



### Is this the right application form for me?

Use this application form for existing or proposed buildings/structures (e.g. boatsheds, sheds, retaining walls, bridges, steps, etc.) on Sounds Foreshore Reserve (SFR).

The Department of Conservation (DOC) will process the application and issue a concession if it is satisfied that the application meets all the requirements for granting a concession under Part 3B of the Conservation Act 1987.

You can also use this form to apply for a 'variation' of a current licence/lease concession if the change(s) are only minor. A variation can't be used if you want to extend the term, substantially change the location or increase the environmental effects of your concession activity.

### What other application forms may be relevant?

If you seek an easement concession across SFR, either to benefit other land or in gross (e.g. right of way), for the following purpose:

- a right to convey water.
- a right to drain water.
- a right to drain sewage.
- a right of way.
- a right to convey electricity.
- a right to convey telecommunications.
- a right to convey gas.

Use or include this [form for new easement applications and variations to an existing easement concession](#)<sup>1</sup> across land administered by DOC.

### How do I complete this application form?

- Complete all relevant sections of this form.
- DOC encourages electronic applications (e.g. typed Word document), rather than handwritten applications. Electronic applications are easier to read and less likely to be returned to you for clarification.
- If you need extra space, attach or include extra documents and label them according to the relevant section. Record all attachments in the table at the back of the application form (section L).

**Note:** Personal and sensitive information will be managed by DOC confidentially. For further information check [DOC's privacy and security statements](#)<sup>2</sup>.

<sup>1</sup> <https://www.doc.govt.nz/globalassets/documents/about-doc/concessions-and-permits/concessions/easement-application-form.pdf>

<sup>2</sup> <https://www.doc.govt.nz/footer-links/privacy-and-security/>

### **If I need some help, where do I get more information?**

- Check DOC's [SFR Licences/Concessions](#)<sup>3</sup> and [Access structures on SFR](#)<sup>4</sup> webpages.
- DOC recommends that the applicant contact the Waitohi/Picton District Office to discuss the application and arrange a pre-application meeting (either face to face or over the phone) prior to filling in this form. Phone +64 3 520 3002. Email [picton@doc.govt.nz](mailto:picton@doc.govt.nz)
- It is also recommended that you seek legal advice for guidance when completing this form.

### **Have you considered DOC's statutory planning documents?**

Your building or structure must not be inconsistent with [DOC's relevant statutory planning documents](#)<sup>5</sup> as they set out how DOC and our Treaty partners manage public conservation land. Statutory planning documents can have a direct impact on your application, for example they may set the specific track limitations and vegetation clearance.

Book a pre-application meeting with DOC staff if you require assistance with navigating DOC's statutory planning documents.

### **How do I submit my application?**

Email your completed application and any other attachments to: [permissions@doc.govt.nz](mailto:permissions@doc.govt.nz)

### **What happens next?**

Once received, your application will be assessed by DOC. If your application is complete, DOC will begin processing.

If your application is incomplete, it will be returned to you with a request for more information.

### **Why does DOC ask for this information?**

The questions in this application form are designed to cover the requirements set out in DOC's conservation legislation. DOC will not use this information for any other reason not related to that purpose. Your answers allow us to assess:

- The effects of your encroachment and your proposed methods to avoid, remedy or mitigate any adverse effects of the activity.
- Your creditworthiness – a factor in determining whether DOC should extend credit to you and set up a DOC customer accounts receivable credit account for cost recovery. To make this assessment DOC will supply your information to a credit checking agency.

**Note:** Personal information will be managed by DOC confidentially. For further information check [DOC's privacy and security statements](#)<sup>6</sup>.

Information collected by DOC may be supplied to a debt collection agency in the event of non-payment of payable fees.

<sup>3</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/individuals/sounds-foreshore-reserve-licences-and-concessions/>

<sup>4</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/individuals/access-structures-on-the-sounds-foreshore-reserve/>

<sup>5</sup> <https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/>

<sup>6</sup> <https://www.doc.govt.nz/footer-links/privacy-and-security/>

## Treaty Partner consultation

DOC has a responsibility to give effect to the principles of the Treaty of Waitangi in all areas of our work and may consult with our Treaty Partners about your application. More information can be found on the DOC website on our [iwi/hapū/whānau consultation](#)<sup>7</sup>.

