

1 May 2025

New Plymouth District Council
Private Bag 2025
New Plymouth 4340

INCORPORATING RMY LEGAL AND BILLINGS

BY POST AND EMAIL

ATTENTION: Richard Watkins – Principal Planner

By Email: Richard.Watkins@npdc.govt.nz

Dear Richard

**ROBE & ROCHE INVESTMENTS LIMITED – 56 POHUTUKAWA PLACE, BELL
BLOCK – EC9465196-SUB21/47803**

We refer to recent correspondence in respect of the above matter and more particularly the Commissioner's recent directions on 15 April 2025 in respect of the written consent of the requiring authority (i.e. the New Plymouth District Council) in respect of the land the subject of the designation in the District Plan – and section 176(1)(b) of the Resource Management Act 1991 – which provides that:

"176 Effect of designation

- [(1) If a designation is included in a district plan, then –
- (b) no person may, without the prior written consent of that requiring authority, do anything in relation to the land that is subject to the designation that would prevent or hinder a public work or project or work to which the designation relates, including-
 - (i) undertaking any use of the land ...; and
 - (ii) subdividing the land; and
 - (iii) changing the character, intensity, or scale of the use of the land."

We are instructed on behalf of the applicant, therefore, to request that written consent under section 176(1)(b) – and, in terms of what is proposed to occur within the designated land – as you are aware, our client is planning to subdivide the land which includes the creation of allotments to vest in the Council as an Esplanade Reserve adjoining the Waipu Lagoon – and, we are further instructed that there are no associated subdivisional construction works within that area.

As requested – we now **enclose** a copy of the Scheme Plan with the designation portion of the land highlighted in this context; delineated blue and labelled "NPDC-3".

As you will recall – the Commissioner has directed us to use our best endeavours to provide the abovementioned written consent under section 176(1)(b) to him with the applicants Right of Reply – which at this stage I am due to file on 16 May 2025 (as directed).

DIRECTORS Tim Coleman Bridget Burke Scott Grieve Linda Wilkinson Scott Chamberlain Eleanor Connole Adam Thame
Stephanie George Andrew Bright Ciaran King

CONSULTANT Charles Wilkinson

P +64 6 769 8080 0800 733 837 **E** info@connectlegal.co.nz www.connectlegal.co.nz

Powderham Chambers 136-138 Powderham Street, Private Bag 2031, New Plymouth 4340, New Zealand

If you require any further information please don't hesitate to contact us.

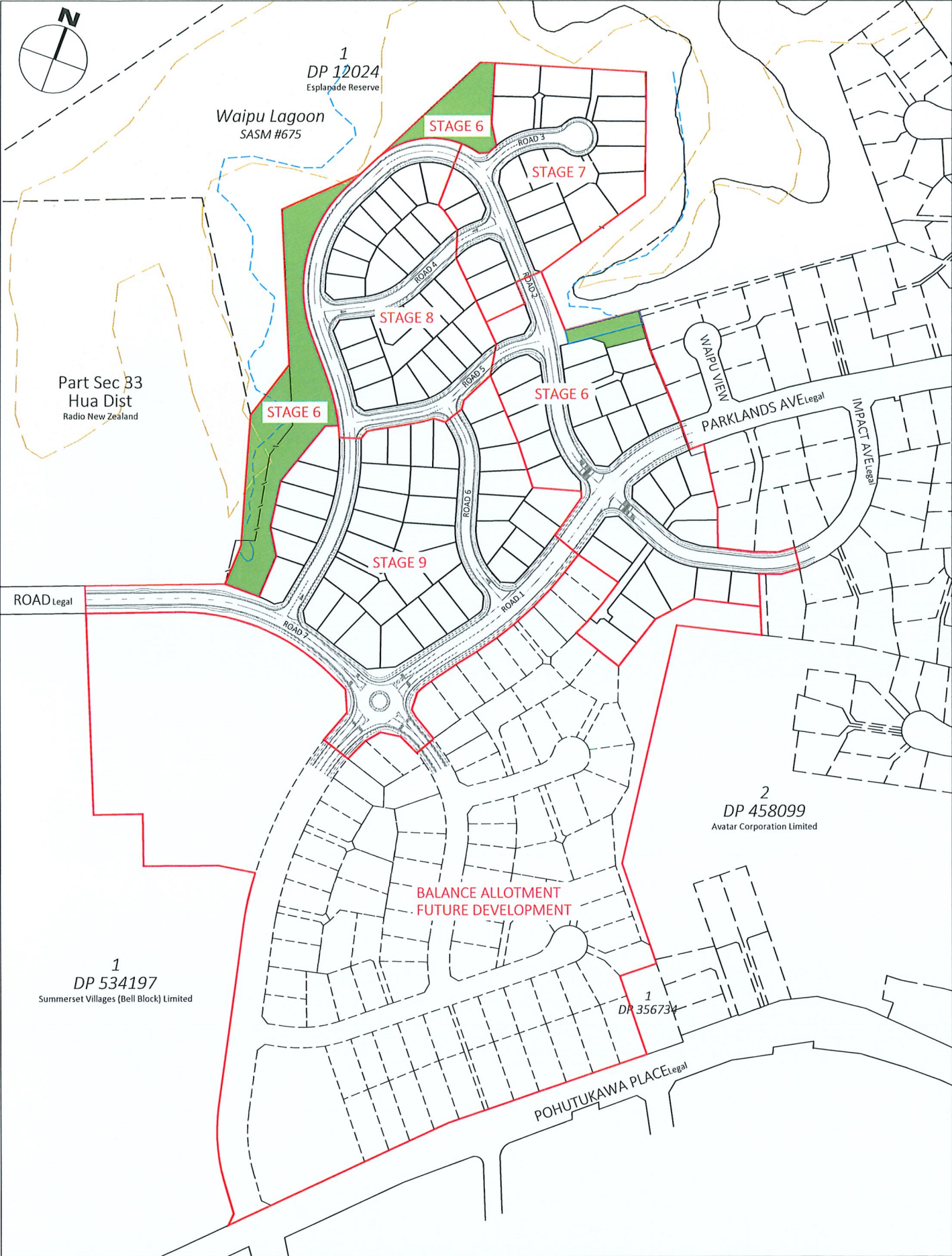
Otherwise, we would be most grateful if you could please arrange for the abovementioned necessary written consent, from the Council as the requiring authority, to be forwarded to us as soon as practicable.

