

# PLANNING REPORT

*PROPOSED RIGHT OF WAY (SEC 348 LGA)  
& LAND USE ACTIVITY  
APPLICANTS - M & A BLAKELOCK  
TAURANGA BAY*

Date: 9 July 2025

Reference: 8455



## CONTENTS

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INTRODUCTION	3
SITE DESCRIPTION	3
DISTRICT PLAN	4
DISTRICT WIDE PROVISIONS	4
Natural and Physical Resources	7
NATIONAL POLICY STATEMENT	9
For Freshwater Management 2020	9
NATIONAL ENVIRONMENTAL STANDARDS	10
PROPOSED DISTRICT PLAN	10
<b>RESOURCE MANAGEMENT ACT 1991</b>	10
CONCLUSION	16

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## INTRODUCTION

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The applicants own a residential parcel of land in Tauranga Bay which has legal access off Tauranga Bay Beach Road via a series of inconvenient backdoor rights of way, and they seek approval to instead acquire access via an established shared access over Lot 1 DP 197131 that extends off Te Kahikatoa Peninsula Road. This access is nicely tar sealed and is a substantially more convenient and practical.

This application is supported by written approvals from all 6 existing users including the burdened landowner (Lot 1 DP 197131), and as such includes their approval of retaining the current standard of access construction without any further upgrading what so ever.

The locality of the Right of Way is zoned General Coastal under the Operative Far North District Plan and Rural Production under the Proposed District Plan, and consent is being sought for the land use breach under the RMA 1991, and the Right of Way easement pursuant to Section 348 of the Local Government Act .

## SITE DESCRIPTION

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Applicant Land	Lot 2 DP 90523 – NA47D/555 – M & A Blakelock
Burdened Land	<b>Lot 1 DP 197131 - NA 125B/204 – Butterfly Bay Trust</b>
Benefited Lands	Lot 1 DP 189675 – NA119C/48 – Butterfly Bay Trust
	Lot 1 DP 390394 – RT 362681 – Lagoon Capital Ltd
	Lot 2 DP 390394 – RT 362682 – Grant Trustees
	Lot 3 DP 390394 – RT 362683 – MAZAC Trustees Ltd
	Pt Kahikatoa Blk - NA2038/67 – JL & MA Archer

The existing Right of Way, marked 'A' on DP 390394, commences behind the Tauranga Bay Motor Camp, off the end of the legal road portion of Te Kahikatoa Peninsular Road and continues on for about 1.25 kilometres. The subject portion, labelled 'B' on the scheme plan, is the first 120 metres of this Right of Way. This portion has a sealed formation, 3.5m – 5.0m wide, with easy gradients rising to a maximum of 1:5 and having well defined stormwater runoff channels. The entrance into the Blakelock property runs along a ridgeline with a near flat grade and no apparent issues. This entrance is well formed and in use.

## DISTRICT PLAN

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Right of Way portion 'B' is located entirely within the General Coastal zone of the Far North District Plan, and to create a Right of Way under Section 348 LGA requires an assessment of district wide provisions.

### DISTRICT WIDE PROVISIONS

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#### 15.1 TRAFFIC, PARKING AND ACCESS

##### 15.1.6A.2 PERMITTED ACTIVITIES

###### 15.1.6A.2.1 TRAFFIC INTENSITY

The Traffic Intensity Factor for a site in this zone is 30 daily one way movements. The Traffic Intensity Factor is determined by reference to Appendix 3A in Part 4.

*This rule only applies when establishing a new activity on a site. It does not apply to existing activities, however, the Traffic Intensity Factor for the existing uses (apart from those exempted below), on site need to be taken into account when assessing new activities in order to address cumulative effects.*

*Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.*

Because this rule only applies when establishing 'new activity' or 'changing an activity' on a site, it therefore is not applicable.

#### 15.1.6C ACCESS

##### 15.1.6C.1 PERMITTED ACTIVITIES

###### 15.1.6C.1.1 Private accessways in all zones

*15.1.6C.1.1 (a) The construction of private accessway, in addition to the specifics also covered within this rule, is to be undertaken in accordance with Appendix 3B-1 in Part 4 of this Plan.*

#### **Appendix 3B-1 Standards for private access**

The subject right of way 'B' would serve 7 household equivalents and therefore should have a minimum legal width of 7.5m, a carriageway width of 5.0m and maximum sealed gradient of 1 : 4.

Of these engineering standards, this application fails one aspect in that the carriageway does not have a consistent 5.0m width, mainly because of the steep cross gradients that have affected cut/fill construction works in the past and will equally restrict any further practical widening.

There are however areas of sufficient width along the carriageway which allow for passing vehicles.

NON-COMPLIANT



A Land Use consent is therefore required for dispensation to breach of appendix 3B-1 engineering standard.

15.1.6C.1.1 (b) - *There are no grades steeper than 1:8 adjacent to the road boundary for at least 5m*

COMPLIANT

15.1.6C.1.1 (c) - *A private accessway may serve a maximum of 8 household equivalents.*

COMPLIANT

15.1.6C.1.1 (d) - *Where a subdivision serves 9 or more sites, access shall be by public road.*

NOT APPLICABLE

15.1.6C.1.1 (e) - *Access shall not be permitted onto a State Highway or a Limited Access Road;*

NOT APPLICABLE

15.1.6C.1.2 *Private Accessways in urban zones*

NOT APPLICABLE

### **15.1.6C.1.3 Passing bays on private accessways in all zones**

(a) *Where required, passing bays on private accessways are to be at least 15m long and provide a minimum usable access width of 5m.*

(b) *Are required in Coastal zones at spacings not exceeding 100m*

(c) *On blind corners where horizontal & vertical alignment restricts the visibility.*

NON COMPLIANT

Of these engineering standards, the application fails 15.1.6C.1.3 in that the carriageway does not appear to have defined passing bays. However, the carriageway does have variable widths ranging between 3.5 – 5m which, over the many years of use, has been found to be sufficient for vehicles to pass without concern. Similarly with visibility and blind corners, caution has always prevailed without known incident.

The difficulty at this portion of the access is the steep crossfall of the natural ground which places restricts on cut/fill construction to a minimum in order to avoid excessive retaining.

A Land Use consent is therefore sought for dispensation to breach rule 15.1.6C.1.3

### **15.1.6C.1.4 ACCESS OVER FOOTPATHS**

Not applicable.

### **15.1.6C.1.5 VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES**

(a) *Private access off roads in the rural and coastal zones the vehicle crossing is to be constructed in accordance with Council's "Engineering Standards and Guidelines" (June 2004 - Revised 2009).*

The entry into the applicant's property is not exactly dimensioned to engineering standards because a left turn out is not possible, however such a move is never required. There is however a short bit of seal which defines the entrance and provide a sizable width to the principal access at 7.5m.

NOT EXACTLY COMPLIANT

15.1.6C.1.6 Vehicle Crossing Standards in Urban zones

*(b) Where the vehicle crossing serves two or more properties the vehicle crossing is to be widened to provide a double width vehicle crossing.*

NOT APPLICABLE

15.1.6C.1.7 General Access Standards

*(a) Provision shall be made such that there is no need for vehicles to reverse off a site except where there are less than 4 parking spaces gaining access from a local road.*

NOT APPLICABLE

*(b) All bends and corners on the private accessway are to be constructed to allow for the passage of a Heavy Rigid Vehicle.*

The access formation has an easy grade and supporting passage of ridged vehicles.

COMPLIANT

*(c) Any access where legal width exceeds formation requirements shall have surplus areas (where legal width is wider than the formation) grassed.*

Natural vegetation prevails

COMPLIANT

*(d) Runoff from impermeable surfaces shall, wherever practicable, be directed to grass swales and/or shall be managed in such a way as will reduce the volume and rate of stormwater runoff and contaminant loads.*

Stormwater from the existing formation is controlled in open drains, supporting the removal of nonpoint source contaminants by way of natural soakage during a storm's inception.

COMPLIANT

15.1.6C.1.8 Frontage to existing roads

NOT APPLICABLE

15.1.6C.1.9 New Roads

NOT APPLICABLE

15.1.6C.1.10 Service lanes, cycle and pedestrian accessways

NOT APPLICABLE

15.1.6C.1.11 Road designations

NOT APPLICABLE

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## NATURAL AND PHYSICAL RESOURCES

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### 12.1 - Outstanding landscapes

There are no listed outstanding landscape or natural features

### 12.2 - Indigenous Flora and fauna

There is no indigenous vegetation clearance required, and the access would not affect critical endangered and rare taxa.

### 12.3 Soils and Minerals

No earthworks are envisaged.

### 12.4 Natural Hazards

The location of the access has no known flood issues according to NRC flood map

### 12.5 - 12.6 Heritage

There are no known heritages sites or precincts applicable.

### 12.7 - Lakes rivers, wetlands and the coastline

No issues

## ASSESSMENT 15.1.6C.4

### 15.1.6C.4.1 PROPERTY ACCESS

#### *(a) Adequacy of sight distances available at the access location.*

The entrance onto Easement 'B' provides good sight visibility to the north, looking downslope along the contour. Visibility to the south is partially restricted by the embankment adjacent to the entrance, based on standard parameters for a perpendicular access. However, this entrance is unique in that it does not support a left-hand turn upon exit due to insufficient turning radius on the tighter angle.

Notwithstanding this, sufficient sight visibility is achieved when a vehicle extends into the 7.7 m-wide section of the access, as shown on the scheme plan. From this position, a driver can safely view uphill to the south for over 50 m.

Sight visibility is acceptable for this unique situation.

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*(b) Any current traffic safety or congestion problems in the area.*

No concern with limited movement from these rural properties.

*(c) Any foreseeable future changes in traffic patterns in the area.*

There are none.

*(d) Possible measures or restrictions on vehicle movements in and out of the access.*

None required.

*(e) The adequacy of the engineering standards proposed and the ease of access to and from, and within, the site.*

The proposed access arrangement allows only for a practical right-hand turn when exiting the property. This forms a near-straight alignment onto a sealed access formation, which offers a higher standard of durability and safety compared to the more commonly metalled accesses in rural environments. Given that the applicant has obtained written approval from all affected parties, the majority of potential effects are deemed negligible.

There are no evident safety risks and overall, the effects are less than minor.

*(f) The provision of access for all persons and vehicles likely to need access to the site, including pedestrian, cycle, disabled and vehicular.*

The entrance and access has served the current situation for many years without concern.

*(g) The provision made to mitigate the effects of stormwater runoff, and any impact of roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties.*

No physical changes are proposed to the existing access. Stormwater runoff from the accessway continues to be managed by the existing drainage infrastructure, which has functioned effectively without issue. The current system maintains the natural drainage pattern and avoids any redirection of flows toward adjoining properties or sensitive environments.

As no additional impermeable surface is introduced and no recontouring is proposed, there will be no increase in stormwater volume or velocity. Accordingly, there is no anticipated adverse effect on waterways, ecosystems, or the amenity of neighbouring sites.

*(h) For sites with a road frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive:*

Not applicable.

*(j) The provisions of the roading hierarchy, and any development plans of the roading network. The need to provide alternative access for car parking and vehicle loading in business zones by way of vested service lanes at the rear of properties, having regard to alternative means of access and performance standards for activities within such zones.*

There are none on this private access.

*(k) Any need to require provision to be made in a subdivision for the vesting of reserves for the purpose of facilitating connections to future roading extensions to serve surrounding land; future connection of pedestrian accessways from street to street; future provision of service lanes; or planned road links that may need to pass through the subdivision; and the practicality of creating such easements at the time of subdivision application in order to facilitate later development.*

There are none.

*(l) Enter into agreements that will enable the Council to require the future owners to form and vest roads when other land becomes available (consent notices shall be registered on such Certificates of Title pursuant to Rule 13.6.7).*

Not applicable.

*(m) With respect to access to a State Highway that is a Limited Access Road, the effects on the safety and/or efficiency on any SH and its connection to the local road network and the provision of written approval from the New Zealand Transport Agency.*

Not applicable.

## NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020

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### Part 1

#### 1.3 Fundamental concept - Te Mana o te Wai

*(1) Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.*

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NO ISSUES

## NATIONAL ENVIRONMENTAL STANDARDS

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The property is not considered to be subject the NES for assessing and managing contaminants in soil to protect human health 2011 and there is no change of use or earthworks to trigger this standard.

NO ISSUES

## PROPOSED DISTRICT PLAN

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The Right of Way site location is within the Rural Production zone (coastal overlay) under the Proposed District Plan.

Provisions with immediate legal effect include, 'earthworks' and ecosystems and indigenous biodiversity.

The proposal continues to uphold permitted status and there are no other provisions with legal effect under the proposed district plan.

## RESOURCE MANAGEMENT ACT 1991

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The proposed land use activity is required to demonstrate compliance with the relevant provisions of the Resource Management Act 1991, including those applicable to its activity status under the District Plan.

### SCHEDULE 4

*An application for Resource Consent for an activity must include the following, outlining aspects of relevance to the proposed activity and zone expectations:*

#### ASSESSMENT OF THE ACTIVITY AGAINST THE MATTERS UNDER PART 2 RMA

##### Part 2 Purpose and Principles

##### **5 Purpose**

(1)

*The purpose of this Act is to promote the sustainable management of natural and physical resources.*

(2)

*In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The entrance defines an existing use situation where its formation and use by the applicant has been under a gentlemen's agreement. It defines a piece of land that is well removed from its natural state, being part of the wider vehicle access arrangement, with no features worthy of protection and because there are no physical works involved, there is no cause to adverse effects that may require avoidance.