Contact your [local DOC office](#)<sup>8</sup> if you require further information about consultation.

## What fees will I pay?

You will be charged a processing fee for this application, regardless of whether your application is granted or not. If your application is granted, you may be required to pay annual activity and management fees.

DOC will send you a cost estimate of the processing fee once your application has been accepted. If further charges are likely to be incurred, DOC will provide you with a revised estimate.

DOC will invoice your processing fees after your application has been considered. If your application is large or complex, DOC may undertake billing at intervals periodically during processing until a decision is made. If you withdraw your application DOC will invoice you for the costs incurred up to the point of your withdrawal.

**Your application will set up a credit account with DOC.** See the checklist at the end of the form for the terms and conditions you need to accept for a DOC credit account.

In addition, if you are granted a licence over public conservation land you may also be required to pay a bond, insurance, monitoring fees and [ongoing activity fees](#)<sup>9</sup> and management fees.

## Bond

A bond may be required to ensure compliance with the conditions of a Sounds Foreshore Reserve permit or licence. The amount of the bond will be set at an appropriate level to recognise potential costs. The bond may be an unconditional on-demand surety bond or a cash bond held in trust and refunded (with any interest) at the conclusion of the building activity or called upon to ensure compliance with the conditions of the permit or licence.

## Will my application be publicly notified?

Your application will be publicly notified if:

- It is a license with a term of more than 10 years.
- It is a lease.
- After having regard to the effects of the activity, DOC considers it appropriate to do so.

Public notification will increase the time and cost of processing your application.

## What does DOC require if my application is approved?

If your application is approved DOC requires **insurance** to indemnify the Minister of Conservation against any claims or liabilities arising from your occupation and/or activities on SFR. The level of insurance cover will depend on the activity.

**Note:** DOC/Minister can vary the concession if the information on which the concession was granted contained material inaccuracies. DOC may also recover any costs incurred.

<sup>7</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/iwi-consultation/>

<sup>8</sup> <https://www.doc.govt.nz/footer-links/contact-us/office-by-name/>

<sup>9</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/ongoing-concession-fees/>

## A. Applicant details

Legal status of applicant (tick)	<input checked="" type="checkbox"/> Individual (Go to ①)		
	<input type="checkbox"/> Registered company (Go to ②)	<input type="checkbox"/> Trust (Go to ②)	
	<input type="checkbox"/> Incorporated society (Go to ②)	<input type="checkbox"/> Other (Go to ②)	

①	Applicant name (individual)	[REDACTED]		
	Phone	[REDACTED]	Mobile phone	[REDACTED]
	Email	[REDACTED]		
	Physical address	[REDACTED] [REDACTED]	Postcode	[REDACTED]
	Postal address (if different from above)		Postcode	

②	Applicant name (full name of registered company, trustees, educational institute or incorporated society)			
	Trading name or trust name (if different from applicant name)			
	NZBN if applicable (To apply go to: <a href="https://www.nzbn.govt.nz">https://www.nzbn.govt.nz</a> )	Company, trust or incorporated society registration number		
	Registered office of company or incorporated society (if applicable)			
	Company phone	Company website		
	Contact person and role			
	Phone	Mobile phone		
	Email			
	Postal address		Postcode	
	Street address (if different from Postal address)		Postcode	

## B. Variation of an existing licence and/or concession.

Is this application *varying* an existing licence/lease concession?

No	<input checked="" type="checkbox"/>
Yes	<input type="checkbox"/>
Licence/lease concession number(s) you wish to vary	

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## C. Pre-application meeting

Have you had a pre-application meeting or spoken to someone in DOC?

No (continue to section D.)

Yes (record details below)

Date of DOC pre-application meeting	2019 and 2023
Name of DOC staff member(s)	Wendy Sullivan, DOC Picton Trish Gill, Christchurch Shared Service Centre
Name of person(s) who had the pre-application meeting with DOC	Rob and Sue Allison Andrew Logan, Mortlock McCormack Law.