Thank you for your assistance in respect of these matters.

Yours faithfully
CONNECT LEGAL TARANAKI



Scott Grieve
Director
T: +64 6 769 8051
E: scottg@connectlegal.co.nz



28A Manadon Street
PO Box 116
New Plymouth 4340
New Plymouth 06 758 5342
Hawera 06 278 4456
www.mckinlaysurveyors.co.nz

TITLE

PROPOSED SUBDIVISION OF LOT 2 DP 521660
56 Pohutukawa Place, Bell Block, New Plymouth
SCHEME PLAN

APPLICANT

W & C Bolton

TERRITORIAL AUTHORITY

New Plymouth District Council

RECORD OF TITLE

825757

TOTAL AREA

23.8797ha

JOB No

B-231212

DATE

01/05/25

DWG No

01

SCALE

1:2500@A3

SHEET OF

1 1

This plan is prepared only for the purpose of obtaining a Resource Consent pursuant to the Resource Management Act 1991.
It must not be used for any other purpose. Areas and dimensions are approximate only and are subject to change on final field survey.



1
DP 12024
Esplanade Reserve

302
2445m²
To Vest as Esplanade
Reserve

ROAD 4

ROAD 5

ROAD 2

ROAD 5

301
900m²
To Vest as Esplanade
Reserve

NPDC-3

304
8470m²
To Vest as Road

MEMORANDUM OF EASEMENTS

SHOWN	PURPOSE	BENEFITTED LAND	BURDENED LAND
C	Right of Way, Right to convey water, electricity, telecommunications and gas, Right to drain water and sewage	Lot 36	Lot 35
D		Lot 42	Lot 43



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TITLE

PROPOSED SUBDIVISION OF LOT 2 DP 521660

56 Pohutukawa Place, Bell Block, New Plymouth
SCHEME PLAN: STAGE 7 [LOTS 29-49 and LOT 305]
and STAGE 8 [LOTS 50-75 and LOT 306]

