



1 September 2020

Tony Meyer
fyi-request-13453-51adaa56@requests.fyi.org.nz

Dear Tony

Thank you for your email of 4 August 2020 to the Ministry of Education requesting the following information:

Please provide a copy of all information regarding ownership of the Ahuroa School pool & associated pool shed/changing rooms. These were built in the mid 1970s by the Department of Education.

I would like all documentation that shows transfer of ownership away from the Department of Education or Ministry of Education to another party (e.g. the Ahuroa School Board of Trustees).

Your request has been considered under the Official Information Act 1982 (the Act).

We have identified 5 documents with the scope of your request. These along with table outlining our decision on their release had been provided as **Appendix 1** to this letter.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Kim Shannon
Head of Education Infrastructure Service

Appendix 1 - All documentation regarding ownership of the Ahuroa School pool & pool shed

| No | Date | Description | Decision on release |
|------------|--------------------------|--|----------------------------|
| 1. | 20 February 1974 | Ahuroa Primary School: Lease of Portion of stopped road. | Release in full. |
| 2. | 9 February 1999 | Beca Carter Hollings and Ferner Limited School Property Survey Questionnaire | Release in full. |
| 3 | 9 May 1999 | Ministry of Education Property Management Information System Ahuroa School | Release in full. |
| 4. | 7 August 2020 10:58am | Email: Julie McAllister to Stacey McAllister FW: Ahuroa School #1200 | Release in full |
| 4A. | | Attachment 1: RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD 24 January 1973 | Release in full. |
| 4B | | Attachment 2: RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD Historical Search Copy | Release in full. |
| 5. | 7 August 2020 11:04am | Email: Julie McAllister to Stacey McAllister | Release in full. |

PCS
GLM

15/11/0/47186
23/490/0

20 February 1974

G.L. Myer

The County Clerk,
Rodney County Council,
P.O. Box 3,
WARKWORTH.

Dear Sir,

15.0.47186:04:HME.

AHUROA PRIMARY SCHOOL : LEASE OF
PORTION OF STOPPED ROAD

The Department of Education have requested that an area of 10 perches approximately shown hatched orange on plan S.D.502/65/4 (stopped road N.Z. Gazette 1972 p.1214) be made available on a leasehold basis to the Crown as a site for a school swimming pool.

It is proposed to lease the area at a peppercorn rental for an initial term of 10 years with rights of renewal for further periods so long as the proposed swimming pool is required for the school.

I would be pleased to receive your Council's decision in due course. It is not intended to enter into a formal agreement when a simple exchange of letters will suffice.

... A copy of plan SDX 502/65/4 is enclosed for your information.

Yours faithfully,

A.W. Aitken
District Commissioner of Works

Per:



Encl.

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ARCHIVES
NEW ZEALAND
AUCKLAND
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CHIEF ARCHIVIST

Archives Reference
BIBAD 1173 A581
67a

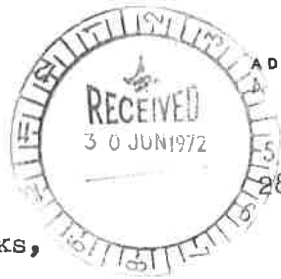
AUCKLAND EDUCATION BOARD

IN REPLY PLEASE QUOTE: TJJ:HC

IF CALLING ON THIS MATTER
PLEASE ASK FOR: Mr Gould

TELEPHONE : 364-060

TELEGRAMS : "EDUCATION"
AUCKLAND



WELLESLEY STREET EAST,
AUCKLAND 1

ADDRESS CORRESPONDENCE TO :

THE GENERAL MANAGER
EDUCATION BOARD
PRIVATE BAG
AUCKLAND 1.

28 June 1972

The District Commissioner of Works,
Ministry of Works,
P.O. Box 5040,
AUCKLAND. 1

(Attention Land Purchase Officer)

Dear Sir,


AHURUA SCHOOL - STOPPING OF ROAD
YOUR REFERENCE 15/11/0/47186

I refer to your letter of 3 May in which you advised that the Minister's consent concerning stopping of the road could be expected within a month.

I should be grateful if you would please advise whether finality has yet been reached.

