

From: [Andy Tian](#)
To: [David Dryden](#)
Cc: [Delilah McIntyre](#); [David Newman](#); [Norm Greenall](#); [John Dunlop](#)
Subject: Re: 20 Melia Place - MfE Issue - Written Approval Forms
Date: Monday, 18 October 2021 12:09:08 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon David,

Hope you had a good weekend.

First of all, we are sorry the see the land can not be settled due to pending satisfaction of clause 23.3. Although we want to settle it as much as you do, we fully understand that the current COIVD alert level is not allowing the condition to be fulfilled. We are happy to work with you to have it solved as soon as possible. Also, to show our good faith, we are not charging any penalty interest currently. I'm available to meet with you to discuss it any time you feel appropriate.

About the Written Approval. I just wanted to explain a bit more about the works to make sure we are all on the same page. We certainly appreciate the concerns.

1. I wanted to assure you that there are no retaining walls proposed on your land. I wanted to highlight those that were close to the boundary to make you aware of them, but to be clear these are not on the RSA site. We appreciate the concerns raised around the maintenance of retaining walls. This will be solely the responsibility of Melia Development Limited, not at all on the RSA. We are currently working through a solution to bring these walls back from the boundary with your site, in order to ensure maintenance can occur solely on our site, without requiring any entry from the RSA land.

2. In regards to the works required on your site to establish the vehicle crossing, this has been limited to as little as possible. What it will require is a small amount of scrape and fill to flatten the driveway in order to establish the vehicle crossing from our site to the RSA site. The driveway will be fully reinstated at the cost of the client. This is in order to implement the ROW access over the RSA site that is already legally provided for.

3. I also want to clarify that we are not proposing any works to the existing memorial wall.

Hope the above has addressed your concerns well. If it's ok, we can make the updated plans asap for you to sign off.

Looking forward to hearing from you.

Kind Regards,



Andy Tian | Design Manager
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1010

On Thu, Oct 14, 2021 at 10:01 AM <ddas@xtra.co.nz> wrote:

Hi Andy

After canvassing opinions from my two Vice Presidents we do not want to sign this off at this stage.

Below are some of the arguments against:

"We have a 'Sale & Purchase Agreement', now 12 months old and settlement now overdue.

Ground levels were accepted as they were and are now; when the 'above doc was signed & accepted'.

No mention in that agreement, that they wished to raise or lower ground levels, between us and them; or rather across our new mutual new boundary, into our land.

What it means to me, is they are 'over planning their development' causing the effects to spill out into our land, for their benefit.

This has a cost for them, and they are trying to 'push' on to us; if we accept such things.

If they must raise ground levels; any retaining walls need to be sited on their land, and fully constructed and maintained at their cost into the future.

Then no effect on the HCCRSA land, and into the future.

This means that the wall is not a liability on the HCCRSA, now and in the future.

Unfortunately retaining walls have a cost, usually big and at failure time. They are not cheap.

Why should we take on liability, because of "their in-ability to design within their purchased land". They know how big the parcel of land is !

If we decided to accept such intrusions, then all costs on them and a cash payment to us to buy this intrusion.

In the end, I am completely against us accepting raised or lowered boundary ground levels. Even if we accept payment for it."

If it is possible we are prepared to have an on site meeting to discuss this matter. I don't know if Delilah has been to the site and the extent of the memorial wall and the urns buried behind it.

Cheers

David

W. David Dryden

President

Hibiscus Coast Community RSA Inc

Mob: 021 023 013 50

On 13 October 2021 at 10:12 Andy Tian <andy@kipg.co.nz> wrote:

Thanks Delilah.

Looking forward to hearing from you, David

Cheers



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On Wed, Oct 13, 2021 at 9:28 AM Delilah McIntyre <delilah@civix.co.nz> wrote:

Hi Andy and David,

A quick note – I've just updated the Earthworks plans in the link as there were some pages missing, all good to go now. Thanks

Kind Regards,

Delilah McIntyre |  | **Intermediate Planner** | **M** +64 27 650 2280
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From: Andy Tian <andy@kipg.co.nz>
Sent: Tuesday, 12 October 2021 3:01 pm
To: David Dryden <ddas@xtra.co.nz>
Cc: Delilah McIntyre <delilah@civix.co.nz>
Subject: Fwd: 20 Melia Place - MfE Issue - Written Approval Forms

Good afternoon David,

Hope all is well.

Pity that we seem unable to meet and discuss the settlement very soon.

In the meantime, We will appreciate your approval of the plans in the below link.

If it's all good with you, your signature will be required on each page of the plans and the approval from. As mentioned by Delilah there are a couple of points where the earthworks will cross the boundaries a little to get the access level right.

Please let us know if you have any questions.

