

Extra-ordinary Whangarei District Council

Notice of Meeting

A extra-ordinary meeting of the Whangarei District Council will be held in the Council Chamber, Forum North, Whangarei on:

**Wednesday
14 November 2012
11.00am**

Committee

His Worship the Mayor (Chairperson)
Cr C B Christie
Cr S J Deeming
Cr A J Edwards
Cr S M Glen
Cr P R Halse
Cr J S Jongejans
Cr G M Martin
Cr B L McLachlan
Cr S L Morgan
Cr K J Sutherland
Cr W L Syers
Cr M R Williams
Cr J D T Williamson

1. Submissions for the Proposed Hotel Development 8-10 Dent Street.

Reporting officer Mike Hibbert (Property Manager)

Date 3 November 2012

Vision, mission and values

To provide opportunities for future development that contributes to the economic and social development of the district.

Local Government Act 2002 – The four well-beings

Cultural *To consult clearly and transparently with tangata whenua/lwi/hapu specific to sites of significance.*

Economic *This matter will have a direct financial impact on Council, as well as indirect financial benefits to the District through economic growth.*

Environmental *No direct link has been established.*

Social *This proposal will have indirect positive social impact on the community through economic development and sense of place initiatives*

Purpose

At the Confidential Extra-ordinary Whangarei District Council meeting of 20 September 2012 it was resolved to progress public consultation in accordance with section 138, of the Local Government Act 2002 on the potential development opportunities of the sites at 8-10 Dent Street, commonly referred to at the Forum North Childcare and Almond Court Flats.

The consultation for this proposal consisted of:

- Advertising calling for written submissions on the proposal to develop the properties at 8 and 10 Dent Street, Whangarei for accommodation/ tourist/visitor hotel purposes for a period of 20 working days.
- A public hearing for those who wish to be heard
- A report to Council once the consultation period has ended and all written submissions have been considered.

This process has now been completed and requires Council to review those written and verbal submissions with respect to the proposed future development of this property.

Property description

The properties at 8-10 Dent Street are situated on the southern side of Dent Street, approximately 140 meters east of Bank Street and adjoining Laurie Hall Park and the public car park. The immediate surroundings provides a mixture of development including a multi floor office block along Rathbone Street, town houses, a block of residential flats and further converted or purpose built professional offices opposite this portion of Dent Street.

In general terms the location is a handy central location with views down toward the Town Basin, to Parihaka and overlooking the Laurie Hall Park.

8 Dent Street is level with the road at the road frontage, falling gently towards the rear boundary with the last 5-15 meters falling at a steeper gradient. 10 Dent Street slopes west to east mid way across the incline of Fire Brigade Hill. The site becomes very steep dropping down to the flat lower eastern portion below Dent Street, level with Rathbone Street and the Laurie Hall car park.

The total area is 0.45 ha however the effective usable area would be less due to the contour of the rear boundaries.

Under the District Plan the property lies in the Business 1 Environment that covers the greater Central Business area. This zoning has few restrictions and most activities are generally permitted. The District scheme indicates that the sites are subject to low, medium and high stability sensitive areas.

Legal Description

The location is held in 2 freehold titles:

8 Dent Street

Lot 53 Allotment 1 Parish of Whangarei, Certificates of Title NA 518/297

10 Dent Street

Lot 54 Allotment 1 Parish of Whangarei, Certificates of Title NA 2B/818.

Acquisition History

Council records show that the premise at 8 Dent Street was purchased by Council on 4 November 1964 for \$25,000.00. The owners of the property at the time were L I Brown and H G Brown who offered to sell the property to Council. The title was transferred to Council in November 1965.

The property at 10 Dent Street was acquired initially by G R Bassett in November 1950. Council approached the Basset Family in 1952 and asked how much he was prepared to accept for the property, either land and house or land after leaving sufficient space for the house. In July of that year Mr Bassett instructed Thomson Bagley to offer the entire property to Council and in April 1954 Council resolved to purchase the site. It was not until 1955 when the land was transferred to Council for the government valuation of the time.

Further investigation through Councils Legal advisors Thomson Wilson has identified a number of aspects of each purchase that need to be considered. There is little to suggest that the acquisitions were of a compulsory nature however evidence does suggest the land was acquired for a public use. At the time of acquisition both properties were effectively designated in the relevant planning instruments, 10 Dent Street as 'Proposed Municipal Reserve', and 8 Dent Street as 'Reserved for Civic Purposes'. Correspondence to the Auditor-General seeking approval for the use of the Reserve Development Fund to purchase 8- Dent Street, records the property as being 'surrounded on three sides by Laurie Hall Park and the application intention was to purchase and demolish the flats with the idea of making an open space.' Since the purchase 47 years ago no further development of the property has been completed.

Consultation

Consultation Section 138 (2) Local Government Act 2002.

The acquisition history indicates these properties were "acquired" for either community or recreational purposes. Scheme plans of the day indicate 'Reserved for Civic Purposes' and correspondence to the Local Authorities Loans Board Council's obligations under any such change or sale under the PWA 1981 have been considered. Given the designations attached to these properties at the time of acquisition for either community or recreational purposes the sale or change in use from the original intent falls within the definition of Park, meaning any land acquired or used principally for community, recreational, environmental or spiritual purposes, as detailed in section 138(2) of the LGA 2002, therefore Council must consult on any proposal.

Using the principles of consultation, Council has sought to obtain the views of the community prior to determining any intentions to develop the site, in contrary to the initial acquisition intended for Civic and Municipal Purposes, for that of accommodation/ tourist/visitor hotel purposes.

Calls for submission commenced on October 9 and closed on Friday November 2. In addition to public consultation, respective adjacent land owners/representatives and occupants were notified by mail of the process and invited to formalise a submission.

Summary

A total of 212 submissions have been received from the public, with a total of 17 submitters indicating they wish to be heard as individuals or representing an organisation.

Council's intentions have also been communicated to adjacent property owners/occupiers and a meeting was held between council staff, Councillors and representatives of the Forum North Childcare Centre Trust, Whanau and supporters.

Meetings were held with kaumatua of Ngati Kahu o Torongare ki Parawhau and Te Parawhau. Of importance to Hapu was acknowledgment of the spiritual relationship with the area and Maori settlement pre European occupation. This site is near the former Ngati Kahu o Torongare ki Parawhau pa site, Pihoi, which was located at the current St Andrews Church site. The site also overlooks, Te Ahi Pupurangi a Ihenga (the Town Basin) and toward Parihaka.

Recommendation

1. That any submissions identified as being received after the close of the submission period be accepted for consideration by council.
2. That the submissions be received and heard.

Attachment:

[Aerial plan of 8-10 Dent Street sites](#)

Under separate cover – available on request (*Contact the Senior Meeting Coordinator, phone +64 9 4304 200*)

Submissions received

Appendix 1



8 - 10 Dent Street