

**PROPOSED CENTRAL AREA BUILDING
2-12 AITKEN STREET**



**APPLICATION FOR RESOURCE CONSENT
PSPIB/CPIIB WAIHEKE INC**

SEPTEMBER 2019

**APPLICATION FOR RESOURCE CONSENT
UNDER
SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991**

(Form 9)

TO: Wellington City Council
P O Box 2199
WELLINGTON

Attention: Peter Daly
Senior Consents Planner
City Planning

PSPIB/CPPIB Waiheke Inc (the Applicant) hereby applies for the following type of resource consent:

1. Land use consent for the following activity:

- (a) the construction, maintenance and use of a new Central Area building to be occupied by Archives New Zealand "Te Rua a Mahara o te Kāwanatanga";
- (b) the construction, maintenance and use of a publicly-accessible landscaped plaza; and
- (c) the construction, maintenance and use of an elevated pedestrian bridge across Guthrie Lane

all as further described in the accompanying assessment of environmental effects (AEE) report and application drawings, and which form part of the application.

2. The name and address of the owner and occupier of any land to which the application relates is as follows:

The owner of the site is PSPIB/CPPIB Waiheke Inc

The owner's address is:

PSPIB/CPPIB Waiheke Inc
c/- AMP Capital
P O Box 64024
Botany
Auckland 2163

Attention: Nick Cobham

3. The location to which the application relates is:

The application site is located at 2-12 Aitken Street, Thorndon.

The legal description of 2 Aitken Street is Lot 1 DP 356040 as described on Record of Title WN 228736. Copies of the Record of Title and an aerial photograph are attached at **Annexure A**.

The 3,693m² site is currently vacant following the demolition of "Defence House" due to damage suffered during the November 2016 Kaikoura Earthquake.

The proposed elevated pedestrian bridge is suspended above Guthrie Lane. Guthrie Lane is held in Record of Title 228737, a copy of which is attached at **Annexure B**, along with instrument number 7327473.3, being a grant of easement for the benefit of the application site (2-12 Aitken Street).

4. Additional resource consents required in relation to this proposal:

In the opinion of the Applicant no additional land use resource consents are required in relation to this proposal.

5. Assessment of effects on the environment:

Attached to and forming part of this application is an assessment of environmental effects (AEE) describing the proposed activity, and any associated effects that may arise, prepared in accordance with Clause 6 and Clause 7 of Schedule 4 of the Act - refer **Annexure D**.

6. Required information:

In the Applicant's opinion, all the information required to be included in this application by the District Plan, or any regional plan, the Resource Management Act 1991, or any regulations made under that Act has been provided - refer **Annexure C**.

DATED at Wellington on the 24th day of September 2019



.....
Alistair Aburn
Resource Management Consultant
Director
Urban Perspectives Ltd

for and on behalf of
PSPiB/CPPIB Waiheke Inc

Address for Service

PSPiB/CPPIB Waiheke Inc
c/- Urban Perspectives Ltd
P O Box 9042
Wellington

Attention: Alistair Aburn

Telephone: (04) 474 4111 (DDI)
Facsimile: (04) 499 9726
Email: alistair@urbanp.co.nz

Address for Invoices:

Please note that any correspondence and invoices associated with the processing of this application, any subsequent monitoring fees, and any matters regarding development contributions under the Local Government Act should be sent directly to the Applicant: PSPiB/CPPIB Waiheke Inc., c/- AMP Capital, P O Box 64024, Botany, Auckland 2163. Attention: Nick Cobham

Annexures:

- A. Record of Title and Aerial Photograph - 2-12 Aitken Street
- B. Record of Title and aerial photograph - 20 Aitken Street (incorporating Guthrie Lane)
- C. Applicant's Completeness Check
- D. Assessment of Environmental Effects (AEE) Report
- E. Application Drawings

ANNEXURE A

RECORD OF TITLE AND AERIAL PHOTOGRAPH – 2-12 AITKEN STREET



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier 228737
Land Registration District Wellington
Date Issued 18 April 2007

Prior References

WN39D/610 WN39D/613

Estate Fee Simple
Area 2780 square metres more or less
Legal Description Lot 2 Deposited Plan 356040 and being above a reduced level of 23.24 metres in terms of Wellington City Datum 1953

Registered Owners

Aitken Office Trustee Limited

Estate Fee Simple
Area 2788 square metres more or less
Legal Description Lot 2 Deposited Plan 356040 and being below a reduced level of 23.24 metres in terms of Wellington City Datum 1953