Yours faithfully,


for GENERAL MANAGER

caused by phone  14/7/72

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| Road No. and New Refs. | Land Area Lot C/T | Interest Paid for | Payment | Date of Voucher | Reg.No. L.T. or Deposit | Remarks |
|------------------------------|----------------------|----------------------|---------|--------------------|-------------------------------|---|
| | | | | | | <p>Rodney County Council R/E Mahurangi ARA 3 JUL 1972 Dept of Education District Survey Office M.O.W. Extract from N.Z. Gazette, 8 June 1972, No. 47, page 1214 Consenting to Stopping Road in Block XIII, Mahurangi Survey District, Rodney County</p> <p>PURSUANT to section 149 of the Public Works Act 1928, the Minister of Works hereby consents to the Rodney County Council stopping the portions of road described in the Schedule hereto.</p> <p>SCHEDULE NORTH AUCKLAND LAND DISTRICT ALL those pieces of road situated in Block XIII, Mahurangi Survey District, North Auckland R.D., described as follows: A. R. P. Adjoining or passing through 3 2 7.3 Lots 1 and 2, D.P. 25807, Allotment 117 and part Allotment S33, Ahuroa Parish; coloured green on plan. 1 0 12 Lot 2, D.P. 25807, and part Allotments 34 and S33, Ahuroa Parish; coloured green, edged green, on plan.</p> <p>As the same are more particularly delineated on the plan marked M.O.W. 26295 (S.O. 47186) deposited in the office of the Minister of Works at Wellington, and thereon coloured as above-mentioned.</p> <p>Dated at Wellington this 6th day of June 1972. PERCY B. ALLEN, Minister of Works (P.W. 34/3091; Ak. D.O. 15/11/0/47186)</p> <p>A. R. SHEARER, Government Printer, Wellington, New Zealand.</p> |
| | | | | | | <p>Consent Now R/E</p> <p>DISTRIBUTION: JOB No. 4-1972/47186</p> <p>JOB BOOK WORKS REGR. NZ GAZ.</p> |
| | | | | | | <p>DISTRIBUTION: JOB No.</p> <p>JOB BOOK WORKS REGR. NZ GAZ.</p> |

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①
②
③

Space for Binding

15/11/0/47186

Copy for 23/490/0

78-940

5040, 1940
AUCKLAND.

5 MAY 1972

The Commissioner of Works,
WELLINGTON.

Attention Office Solicitor

ROAD STOPPING: AHUROA, RODNEY COUNTY
JOB NO. L1972/40

...

I enclose for your attentions:

1. Notice (in duplicate) 1972/1214
2. Quarter Sheet (in duplicate)
3. Search Notes
4. Engineers Report
5. Statutory declaration
6. S.O. 47186 (in duplicate) and Area Schedule.

Ten Gazette extracts are required, please.

R.R. Parsons
District Commissioner of Works

Per: IRD
(I.R. Davies)

Encl.

B/U 9/6/72
✓ R

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15/11/0/47186

Copy for 23/490/0

78-940

5040
AUCKLAND.
15 MAY 1972

The Commissioner of Works,
WELLINGTON.

Attention Office Solicitor

ROAD STOPPING: AHUROA, RODNEY COUNTY
JOB NO. L1972/40

...

I enclose for your attentions:

1. Notice (in duplicate)
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 4. Engineers Report
 5. Statutory declaration
 6. S.O. 47186 (in duplicate) and Area Schedule.
- Ten Gazette extracts are required, please.

R.R. Parsons
District Commissioner of Works

Per: *IRD*
(I.R. Davies)

Encl.

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The Commissioner of Works,

The attached Notice consenting to the Rodney County Council stopping road in Block XIII, Mahurangi Survey District, Rodney County, has been prepared at the instance of the Auckland Education Board, and refers to road between the Ahuroa School and the Ahuroa Hall.

All statutory requirements have been complied with, and the Resident Engineer reports that the public interest will not be detrimentally affected.

The Notice is recommended for signature.

R.R. Parsons
District Commissioner of Works

Per: *[Handwritten Signature]*

Hon. Minister of Works,

Recommended for signature: ONE signature is required, please.

J.H. Macky
Commissioner of Works

Per:

I certify that the attached document is in order for signature.

