

Stephen Harte

From: Steve Lewis <Steve.Lewis@strideproperty.co.nz>
Sent: Friday, 9 September 2016 8:36 a.m.
To: Stephen Harte
Cc: Karen Killick
Subject: FW: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential
Attachments: SH WCC amended Key Terms for JSC LEA 15 Jul - KK edit.docx

Morning Stephen,
Attached is updated LEA with changes to reflect the further works in the road, as discussed.
Please confirm if any further amendment is required.
thanks

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From: Stephen Harte [<mailto:Stephen.Harte@wcc.govt.nz>]
Sent: Tuesday, 6 September 2016 11:22 AM
To: Steve Lewis <Steve.Lewis@strideproperty.co.nz>
Cc: Karen Killick <Karen.Killick@strideproperty.co.nz>
Subject: RE: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential

I have made a number of minor amendments to the agreement as follows:

1. The carparking references at the front end of the agreement referring to Period A and Period B.
2. Vertical transport from the carpark to the rail and bus facilities.
3. Clarification of roading works and land acquisition on Moorefield Road
4. Timing of the resource consent application.
5. Changed the waiver of roading and traffic levies to all development contributions in the last section.

The amended agreement is attached for your information.

Also attached is a sketched up plan showing the extent and scope of the roading and associated works that I see you carrying out on Moorefield Rd and that we need to agree. This plan would need to be worked up to show more detail but all roading changes shown are possible within land Council has control over or has arrangements with other parties to achieve.

If you have any questions please come to me otherwise I will progress approval on this basis.

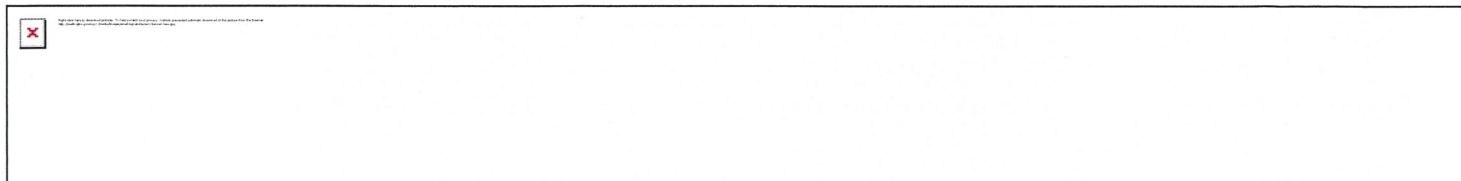
Stephen Harte

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From: Steve Lewis [<mailto:Steve.Lewis@strideproperty.co.nz>]
Sent: Friday, 2 September 2016 1:50 p.m.
To: Stephen Harte
Cc: Karen Killick
Subject: FW: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential

Hi Stephen,

A discussed today, we have met with Kevin Lavery, David Chick, Chad McMan, Geoff Swainson, Warren Ulusele and yourself in the last two weeks.

We have done what we can on the urban design front, a number of urban design matters have been raised by Council as being “these items need to be covered off”, however we are not being asked to alter our design. On this basis I have amended the attached draft key terms to reflect that all Development Contributions are to be waived by Council.

You have indicated today that there are some curb changes to other title boundaries, and we await visibility on this from you. As indicated in the LEA attached, we do not expect to make curb changes to any boundaries, other than our own.

We intend to lodge the Resource Consent application in the next few days. We request that you propose the attached LEA key terms for ratification by Council’s Executive Leadership Team ASAP. This will in turn allow for you to provide landowner approval by Council to the resource consent application (with regard to the Gothic Street and Hawea Street road land only).

We feel it is time for your Council team to decide whether you want this consent to happen or not.

Thanks,

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From: Steve Lewis
Sent: Thursday, 4 August 2016 12:09 PM
To: 'Stephen Harte' <Stephen.Harte@wcc.govt.nz>
Subject: RE: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential

Thanks Stephen,

We will take your comments on board.

FYI we will be down in Wellington for the day again next Tuesday 9 August, and we could catch up again briefly (maybe for a coffee) if you thought there was any merit?

Thanks,
Steve

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From: Stephen Harte [<mailto:Stephen.Harte@wcc.govt.nz>]
Sent: Friday, 29 July 2016 4:20 PM
To: Steve Lewis <Steve.Lewis@strideproperty.co.nz>
Subject: RE: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential

I am happy where we have got to in terms of the key points in the agreement. The only difference as I see it is in the area of Development Contributions. In the discussions I have had internally, if we are to give more on these we need to be sure we have achieved our urban design outcomes. At present my take on these is that while Moorefield Road is shaping up well, the Broderick Road frontage needs a lot more attention and love. Things like addressing weather protection at the pedestrian crossings and bus stop on Johnsonville Road will also come into play as would removing servicing across the footpath.

On the roading front I am keen to see a detailed plan for the street layout for both Broderick Road and Moorefield Road showing the dimensions for footpath and traffic lanes, bus stops and the new signalised intersections. In terms of the agreement I know these are to be covered off under clauses which will say "subject to detailed design.." but I think some transparency on this detail at this stage would ensure there are no show stoppers down the track and enable us to more confidentially support the agreement and thus your resource consent.

Please come back to me if you need further clarification or wish to discuss in more detail. Thanks.

Stephen Harte

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From: Steve Lewis [<mailto:Steve.Lewis@strideproperty.co.nz>]
Sent: Thursday, 28 July 2016 11:20 a.m.
To: Stephen Harte
Subject: FW: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential

Hi Stephen,

Thanks for attending the urban design review this week.

We are waiting for the outcome of Chad's review, and we understand that you don't wish to go to Council's ELT to discuss the key terms on the land deal without an acceptable urban design view from Chad.