Registered Owners

Aitken Office Trustee Limited

Interests

Subject to Section 3 Petroleum Act 1937 (affect part formerly CT WN39D/610)
Subject to Section 8 Atomic Energy Act 1945 (affect part formerly CT WN39D/610)
Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)
Subject to Section 3 Geothermal Energy Act 1953 (affect part formerly CT WN39D/610)
Subject to Part IV A Conservation Act 1987
Subject to Sections 6 and 8 Mining Act 1971 (affect part formerly CT WN39D/610)
Subject to Sections 5 and 261 Coal Mines Act 1979 (affect part formerly CT WN39D/610)
Subject to Section 11 Crown Minerals Act 1991 (affects part formerly CT WN39D/613)
Appurtenant hereto are rights to convey water, sewage and water drainage, gas, electricity and telephone created by Transfer B226261.6 - 2.4.1992 at 2.14 pm (affect part formerly CT WN39D/613)
Subject to a right of way and rights to convey water, sewage and water drainage, gas, electricity and telephone over part marked A and F on DP 356040 created by Transfer B226261.7 - 2.4.1992 at 2.14 pm
Appurtenant hereto is a right of way and rights to convey water, sewage and water drainage, gas, electricity and telephone created by Transfer B226261.8 - 2.4.1992 at 2.14 pm (affect part formerly CT WN39D/613)
Subject to a right of way over part marked A and a telecommunications easement over part marked E all on DP 356040 created by Easement Instrument 7327473.3 - 18.4.2007 at 9:00 am
Appurtenant hereto is a pedestrian right of way (part limited as to height) created by Easement Instrument