Overall, there are no specific natural and physical resources of concern.

### **Matters of national importance**

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*

There is no impact on natural character. The additional traffic resulting would be imperceptible to the overall access use. With no physical works there is no other cause to adverse effects.

There are no known features to warrant preservation.

- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*

There are no known outstanding natural features or landscapes onsite or adjoining.

- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

No concern.

- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*

Not applicable.

- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

No concern.

- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*

No concern.

- (g) the protection of protected customary rights.*

There are no known customary rights to consider.

## 7 - Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:*
- (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources:*
- (ba) the efficiency of the end use of energy:*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems:*
- (e) [Repealed]*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:*
- (h) the protection of the habitat of trout and salmon:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

In accordance with Section 7 of the Resource Management Act 1991, particular regard has been given to the listed matters when assessing this proposal. The proposed land use is considered to appropriately uphold the principles of kaitiakitanga and stewardship, and it promotes the efficient use and development of natural and physical resources by utilising existing infrastructure for shared access purposes. The activity takes place within an existing rural environment and on an approved allotment, ensuring that any effects on amenity values or the quality of the environment are minor and contained.

The site context and design enable efficient energy use and are consistent with the sustainable management purpose of the Act.

Overall, the proposal is considered to give appropriate regard to all relevant Section 7 matters and is well aligned with the zone objectives, particularly in its use of an approved access without generating adverse effects.

## Treaty of Waitangi

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi*

The proposal is not considered to contradict the Treaty of Waitangi's interpretations.



**ASSESSMENT OF THE ACTIVITY AGAINST ANY RELEVANT PROVISIONS OF A DOCUMENT REFERRED TO IN SECTION 104(1)(B)**

Section 104(1)(b)  
any relevant provisions of—

- (i) a national environmental standard:*
- (ii) other regulations:*
- (iii) a national policy statement:*
- (iv) a New Zealand coastal policy statement:*
- (v) a regional policy statement or proposed regional policy statement:*
- (vi) a plan or proposed plan;*

The proposal does not detract from the intentions of the Coastal and Regional Policy Statements. There are no other relevant provisions regarding these minor infringements. The NES 2011 does not apply as there are no known HAIL site activities.

An application must also include an assessment of the activity's effects on the environment that –

- (a) includes the information required by clause 6*
- (b) address the matters specified in clause 7; and*
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.*

**CLAUSE 6**

(1) An assessment of the activity's effects on the environmental must include the following information:

- (a) if it is likely that the activity will result in any significant adverse effects on the environment, a description of any possible alternative locations or methods for undertaking the activity:*

No concern.

- (b) an assessment of the actual or potential effects on the environment of the activity.*

The level of effects are adequately understood and deemed less than minor.

- (c) if the activity includes the use of hazardous substances and installations, an assessment of any risk to the environment that are likely to arise from such use.*

Not applicable.

- (d) *if the activity includes the discharge of any contaminants, a description of –*
- (i) *the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*
  - (ii) *any possible alternative methods of discharge, including discharge into any other receiving environment:*

Not applicable.

- (e) *a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects:*

There are no issues to address.

- (f) *identification of the persons affected by the activity and consultation undertaken, and any response to the views of any person consulted:*

The applicant has consulted with all affected parties and obtained their written approval as attached.

The proposed activity in all respects is completely within zone expectations and there are no affected persons or parties such as Heritage NZ, Department of Conservation or Local Iwi.

- (g) *if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:*

No monitoring necessary.

- (h) *if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).*

No concern.

- (2) *A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.*

The application site in respect to the proposal at hand does not constitute the need for any further investigations.

**CLAUSE 7**

7 Matters that must be addressed by assessment of environmental effects

(1) *An assessment of an activity's effects on the environment must address the following matters:*

(a) *any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*

The proposal is considered to promote the zone guidelines and surrounding land use, without adverse effects to concern the wider community including social and economic or cultural aspects.

(b) *any physical effects on the locality, including any landscape, and visual effects.*

No concern.

(c) *Any effects on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.*

The land use does not result in any habitat disturbance.

(d) *any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural values, or other special value, for present and future generations:*

The values outlined are not seen to be depleted in this instance.

(e) *any discharge of contaminants in to the environment, including any unreasonable emissions of noise, and options for the treatment and disposal of contaminants:*

The proposal does not involve any contaminants or cause to emissions of noise.

(f) *any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

The proposal does not concern natural hazards.

The proposed land use activity involves a minor non-compliance with the Transportation Chapter of the District Plan, specifically relating to the design standards for private accessways. While the accessway does not fully meet the engineering requirements for formation width and turning curves, particularly for the southern exit direction, which is not practically used, the overall access arrangement remains safe and functional. The sealed formation provides a higher standard than

typically required in rural environments, and vehicle movements are effectively limited to a right-turn exit with good sight visibility.

This minor departure from District Plan standards has been addressed through support of written approvals from all affected parties. The activity continues to promote the landowner's personal wellbeing and is consistent with the purpose and principles of the Resource Management Act 1991.

No adverse environmental effects of significance are anticipated, and those that may arise are assessed as less than minor. The proposal appropriately aligns with the planning framework and is considered a suitable and sustainable use of the site.

## CONCLUSION

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The Right of Way easement generally complies with the permitted activity standards under the District Plan. Where full compliance is not achieved, a land use consent is sought.

Having regard to the overall planning framework, the application pursuant to Section 348 of the Local Government Act is recommended for approval by the local authority, with no conditions proposed for the associated land use activity. The effects are assessed as less than minor, and any minor construction-related deficiencies or departures from District Plan standards are appropriately mitigated through the written approvals obtained from all affected parties.



Micah Donaldson  
MNZIS - Assoc.NZPI - RPSURV

**DONALDSONS**

Land / Engineering Surveyors and Development Planners





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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA47D/555**  
**Land Registration District** **North Auckland**  
**Date Issued** 16 September 1980

**Prior References**  
NA22A/973

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**Estate** Fee Simple  
**Area** 5479 square metres more or less  
**Legal Description** Lot 2 Deposited Plan 90523

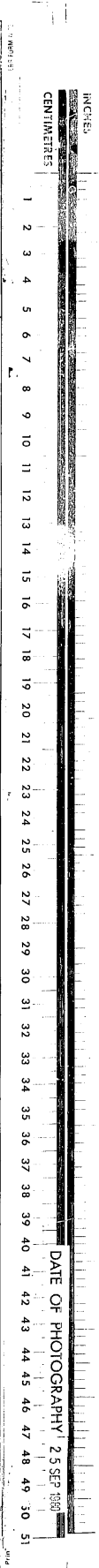
**Registered Owners**

Mark Roy Blakelock and Blakelock Trustee Company Limited as to a 1/2 share  
Allison Julie Blakelock and Shipton Trustee Company Limited as to a 1/2 share

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**Interests**

Appurtenant hereto is a right of way created by Transfer A91271  
Appurtenant hereto is a right of way specified in Easement Certificate A445867  
Subject to a drainage right over parts marked A and B on DP 90523 specified in Easement Certificate 774767.2 - 16.9.1980 at 11.37 am  
Appurtenant hereto are drainage rights specified in Easement Certificate 774767.2 - 16.9.1980 at 11.37 am  
The easements specified in Easement Certificate 774767.2 are subject to Section 309 (1) (a) Local Government Act 1974  
Appurtenant hereto are rights of way specified in Easement Certificate 774767.3 - 16.9.1980 at 11.37 am



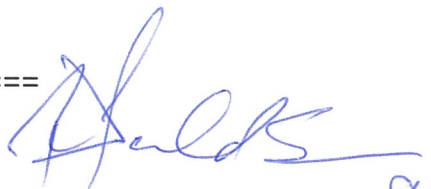
**M Blakelock - Right of Way Application**

**REGARDS NEIGHBOURS WRITTEN APPROVALS**

1/ It will be noticed that some of the consents have been signed off by  
Amanda Kennedy so attached please find her explanation.

2/ RT 362682 has been signed off by Clinton Grant on behalf of all  
3 registered owners. On questioning him, he explained that his wife  
Rosalyn is deceased and he has still not got round to updating the title.  
Also, that Prudence is his sister who, although a trustee, lives in  
the South Island and has no other interest in the property.  
Clinton therefore is the only responsible owner and occupier.

=====

 9/7/25  
Donaldsons Land Surveyor  
90 Kerikeri Road  
PO Box 211, Kerikeri  
New Zealand 0245

## Bob Donaldson

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**From:** Amanda Kennedy <amanda@just-law.co.nz>  
**Sent:** Tuesday, 24 June 2025 3:13 PM  
**To:** bob@donaldsons.net.nz  
**Subject:** FW: Mark Blakelock proposed easement Tauranga Bay  
**Attachments:** Amanda.pdf

Hi Bob,

I am instructed by the Trustees of the 4 trusts registered as proprietor on both titles, and authorised to sign on the Trustees behalf.

Kind regards.

Yours faithfully,  
Amanda Kennedy

**JUST LAW**

20 Hobson Ave, PO Box 702,  
Kerikeri,  
New Zealand  
Phone: (09) 407-5957  
Fax: (09) 407-5977

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**From:** Bob Donaldson <bob@donaldsons.net.nz>  
**Sent:** Tuesday, 24 June 2025 2:54 pm  
**To:** Amanda Kennedy <amanda@just-law.co.nz>  
**Subject:** Mark Blakelock proposed easement Tauranga Bay

Amanda

Hi.

Mark has provided me with written consents from all registered users of the Right of Way off Peninsular Road who are in support of his application to the Far North District Council for consent to create a right of way over part of this access for his property.

You appear to represent the owners of two properties and I was wondering, because I have to explain it to the Council, in what capacity you are representing them, all 6 of them.

Is there some terminology you can use to verify your position, as a lawyer or trustee, or whatever.

Otherwise I fear Council staff are going to ask for 6 individual consents.

Thanks

Bob Donaldson  
*Registered Professional Surveyor*



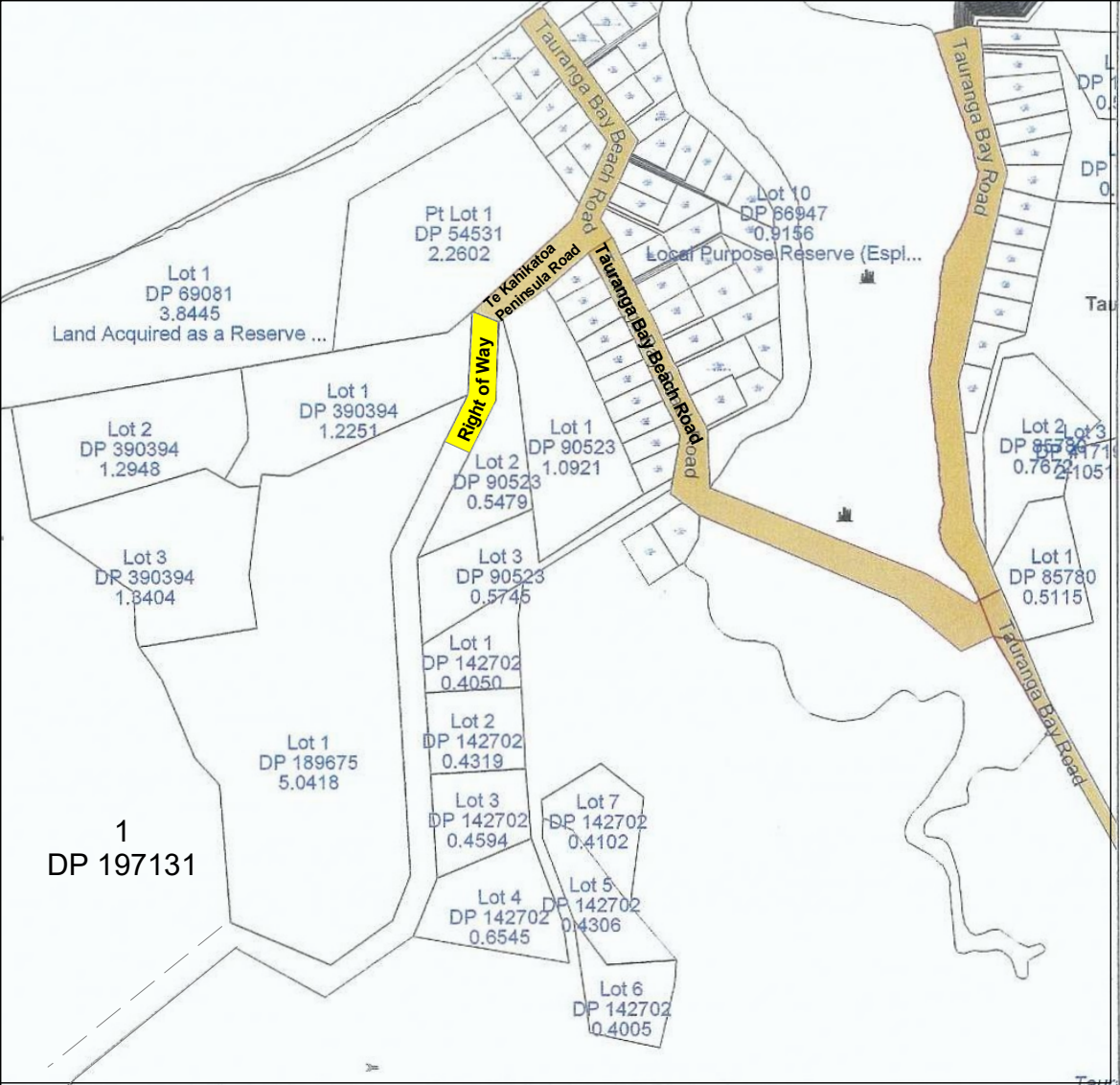
Phone: 09-4079182

Email: [bob@donaldsons.net.nz](mailto:bob@donaldsons.net.nz)