[Handwritten Signature]

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Consenting to Stopping Road in Block XIII, Mahurangi Survey District,
Rodney County.

PURSUANT to section 149 of the Public Works Act 1928, the Minister of Works
hereby consents to the Rodney County Council stopping the portions of road
described in the Schedule hereto.

SCHEDULE
NORTH AUCKLAND LAND DISTRICT

ALL those pieces of road situated in Block XIII, Mahurangi Survey District,
North Auckland R.D., described as follows:

| A. | R. | P. | Adjoining or Passing Through |
|----|----|-----|--|
| 3 | 2 | 7.3 | Lots 1 and 2 D.P. 25807, Allotment 117 and part Allotment S33, Ahuroa Parish; coloured green on plan. |
| 1 | 0 | 12 | Lot 2 D.P. 25807, and Part Allotments 34 and S33, Ahuroa Parish; coloured green edged green on plan. |

As the same are more particularly delineated on the plan marked M.O.W.
(S.O. 47186) deposited in the office of the Minister of Works at Wellington,
and thereon coloured as abovementioned.

Dated at Wellington this day of 1972.

Minister of Works.

1 copy J.R.

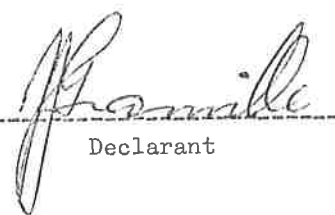
IN THE MATTER of the Public Works Act 1928, and in the matter of the proposed stopping of a piece of road in the County of Rodney.


I, JOHN JAMES GRANVILLE, Chairman of the County of Rodney, do solemnly and sincerely declare as follows:-

"The Rodney County Council having resolved to proceed with the stopping of the pieces of road comprising areas of 3 acres 2 roods 07.3 perches and 1 acre 0 roods 12.0 perches, as delineated on S.O. Plan 47186, has duly taken all the required steps as set out in Section 148, other than those contained in subsection (10) and (11) of the said Section 148 of the Public Works Act 1928."

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths & Declarations Act 1957.

DECLARED at Warkworth
this 17th day of
February 1972,
before me:-


Declarant


A Justice of the Peace in
and for the Dominion of
New Zealand.

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IRD:JCM

15/11/0/47186

78-940

5040
AUCKLAND

3 May 1972

The General Manager,
Auckland Education Board,
Private Bag,
AUCKLAND.

Attention: Mr Gould

Dear Sir,

AHURUA SCHOOL: STOPPING OF ROAD

Your letter TJG:CS of 27 April 1971 refers.

An engineer's report has just come to hand, and the
Minister's consent may now be expected within one month.

Yours faithfully,

E. R. Parsons
District Commissioner of Works

Per:


(I.R. Davies)

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FILE

BECA CARTER HOLLINGS & FERNER LTD SCHOOL PROPERTY SURVEY QUESTIONNAIRE

School Profile N°: 1200
School Name: AHUROA SCHOOL

RECEIVED

9 FEB 1999

VALUATIONS

For the purposes of this Questionnaire the information sought relates to the current conditions and curriculum at the school.

1.0 OCCUPANCY

(Circle the applicable option)

1.1 When did the school open?

DATE

1998

1.2(a) Does the School have any of the following documents available for inspection?

- Property Occupancy Document
- Property Maintenance Schedule (Integrated Schools only)
- Licence to Occupy (Non-school related groups occupying school buildings)

Yes/No

Yes/No

Yes/No

(b) Does the School have any written agreements between the MOE and the school for

- Funding (Construction costs)
- Ownership (Who owns the building?)
- Maintenance (Physical maintenance eg painting)

Yes/No

Yes/No

Yes/No

1.3(a) Are there any non-school related groups that use or occupy any school buildings. eg: Early Childhood Centre, Scouts, Community Groups.

Yes/No

(b) If yes, which group, and is there a formal agreement available for inspection?

GROUP

AGREEMENT

Yes/No

Yes/No

Yes/No

Please note the visiting surveyor will need to sight any documents listed above that the school holds.

2.0 BUILDINGS

2.1 Are there any of the following at the school?

- Speech Clinic
- Wharenui
- Early Childhood Centre

Yes/No

Yes/No

Yes/No

2.2 Has the Board of Trustees/School/Community made any changes or contributed to any changes to school buildings not funded by the MOE?