T 1/2

Digital Title Plan
DP 356040

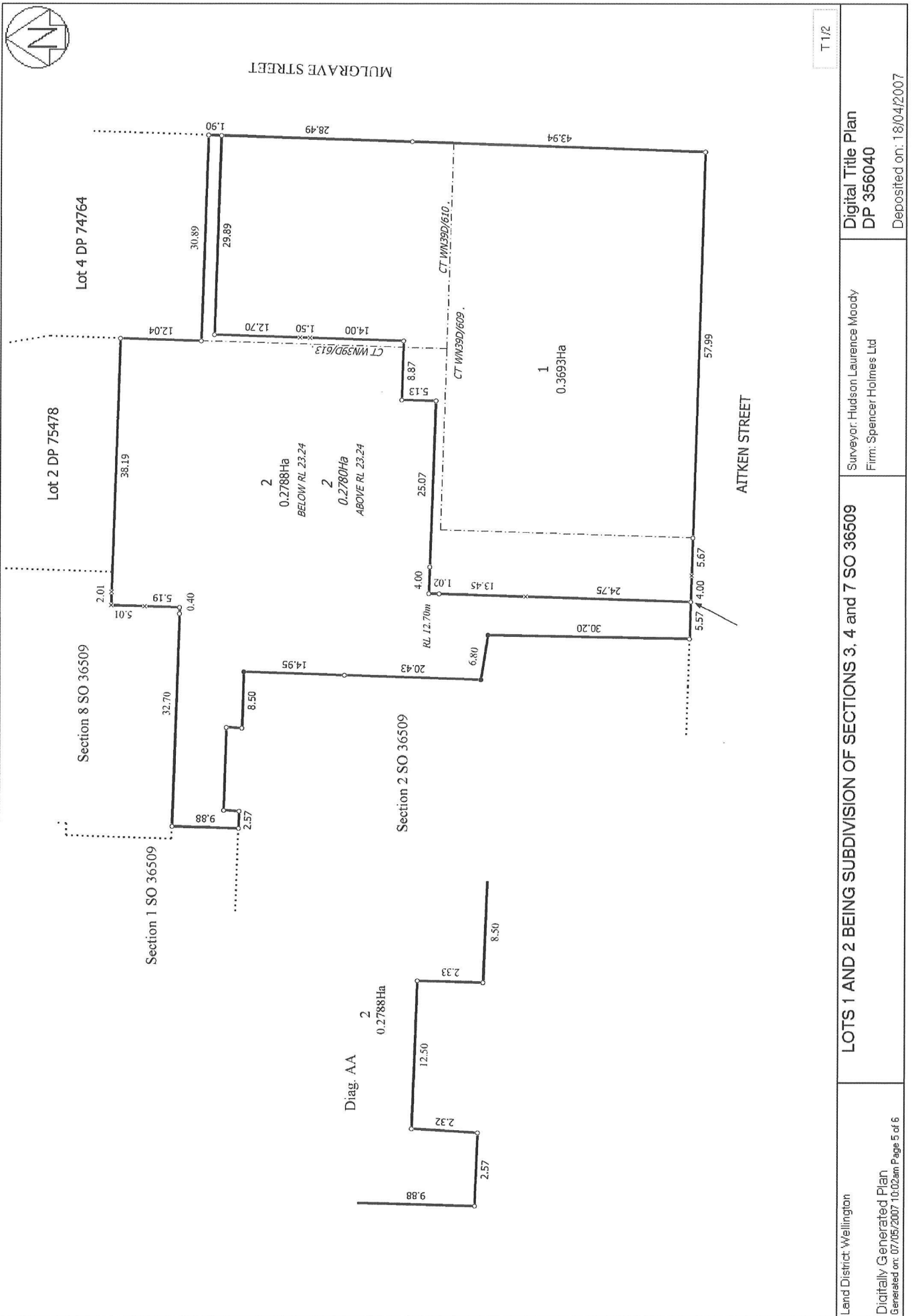
Deposited on: 18/04/2007

Surveyor: Hudson Laurence Moody
Firm: Spencer Holmes Ltd

LOTS 1 AND 2 BEING SUBDIVISION OF SECTIONS 3, 4 and 7 SO 36509

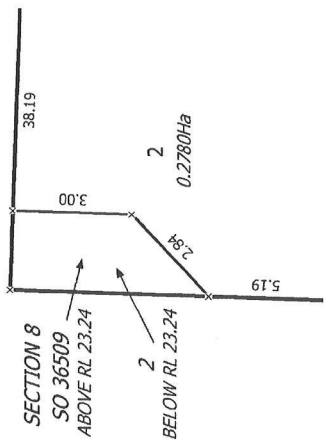
Land District: Wellington

Digitally Generated Plan
Generated on: 07/05/2007 10:02am Page 5 of 6

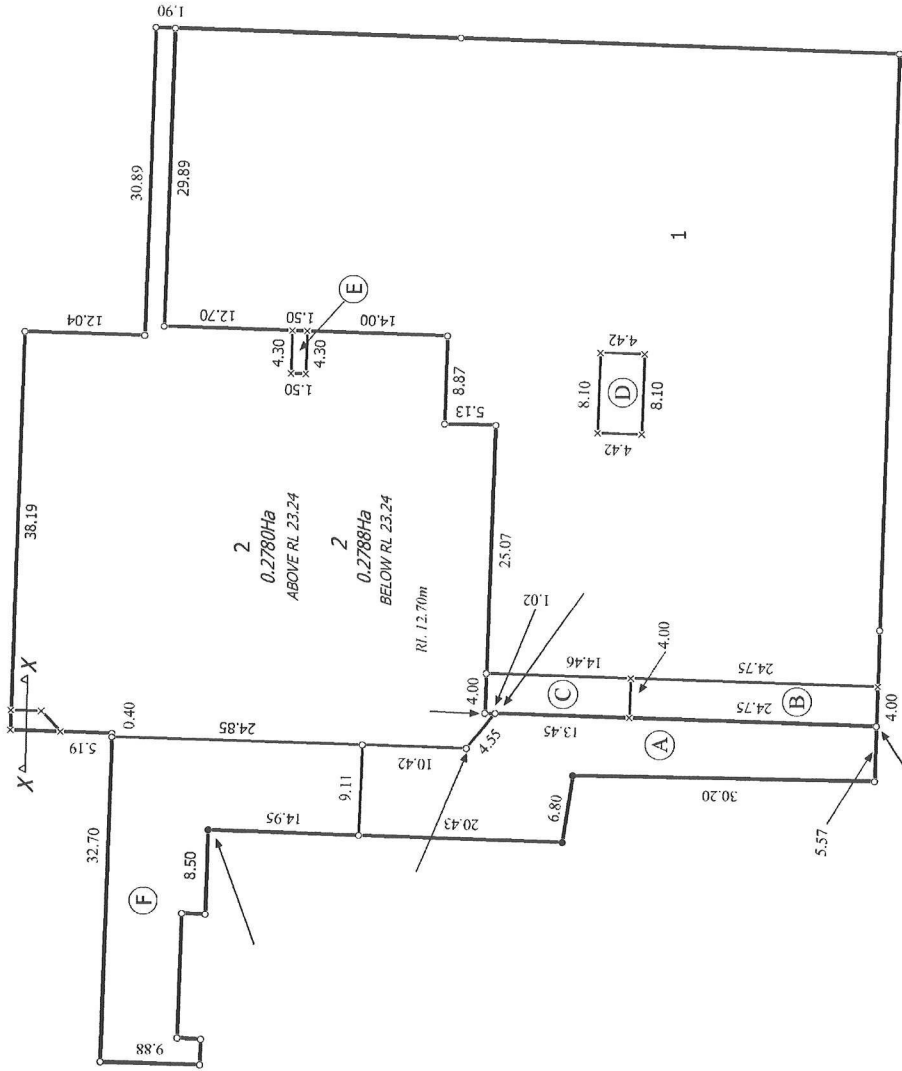




Diag. AB
Non Primary



Non Primary



T 2/2

Land District: Wellington

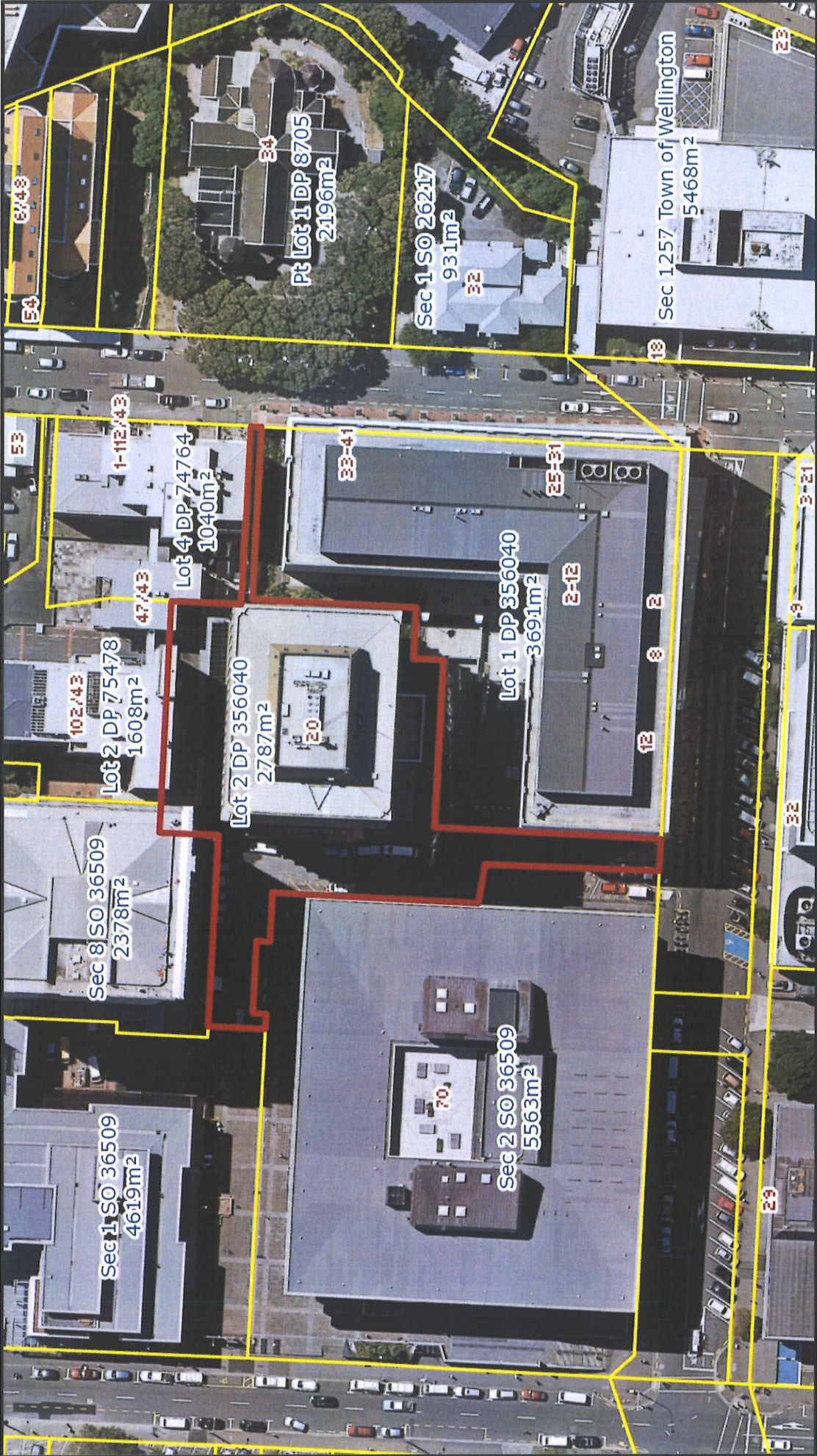
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LOTS 1 AND 2 BEING SUBDIVISION OF SECTIONS 3, 4 and 7 SO 36509

Surveyor: Hudson Laurence Moody
Firm: Spencer Holmes Ltd

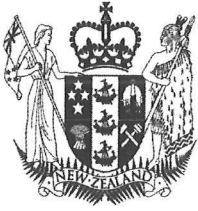
Digital Title Plan
DP 356040

Deposited on: 18/04/2007



ANNEXURE B

RECORD OF TITLE AND AERIAL PHOTOGRAPH – 20 AITKEN STREET (INCORPORATING GUTHRE LANE)



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier 228736
Land Registration District Wellington
Date Issued 18 April 2007

Prior References

WN39D/609 WN39D/610 WN39D/613

Estate Fee Simple
Area 3693 square metres more or less
Legal Description Lot 1 Deposited Plan 356040

Registered Owners

PSPIB/CPPIB Waiheke Inc.

Interests

Subject to Section 3 Petroleum Act 1937 (affects part formerly CT WN39D/610 and WN39D/609)
Subject to Section 3 Geothermal Energy Act 1953 (affects part formerly CT WN39D/610 and WN39D/609)
Subject to Section 8 Atomic Energy Act 1945 (affects part formerly CT WN39D/610 and WN39D/609)