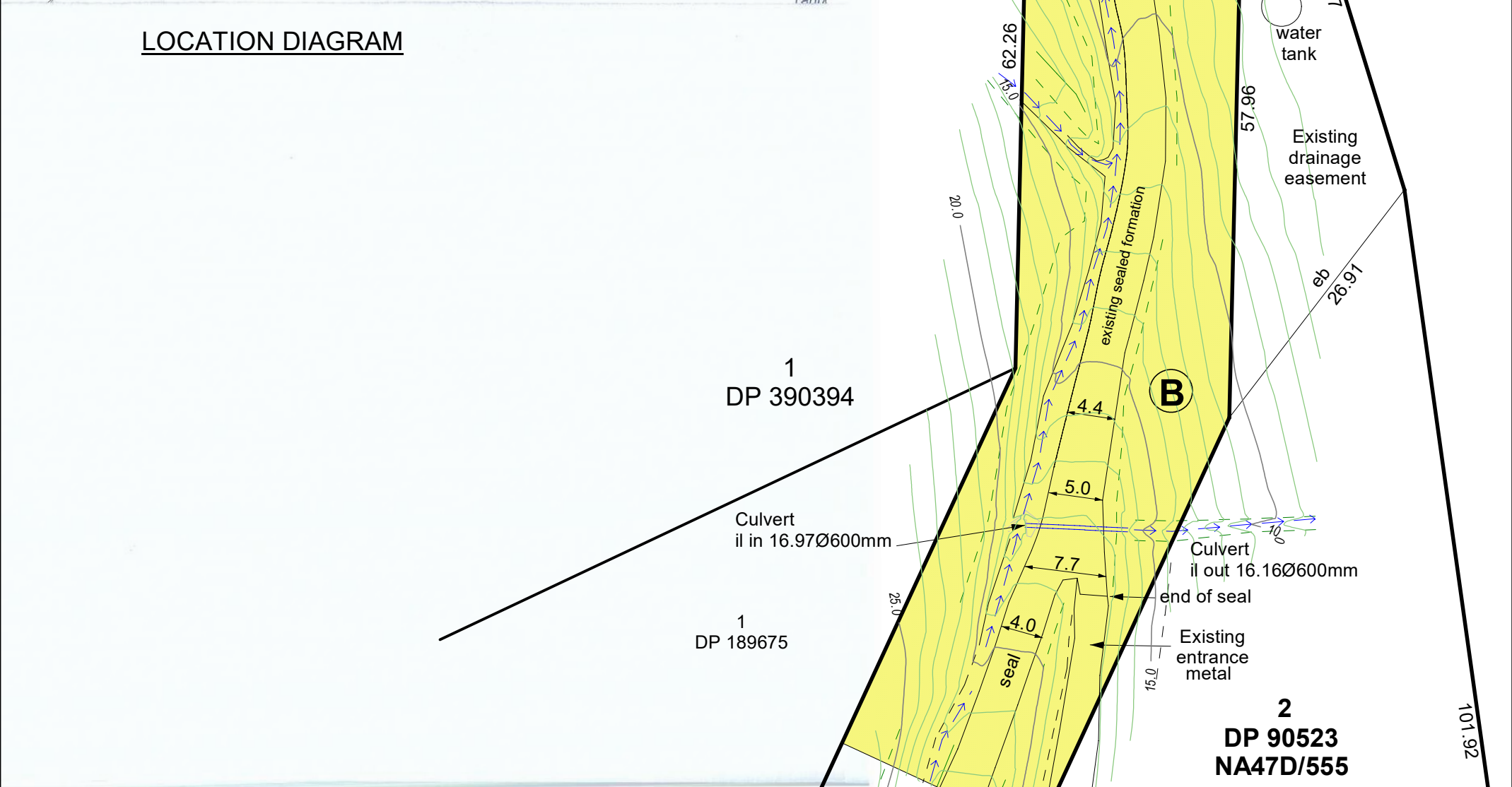
Web site: [www.donaldsons.net.nz](http://www.donaldsons.net.nz)

Land / engineering surveyors and development planners ~ 90 Kerikeri Road, Kerikeri, 0230 ~ (PO Box 211 Kerikeri, 0245)





LOCATION DIAGRAM



PROPOSED EASEMENT (Sec 348 LGA)

Purpose	Shown	Burdened	Benefited
Right of Way	(B)	Lot 1 DP 197131	Lot 2 DP 90523

Current users of RoW

- Lot 1 DP 197131 - NA125B/204 - owner
- Lot 1 DP 189675 - NA119c/48
- Lot 1 DP 390394 - RT 362681
- Lot 2 DP 390394 - RT 362682
- Lot 3 DP 390394 - RT 362683
- Pt Kahikatoa Blk - NA2038/67

Coordinates are in terms of NZGD Mt Eden 2000  
Heights are in terms of NZVD 2016  
Origin of heights IT DP 66947 2.38(3V)



PROPOSED RIGHT OF WAY (Sec 348 LGA)  
OVER LOT 1 DP.197131



**Applicant : M & A Blakelock**  
Owners : E. Gardner, K. Gorden,  
J. & S. Till, & J. Smith  
(Butterfly Bay Trust)

Title : NA125B/204  
Total Area : 41.44 ha  
Zone : General Coastal (OPD)  
Rural Production (PDP)  
(Coastal Overlay)

Contour interval : 1 m  
Scale @ A3 : 1:500  
Date : 18/06/2024

REF : 8455



## NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

### PART A – To be completed by Applicant

Applicant/s Name:

Mark Blakelock

Address of proposed activity:

19 Kahikatoa Peninsular Road Tauranga Bay

Legal description:

Lot 2 DP.90523

Description of the proposal (including why you need resource consent):

To add an additional user to an existing right of way having five existing users, and to retain the existing formation as is.

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Scheme plan reference 8455

2.

3.

4.

5.

6.

### Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
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## PART B – To be completed by Parties giving approval

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Full name/s of party giving approval:

CLINTON JAMES GRANT as agent for the registered proprietors of

Address of affected property including legal description

Lot 2 DP390394  
70B Te Kahikatoa Peninsula Road

Contact Phone Number/s and email address

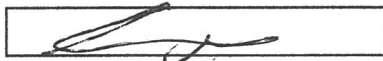
Daytime:      Mobile 021 711 359      email: rosandclinton@gmail.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

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Signature



Date

18/02/2025

Signature

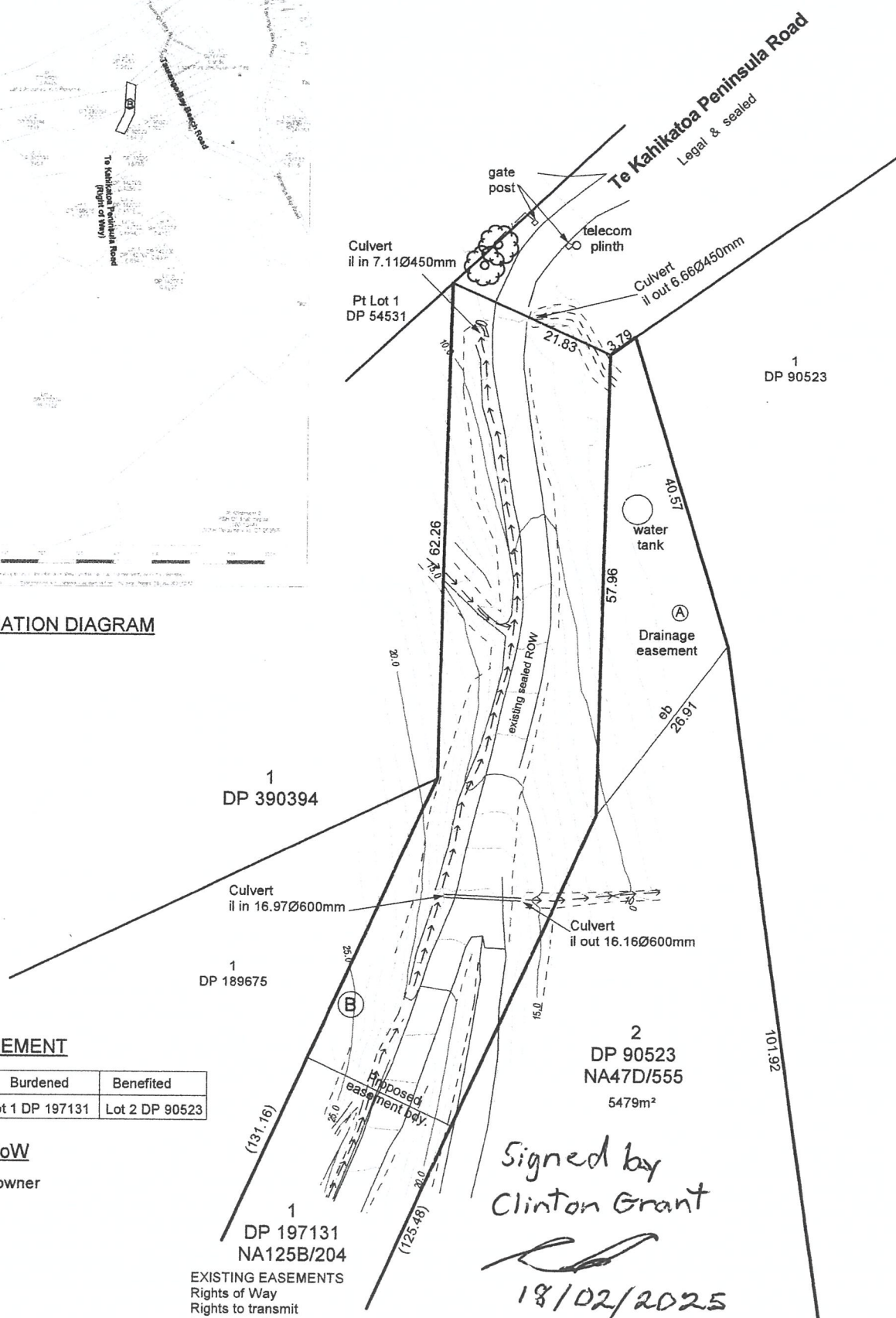
Date

Signature

Date

Signature

Date



Purpose	Shown	Burdened	Benefited
Right of Way	(B)	Lot 1 DP 197131	Lot 2 DP 90523

Coordinates are in terms of NZGD Mt Eden 2000  
Heights are in terms of NZVD 2016  
Origin of heights IT DP 66947 2.38(3V)

Signed by  
Clinton Grant

18/02/2025

Applicant : M & A Blakelock  
Title : NA47D/555  
Total Area : 5479m<sup>2</sup>  
Zone : Coastal Residential

Contour interval : 0.25m  
Scale @ A3 : 1:500  
Date : 18/06/2024  
**REF : 8455**

**PROPOSED RIGHT OF WAY**  
**OVER LOT 1 DP.197131**

Contour interval : 0.25m  
Scale @ A3 : 1:500  
Date : 18/06/2024  
**REF : 8455**

Q



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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **362682**  
**Land Registration District** **North Auckland**  
**Date Issued** 01 October 2007