However, in the meantime is it possible for you to respond to the points below to keep things moving? We are conscious that when we lodge our resource consent application we would like your landowner's consent, and we may be only a week or two away from lodging the RC application now.

As discussed previously, once agreed between us the proposed/draft key terms will still be conditional on approval from our respective masters.

Thanks, Steve

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From: Steve Lewis
Sent: Tuesday, 19 July 2016 12:34 PM
To: Stephen Harte (Stephen.Harte@wcc.govt.nz) <Stephen.Harte@wcc.govt.nz>
Cc: Karen Killick <Karen.Killick@strideproperty.co.nz>; Campbell Robinson <Campbell.Robinson@wcc.govt.nz>; John Vriens <John.Vriens@wcc.govt.nz>; Angus Gabara <Angus.Gabara@gw.govt.nz>; wayne.hastie@gw.govt.nz; Geoff Swainson <Geoff.Swainson@wcc.govt.nz>
Subject: RE: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential

Hi Stephen,

Further to our phone conversation last week, I think we are now down to the last couple of issues now.

We respond to each of your points below in black. Look forward to your further feedback.

FYI we will be down in Wellington next Tuesday 26 July and would be keen to meet again to discuss any outstanding matters.

Thanks, Steve

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From: Stephen Harte [<mailto:Stephen.Harte@wcc.govt.nz>]
Sent: Friday, 8 July 2016 5:18 PM
To: Steve Lewis <Steve.Lewis@strideproperty.co.nz>
Cc: Karen Killick <Karen.Killick@strideproperty.co.nz>; Campbell Robinson <Campbell.Robinson@wcc.govt.nz>; John Vriens <John.Vriens@wcc.govt.nz>; Angus Gabara <Angus.Gabara@gw.govt.nz>; wayne.hastie@gw.govt.nz; Geoff Swainson <Geoff.Swainson@wcc.govt.nz>
Subject: RE: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential

Thank you for you proposed LEA. Generally it looks promising and I am sure workable for all parties. I have amended your document to reflect a few changes we would like to see and to clarify some other points. The key ones are:

1. We would like to see the licence to cover Council's ownership of the 100 carpark spaces in perpetuity. Agreed
 2. Extend the hours of WCC rights to 6am rather than 7am Agreed
 3. Amend (2) in table to simply read Monday to Friday 6am to 7pm. Perhaps the table originally drafted is not clear enough. Per our phone conversation the other day but I think we are both in general agreement as to the rights we are seeking to provide for Council. How does the wording below suit?:
- WCC to have exclusive rights to carparking on Mondays – Fridays (but excluding any statutory public holidays), and during the hours of 6am-7pm, for commuter/community carparking, and further detailed as follows:

Period A: This period <u>excludes</u> all weekdays that are either within: 1. NZ Govt school holidays, or 2. In the month of December.	Total of 200 spaces
Period B: This period <u>includes</u> all weekdays that are: 1. NZ Govt school holidays, or 2. In the month December.	Total of 100 spaces

- *No carparks will be available to WCC on Saturdays, Sundays and Statutory Public Holidays*
- *All carparks to be constructed by JSC, at JSC's cost. JSC bears cost risks on design and construction etc etc;*

4. 24/7 pedestrian link to be covered. Agreed.
5. WCC will remedy any deficiencies in the stormwater control in Johnsonville Road in line with their renewals programme as prioritised against other similar work city wide. Agreed, subject to WCC outlining for JSC visibility of where timing to complete remedial works for this issue sits within their renewals programme.
6. JSC to form a new bus stop and associated passenger waiting facilities in conjunction with their development work and road upgrades on Moorefield Road. Agreed, subject to agreement between the parties on design of bus stop and bus shelter. We have shown 30m length bus stop across our boundary on Moorefield Road per your previous request. Any further bus stop works (and associated land transfer) to other properties on Moorefield Road are to be under taken by other parties.
7. WCC will waive any roading and traffic levies associated with the development but not the remainder of the Development Contribution levies. Please advise who we can discuss the other development levies with please eg stormwater. These levies are not unsubstantial and we would like to discuss waiver of those other levies as part of this agreement.
8. WCC would not necessarily look to transfer land back to JSC if development doesn't go ahead but might look at JSC buying the land if all other land transfers have taken place. Agreed

In terms of process, if we can agree these draft terms then this agreement will be put to our Executive Leadership Team for endorsement. From there the agreement can be formalised and used to underpin your resource consent application. It will also enable the land transfer process to be initiated but implementation would always be subject to your development going ahead.

If you have any questions or points of clarification please come back to me. Thanks.

Stephen Harte

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From: Steve Lewis [<mailto:Steve.Lewis@strideproperty.co.nz>]
Sent: Wednesday, 6 July 2016 12:31 p.m.
To: Stephen Harte
Cc: Karen Killick; Campbell Robinson; John Vriens; Angus Gabara; wayne.hastie@gw.govt.nz; Geoff Swainson
Subject: RE: Johnsonville Shopping Centre - Proposed Land Exchange Agreement - Confidential

Morning Stephen,

Thanks again for meeting with me last week.

Based on our conversations I have prepared the attached updated set of key terms for discussion, with priority given to achieving the 200 WCC carparks for the community and commuters.

If you think this is heading in the right direction I will discuss this further internally with our team, including the solicitors and we will prepare a more complete set of key terms.

As discussed last week, we continue to work towards formal lodgement of the resource consent application next month and we are keen to understand WCC's internal process from here, including stages to the internal WCC process (eg ELT approval prior to committee approval, full council approval and so on).

If it is not possible to conclude an agreement between us by next month (ie RC application lodgement) , then we would need to have an understanding of how far through the process we can get prior to lodgement of Resource Consent application.

Please give me a call to discuss anytime.

Thanks, Steve

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