Subject to Sections 6 and 8 Mining Act 1971 (affects part formerly CT WN39D/610 and WN39D/609)
Subject to Part IV A Conservation Act 1987
Subject to Sections 5 and 261 Coal Mines Act 1979 (affects part formerly CT WN39D/610 and WN39D/609)
Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)
Subject to Section 11 Crown Minerals Act 1991 (affects part formerly CT WN39D/613)
Appurtenant hereto are rights to convey water, sewage and water drainage, gas, electricity and telephone created by Transfer B226261.6 - 2.4.1992 at 2.14 pm (affects part formerly CT WN39D/613)
Appurtenant hereto is a right of way and rights to convey water, sewage and water drainage, gas, electricity and telephone created by Transfer B226261.8 - 2.4.1992 at 2.14 pm (affects part formerly CT WN39D/613)
Subject to a pedestrian right of way over part marked B (restricted as to height) and C on DP 356040 created by Easement Instrument 7327473.3 - 18.4.2007 at 9:00 am
Appurtenant hereto is a right of way and a telecommunications easement created by Easement Instrument 7327473.3 - 18.4.2007 at 9:00 am
Some of the easements created by Easement Instrument 7327473.3 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right (in gross) to an electricity easement (restricted as to height) over part marked D on DP 356040 in favour of Vector Wellington Electricity Network Limited created by Easement Instrument 7327473.4 - 18.4.2007 at 9:00 am
9817844.3 Mortgage to Bank of New Zealand - 28.11.2014 at 1:56 pm



