

**NOTICE TO THE TERRITORIAL AUTHORITY
OF REMOVAL OF DESIGNATION
UNDER SECTION 182 OF THE RESOURCE MANAGEMENT ACT 1991**

To: The Waitakere City Council

1. I, MARK BURTON, Minister of Defence, Parliament Buildings, Wellington, give notice that I no longer require the "Defence Purposes (Airfield and Explosives Depot)" designation applying to the following area of land:

SITE

Being Sections 1 and 2, SO 316615,
Allot 359, Parish of Waipareira, SO 24219,
and Lot 4, DP 206311, North Auckland Land
District

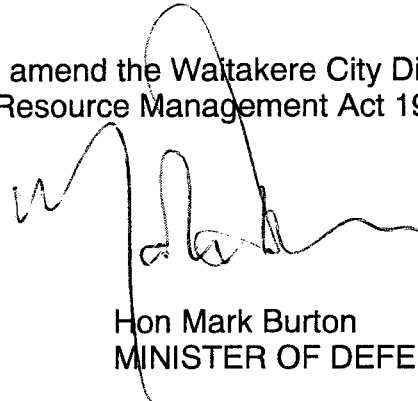
WORK

Military Airfield/Explosives
Depot

comprising approximately 34.7976 hectares

and shown highlighted in yellow on the attached plan.

2. I now request the Territorial Authority to amend the Waitakere City District Plan as required by Section 182 of the Resource Management Act 1991.



Hon Mark Burton
MINISTER OF DEFENCE

21 July 2003

Appendix

SHOWN SECTION	DESCRIPTION	TITLE REFERENCE	AREA
SECTION 1	PT LOT 2 DP 206311	CT 1916/201	19280 ha
SECTION 2	PT LOT 2 DP 206311	CT 1916/201	284584 ha

EXISTING BOUNDARIES ARE ADOPTED FROM DP 206311 & SO 308298

BEARING DATUM: GEODETIC 1949

CLASS I SURVEY

Total Area 30.3864 ha

Comprised in

1. WARREN BRUCE GUN being a process entitled to practice as a Licensed Cadastral Surveyor in the City of Auckland and was the surveyor in each of the above mentioned sections with the Cadastral Survey Act 1982 and the Surveyor General's Rules for Cadastral Surveys 1982/2002. All this diagram is accurate and has been created in accordance with the Act and the Rules.

Signature: [Signature] Date: 20/01/2003
 Field Book: [Blank] Previous Book: [Blank]
 Reference Plans: DP 206311, SO 308298, SO 308298, SO 308298
 Engraved: [Blank]

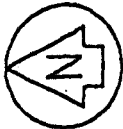
Approved as to Survey by Land Information NZ on

