discussions. Ezra will notify me if any part of this site does potentially become available for disposal and I will pick it back up.

Kind regards

Letitia Edwards

Head of Strategic Asset Optimisation (acting)
Assets and Delivery
Letitia.Edwards@developmentauckland.co.nz

DDI + 64 9 890 8355 | M + 64 27 495 6862 | P + 64 9 336 8820 |
Ground Floor, 82 Wyndham Street (Cnr Wyndham & Nelson Sts), Auckland Central
PO Box 90 343, Victoria Street West, Tāmaki Makaurau, Auckland 1142, New Zealand
www.panuku.co.nz | [Twitter](#) | [Facebook](#)



From: Clare Covington <C.Covington@harrisingrierson.com>

Sent: Monday, 13 July 2020 1:51 PM

To: Letitia Edwards <Letitia.Edwards@panuku.co.nz>

Subject: RE: Austino - **Hobsonville**

Thanks Letitia
I hope you enjoyed your leave

It would be helpful to have an understanding of likely timeframes for the Council process so Austino are able to hopefully fit it into their programme - are you able to provide any dates for this?

Austino have also been advised by Eryn Shields from Council's Policy team, that they are looking at notifying a variation to Plan Change 5 to include Austino land currently zoned Light Industrial to rezone it to a residential zone (Mixed Housing Urban) - marked with the X in the plan below.

As this land is adjacent to the **Open Space** zoned land in question, I mentioned the Council process you are dealing with to Eryn and said I would provide your contact details in case

the timing works to also include the **Open Space** zoned land within the variation. I hope this is ok - I realise it may not work if the timeframes don't align

I look forward to hearing from you

Thanks

Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 D +64 9 917 5045 P +64 9 917 5000

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From: Letitia Edwards <Letitia.Edwards@panuku.co.nz>

Sent: Thursday, 9 July 2020 8:13 PM

To: Clare Covington <C.Covington@harrisingrierson.com>

Subject: RE: Austino - **Hobsonville**

Hi Clare

Apologies for the delayed response; I was on annual leave for a few days and now playing catch up. Work is underway on this site and we are currently completing due diligence on this property. We will keep you informed about progress.

Kind regards,

Letitia Edwards

Head of Strategic Asset Optimisation (acting)
Assets and Delivery
Letitia.Edwards@developmentauckland.co.nz

DDI + 64 9 890 8355 | M + 64 27 495 6862 | P + 64 9 336 8820 |
Ground Floor, 82 Wyndham Street (Cnr Wyndham & Nelson Sts), Auckland Central
PO Box 90 343, Victoria Street West, Tāmaki Makaurau, Auckland 1142, New Zealand
www.panuku.co.nz | [Twitter](#) | [Facebook](#)



From: Clare Covington <C.Covington@harrisingrierson.com>
Sent: Wednesday, 8 July 2020 11:44 AM
To: Letitia Edwards <Letitia.Edwards@panuku.co.nz>
Subject: RE: Austino - **Hobsonville**

Hi Letitia

Following our call on 18 May, my client, Austino, has asked that I follow up with you on the progress with the potential offer to sell the land adjacent to their site at 86 **Hobsonville Road**.

Austino are progressing their plans for the neighbouring site and need to establish timeframes to understand whether they can work in with Council regarding this land.

When we spoke in May you advised that there is a process for sale that relates to Council's obligations under the Public Works Act - this involves due diligence, council consultation (local board and iwi), then a decision is made by the Finance and Performance Committee (decision under the Local Government Act). You advised that the first step has been taken which is that Council have agreed that the land is no longer required. You advised that there is a legal requirement to confirm the parties that the property is offered to and while it seems likely that this would involve Austino given their ownership of the neighbouring sites, that part of the process needed to be followed in a legal sense.

You advised that Council timeframes for the land sale process usually takes 6 - 9 months - is there any update on this since we spoke 6 weeks ago?

I look forward to hearing from you.

Thanks
Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000

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From: Letitia Edwards <Letitia.Edwards@panuku.co.nz>

Sent: Monday, 18 May 2020 3:35 PM

To: Paul Marriott-Lloyd <paul.marriott-lloyd@aucklandcouncil.govt.nz>; Clare Covington <C.Covington@harrisingrierson.com>

Cc: Joby Barham <joby.barham@aucklandcouncil.govt.nz>

Subject: RE: Austino - **Hobsonville**

Hi Clare

Further to our telephone conversation earlier today, my contact details are below.