MULGRAVE STREET

Lot 4 DP 74764

Lot 2 DP 75478

Section 8 SO 36509

Section 1 SO 36509

Section 2 SO 36509

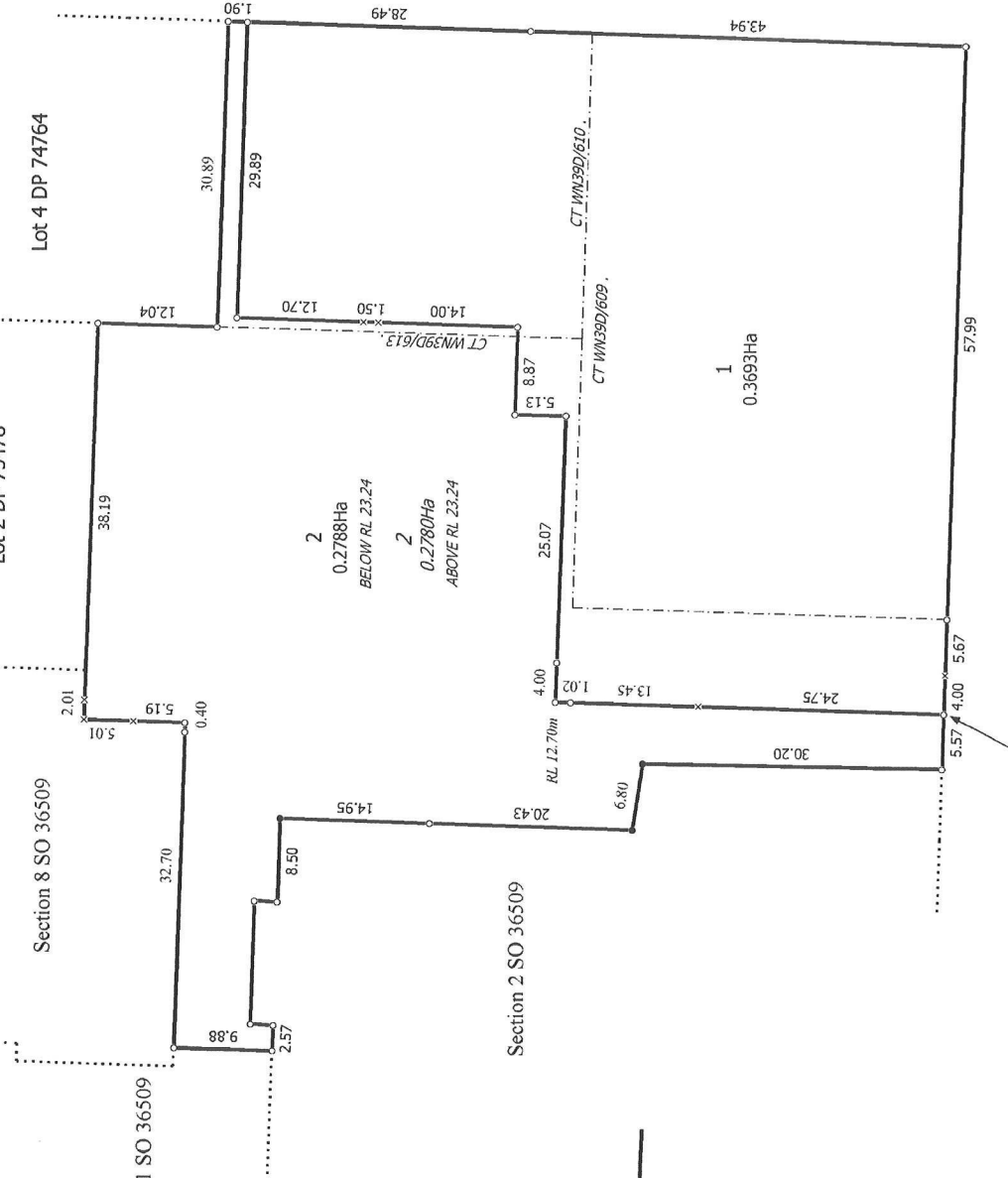
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0.2788Ha