**Prior References**

NA119C/50      NA119C/51

---

**Estate** Fee Simple  
**Area** 1.2948 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 390394

**Registered Owners**

Clinton James Grant, Rosalyn Karin Grant and Prudence Carol Rangī

---

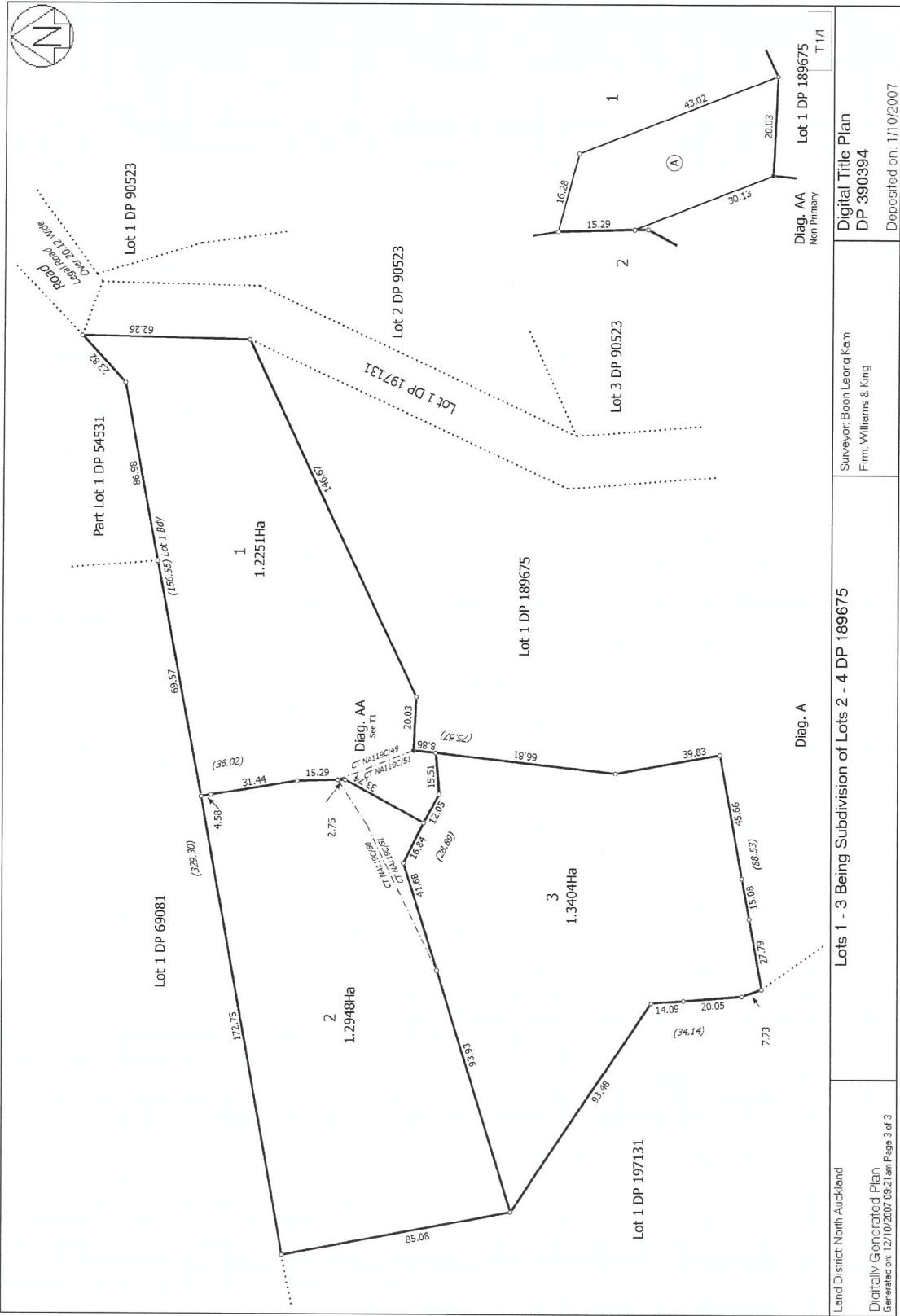
**Interests**

D397028.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 8.6.1999 at 3.13 pm

Appurtenant hereto are rights of way and rights to convey water specified in Easement Certificate D397028.9 - 8.6.1999 at 3.13 pm

The easements specified in Easement Certificate D397028.9 are subject to Section 243 (a) Resource Management Act 1991







Far North  
District Council

MA+JL Archer, NA2038/67  
472 DP. 49684  
Lot 4 DP. 49684  
Pt. Kahikatoa

## NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

### PART A – To be completed by Applicant

Applicant/s Name:

Mark Blakelock

Address of proposed activity:

19 Kahikatoa Peninsular Road Tauranga Bay

Legal description:

Lot 2 DP.90523

Description of the proposal (including why you need resource consent):

To add an additional user to an existing right of way having five existing users, and to retain the existing formation as is.

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Full name/s of party giving approval:

JOHN ARCHER as agent for the registered proprietors of Part Kahikatoa Block [inter alia]

Address of affected property including legal description

(Record of Title NA2038/67)  
Te Kahikatoa Peninsula Road

Contact Phone Number/s and email address

Daytime: 027 218 7701


email: johnarcher588@gmail.com  
archerfarm3@yahoo.co.nz

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

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Signature



Date

9.9.24

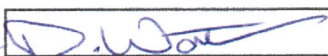
Signature



Date

9.9.24

Signature



Date

9.9.24

Signature

Date



# LOCATION DIAGRAM

QuickMap

*[Signature]* 17.6.25.  
*[Signature]* 17.6.25

## PROPOSED EASEMENT

Purpose	Shown	Burdened	Benefited
Right of Way	(B)	Lot 1 DP 197131	Lot 2 DP 90523

## Current users of RoW

Lot 1 DP 197131 - owner  
 Lot 1 DP 189675  
 Lot 1 DP 390394  
 Lot 2 DP 390394  
 Lot 3 DP 390394

Coordinates are in terms of NZGD Mt Eden 2000  
 Heights are in terms of NZVD 2016  
 Origin of heights IT DP 66947 2.38(3V)

EXISTING EASEMENTS  
 Rights of Way  
 Rights to transmit  
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 and electricity.  
 Rights to convey  
 water

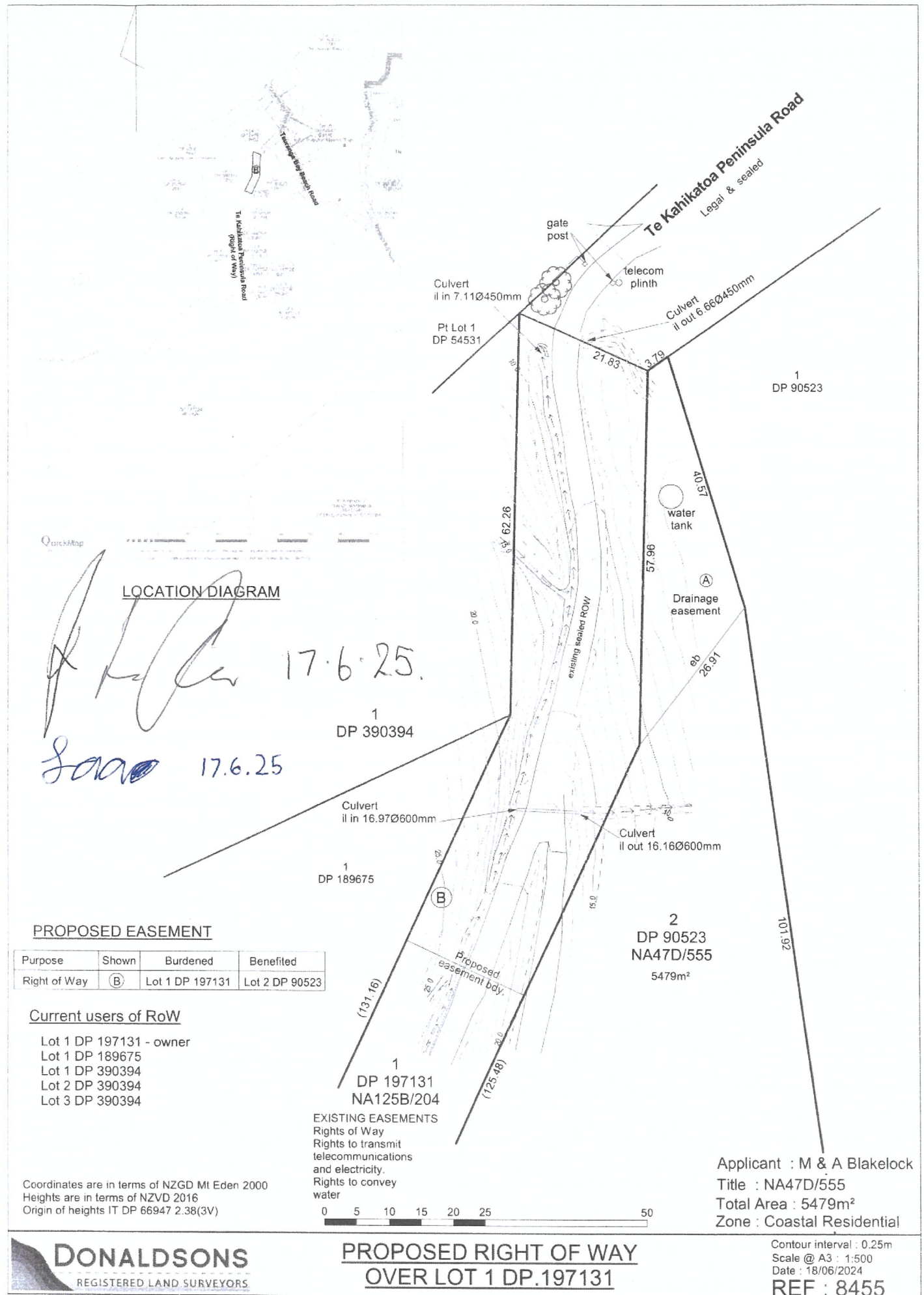
0 5 10 15 20 25 50

## PROPOSED RIGHT OF WAY OVER LOT 1 DP.197131

Applicant : M & A Blakelock  
 Title : NA47D/555  
 Total Area : 5479m<sup>2</sup>  
 Zone : Coastal Residential

Contour interval : 0.25m  
 Scale @ A3 : 1:500  
 Date : 18/06/2024  
 REF : 8455

**DONALDSONS**  
 REGISTERED LAND SURVEYORS



PART B – To be completed by Parties giving approval

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Full name/s of party giving approval:

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Contact Phone Number/s and email address

Daytime: 027 218 7701


email: johnarcher588@gmail.com  
archerfarm3@yahoo.co.nz

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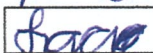
Signature



Date

9.9.24

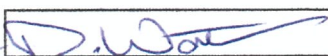
Signature



Date

9.9.24

Signature



Date

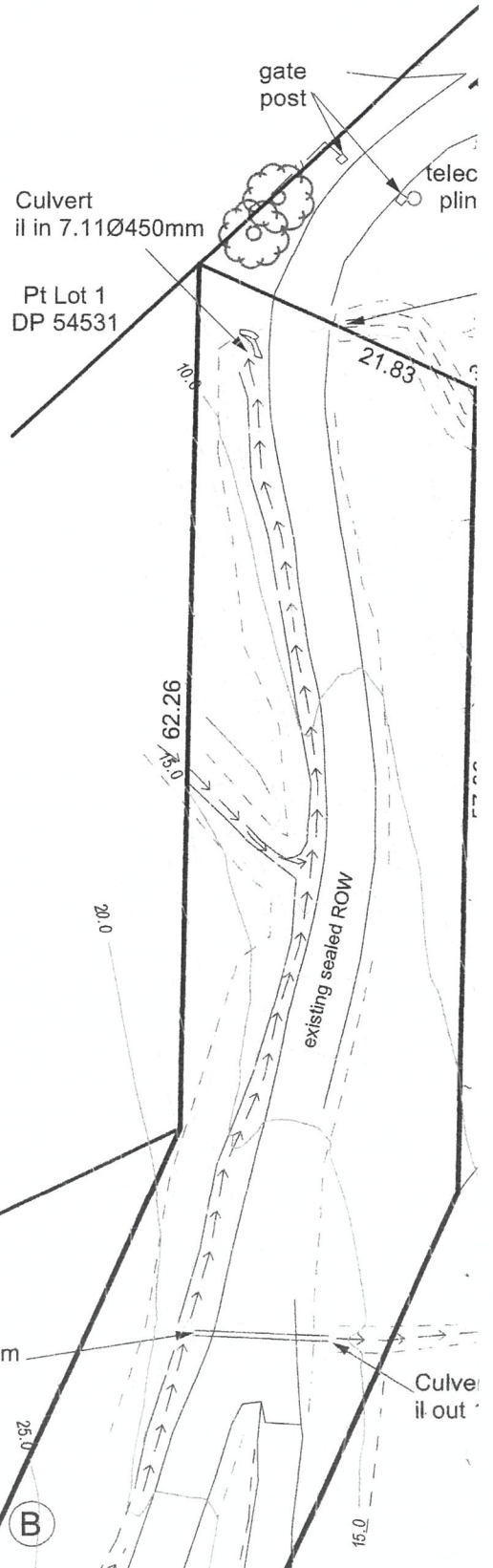
9.9.24

Signature

Date



Tauranga Bay Beach Road  
 Te Kaitake Peninsula Road  
 (Right of Way)



QuickMap

## LOCATION DIAGRAM

1  
DP 390394

1  
DP 189675

9.9.24  
 9.9.24  
 9.9.24  
 FA

PART B – To be completed by Parties giving approval

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Contact Phone Number/s and email address

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email: johnarcher588@gmail.com  
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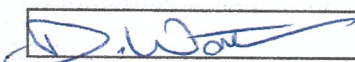
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Signature