20/01/2003

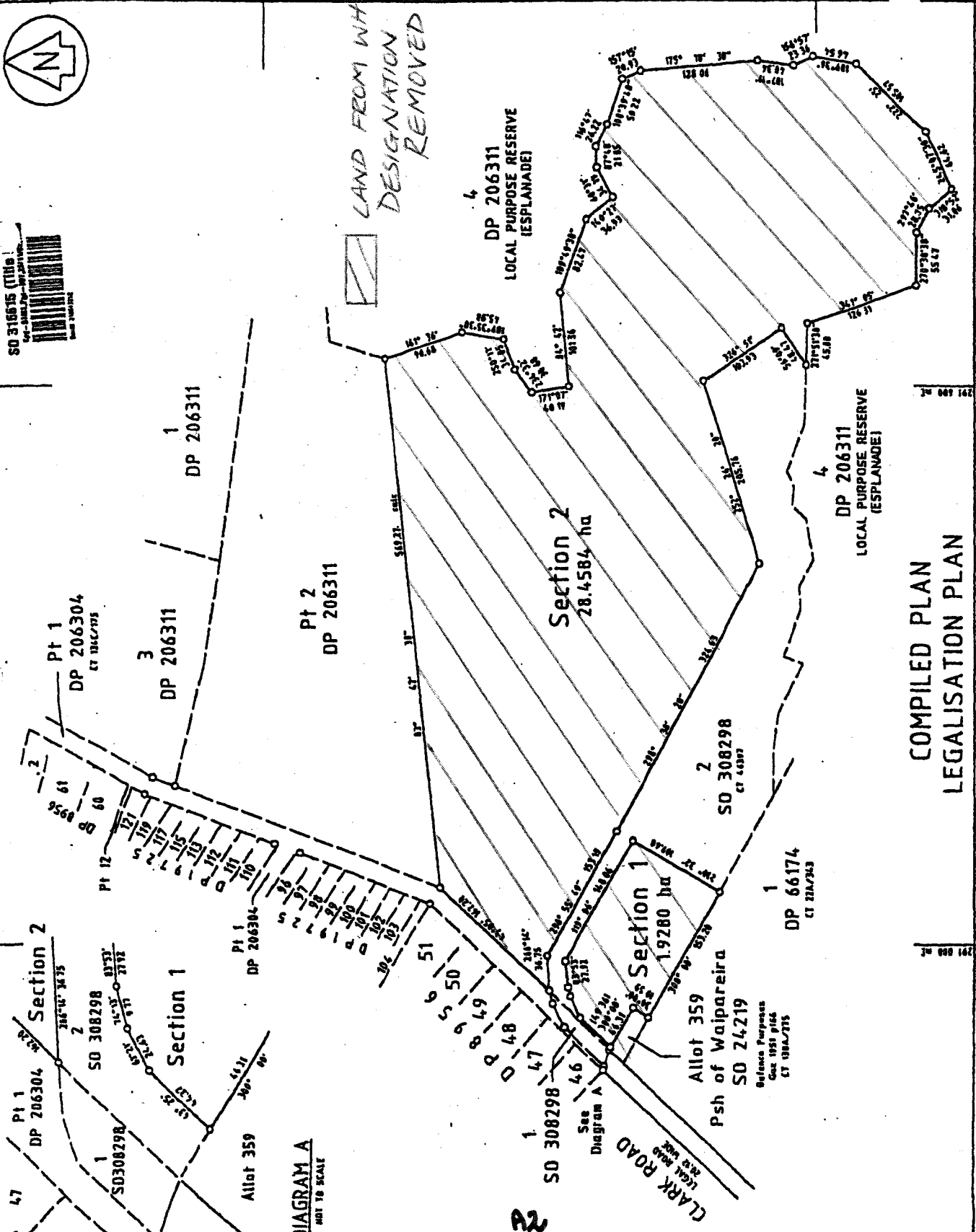
Deposited by Land Information NZ on:

File E3146 (CIDDP)
 Received 26 NOV 2002
 Instructions

SO 316615



LAND FROM WHICH DESIGNATION IS REMOVED



COMPILED PLAN
 LEGALISATION PLAN

SECTIONS 1 & 2

TERRITORIAL AUTHORITY
 Waitakere City
 Surveyed by
 CKL SURVEYS LTD E3146
 Scale 1:3000 Date NOV 2002

NORTH AUCKLAND
 DISTRICT OF XI WAITEMATA
 SECTION 1 & 2

was approved by the Waitakere City Council pursuant to Section 223 of the Resource Management Act 1991 on the 31st day of January 2001 subject to the granting or reserving of the easements set out in the Memorandum hereon.

[Signature]
 Authorised Officer

Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way, Water, to Convey	A	Lot 1 DP 206356	Lot 3 hereon
Water, to transmit	B	Lot 34 DP 8956	Lot 3 hereon
electricity & telecommunications	C	Lot 33 DP 8956	Lot 3 hereon
to drain water and sewage	D	Lot 32 DP 8956	Lot 3 hereon
	E	Lot 31 DP 8956	Lot 3 hereon
	F	Sec 150 33 173	Lot 3 hereon
	G	Sec 150 33 173	Lot 3 hereon
	H	Lot 65 DP 8956	Lot 3 hereon
	I	Lot 63 DP 8956	Lot 3 hereon
	J	Lot 1 DP 206356	Lot 3 hereon
	K	Lot 1 DP 206304	Lot 3 hereon
Right to Drain Sewage	L, M, N, O, W, X, Y, VV	Lot 3 hereon	Lot 3 hereon
Right to Drain Water	P	Lot 2 hereon	Lot 1 hereon
Right to Convey Water	Y, Z	Lot 1 hereon	Lot 3 hereon
	II, KK, LL, MM, NN, PP, QQ, RR, SS, TT, UU, VV, WW, XX, YY, AA, BB, CC, DD, EE, FF, GG, HH, II, JJ, KK, LL, MM, NN, OO	Lot 1 hereon	Lot 2 hereon