2
0.2788Ha
BELOW RL 23.24

2
0.2780Ha
ABOVE RL 23.24

1
0.3693Ha

AITKEN STREET



T 1/2

Land District: Wellington

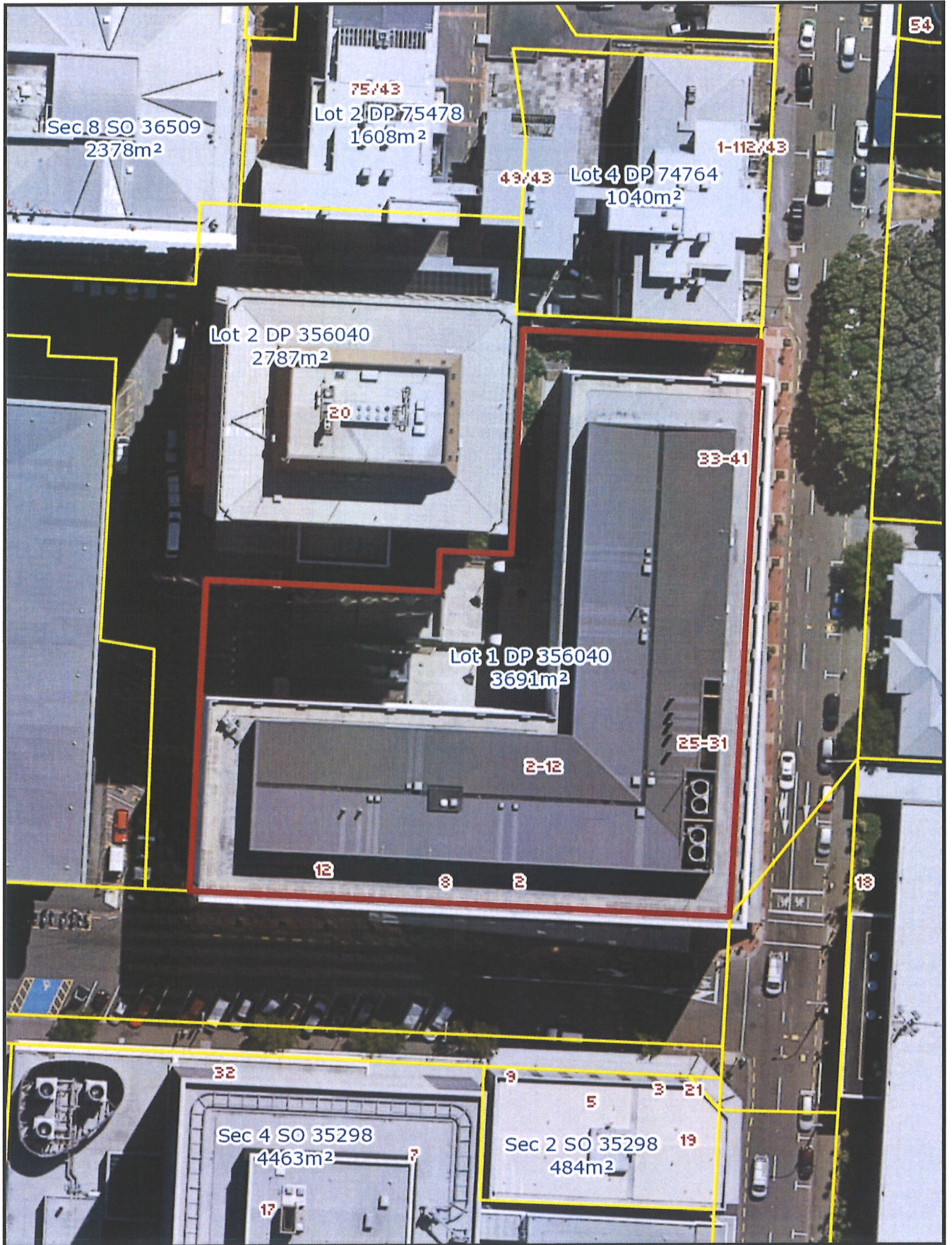
LOTS 1 AND 2 BEING SUBDIVISION OF SECTIONS 3, 4 and 7 SO 36509

Surveyor: Hudson Laurence Moody
Firm: Spencer Holmes Ltd

Digital Title Plan
DP 356040

Digitally Generated Plan
Generated on: 07/05/2007 10:02am Page 5 of 6

Deposited on: 18/04/2007



Property Information

Search Result:
 Date of Imagery: March 2017
 Report Date: 20 Jun 2018

Copyright Notice

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 from LINZ. Crown copyright reserved.

Data Statement

Accuracy of aerial imagery +/- 0.5m. Accuracy of property
 boundaries 1-3m in urban areas, up to 30m in rural areas.
 Property boundaries and legal descriptions sourced from LINZ.

Approved by Registrar-General of Land under No. 2002/6055
Easement instrument to grant easement or profit à prendre, or create land covenant
 Sections 90A and 90F, Land Transfer Act 1952

EI 7327473.3 Easement I

Land registration district

WELLINGTON



Cpy - 01/01, Pgs - 005, 18/04/07, 09:42



DocID: 411849148

Sumname(s) must be underlined or in CAPITALS.