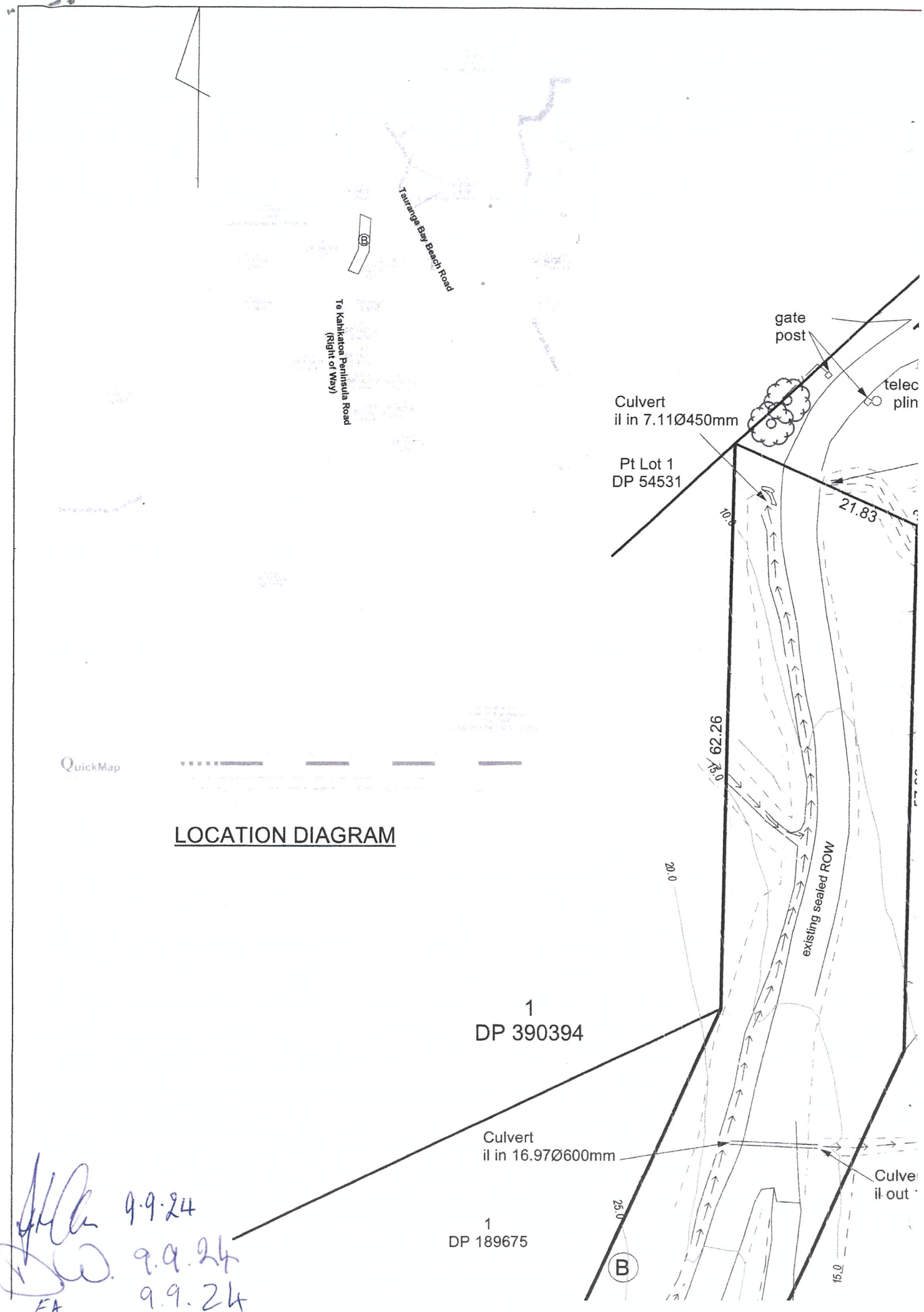
Date

9.9.24

Signature

Date





LOCATION DIAGRAM

QuickMap

1  
DP 390394

1  
DP 189675

(B)

9.9.24  
9.9.24  
9.9.24  
FA

Archer



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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** NA2038/67  
**Land Registration District** North Auckland  
**Date Issued** 23 November 1961

**Prior References**

NA1590/13      NA1590/74      NA364/87

---

**Estate** Fee Simple  
**Area** 211.5519 hectares more or less  
**Legal Description** Part Kahikatoa Block, Part Pararako Block,  
Part Allotment 2 Parish of Mahinepua and  
Lot 2 and Lot 4 Deposited Plan 49684

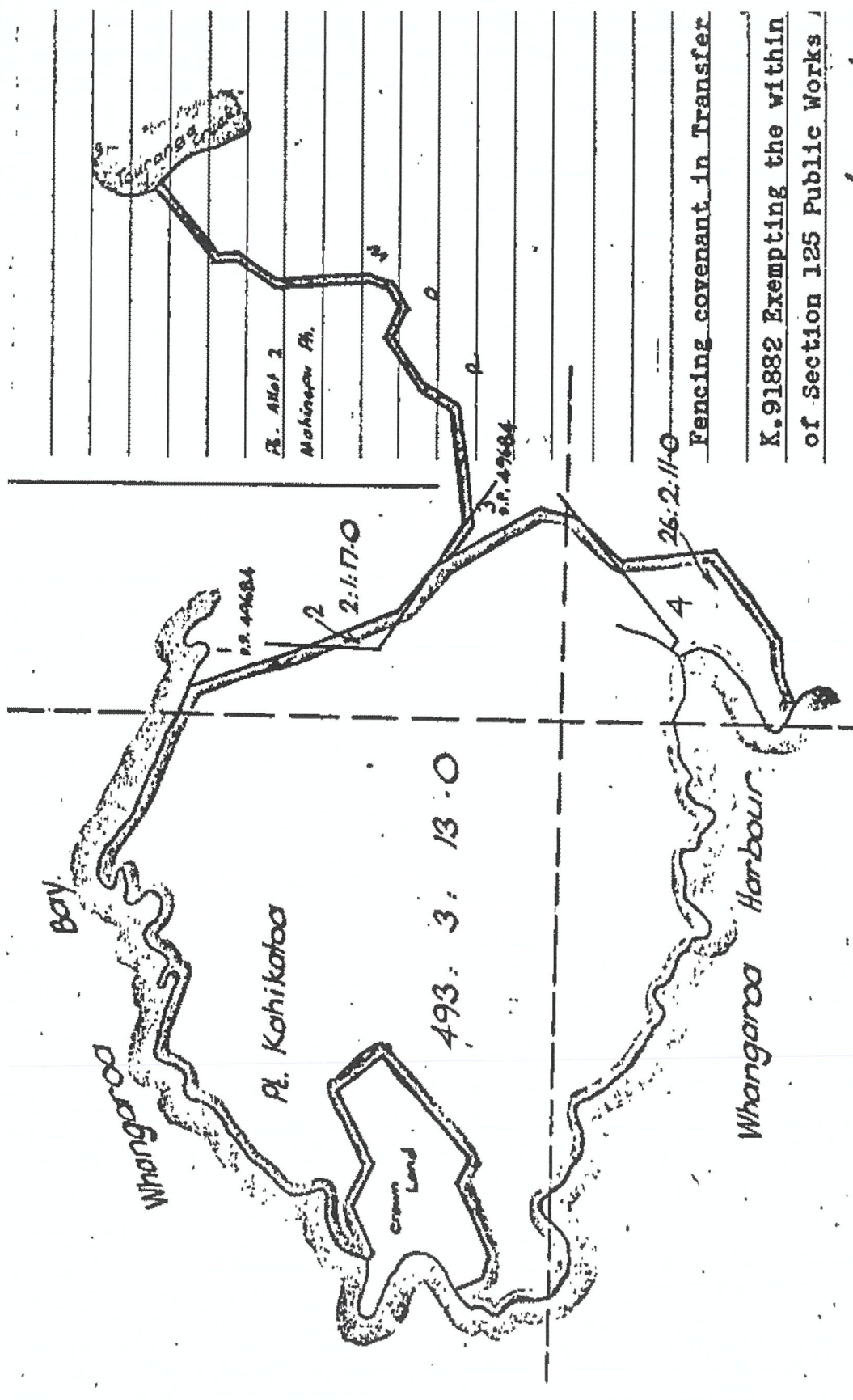
**Registered Owners**

Marilyn Ann Archer and John Lindsay Archer as Executors

---

**Interests**

K91882 Exempting the within land from the provisions of Section 125 Public Works Act 1928 - 3.7.1961 at 10:35 am  
Appurtenant hereto is a right of way created by Transfer 671141 - 23.11.1961 at 12:08 pm  
010530.1 Partial surrender of the right of way created by Transfer 671141 - 4.7.1972 at 10:23 am  
9126244.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - - 18.7.2012 at 12:40 pm (Affects Part Kahikatoa Block)





5



Far North  
District Council

473 DP.390394  
Mazac Trustees

## NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

### PART A – To be completed by Applicant

Applicant/s Name:

Mark Blakelock

Address of proposed activity:

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Legal description:

Lot 2 DP.90523

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Full name/s of party giving approval:

Mazac Trustees Ltd

Address of affected property including legal description

Lot 3 DP390394 Te Kahikatoa Peninsula Road, Kaeo

Contact Phone Number/s and email address

Daytime:

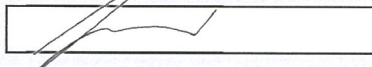
email: eugenesparrow@me.com

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Date

26 November 2024

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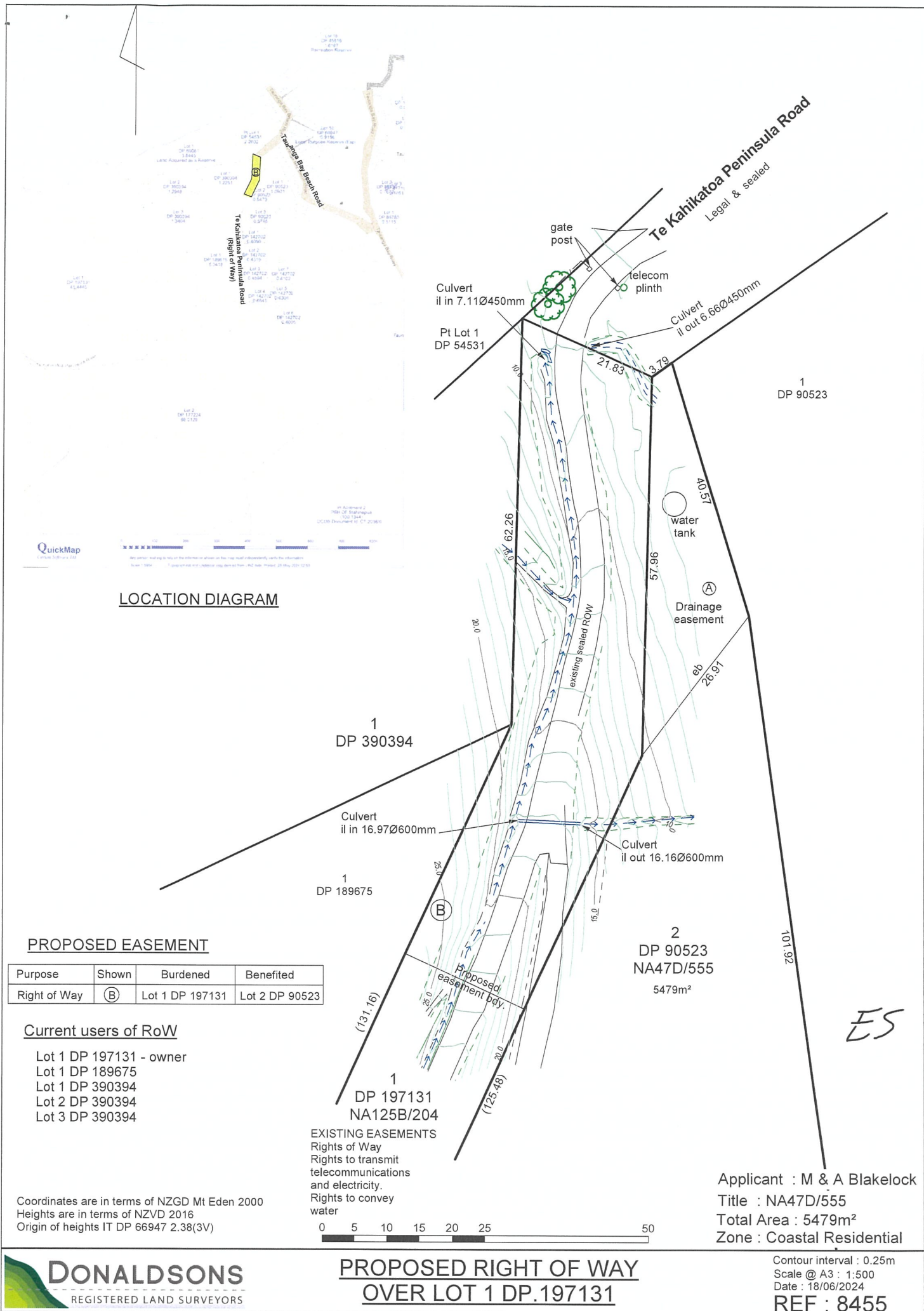
Date

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LOCATION DIAGRAM

PROPOSED EASEMENT

Purpose	Shown	Burdened	Benefited
Right of Way	(B)	Lot 1 DP 197131	Lot 2 DP 90523

Current users of RoW

- Lot 1 DP 197131 - owner
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and electricity.  
Rights to convey  
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Full name/s of party giving approval:

Mazac Trustees Ltd

Address of affected property including legal description

Lot 3 DP390394 Te Kahikatoa Peninsula Road, Kaeo

Contact Phone Number/s and email address

Daytime:

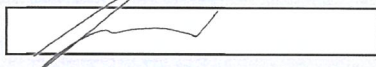
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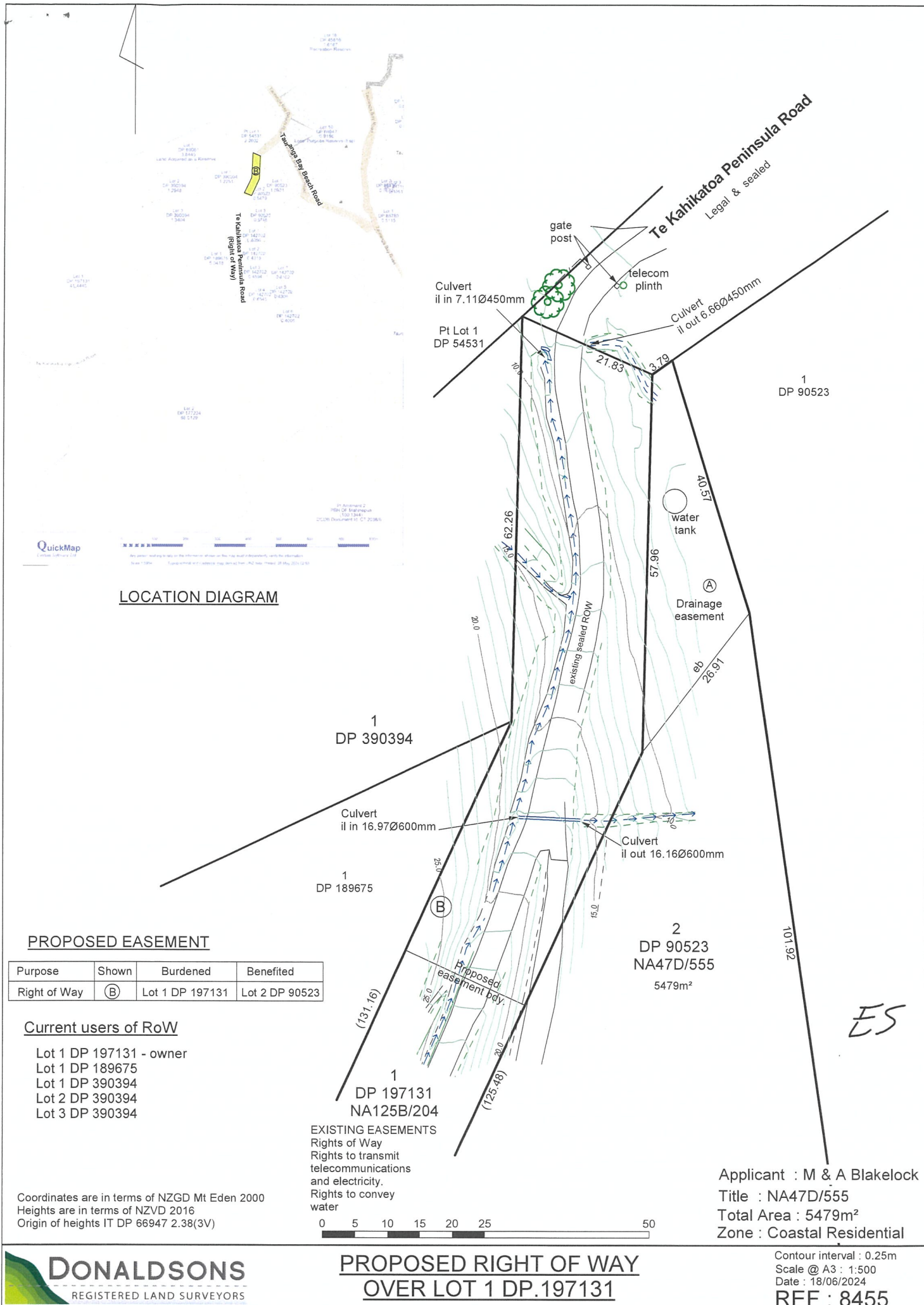
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LOCATION DIAGRAM

## PROPOSED EASEMENT

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## Current users of RoW

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Coordinates are in terms of NZGD Mt Eden 2000  
Heights are in terms of NZVD 2016  
Origin of heights IT DP 66947 2.38(3V)

EXISTING EASEMENTS  
Rights of Way  
Rights to transmit  
telecommunications  
and electricity.  
Rights to convey  
water

0 5 10 15 20 25 50

## PROPOSED RIGHT OF WAY OVER LOT 1 DP.197131

Applicant : M & A Blakelock  
Title : NA47D/555  
Total Area : 5479m<sup>2</sup>  
Zone : Coastal Residential

Contour interval : 0.25m

Scale @ A3 : 1:500

Date : 18/06/2024

REF : 8455



5



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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** 362683  
**Land Registration District** North Auckland  
**Date Issued** 01 October 2007

**Prior References**  
NA119C/51

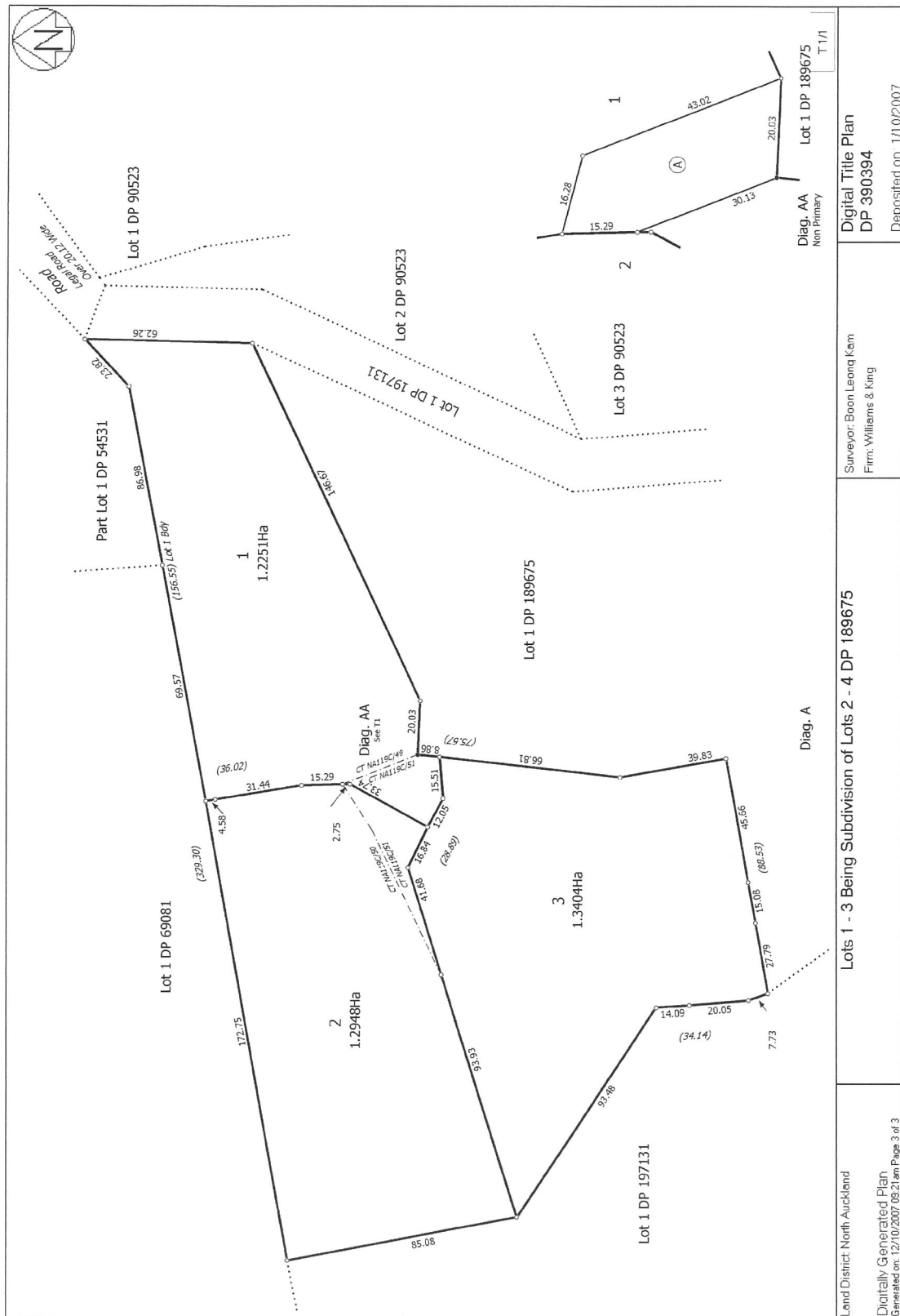
---

**Estate** Fee Simple  
**Area** 1.3404 hectares more or less  
**Legal Description** Lot 3 Deposited Plan 390394  
**Registered Owners**  
MAZAC Trustees Limited

---

**Interests**

D397028.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 8.6.1999 at 3.13 pm  
Appurtenant hereto is a right of way and a right to convey water specified in Easement Certificate D397028.9 - 8.6.1999 at 3.13 pm  
The easements specified in Easement Certificate D397028.9 are subject to Section 243 (a) Resource Management Act 1991  
10896966.3 Mortgage to Westpac New Zealand Limited - 7.9.2017 at 5:05 pm





Far North  
District Council

Lot 1 DP 390544  
Lagoon Capital Ltd.

## NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:

Mark Blakelock

Address of proposed activity:

19 Kahikatoa Peninsula Road, Tauranga Bay

Legal description:

Lot 2 DP90523

Description of the proposal (including why you need resource consent):

To add an additional user to an existing right of way having five existing users, and to retain the existing formation as is.

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Scheme plan reference 8455

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

### Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.



PART B – To be completed by Parties giving approval

**Notes to the party giving written approval:**

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
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3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

Lagoon Capital Limited

Address of affected property including legal description

Lot 1 DP390394  
70C Te Kahikatoa Peninsula Road, Tauranga Bay

Contact Phone Number/s and email address

Daytime: 09 920 8600

email: pravir.tesiram@tgtlegal.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of all the legal owners and the occupiers of the affected property will be necessary.*

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

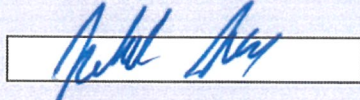
Signature



Date

24 October 2024

Signature



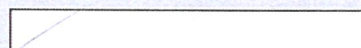
Date

25 October 2024

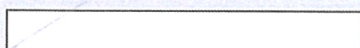
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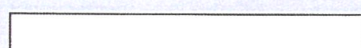
Date



Signature



Date







### Current users of RoW

Lot 1 DP 197131 - owner  
Lot 1 DP 189675  
Lot 1 DP 390394  
Lot 2 DP 390394  
Lot 3 DP 390394

Coordinates are in terms of NZGD Mt Eden 2000  
Heights are in terms of NZVD 2016  
Origin of heights IT DP 66947 2.38(3V)

**EXISTING EASEMENTS**  
Rights of Way  
Rights to transmit  
telecommunications  
and electricity.  
Rights to convey  
water

Applicant : M & A Blakelock  
Title : NA47D/555  
Total Area : 5479m<sup>2</sup>  
Zone : Coastal Residential

Contour interval : 0.25m  
Scale @ A3 : 1:500  
Date : 18/06/2024  
**REF : 8455**



PROPOSED RIGHT OF WAY  
OVER LOT 1 DP.197131

pm.



## NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

### PART A – To be completed by Applicant

Applicant/s Name:	Mark Blakelock
Address of proposed activity:	19 Kahikatoa Peninsula Road, Tauranga Bay
Legal description:	Lot 2 DP90523
Description of the proposal (including why you need resource consent):	To add an additional user to an existing right of way having five existing users, and to retain the existing formation as is.
Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):	<ol style="list-style-type: none"><li>1. Scheme plan reference 8455</li><li>2. _____</li><li>3. _____</li><li>4. _____</li><li>5. _____</li><li>6. _____</li></ol>

#### Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.