Total Area 68.0115 ha

Completed in Dec 2000. Price \$990,000 (A.H.).
 C/S 133C/1956/964/134C/175/134D/31/32
 C/S 133C/1956/964/134C/175/134D/31/32
 C/S 133C/1956/964/134C/175/134D/31/32

Stephen Maria Koning
 being a person entitled to practice as a registered surveyor certifies that the surveys in which the classes hereon are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1998.

This class is accurate and has been created in accordance with that Act and those Regulations.

Signed: *[Signature]* Date 30.1.01

Field Book A Traverse Book

Reference Plans

Examined *[Signature]* Correct Accredited

Approved as to Survey *[Signature]* Chief Surveyor

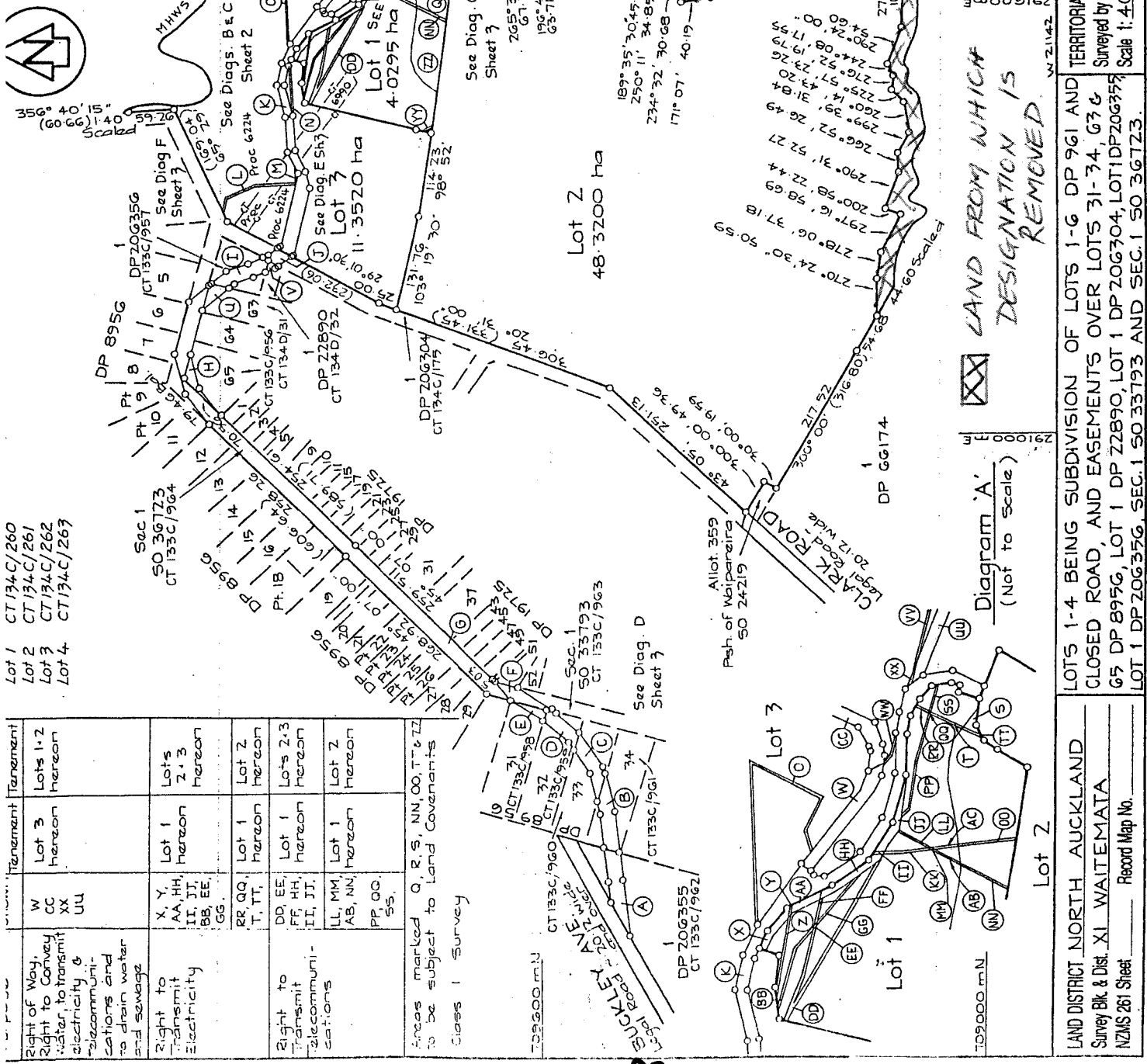
6/3/01

Deposited this 20th day of February 2001
[Signature]
 Chief Surveyor

File No. DP 206311
 Instructions

Waitakere City Council by resolution passed on the day of January 2001 is satisfied that adequate access is provided to Lots 1, 2 and 3 hereon by way of a Right of Way and that sec. 32(1) shall not apply.

[Signature]
 Authorised Officer



LAND FROM WHICH DESIGNATION IS REMOVED

Diagram 'A'
 (Not to Scale)

Sheet 1 of 3 Sheets

LOTS 1-4 BEING SUBDIVISION OF LOTS 1-6 DP 961 AND TERRITORIAL AUTHORITY WAITAKERE CITY CLOSED ROAD, AND EASEMENTS OVER LOTS 31-34, G3 & G5 DP 8956, LOT 1 DP 22890, LOT 1 DP 206304, LOT 1 DP 206356 AND SEC. 1 50 36173.

LAND DISTRICT NORTH AUCKLAND
 Survey Bk & Dist. XI WAITEMATA
 NZMS 261 Sheet Record Map No.