Grantor

CAPITAL PROPERTIES (WELLINGTON) LIMITED

Grantee

Sumname(s) must be underlined or in CAPITALS.


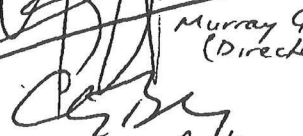
CAPITAL PROPERTIES (WELLINGTON) LIMITED

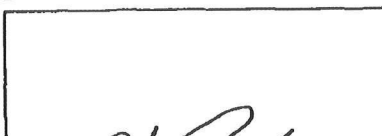

Grant* of easement or profit à prendre or creation or covenant

The Grantor, being the registered proprietor of the servient tenement(s) set out in Schedule A, grants to the Grantee (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

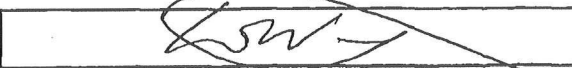
Dated this 29 day of MARCH 2007

Attestation

 Murray Gribbin (Director)	Signed in my presence by the Grantor
	Signature of witness
 Anthony Beverley (Director)	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name
Signature [common seal] of Grantor	Occupation
	Address

 Anthony Beverley (Director)	Signed in my presence by the Grantee
	Signature of witness
 Murray Gribbin (Director)	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name
Signature [common seal] of Grantee	Occupation
	Address

Certified correct for the purposes of the Land Transfer Act 1952.



[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.

Approved by Registrar-General of Land under No. 2002/6055
Annexure Schedule 1



Easement instrument

Dated

29 March 2007

Page

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of

4

pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Right of way	A on DP 356040	228737	228736
Pedestrian Right of Way	B on DP 356040	228736	228737
Pedestrian Right of Way	C on DP 356040	228736	228737
Telecommunications	E on DP 356040	228737	228736

Easements or profits à prendre rights and powers (including terms, covenants, and conditions)

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are ~~varied~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:

~~Memorandum number _____, registered under section 155A of the Land Transfer Act 1952.~~

[the provisions set out in Annexure Schedule 2].

Covenant provisions

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

The provisions applying to the specified covenants are those set out in:

~~Memorandum number _____, registered under section 155A of the Land Transfer Act 1952.~~

[Annexure Schedule 2].

All signing parties and either their witnesses or solicitors must sign or initial in this box

Law MCB

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated

29 March 2007

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of

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Pages

(Continue in additional Annexure Schedule, if required.)

15. LIMITATIONS [PEDESTRIAN RIGHT OF WAY]

15.1 The rights of way over and along the areas marked 'B' and 'C' on DP 365040 (Areas B and C) are limited to the right to pass and repass over and along those areas:

- a. on foot;
- b. by cycle or non-motorised conveyance;
- c. by electric or similar powered personal transport for the disabled;

and clause 6(2) of Schedule 4 of the Land Transfer Regulations 2002 is varied accordingly.

15.2 The Grantee agrees that it will ensure that all persons under its control comply with all reasonable rules and regulations that the Grantor may make (and advise to the Grantee) in relation to the use of the rights of way over and along Areas B and C.

15.3 The pedestrian right of way over and along the area marked 'B' on DP 365040 shall be subject to a lower height limit of 12.45 metres and an upper height limit of 14.76, metres, these heights being in terms of the Wellington Datum 1953 (mean sea level).

16. RESERVATION OF RIGHTS

16.1 Despite anything to the contrary in this Easement Instrument, the Grantee in relation to the relevant easements described below, acknowledges and agrees that:

16.1.1 the Grantor and any tenant of the Servient tenement (**Tenant**) together with any persons under the control of or with the permission of the Grantor or the Tenant shall be entitled to have vehicular access over the area marked 'C' on DP 365040 (Area C) for the purposes of gaining access to the building on the Servient tenement;

16.1.2 the Grantor and the Tenant shall be entitled to stop and/or park vehicles on Area C or short periods of time, provided that such stopping and/or parking of vehicles does not unreasonably restrict the Grantee's right to use Area C as a pedestrian right of way;

16.1.3 the Grantor and/or the Tenant (with the consent of the Grantor) shall be entitled to install fixed and/or retractable bollards (**Bollards**) on or along the Areas B and C, provided the Bollards do not unreasonably restrict the Grantee's right to use Areas B and C as a pedestrian right of way.

16.1.4 the right contained in clause 16.1.3 shall also include the right to relocate, remove, replace and repair the Bollards together with necessary access over Areas B and C for such purposes, provided that the exercise of those rights does not unreasonably restrict the Grantee's rights to use those areas as a pedestrian right of way.

If this Annexure Schedule is used as an expansion of an Instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

LSW M 93

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated

29 March 2007

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Pages

(Continue in additional Annexure Schedule, if required.)