PART B – To be completed by Parties giving approval

**Notes to the party giving written approval:**

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
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5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

Lagoon Capital Limited

Address of affected property including legal description

Lot 1 DP390394  
70C Te Kahikatoa Peninsula Road, Tauranga Bay

Contact Phone Number/s and email address

Daytime: 09 920 8600

email: pravir.tesiram@tgtlegal.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of **all** the legal owners and the occupiers of the affected property will be necessary.*

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature



Date

24 October 2024

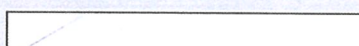
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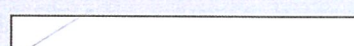
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25 October 2024

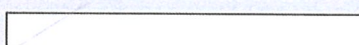
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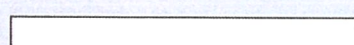
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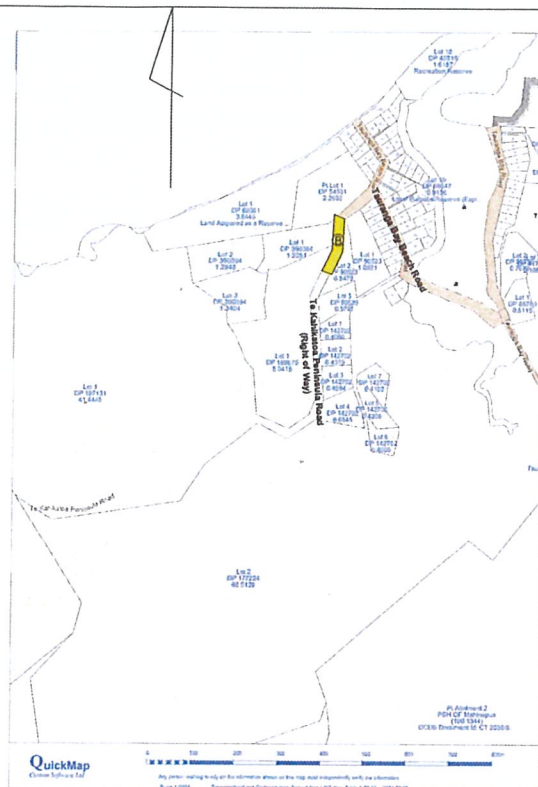
Signature



Date







LOCATION DIAGRAM

# PROPOSED EASEMENT

Purpose	Shown	Burdened	Benefited
Right of Way	(B)	Lot 1 DP 197131	Lot 2 DP 90523

## Current users of RoW

Lot 1 DP 197131 - owner  
 Lot 1 DP 189675  
 Lot 1 DP 390394  
 Lot 2 DP 390394  
 Lot 3 DP 390394

Coordinates are in terms of NZGD M Eden 2000  
 Heights are in terms of NZVD 2016  
 Origin of heights IT DP 66947 2.38(3V)

EXISTING EASEMENTS  
 Rights of Way  
 Rights to transmit  
 telecommunications  
 and electricity.  
 Rights to convey  
 water

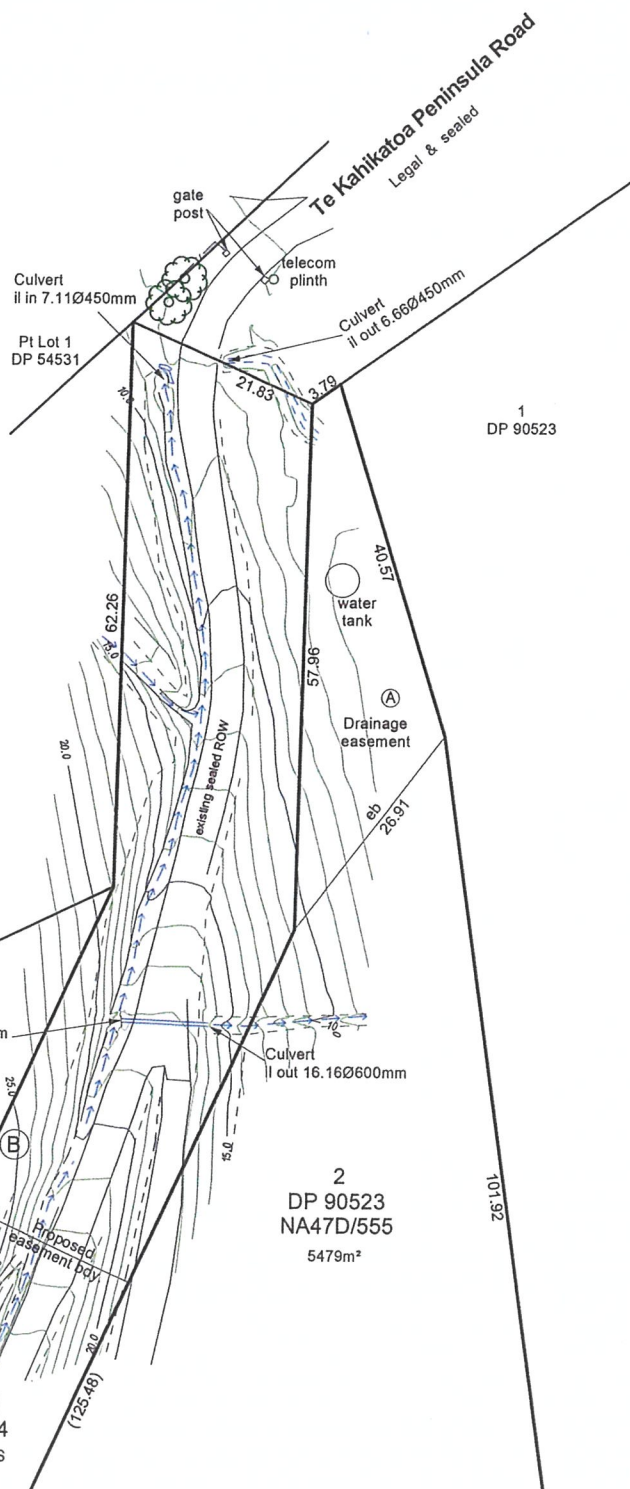
0 5 10 15 20 25 50

## PROPOSED RIGHT OF WAY OVER LOT 1 DP.197131

Applicant : M & A Blakelock  
 Title : NA47D/555  
 Total Area : 5479m<sup>2</sup>  
 Zone : Coastal Residential

Contour interval : 0.25m  
 Scale @ A3 : 1:500  
 Date : 18/06/2024  
 REF : 8455

**DONALDSONS**  
 REGISTERED LAND SURVEYORS



3



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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **362681**  
**Land Registration District** **North Auckland**  
**Date Issued** 01 October 2007

**Prior References**

NA119C/49      NA119C/51

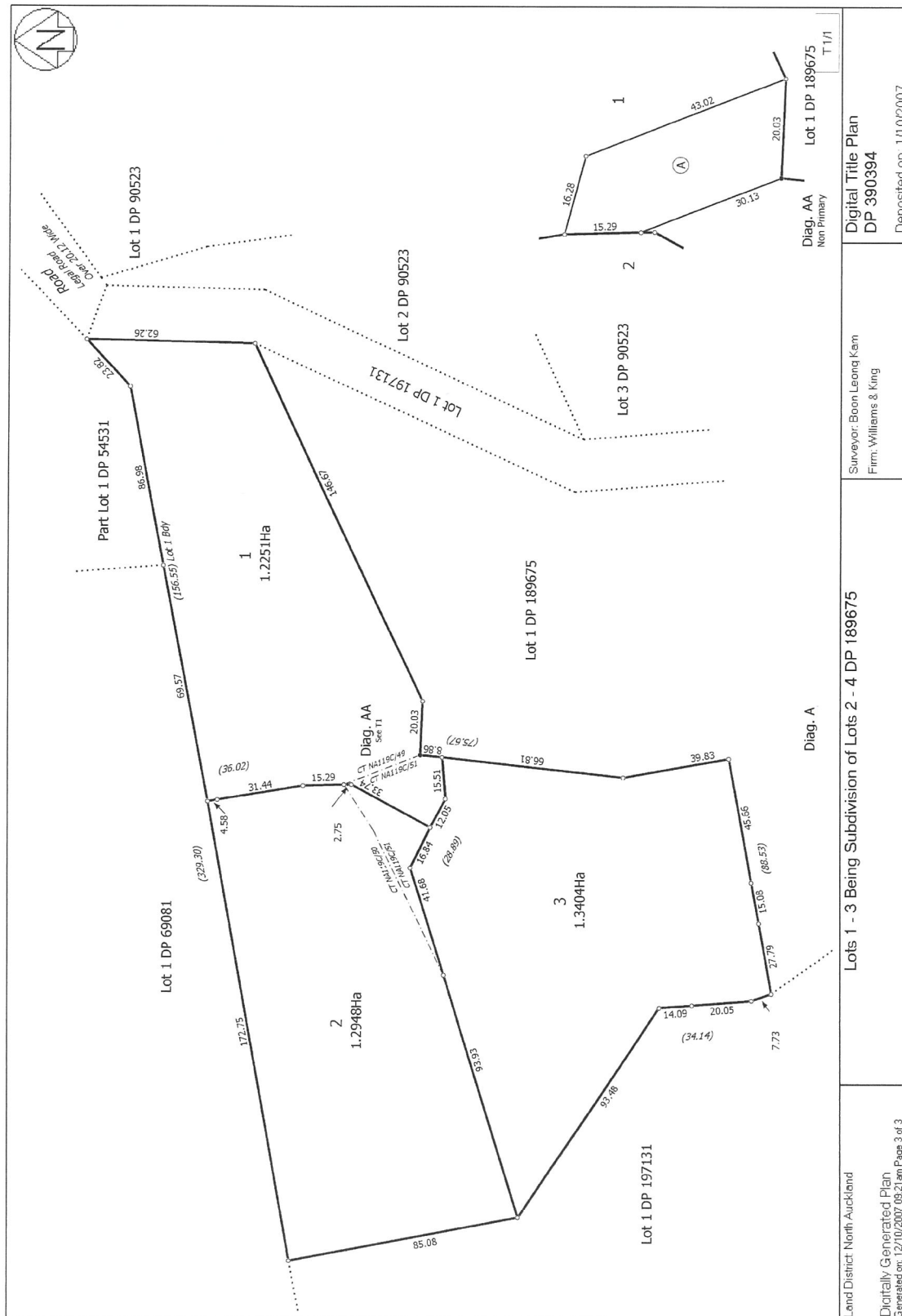
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**Estate** Fee Simple  
**Area** 1.2251 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 390394  
**Registered Owners**  
Lagoon Capital Limited

---

**Interests**

D397028.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 8.6.1999 at 3.13 pm  
Subject to an electricity right (in gross) over part marked A on DP 390394 in favour of Top Energy Limited created by Transfer D397028.7 - 8.6.1999 at 3.13 pm  
The easements created by Transfer D397028.7 are subject to Section 243 (a) Resource Management Act 1991  
Subject to a telecommunication right (in gross) over part marked A on DP 390394 in favour of Telecom New Zealand Limited created by Transfer D397028.8 - 8.6.1999 at 3.13 pm  
The easements created by Transfer D397028.8 are subject to Section 243 (a) Resource Management Act 1991  
Appurtenant hereto are rights of way and rights to convey water specified in Easement Certificate D397028.9 - 8.6.1999 at 3.13 pm  
Subject to a right of way and right to convey water over part marked A on DP 390394 specified in Easement Certificate D397028.9 - 8.6.1999 at 3.13 pm  
The easements specified in Easement Certificate D397028.9 are subject to Section 243 (a) Resource Management Act 1991





## NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

### PART A – To be completed by Applicant

Applicant/s Name:

Mark Blakelock

Address of proposed activity:

19 Kahikatoa Peninsular Road Tauranga Bay

Legal description:

Lot 2 DP.90523

Description of the proposal (including why you need resource consent):

To add an additional user to an existing right of way having five existing users, and to retain the existing formation as is.

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Scheme plan reference 8455

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

### Notes to Applicant:

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PART B – To be completed by Parties giving approval

**Notes to the party giving written approval:**

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4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval: AMANDA KENNEDY as agent for the registered proprietors of

Address of affected property including legal description: Lot 1 DP 197131 ("Butterfly Bay")  
Te Kahikatoa Peninsula Road

Contact Phone Number/s and email address: Daytime: email: amanda@just-law.co.nz

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of **all** the legal owners and the occupiers of the affected property will be necessary.*

1. I/~~We~~ have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
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4. I/~~We~~ understand that at any time before the notification decision is made on the application, I/~~we~~ may give notice in writing to Council that this approval is withdrawn.

Signature



Date

12 June 2025

Signature



Date

Signature

Date

Signature

Date

# LOCATION DIAGRAM

## PROPOSED EASEMENT

Purpose	Shown	Burdened	Benefited
Right of Way	(B)	Lot 1 DP 197131	Lot 2 DP 90523

## Current users of RoW

Lot 1 DP 197131 - owner  
 Lot 1 DP 189675  
 Lot 1 DP 390394  
 Lot 2 DP 390394  
 Lot 3 DP 390394

Coordinates are in terms of NZGD Mt Eden 2000  
 Heights are in terms of NZVD 2016  
 Origin of heights IT DP 66947 2.38(3V)