APPLICANT

W & C Bolton

TERRITORIAL AUTHORITY

New Plymouth District Council

RECORD OF TITLE

825757

TOTAL AREA

23.8797ha

JOB No
B-231212

DATE

01/05/25

DWG No

03

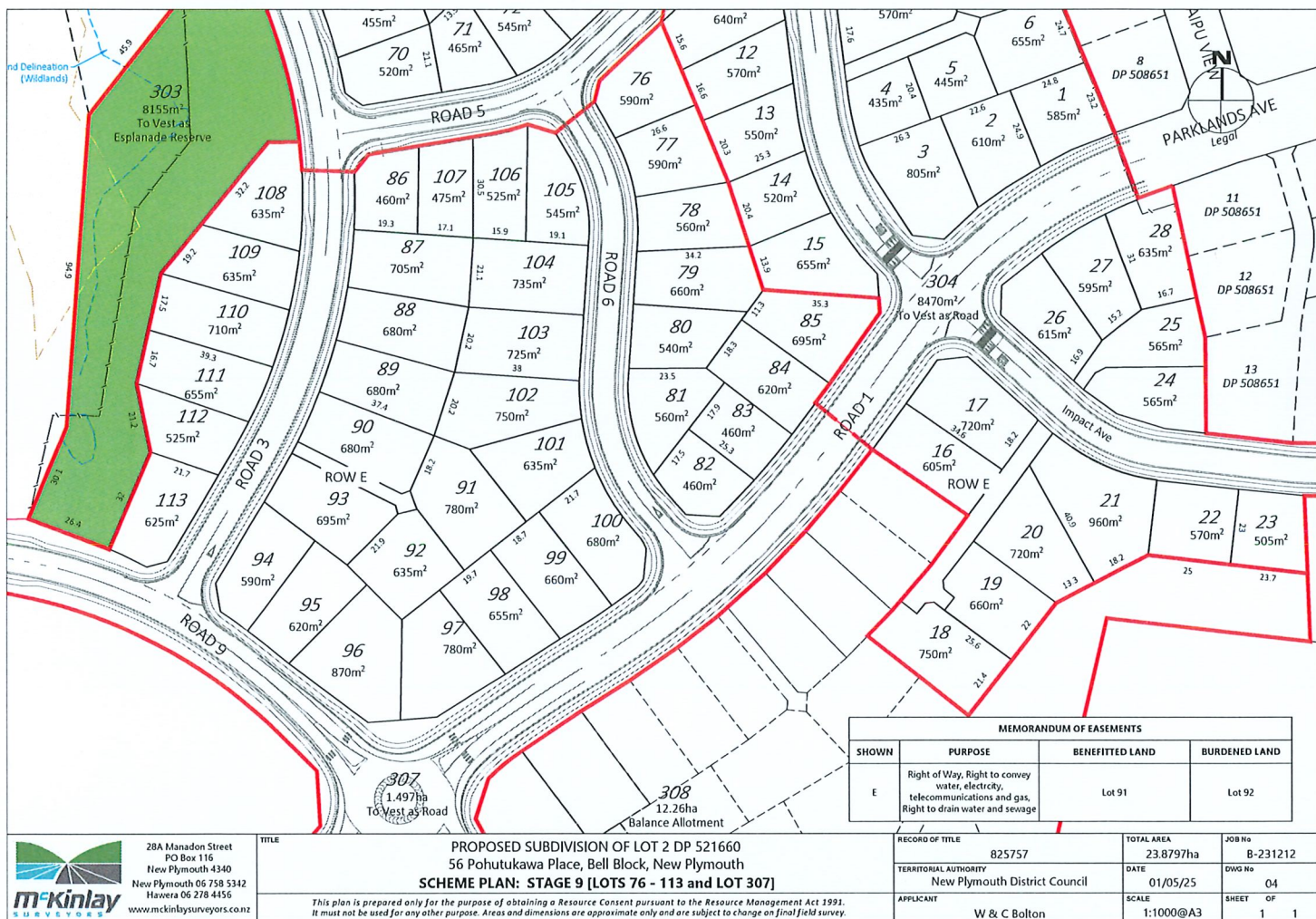
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MEMORANDUM OF EASEMENTS			
SHOWN	PURPOSE	BENEFITTED LAND	BURDENED LAND
E	Right of Way, Right to convey water, electricity, telecommunications and gas, Right to drain water and sewage	Lot 91	Lot 92



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TITLE

PROPOSED SUBDIVISION OF LOT 2 DP 521660
56 Pohutukawa Place, Bell Block, New Plymouth
SCHEME PLAN: STAGE 9 [LOTS 76 - 113 and LOT 307]

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RECORD OF TITLE

825757

TERRITORIAL AUTHORITY

New Plymouth District Council

APPLICANT

W & C Bolton

TOTAL AREA

23.8797ha

DATE

01/05/25

SCALE

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JOB No

B-231212

DWG No

04

SHEET

OF 1