17. MAINTENANCE OF RIGHT OF WAY

17.1 Clause 11 of Schedule 4 of the Land Transfer Regulations 2002 shall not apply. Except as provided in clause 17.2, the Grantor is solely responsible for repairing and maintaining the relevant easement facility, and for associated costs, so as to keep the facility in good order and repair and to prevent it from becoming a danger or nuisance.

17.2 Despite clause 17.1, where the need for repairs or maintenance arises as a consequence of any act or omission of the Grantee or persons under its control, then the Grantee shall at its cost, be responsible for repairing and maintaining the easement facility.

18 PERFORMANCE OF WORKS

18.1 Where any party is responsible for carrying out works under this instrument:

18.1.1 all relevant territorial authority requirements and statutory requirements must be complied with on a continuing basis as the works are undertaken.

18.1.2 all reasonable steps must be undertaken to minimise inconvenience to the other party or to other owners of land, and there must be no unnecessary or unreasonable disruption or damage to any portion of the land;

18.1.3 the work must conform in all respects with the requirements set out in this Instrument;

18.1.4 the party must take and maintain for the duration of work an appropriate and comprehensive all risks insurance policy covering both the party's works and liability to third parties (including the other party) that may arise as a consequence of those works being undertaken;

18.1.5. the party may enter on any part of the Servient tenement as may be reasonably necessary to undertake the work;

18.1.6. as soon as reasonably practical, any part of the land which is affected by the work must be reinstated to at least as good a condition as it was prior to the commencement of the work; and

18.1.7. the work and any reinstatement must be carried out at the expense of the party, unless this instrument provides otherwise.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or Initial in this box.

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated 29 March 2007

Page 4 of 4 Pages

(Continue in additional Annexure Schedule, if required.)

19. TELECOMMUNICATION EASEMENT

19.1 All of the rights and powers in relation to 'a right to convey telecommunications and computer media' set out in Schedule 4 of the Land Transfer Regulations 2002, shall apply to the Telecommunication easement under, over and along the area marked 'E' on DP 356040.

20. DEFENCE PROVISION

20.1 For so long as Her Majesty the Queen acting by and through the Chief of Defence Force (Defence) is the tenant of the Servient tenement and the easement facility is a defence area, the officer in charge may, in relation to that area, exercise any of the powers in the Defence Regulations 1990 relating to defence areas without restriction.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

ANNEXURE C

COMPLETENESS CHECK - PREPARED ON BEHALF OF THE APPLICANT

Section 88(2)(b) of the Resource Management Act 1991, as amended by the Resource Management Amendment Act 2103, requires that “an application for resource consent must include the information relating to the activity ... as required by Schedule 4”.

In turn, Clause 2 of Schedule 4 states:

2. *Information required in all applications:*

- (1) *An application for a resource consent for an activity (the activity) must include the following:*
 - (a) *a description of the activity;*
 - (b) *a description of the site at which the activity is to occur;*
 - (c) *the full name and address of each owner or occupier;*
 - (d) *a description of any other activities that are part of the proposal to which the application relates;*
 - (e) *a description of any other resource consents required for the proposal to which the application relates;*
 - (f) *an assessment of the activity against the matters set out in Part 2; and*
 - (g) *an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).*

3. *Additional information required in some applications:*

An application must also include any of the following that may apply:

- (a) *If any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)).*

In the following Table the Applicant identifies where the information required under Clause 2 and Clause 3 is to be found. Hence, the Table represents the Applicant’s ‘completeness check’.

TABLE: Completeness Check - Schedule 4 - Information Required

Clause	Information Required	Location of Information Provided
2(1)(a)	A description of the activity	Form 9 (Clause 1) and AEE (Section 2.2)
2(1)(b)	A description of the site at which the activity will Occur	Form 9 (Clause 3) and AEE (Section 2.1)
2(1)(c)	The full name and address of each owner and occupier of the site	Form 9 (Clause 2)
2(1)(d)	A description of any other activities that are part of the proposal to which the application relates	N/A - no other activities other than those listed in the AEE at Section 2.2 are proposed.
2(1)(e)	A description of any other resource consents required for the proposal to which the application relates	N/A - no other land use consents are required.
2(1)(f)	An assessment of the activity against the matters set out in Part 2	AEE (Section 5.5)
2(1)(g)	An assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b)	AEE (Section 5.3). The Design Statement required under Rule 13.3.4 is included in Appendix 4 to the AEE.

3(a)	Additional information required in some applications	An assessment of the proposal against the Central Area permitted activity standards is provided in the AEE at Section 3.3.2 and Appendix 3.
	Assessment of Environmental Effects	
6 and 7	Information required in assessment of environmental effect	<p>An assessment of environmental effects (AEE) prepared in accordance with Clause 6, Schedule 4 is attached to the application - refer Annexure D.</p> <p>Section 1.4 of the AEE provides a description of where the information required (Clause 6) and the matters to be addressed (Clause 7) is found.</p>

ANNEXURE D

ASSESSMENT OF ENVIRONMENTAL EFFECTS

ANNEXURE E

APPLICATION DRAWINGS