Appendix One

PROPOSED PLAN CHANGE NO. 1

**Re- identification of land at 1 and 1A Glendale Road from
Open Space Environment to Community Environment**

Changes to Waitakere City District Plan Maps Section

**Map 6 Glen Eden - Human Environment and Map 7 Glendene –
Human Environment
(Map reprint reference F9)**

Proposed Plan Change 1

*Changes from 'Open Space Environment' to 'Community
Environment'*

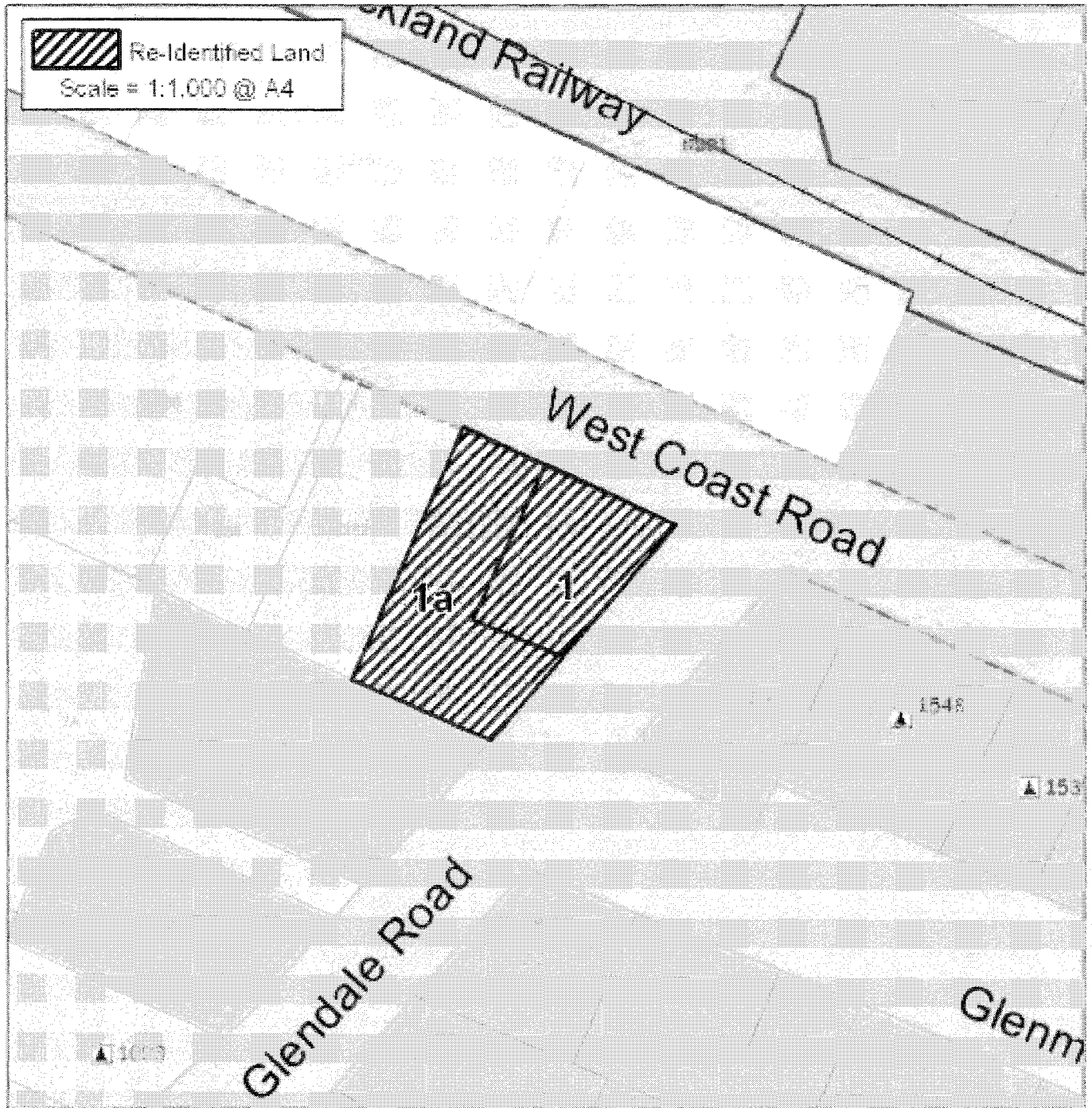
1 and 1A Glendale Road

Lot 1 DP 130959

Lot 2 DP 130959

District Plan

Proposed Changes to Map 6 Glen Eden and Map 7 Glendene Human Environments
(Map Reprint Reference F9)



Proposed Plan Change No. 1

Changes From 'Open Space Environment' to 'Community Environment'

1 and 1a Glendale Road

Glen Eden

Lot 1 DP 130959 and Lot 2 DP 130959

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

The City of Waitakere Operative District Plan

AND

Proposed Plan Change No. 1 relating to land at 1 & 1A Glendale Road currently classified as Open Space Environment to be re-classified as Community Environment.

RECOMMENDATION

The recommendation of Harold Francis Bhana, Commissioner pursuant to delegated authority of the Waitakere City Council is as follows:

Subject

This recommendation relates to Proposed Plan Change No. 1 which proposes to change the existing Human Environment classification for a site on the corner of Glendale and West Coast Roads, from Open Space Environment to Community Environment. The proposed Plan Change comprises a change to the District Plan Maps as attached to the report prepared by Pamela Wells at pages A1 to A2.(Agenda Item for Commissioner Hearing of 24 July 2003, entitled "Re-identification of Land at 1 and 1A Glendale Road from Open Space Environment to Community Environment")

The Site

The site has previously been used for a Post Office and for a butcher shop. After relocation of the Post Office the site was transferred to the Glen Eden Borough Council and eventually passed to the Waitakere City Council. The site slopes from Glendale Road to the west, is grassed with two picnic tables near the frontage, and contains a toilet block located close to the southern boundary. The western side boundary is fenced and has a hedge inside the fence. The site is at the extreme western edge of the Glen Eden Township and the removal of the library and bus shelter, to the

opposite side of the road will leave the open space area relatively isolated from the main pedestrian part of the centre.

