

27 May 2021

Email: brady@apache-management.com

Bayswater Marina Holdings Limited
Bayswater Marina
21 Sir Peter Blake Parade
Bayswater
Auckland 0622

Attn: Brady Nixon

Bayswater Development – Resource Consent Application – Marina Car Parks

1. I refer to our discussion on Tuesday 25 May. You have advised that as part of the current resource consent application for the redevelopment of the Bayswater Marina Auckland Council has requested a copy of the marina carparking lease between Bayswater Marina Holdings Limited and Trustees Executors as trustee of the berth holders.
2. The terms of the lease are commercially sensitive to both lessor and lessee. It records private property rights and we do not see its relevance to the consent application. You should not provide a copy of the lease to Auckland Council but you can describe your obligations under the lease in a non-specific way.
3. In that regard and in relation to your right to redevelop the land on which the car parks are currently located, I confirm that the lease entitles you to undertake that redevelopment work including relocation of the carparks, but does oblige you to reinstate the car parks to a standard of amenity which is not less than their current standard.
4. You should feel free to include a copy of this letter with the section 92 response to Auckland Council.

Kind regards

Hornabrook Macdonald Lawyers



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MSH-133607-13-302-1