Kind regards

Letitia Edwards

Head of Strategic Asset Optimisation (acting)

Assets and Delivery

Letitia.Edwards@developmentauckland.co.nz

DDI + 64 9 890 8355 | M + 64 27 495 6862 | P + 64 9 336 8820 |
Ground Floor, 82 Wyndham Street (Cnr Wyndham & Nelson Sts), Auckland Central
PO Box 90 343, Victoria Street West, Tāmaki Makaurau, Auckland 1142, New Zealand
www.panuku.co.nz | [Twitter](#) | [Facebook](#)



Shaping spaces
for Aucklanders
to love

From: Paul Marriott-Lloyd <paul.marriott-lloyd@aucklandcouncil.govt.nz>
Sent: Monday, 18 May 2020 3:24 PM
To: Clare Covington <C.Covington@harrisingrierson.com>; Letitia Edwards <Letitia.Edwards@panuku.co.nz>
Cc: Joby Barham <joby.barham@aucklandcouncil.govt.nz>
Subject: RE: Austino - Hobsonville

Hi Clare

Many thanks for your email. Letitia Edwards from Panuku will respond to your enquiry.

Kind regards

Paul

Paul Marriott-Lloyd | Senior Policy Manager
Community Investment
Phone: 09 890 2038 / 021 893 503
[Level 21, 135 Albert Street, Auckland](#) 1001
Visit our website: www.aucklandcouncil.govt.nz

From: Joby Barham <joby.barham@aucklandcouncil.govt.nz>
Sent: Thursday, 14 May 2020 1:50 PM
To: Clare Covington <C.Covington@harrisingrierson.com>; Paul Marriott-Lloyd <paul.marriott-lloyd@aucklandcouncil.govt.nz>
Subject: RE: Austino - Hobsonville

Kia ora Clare

Paul Marriott-Lloyd heads the team that assesses acquisition of park land.

Paul: Ezra gave advice previously.

Joby

From: Clare Covington <C.Covington@harrisingrierson.com>
Sent: Thursday, May 14, 2020 12:47 PM
To: Joby Barham <joby.barham@aucklandcouncil.govt.nz>
Subject: RE: Austino - Hobsonville

Hi Joby
I hope you are keeping well? Crazy times eh?

I have been asked by Austino to follow up on the potential sale of the park land next to their site at 84 – 86 Hobsonville Road. You will recall that Parks indicated that this was now

surplus to requirements and at our last meeting you said that this was being progressed inhouse.

Kerry Keogh has advised me that Council have agreed that this land could be sold to Austino.

Austino are now in a position to advance their plans for this land and this is an ideal opportunity for the Council to make a decision on this.

Can you please get back to me on whether this is something you or one of your colleagues could discuss with Austino further

Thanks
Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Victoria St West
Auckland 1142

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000

**HARRISON
GRIERSON.
COM**



All our emails and attachments are subject to [conditions](#).

We're still here remotely to assist you.

As much as possible it's business as usual as we continue to provide services and support to our clients throughout Covid-19 Alert Level 4.

From: Joby Barham <joby.barham@aucklandcouncil.govt.nz>

Sent: Wednesday, 25 September 2019 8:23 AM

To: Clare Covington <C.Covington@harrisingrierson.com>

Subject: RE: Austino - **Hobsonville**

Thanks Kerry

Tuesday afternoon works for me.

Ngā mihi

Joby Barham | Development Programmes Lead

Development Programme Office

Ph 09 301 0101 | Mobile 0274 961 453

Auckland Council, Level 9 South, Bledisloe House, 24 Wellesley Street, Auckland

Visit our website: www.aucklandcouncil.govt.nz

From: Clare Covington <C.Covington@harrisingrierson.com>
Sent: Tuesday, 24 September 2019 4:59 PM
To: Joby Barham <joby.barham@aucklandcouncil.govt.nz>
Subject: Austino - **Hobsonville**

Hi Joby

Kerry Keogh is coming over from Australia next week and wants to follow up on their next stage of development looking at the land at 86 **Hobsonville Road** and also the possible buy back of the **open space** land extending up to **Hobsonville Road**.
Last time we met you mentioned that this is being considered inhouse.

Would it be possible to meet with you with Kerry to discuss what this process might involve and who would be involved in it/ timing etc?

He could meet on Monday afternoon, Tuesday afternoon, Wednesday or Thursday morning

Thanks
Clare



CLARE COVINGTON

Senior Planner and Principal

Level 4, 96 St Georges Bay Road
Parnell, Auckland 1052
PO Box 5760, Wellesley Street
Auckland 1141

M +64 21 288 8795 **D** +64 9 917 5045 **P** +64 9 917 5000