Reasons For The Change

Other than the two picnic tables and the toilet block (to be replaced) the subject site is not developed for open space activities and is too isolated from the pedestrian part of the centre to efficiently serve a recreational purpose related to the centre. It has been transferred to Waitakere Properties Limited following a Council resolution. It was originally intended that it would be used for car parking associated with the proposed development of a medical centre on the old library site. However changes in that proposal mean that this end use is unlikely. Nevertheless it is considered that use of the subject site for purposes permitted by the Community Environment classification would better enable the objectives of strengthening and consolidating the Glen Eden Centre. In considering the re-classification of 1A Glendale Road it is relevant to observe that the new library development will include landscaping providing planting, seating and footpaths around three sides of the library building.

Submissions

The plan change was notified on 9 April 2003 and one submission was received from Mr T S and Mrs M P Ward who live at 282 West Coast Road, the adjoining property to the west. The public notice calling for further submissions was notified on the 23 May 2003. No further submissions were received. The concerns of the submitters were summarised in the planner's report as follows:

1. Do not want shops next to their property
2. Existing open space is suitable for families and people working in Glen Eden
3. Question whether an equivalent area of land would be available on the corner of Glendale Road and Glen Mall for use as open space.

The Hearing

Mr Ward attended the hearing and presented further verbal submissions. Mr Ward advised that he and his family had lived at 282 West Coast Road for 48 years. He emphasised his concern that the rezoning would remove a public place that people use for picnics from time to time. He also expressed concern about the potential for late night illicit activities if the area was used for car parking. He underlined that concern by advising of the behaviour problems he and his family had experienced from young people using the public toilets and the open space area late at night.

That experience included calling the police to attend to problem behaviour. He advised that during the time his family had lived next to the site it had been used as a Post Office and butcher shop and when questioned he advised that he and his family had no difficulty when those uses were in occupation. Mr Ward advised of drainage difficulties because the site presently has no stormwater collection system and accordingly runoff goes directly into his property. He indicated that if the drainage was attended to and if any car park area was closed off at night he would be less concerned about the effects of the re-classification.

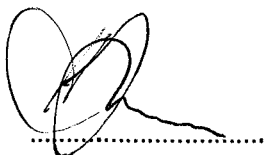
Resource Management Act 1991 Provisions

I am satisfied that reclassification of the site will promote the sustainable management of the resources of this area and in particular enable more effective development and use of the Glen Eden Shopping centre. I consider that the proposed pedestrian precinct to be provided on the northern and western sides of the new library building will provide a more conveniently located area for passive recreation for those visiting the shopping centre.

I am satisfied that the Section 32 analysis which is summarised in the report for the hearing, prepared by Pamela Wells, correctly and properly deals with the Council's obligations under that section.

RECOMMENDATION

I recommend that the Council approve Proposed Plan Change No. 1 in the form that it was publicly notified for the reason that the re-classification will better enable the Council to provide for the sustainable management of the resources represented by the Glen Eden Shopping Centre. I further recommend that the Council reject the submissions by Mr and Mrs Ward on the basis that the adverse effects on their property will not be significant and indeed may be less than the potential adverse effects of retaining the site as an open area of land, given Mr Ward's reported experience with late night behaviour problems with the site in its present condition.



H F Bhana

Commissioner

5 August, 2003

Amendment/Addition to the District Plan Rules, Volume 1 – Citywide Rules, Definitions Section

Definitions-

OPEN SPACE ENVIRONMENT

means *land* that has been vested in Council as reserve or gazetted as reserve and is shown on the Human Environments Maps as *Open Space Environment* and to which the *Open Space Environment* rules apply.

TRANSPORT ENVIRONMENT

Means *land* vested, dedicated or gazetted as *road* and is shown on the *Human Environment* Maps as *Transport Environment* and to which the *Transport Environment* Rules apply.

General City-wide Rule relating to subdivision

Rule 1 RE-IDENTIFICATION OF LAND

1.1 General

The following rule shall apply to all subdivision of land involving the creation of roads or reserves.

1.2 Permitted Activity

Activities meeting the following Performance Standard are Permitted Activities:

- Re-identification of land as Transport Environment or Open Space Environment as a consequence of land vesting in Council as road or reserve as a result of subdivision.