Record relevant notes/comments:

Letter from DOC 23<sup>rd</sup> August 2019, undersigned by Wendy Sullivan. The letter outlined the necessary steps for applying to DOC for authorisation for several access and storage related activities.

Applications lodged with DOC 1<sup>st</sup> November 2019 in response to the letter.

Email from DOC (Trish Gill) 16<sup>th</sup> November 2023 outlining the concessions process for all activities on the Sounds Foreshore Reserve

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## D. What structures or activities are currently on SFR fronting your property?

**All existing/new structures or activities** are required to have prior approval for the continued occupancy of SFR. This may mean you have unauthorised structures or activities adjacent to your property that you are unaware of.

**Please select below all appropriate structures and activities in relation to SFR fronting your property (Licensed and/or Unlicensed):**

Boardwalk	Boatshed	Box steps
Bridge	<b>Concrete path</b>	Concrete steps
<b>Conveying electricity</b>	Conveying gas	Conveying telecoms
Conveying water	Culvert	Decking
<b>Drainage/Stormwater pipe</b>	<b>Handrail</b>	<b>House/Garage (NM-30549-SFR)</b>
<b>Retaining wall &lt;1.5m</b>	<b>Retaining wall &gt;1.5m</b>	Seawall

Septic system  
Slipway  
Tramway/Trolley

Shed  
**Staircase**  
**Water tank**

Shelter  
Step risers  
Other: **Boardwalk**

**The above highlighted structures and activities make up this application and the easement application.**

**Note:** If the activity is not in this list check the activity on the DOC website to find the correct application form or book a pre-application meeting. Application forms that combine applicant and activity information on the DOC website include:

- [Aircraft activities](#)<sup>10</sup>
- [Easements](#)<sup>11</sup>
- [Land based guiding](#)<sup>12</sup>

**Provide details of currently held SFR Licenses, Permissions/Permits and Easements:**

NM-30549-SFR license for the partial encroachment on the SFR by the garage (21.3m<sup>2</sup>). This application is to continue the occupation of the garage.

The remaining structures don't have a current authorisation, however, many of the retaining and access structures have had previous permission to be installed on the SFR.

In July 2014 – DOC granted the previous owner's permission to construct and install - retaining wall, walkway, wall, stairs and steps, boardwalk and undertake planting in accordance with the supplied application detail. The authorization was for 6mths, and it was to reinstate access from the SFR after the property sustained damage from a major slip.

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## E. Duration

State how long (months and years) you want any granted concession for private buildings or structures and why.

***Note: An application for a concession for a period over 10 years must be publicly notified, an application for a concession up to 10 years will not be publicly notified unless the adverse effects of the activity are such that it is required, or if an exclusive interest in the land is required.***

Application for ten year concession.

We do not anticipate any changes within that period of time.

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<sup>10</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

<sup>11</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

<sup>12</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/land-based-guided-activities/>

**F. Is this application for existing or new buildings and structures?**

Select from the following:

- No (for **new buildings and structures only** fill in all sections **except** Section G.)
- Yes (for **existing buildings and structures only** fill in all sections **except** Section H.)
- Both (for **existing AND new buildings and structures** complete **both** Sections G. & H.)



## G. Existing Buildings or Structures – Description of Encroachment on Sounds Foreshore Reserve

1. Provide the Lot, Deposited Plan (DP) number and name of the bay of the **adjoining property** to the encroachment.

Lot number: One (1)

DP number: 1896

Name of the bay: Whatamango Bay

Address (if applicable): 351 Port Underwood Road, Whatamango.

2. Describe in detail the existing encroachment, including when it was installed / constructed, the size and footprint of the structure/s and the purpose of the structure/s. Attach all relevant information and list in section L Attachments including:

- Record(s) of Title for your property (mandatory)
- Maps
- NZTM coordinates
- Photographs
- Survey plans
- Resource consent applications
- Concept plans
- Engineering reports
- Other

The existing garage encroaches the SFR by 21.3m<sup>2</sup>. The garage was granted a SFR licence to occupy in 2008 and has had permission since this time. It was built earlier, likely around 2003.