Yes/No

BUILDING ID

2.3 Have any relocatable buildings at the school been altered or added to or surrounded by other buildings to such an extent that they are no longer practically relocatable?

Yes/No

BUILDING ID

3.0 FUNDING

3.1(a) Has the School/Community fully or partly funded the construction of any building on the school site?

Yes/No

(b) If Yes, what percentage of funding was paid by the School/Community?

BUILDING ID

% SCHOOL/COMMUNITY FUNDING

Swimming Pool

100%

3.2(a) Are there any buildings on the school site that are not 100% owned by the MOE? (Surveyor will need to sight evidence to support any block identified in this question).

Yes/No

BUILDING ID

(b) Of these buildings are any being used as teaching spaces?

Yes/No

BUILDING ID

3.3(a) Does the School/Community pay maintenance for any buildings on the school site?

Yes/No

(b) If yes, what percentage of maintenance is paid by the School/Community?

BUILDING ID

% SCHOOL/COMMUNITY MAINTAINED

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3.4(a) Are there any buildings on the school site owned by the School/Community that are not 100% community maintained?

Yes/No

BUILDING ID

(b) Of these buildings are any being used as teaching spaces?

Yes/No

BUILDING ID

3.5 Have the School/Community provided any funding to extend any of the following facilities beyond standard size?

- Library/Bookroom
- Hall
- Gymnasium/GP Hall
- Swimming Pool

Yes/No

Yes/No

Yes/No

Yes/No

3.6 Does the school have any written agreements that state the MOE is no longer responsible for maintenance for any buildings?

Yes/No

BUILDING ID

4.0 EDUCATION

4.1 Are there any classrooms that have been converted to other uses, eg Library, Administration, Resource Teacher office, etc? If yes, please list below.

Yes/No

CURRENT USE

BUILDING ID

ROOM

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

4.2 Is the school using any rooms to undertake remedial programmes?

Yes/No

BUILDING ID

ROOM

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |

4.3 Is the Technology (workshop craft) curriculum taught at the School?

Yes/No

BUILDING ID

ROOM

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |

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5.0 MISCELLANEOUS

5.1 Which buildings at the school have security alarms? (If all state "ALL")

BUILDING ID

| | | | |
|-------|-------|-------|-------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

5.2 List the buildings that have facilities that are readily able to be used by disabled persons.

| BUILDING ID | RAMPS Yes/No | SHOWERS Yes/No | TOILETS Yes/No | LIFTS Yes/No |
|-------------|-----------------|-------------------|-------------------|-----------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

5.3 Is there any relevant information that may be of assistance to our Surveyor during the survey that you would like to add.

The Community funded the swimming pool which is on Council property on the school boundary

5.4 Thank you for your cooperation in providing the above information. Your assistance is appreciated.

Document 4

Charmaine McAra

From: Julie McAllister
Sent: Friday, 7 August 2020 10:58 AM
To: Stacey McAllister
Subject: FW: Ahuroa School #1200
Attachments: NA26A-984 current.pdf; NA26A-984 historic.pdf

FYI

This was sent to Michelle explaining that the title clearly shows that the pool is on council land

McAllister | Property Advisor
DDI +6496329347

From: Julie McAllister
Sent: Thursday, 19 December 2019 12:29 PM
To: 'Michelle Nell' <mnell@ahuroa.school.nz>
Subject: FW: Ahuroa School #1200

Hi Michelle

We have done a search on the title which confirms that the pool is not on MOE land. From the boundaries displayed in Quickmap and Google Earth (shown below) it appears to be on council owned land . (title attached)

On another note, we are currently processing your fencing docs so that should be finalised shortly.

I will be in touch in the New Year to see how your project planning is progressing.