Looking forward to hearing from you soon.

Much appreciated



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----- Forwarded message -----

From: **Delilah McIntyre** <delilah@civix.co.nz>

Date: Tue, Oct 12, 2021 at 12:40 PM

Subject: RE: 20 Melia Place - MfE Issue - Written Approval Forms

To: Andy Tian <andy@kipg.co.nz>

Cc: Lyndsay Macauley <lyndsaym@archaus.co.nz>

Hi Andy,

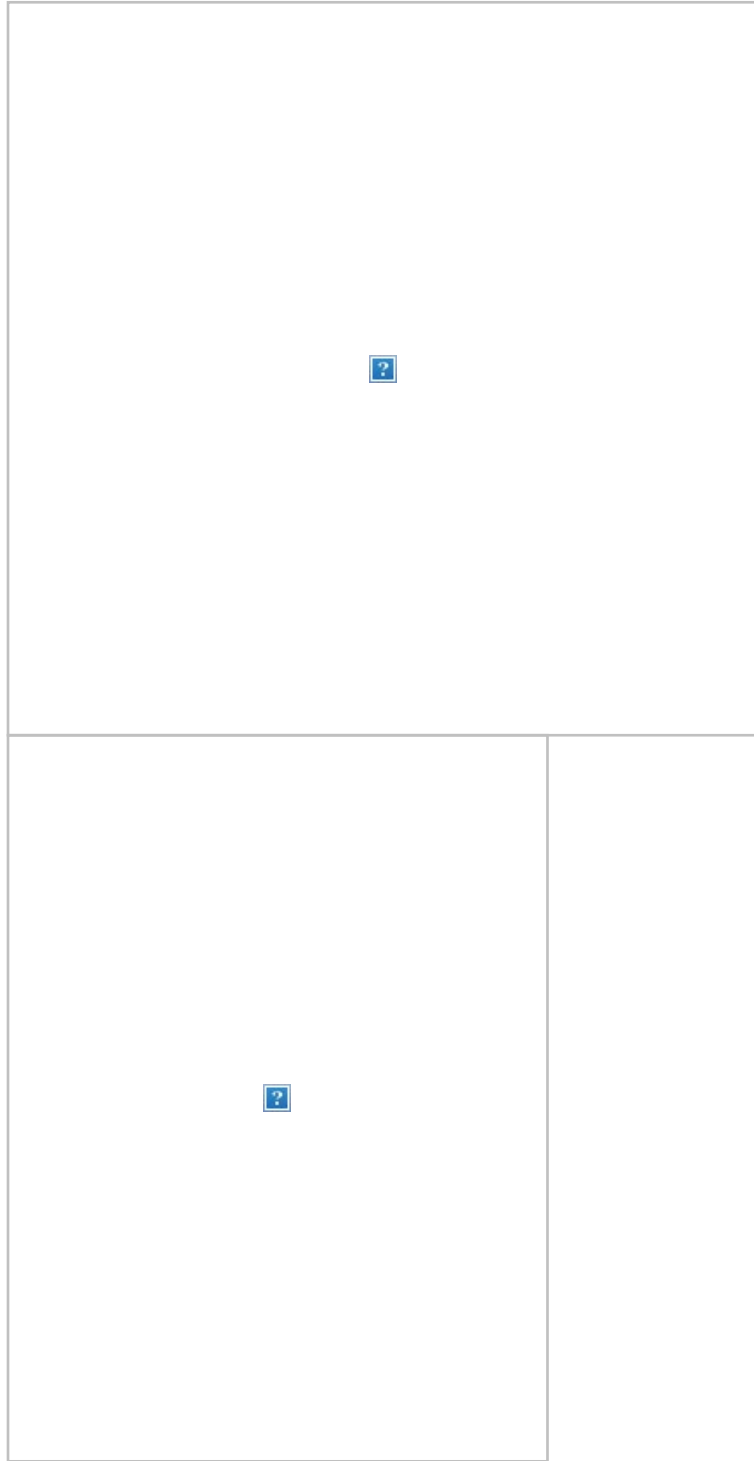
Please see plans and form linked below for RSA sign off.

[https://www.dropbox.com/sh/td6yl5q96b8dceh/AAA111IIMlai5vAR0OWOEDama?
dl=0](https://www.dropbox.com/sh/td6yl5q96b8dceh/AAA111IIMlai5vAR0OWOEDama?dl=0)

Can you please point out to them that we are proposing a bit of earthworks on their site to get the access levels we need, just want to make sure they're okay with that.



Also I've circled below the bit of retaining wall that will be adjacent to their site approx. 2.2m high max above existing ground level.



Kind Regards,

Delilah McIntyre |  | **Intermediate Planner** | **M** +64 27 650 2280
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