

Memo

To: Francelle Lupis
Greenwood Roche

From: Craig McGarr

Date: 11 March 2026

Project No: 24022

Re: The Point: Mission Bay
Panel Minute 3: Status of the reserve revocation process

Statement of Position

1. On 27 February 2026, the Panel held a Project Overview Conference with the Applicants and Auckland Council. Minute 3 of the Panel notes:

[4] At the Project Overview Conference, the Applicant explained that the [reserve] revocation process had progressed from what had been described in the application documents and that the reserve status for the existing walkways that extend through the site has now been formally revoked.

[5] For completeness, the Panel requests that the Applicant provides a written statement that explains the current status of the existing walkways and proposed walkways to ensure that all parties that are invited to comment understand the status of this aspect of the Development.

The following provides the response to the Panel's request at paragraphs [4] and [5] of the Minute.

Background

2. The substantive application documentation explained that as at the time of lodgement, the application Site was inclusive of two parcels of land that were classified as local purpose (accessway) reserves, vested with Auckland Council. These parcels are used as public pedestrian walkways, which connect Rukutai Street (Lot 6 DP 92924) and Aotea Street (Lot 7 DP 92925) to Takaparawhau.

3. At the time of the substantive application being lodged, the Auckland Council Governing Body had resolved to recommend to the Minister of Conservation that the reservation of the land (for both walkways) as reserve be revoked (on 25 September 2025), and an application by Auckland Council had been submitted to the Minister of Conservation (on 13 October 2025) to make the final decision on the revocation.

Current Status

4. On 10 December 2025, pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Operations Manager, Auckland, Department of Conservation revoked the local purpose (accessway) reserve status of the walkways, and declared that the land may be disposed of by the Auckland Council in such manner and on terms and conditions as the Council determines. The revocation was subject to the owners of Lot 1 DP 92924 and Lot 3 DP 92925 granting pedestrian right of way access from Te Arawa Street and Aotea Street to Section 2 SO 446761 by way of registered easements on titles NA99C/193 and NA99C/195.
5. Lot 1 and Lot 3 referred to above relate to those parts of the subject site identified as 217 Kupe Street in the substantive application, with Section 2 SO 446761 being Takaparawhau.
6. A copy of the New Zealand Gazette Notice (dated 10 December 2025) is appended as **Attachment 1**.
7. Relative to the above, Auckland Council entered into a Sale and Purchase agreement with Ngāti Whātua Ōrākei Trustee Limited for the walkway parcels, which inter alia requires Ngāti Whātua Ōrākei Trustee Limited to grant an easement for public pedestrian right of way access, and to carry out and complete (and maintain) the formation of works (paved pathways, landscaping, fencing and signage), in a location and with a design consistent with that shown in the substantive application. A copy of the specification of works for the proposed walkways attached to the Sale and Purchase agreement is appended as **Attachment 2**.

Zoning

8. The Auckland Unitary Plan (AUP) zoning of the two parcels remains the same as that at the time of lodgement of the substantive application, being Open Space – Informal Recreation, and Special Purpose – Māori Purpose. Both parcels are contained within the Ōrākei 1 Precinct. No changes are proposed by Proposed Plan Change 120 to the AUP to the zoning of these parcels, or to the extent of the Ōrākei 1 Precinct.

Proposed Walkways

9. The substantive application makes provision for two new walkways (the Te Arawa Street and the Aotea Street walkways) to be provided for through the Site, consistent with the conditions of the revocation, as set out in the Gazette notice. The substantive application explains that these new walkways will be constructed (relative to staging) prior to the closure of the existing walkways, and easements will be registered consistent with the Gazette note and Sale and Purchase agreement. The new walkways are shown on page 23 of Attachment 19A – Landscape concept plans.
10. In addition to the two new walkways, the application includes provision for a pedestrian connection through the southern part of the Site, between Rukutai Street and Te Arawa Street, which will be accessible to the public during daylight hours. This opportunity means that the public who may have been inconvenienced as a result of the revocation of the former Rukutai Street walkway, can conveniently access the proposed Te Arawa Street walkway from the end of Rukutai Street, rather than walking around the block, as illustrated on **Figure 1**. The substantive application includes a proposed condition (Condition 69), which requires the provision of this matter:

Attachment 1

Revocation of the Reservation Over a Reserve and Specifying the Manner of Disposal

Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Operations Manager, Auckland, Department of Conservation:

- a. revokes the reservation as a local purpose (accessway) reserve over the land described in the Schedule, subject to the owners of Lot 1 DP 92924 and Lot 3 DP 92925 granting pedestrian right of way access from Te Arawa Street and Aotea Street to Section 2 SO 446761 by way of registered easements on titles NA99C/193 and NA99C/195;
- b. declares that, subject to the public access condition set out above, the land may be disposed of by the Auckland Council in such manner and on terms and conditions as the Council determines.

North Auckland Land District—Auckland

Schedule

Area m ²	Description
120	Lot 6 DP 92924 (all of Record of Title 1211845)
179	Lot 7 DP 92925 (all of Record of Title 1212543)

Dated at Auckland this 10th day of December 2025.

