



22 March 2021

The Chairman
Paihia Waterfront Development Steering Group
C/o Business Paihia
Paihia

Dear Charles.

As the Paihia Waterfront Development has progressed the communities desire to also complete the reclamation in front of the Paihia Maritime Buildings, through fund raising, has been tabled as one way of achieving the delivery of this element of the project.

With FNHL holding the consent there has been a number of questions raised on the matter. The FNHL Board is supportive of the community fund raising the money needed to carry out the work on the basis that, if they are successful, the reclaimed space created is used for open public space or whatever purpose the community so decide.

To further clarify the understanding, the FNHL Board made the following commitments. That whilst the area created will likely end up in FNHL's ownership, if a title was sought under present legislation, FNHL will covenant the reclamation title in such a way as to ensure the communities aspirations of open public space are protected.

FNHL will not use the space created for the purposes of constructing the two consented buildings on the land area, FNHL will covenant not to build any structures.

FNHL will work with Council on the possibility that Council takes over the title, on it being issued, should Council wish to. Any title will be suitably noted as being for open public space uses only with the following exceptions:

FNHL would limit any Alfresco dining area outside of the veranda posts of the existing Maritime building to a maximum of 5mtrs, on the eastern and northern faces of the building ensuring a circa 15m minimum public access around the building on the front and over 40 mtrs on the east.

FNHL reserve the right to have access rights over the new area for developing and providing ongoing access to a helicopter landing pad, and associated booking office, such landing pad possibly being designed for use as an Emergency Helicopter pad, and thus vehicle/ambulance access use. The landing pad would be funded by FNHL and note that the moving of the existing helicopter pad and associated office would be at FNHL cost, but in moving the existing Salt Air office it creates open space over property currently owned by FNHL.

FNHL would provide for public access across its other immediate land holdings external of any existing building to ensure unrestricted access to the new area.

In the event the land is transferred to Council or any other third party FNHL would require that it has ownership off the boardwalk where it is built over the sea around the perimeter of the reclamation, to ensure it has access for any future water-based development that may occur.

With ownership of the boardwalk FNHL would undertake all maintenance required of the boardwalk for a period of 50 years and provide those same public access rights access over the boardwalk as it has over the adjoining wharf.

We trust the above clarifies the points raised by the community and look forward to working with the Steering group and community to see this exciting project to conclusion.

Yours Faithfully

A handwritten signature in blue ink, appearing to read 'Andy Nock', with a long horizontal flourish extending to the right.

Andy Nock
CHIEF EXECUTIVE