Images and photos attached to this application.

The rest of the structures relate to the adjoining property, mainly for retaining and access purposes. However, water tanks (x2) are situated under the garages decking footprint.

These are to provide back-up water for the house in times of low rainfall. They also provide fresh water to the boatshed.

Each structure is details below:

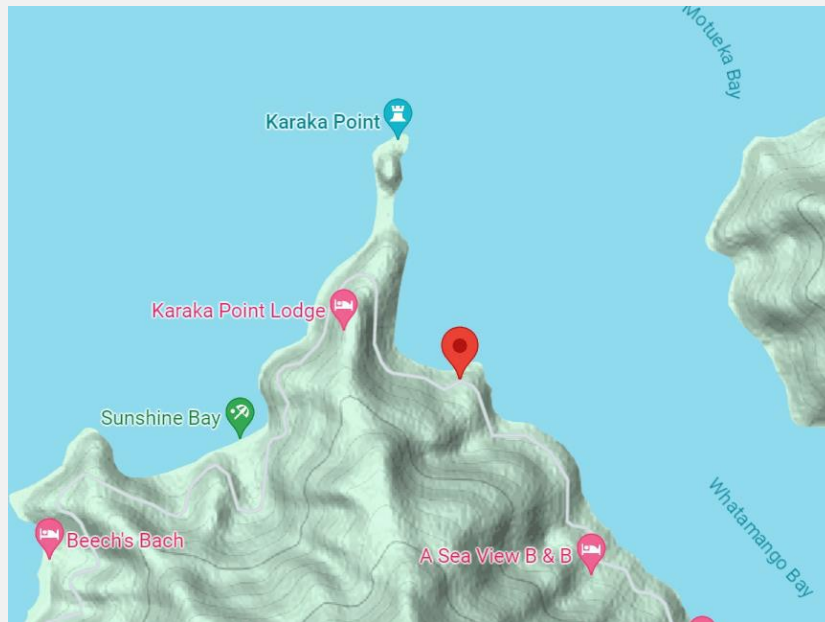
Water tanks x 2 – above ground, situated under the garage decking footprint and are 5000 litres each in size.

Concrete driveway – partially encroaching on the SFR by approx. 6.2m<sup>2</sup>. This is part of the access from the roadside to our private property. This was installed by previous owners under the impression it was not on the SFR.

Retaining walls – at the bottom of the path. A concrete bottom is approximately 3m (wide) x 1.5m (high).

Electrical cable – running from the adjoining property to the retaining walls, handrails, boardwalk and steps. This has been captured in a separate easement application.

Location map:



Land parcel map:



Images of the structures accompany this application.

Could this structure/work be reasonably located on your private property? Provide details of other sites considered:

No. The structures were all installed by a previous landowner. Given the size of the section, the topography of the adjoining land to the SFR and the size of the structures, there is no option to fit them all on the adjoining land.

The structures mainly relate to the access from the water and the SFR is between our property and the water.

Many of the structures were approved to install on the SFR to preserve access and the stability of the land, as a consequence of a landslip that occurred in 2014. As this resulted in direct effects to the SFR, there is no reasonable location off the SFR.

3. Is the building going to be used for commercial purposes? Give details/reasons.

No. The dwelling on the private land that adjoins the SFR and the structures on the SFR relate to is a private holiday home for the owners and any guests of theirs.