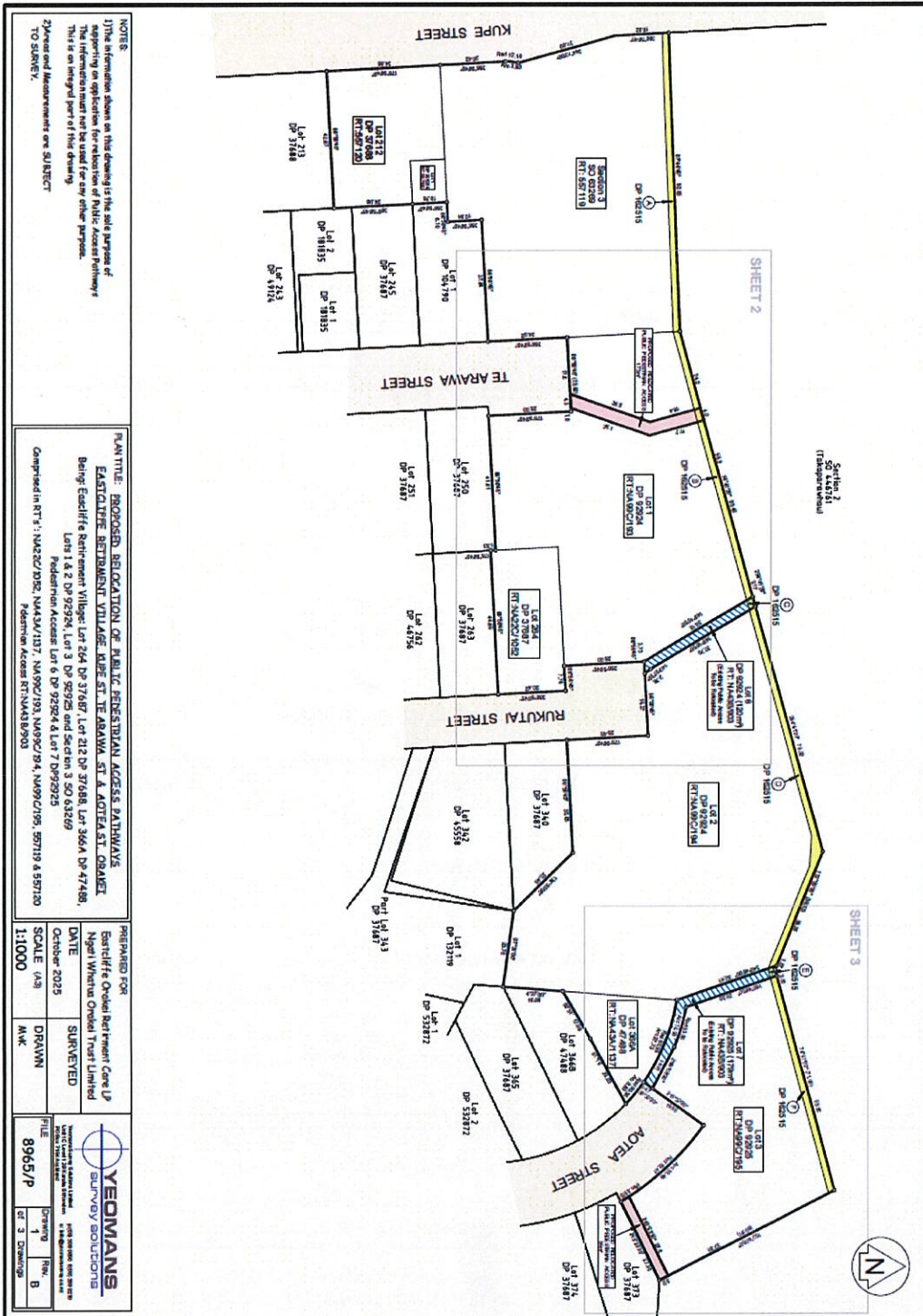
REBECCA RUSH, Operations Manager, Auckland, Department of Conservation.

(DOC-10552120)

Attachment 2

SCHEDULE 4

PLANS OF EASEMENT AREA



NOTES:
 1) The information shown on this drawing is the sole property of Eastcliffe Retirement Villages Limited.
 2) The information may not be used for any other purpose.
 3) This is an integral part of this drawing.
 4) All measurements are SUBJECT TO SURVEY.

PLAN TITLE: PROPOSED RELOCATION OF PUBLIC HEREDITARY ACCESS PATHWAYS
 EASTCLIFFE RETIREMENT VILLAGES KUPU ST, TE ARAWA ST & AOTEA ST, OSBERVE
 Being: Eastcliffe Retirement Villages Lot 214 DP 37668, Lot 212 DP 37668, Lot 3664 DP 47488,
 Lots 1 & 2 DP 92924, Lot 3 DP 92925 and Section 3 SO 63269
 Pedestrian Access: Lot 6 DP 92924 & Lot 7 DP 92925
 Comprising in RT's: N4282/292, N434/4137, N4892/193, N4892/194, N4892/195, 58719 & 58720
 Pedestrian Access RT: N434/49201

PREPARED FOR	Eastcliffe Orchard Retirement Care LP Ngati Whenua Orchard Trust Limited
DATE	October 2025
SURVEYED	
SCALE (AS DRAWN)	1:1000
DRAWN	AKK
FILE	8965/P
DRAWING	1
REV.	B



SCHEDULE 5

SPECIFICATION OF WORKS

Te Arawa Street Easement Area

- A 4m wide easement area, comprising 2.4m wide sealed concrete path and 800mm planting area either side.
- Plantings to be low ground cover, no strappy plants, up to maximum height of 800mm as per the annexed Boffa Miskell plan.
- Low height, 50% visually permeable fencing, maximum of 1.4 m height.
- Wayfinding signage to be provided in appropriate locations.
- Plant and maintain vegetation in accordance with the annexed Boffa Miskell plan.

Aotea Street Easement Area

- A 3m wide easement area, comprising 1.8m wide sealed concrete path and 1.2m low planting area on the southern side of the Easement Area alongside the Grantor's property boundary with adjoining private property.
- Plantings to be low ground cover, no strappy plants, up to maximum height of 800mm.
- Low height, 50% visually permeable fencing, maximum of 1.4 m height.

PLANS OF WORKS