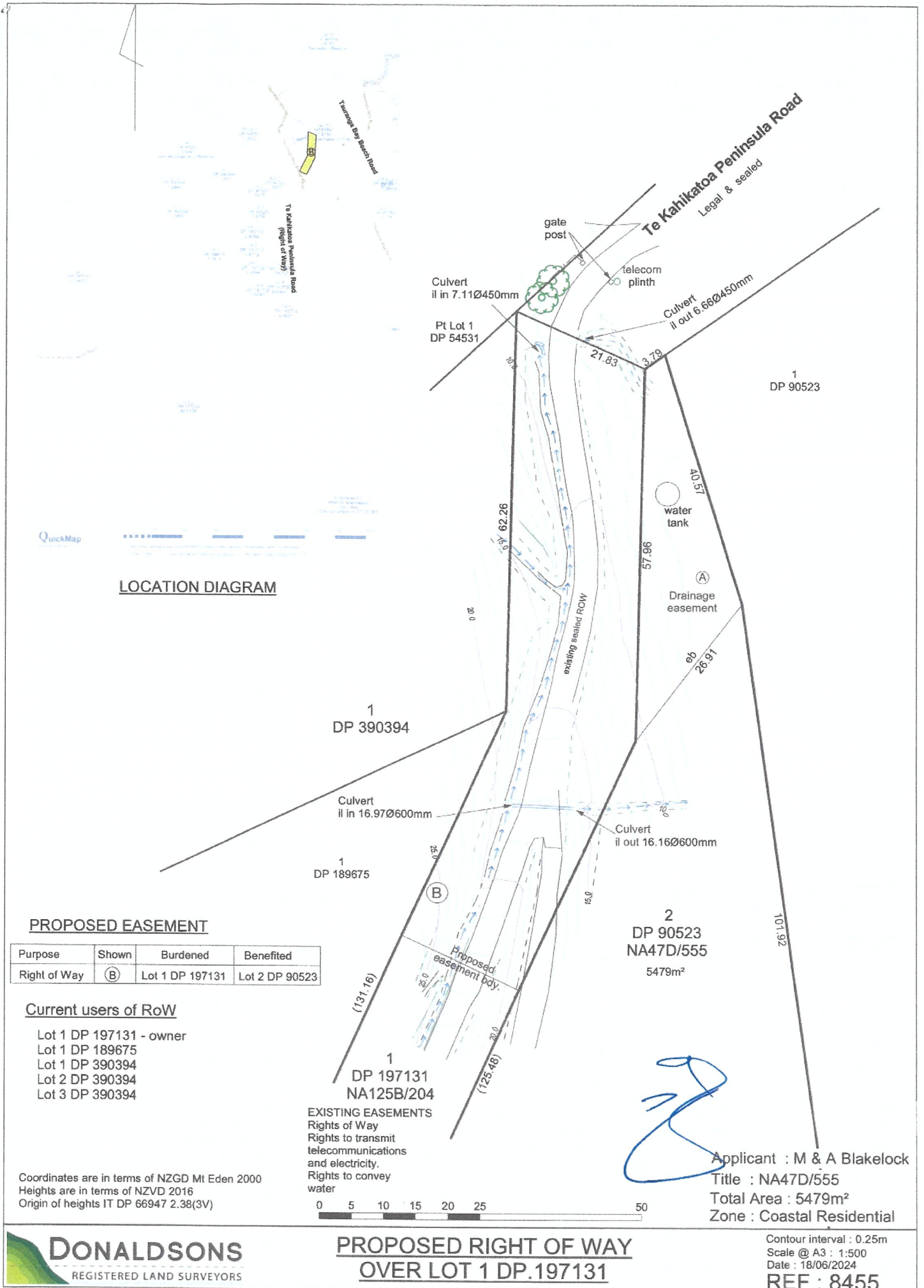
EXISTING EASEMENTS  
 Rights of Way  
 Rights to transmit  
 telecommunications  
 and electricity.  
 Rights to convey  
 water

0 5 10 15 20 25 50

## PROPOSED RIGHT OF WAY OVER LOT 1 DP.197131

Contour interval : 0.25m  
 Scale @ A3 : 1:500  
 Date : 18/06/2024  
 REF : 8455

Applicant : M & A Blakelock  
 Title : NA47D/555  
 Total Area : 5479m<sup>2</sup>  
 Zone : Coastal Residential



1



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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **NA125B/204**  
**Land Registration District** **North Auckland**  
**Date Issued** 08 June 1999

**Prior References**  
NA18D/931

---

**Estate** Fee Simple  
**Area** 41.4445 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 197131

**Registered Owners**

Julia Phoebe Kennedy Till and Simon Donald Travers Till as to a 1/4 share  
Simon Donald Travers Till and Julia Phoebe Kennedy Till as to a 1/4 share  
Elizabeth Ann Gardner, Katrina May Corden and Julie Irene Smith as to a 1/2 share

---

**Interests**

Subject to an electricity right (in gross) over part marked A on DP 189675 in favour of Top Energy Limited created by Transfer D397028.7 - 8.6.1999 at 3.13 pm

The easements created by Transfer D397028.7 are subject to Section 243 (a) Resource Management Act 1991

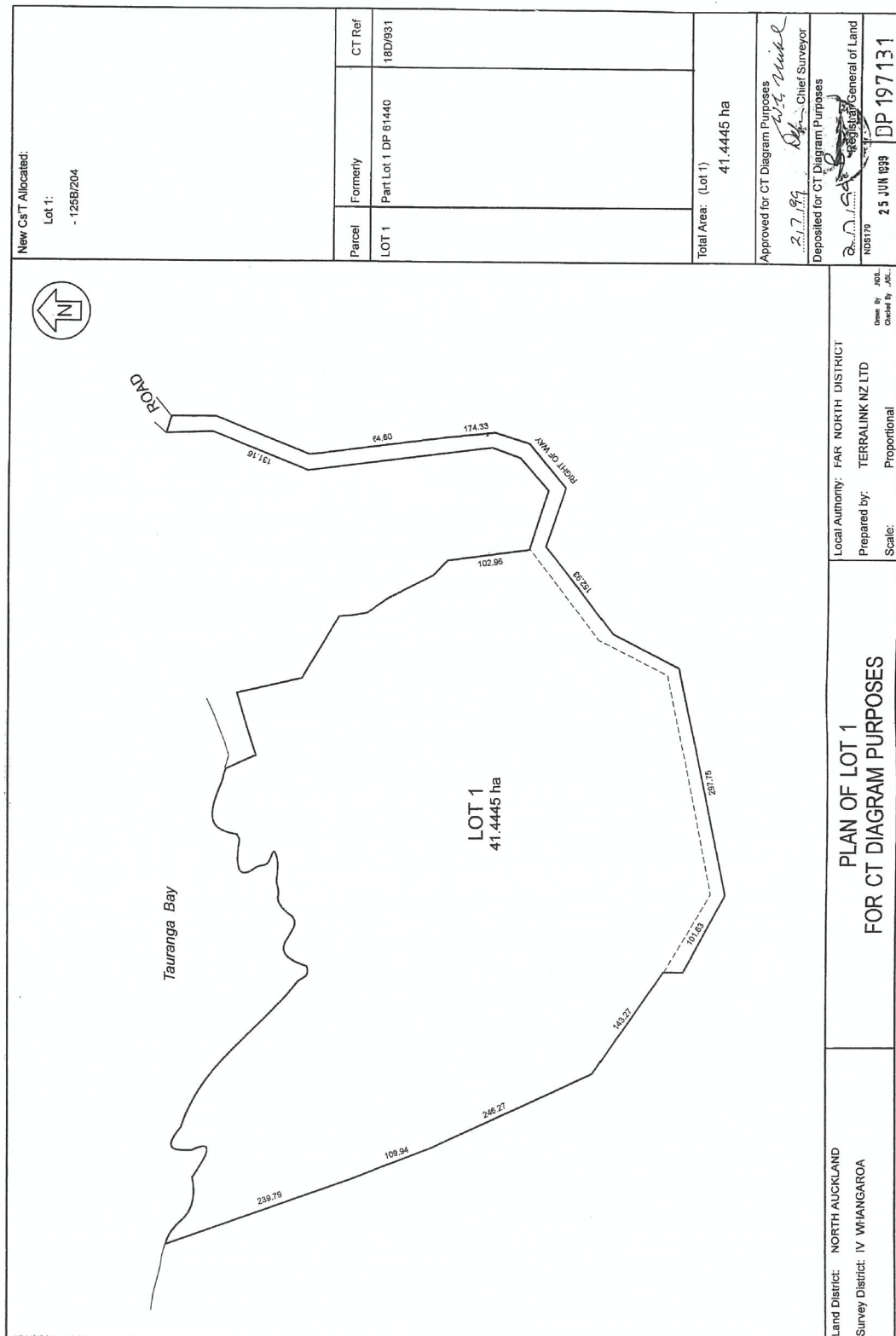
Subject to a telecommunication right (in gross) over part marked A on DP 189675 in favour of Telecom New Zealand Limited created by Transfer D397028.8 - 8.6.1999 at 3.13 pm

The easements created by Transfer D397028.8 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way and a right to convey water over part marked A on DP 189675 specified in Easement Certificate D397028.9 - 8.6.1999 at 3.13 pm

The easements specified in Easement Certificate D397028.9 are subject to Section 243 (a) Resource Management Act 1991







(2)



## NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

### PART A – To be completed by Applicant

Applicant/s Name:

Mark Blakelock

Address of proposed activity:

19 Kahikatoa Peninsular Road Tauranga Bay

Legal description:

Lot 2 DP.90523

Description of the proposal (including why you need resource consent):

To add an additional user to an existing right of way having five existing users, and to retain the existing formation as is.

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Scheme plan reference 8455

2.

3.

4.

5.

6.

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5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

AMANDA KENNEDY as agent for the registered proprietors of

Address of affected property including legal description

Lot 1 DP189675  
Te Kahikatoa Peninsula Road

Contact Phone Number/s and email address

Daytime:

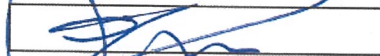
email: amanda@just-law.co.nz

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of **all** the legal owners and the occupiers of the affected property will be necessary.*

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Signature



Date

12 June 2025

Signature



Date




Signature



Date



Signature



Date





# LOCATION DIAGRAM

## PROPOSED EASEMENT

Purpose	Shown	Burdened	Benefited
Right of Way	(B)	Lot 1 DP 197131	Lot 2 DP 90523

## Current users of RoW

Lot 1 DP 197131 - owner  
 Lot 1 DP 189675  
 Lot 1 DP 390394  
 Lot 2 DP 390394  
 Lot 3 DP 390394

Coordinates are in terms of NZGD Mt Eden 2000  
 Heights are in terms of NZVD 2016  
 Origin of heights IT DP 66947 2.38(3V)

EXISTING EASEMENTS  
 Rights of Way  
 Rights to transmit  
 telecommunications  
 and electricity.  
 Rights to convey  
 water

0 5 10 15 20 25

## PROPOSED RIGHT OF WAY OVER LOT 1 DP.197131

Applicant : M & A Blakelock  
 Title : NA47D/555  
 Total Area : 5479m<sup>2</sup>  
 Zone : Coastal Residential

Contour interval : 0.25m  
 Scale @ A3 : 1:500  
 Date : 18/06/2024  
 REF : 8455

PART B – To be completed by Parties giving approval

**Notes to the party giving written approval:**

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5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval: AMANDA KENNEDY as agent for the registered proprietors of

Address of affected property including legal description: Lot 1 DP189675  
Te Kahikatoa Peninsula Road


Contact Phone Number/s and email address: Daytime: email: amanda@just-law.co.nz

I am/we are the ~~OWNER(S)~~ / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of **all** the legal owners and the occupiers of the affected property will be necessary.*

1. I/~~We~~ have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/~~We~~ have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/~~We~~ understand and accept that once I/~~we~~ give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/~~We~~ understand that at any time before the notification decision is made on the application, I/~~we~~ may give notice in writing to Council that this approval is withdrawn.

Signature



Date

12 June 2025

Signature



Date

Signature

Date

Signature

Date



# LOCATION DIAGRAM

## PROPOSED EASEMENT

Purpose	Shown	Burdened	Benefited
Right of Way	(B)	Lot 1 DP 197131	Lot 2 DP 90523

## Current users of RoW

Lot 1 DP 197131 - owner  
 Lot 1 DP 189675  
 Lot 1 DP 390394  
 Lot 2 DP 390394  
 Lot 3 DP 390394

Coordinates are in terms of NZGD Mt Eden 2000  
 Heights are in terms of NZVD 2016  
 Origin of heights IT DP 66947 2.38(3V)

EXISTING EASEMENTS  
 Rights of Way  
 Rights to transmit  
 telecommunications  
 and electricity.  
 Rights to convey  
 water

0 5 10 15 20 25

## PROPOSED RIGHT OF WAY OVER LOT 1 DP.197131

Applicant : M & A Blakelock  
 Title : NA47D/555  
 Total Area : 5479m<sup>2</sup>  
 Zone : Coastal Residential

Contour interval : 0.25m  
 Scale @ A3 : 1:500  
 Date : 18/06/2024  
 REF : 8455



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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA119C/48**  
**Land Registration District** **North Auckland**  
**Date Issued** 08 June 1999

**Prior References**  
NA18D/931

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**Estate** Fee Simple  
**Area** 5.0418 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 189675

**Registered Owners**

Simon Donald Travers Till, Julia Phoebe Kennedy Till and Peter James Rowe as to a 1/2 share  
Elizabeth Ann Gardner, Katrina May Corden and Julie Irene Smith as to a 1/2 share

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**Interests**

Subject to a telecommunication right (in gross) over parts marked B, C and E on DP 189675 in favour of Telecom New Zealand Limited created by Transfer D397028.8

The easements created by Transfer D397028.8 are subject to Section 243 (a) Resource Management Act 1991  
D397028.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 8.6.1999 at 3.13 pm

Subject to a electricity right (in gross) over parts marked B, C and E on DP 189675 in favour of Top Energy Limited created by Transfer D397028.7 - 8.6.1999 at 3.13 pm

Appurtenant hereto is a right of way and right to convey water specified in Easement Certificate D397028.9 - 8.6.1999 at 3.13 pm

Subject to a right of way and right to convey water over parts marked B, C and E on DP 189675 specified in Easement Certificate D397028.9 - 8.6.1999 at 3.13 pm

The easements specified in Easement Certificate D397028.9 are subject to Section 243 (a) Resource Management Act 1991  
7641734.1 Mortgage to ANZ National Bank Limited - 5.12.2007 at 2:51 pm