Kind Regards

Julie

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Julie McAllister | School Property Advisor | IAS - Northern
DDI +64 9 632 9347 Mobile +64 27 327 0967
Normanby Road, Auckland, 12-18

education.govt.nz

We shape an education system that delivers equitable and excellent outcomes
He mea tārai e mātou te mātauranga kia rangatira ai, kia mana taurite ai ōna huanga





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




R. W. Muir
Registrar-General
of Land

Identifier NA26A/984
Land Registration District North Auckland
Date Issued 24 January 1973

Prior References
GN 125996

Estate Fee Simple
Area 4350 square metres more or less
Legal Description Allotment 128 Parish of Ahuroa

Registered Owners
Auckland Council

Interests

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




R. W. Muir
Registrar-General
of Land

Constituted as a Record of Title pursuant to Sections 7 and 12 of the Land Transfer Act 2017 - 12 November 2018

Identifier NA26A/984
Land Registration District North Auckland
Date Issued 24 January 1973

Prior References
GN 125996

Estate Fee Simple
Area 4350 square metres more or less
Legal Description Allotment 128 Parish of Ahuroa

Original Registered Owners
The Rodney County Council

Interests

8770589.1 Application pursuant to Section 99A Land Transfer Act 1952 vesting the within land in Auckland Council - 20.5.2011 at 7:00 am

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Document 5

Charmaine McAra

From: Julie McAllister
Sent: Friday, 7 August 2020 11:04 AM
To: Stacey McAllister
Subject: Ahuroa Council Lease and Pool

FYI
Additional information sent to school regarding council lease

Julie McAllister | Property Advisor
DDI +6496329347

From: Julie McAllister
Sent: Tuesday, 4 August 2020 2:45 PM
To: Suzanne Donovan <@xxx>; Danica McPhee <danica.mcphee@maynardmarks.co.nz>
Subject: RE: 10YPP

Hi Suzanne

I have just looked at the Gazette notice you sent to Danica.

It clearly states that the land is *leased* by the Ministry for the specific purpose of using the site for the pool.

The school pays a minimal 'peppercorn rental' for the lease which is regularly renewed (presumably every ten years) – This also confirms what is outlined in the land title.

The Department of Education have requested that an area of 10 per approximately shown hatched orange on plan S.D.502/65/4 (stopped road N.Z. Gazette 1972 p.1214) be made available on a leasehold basis to the Crown as a site for a school swimming pool.

It is proposed to lease the area at a peppercorn rental for an initial term of 10 years with rights of renewal for further periods so long as the proposed swimming pool is required for the school.

Am happy to discuss, but as per our conversation in December, the MOE will not be funding any assets built on land that is not Ministry owned.

Kind Regards
Julie

Julie McAllister | Property Advisor
DDI +6496329347

From: Suzanne Donovan [<mailto:@xxx>]
Sent: Tuesday, 4 August 2020 12:30 PM
To: Danica McPhee <danica.mcphee@maynardmarks.co.nz>
Cc: Julie McAllister <Julie.McAllister@education.govt.nz>
Subject: Re: 10YPP

Hi Danica

Further to our conversation yesterday about who owned the swimming pool and the land that it sits on, apparently the school has been part of a conversation around this with Julie McAllister in December. I

have attached a document from 1974 which would indicate that the MOE does own the land and pool and that it was not handed over to the BOT when the shift to Tomorrows Schools took place otherwise it would be recorded on what our school owns.

I would be great if we could get some resolution on this as soon as possible as I am concerned that the application time has run out.

Also at some stage can I talk with you about how the whole process as we have had an account for \$1749.16 to organise Desktop and Physical Condition Assessment plus Specialist and Condition Assessment Reports. I am assuming that this comes out of our 10YPP funds but I am not sure we have any come in yet.

Ngā mihi nui
Suzanne Donovan
Acting Principal
Ahuroa School
1349 Ahuroa Road
Warkworth 0981
Tel (09) 422 5898
[@](mailto:xxxxxxx@xxxxxx.xxxxxx.xx)

On Tue, Jul 28, 2020 at 6:02 PM Suzanne Donovan <xxxxxxx@xxxxxx.xxxxxx.xx> wrote:

Hi Danica

I was wondering how you are going with the reports. I did receive an email from your colleague re the drainage inspection and I replied but have heard not more.

I would be great to know what is happening in the background re reports and applications for the extra funding which I can not remember the name of.

Ngā mihi nui
Suzanne Donovan
Acting Principal
Ahuroa School
1349 Ahuroa Road
Warkworth 0981
Tel (09) 422 5898
[@](mailto:xxxxxxx@xxxxxx.xxxxxx.xx)

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