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## H. New Structures/Work - Description of Encroachment on Sounds Foreshore Reserve

1. Provide the Lot, Deposited Plan (DP) number and name of the bay of the adjoining property to the encroachment.

Lot number:

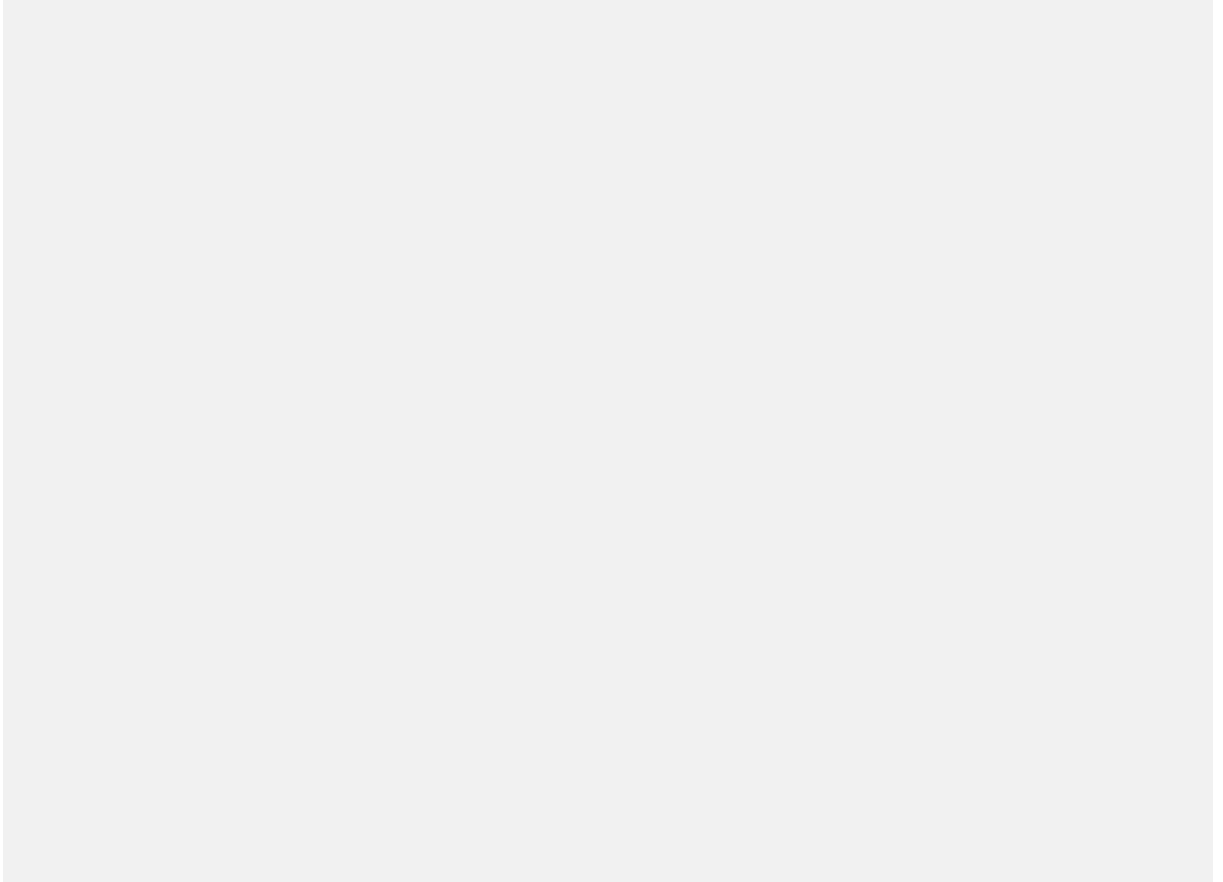
DP number:

Name of the bay:

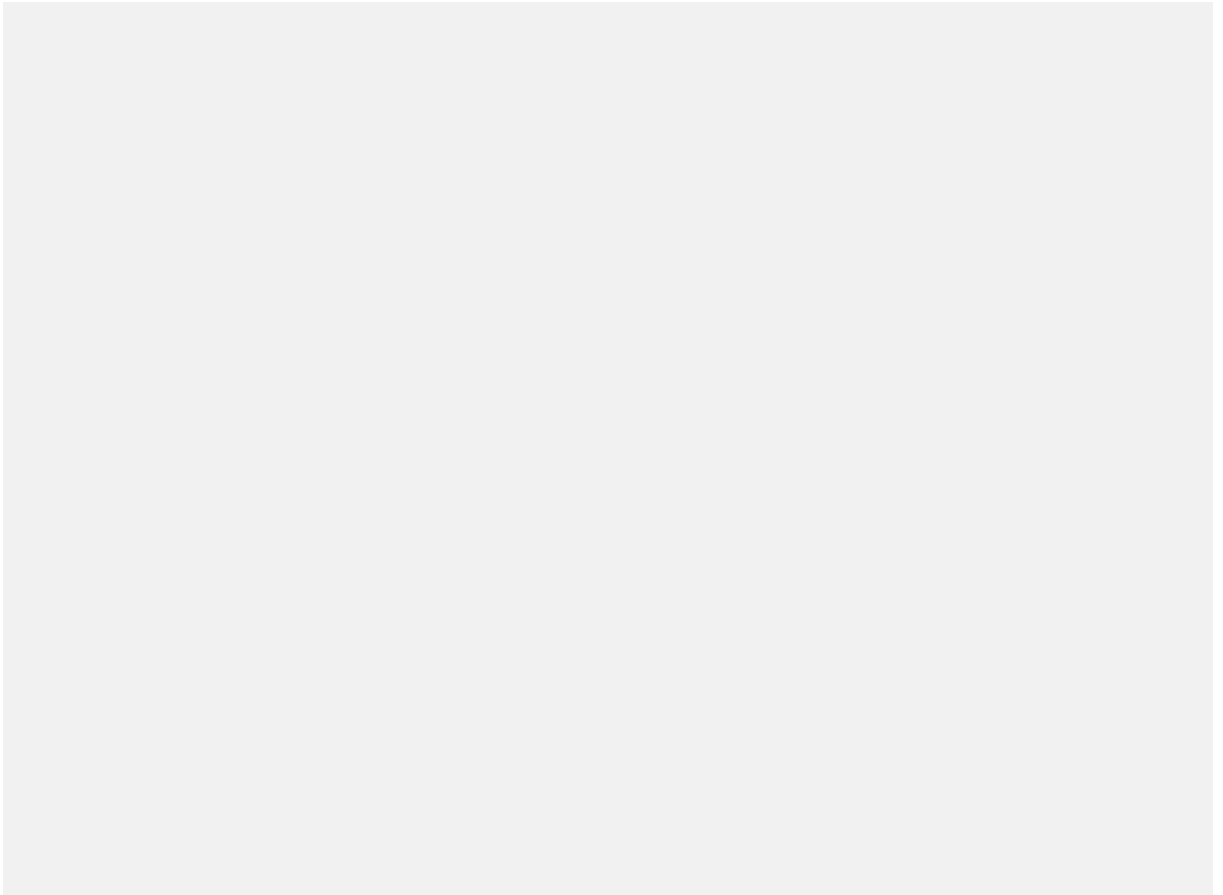
Address (if applicable):

2. Describe in detail the proposed encroachment including when work is to commence, the size and footprint of the structure/s and the purpose of the structure/s. Attach relevant documents, including:
  - Record(s) of Title (mandatory)
  - Maps
  - NZTM coordinates
  - Photographs
  - Survey plans
  - Resource consent applications
  - Concept plans
  - Engineering reports
  - Other

3. Could this structure/work be reasonably located on your private property? Provide details of other sites considered:



4. Is the activity applied for being used for commercial purposes? Give details/reasons.



## I. Are you applying for anything else?

Are you applying for other DOC permissions (e.g. easement, concession) as well as this activity?

No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>

If yes, state the other permissions you are applying for?

Easement application for conveying electricity across the SFR. This runs from our adjoining private land to the boatshed, which is in the Coastal Marine Area (CMA).

## J. Planning provisions (all applicants)

1. Does your proposal comply with the Marlborough District Council district plan(s) for the area?

No

Yes

2. Do you require resource consent and/or building consent? (Ask the relevant councils' planning sections for advice. Generally, if structures are to be built (or have been built), it is likely that consent/s will be required).

No

Yes

3. If resource/building consent is required, provide details of the consent together with information on progress with the application for consents. (It will be a condition of any licence to occupy that all necessary consents have been obtained.)

The appropriate and relevant Building and Resource Consents were obtained by previous owners of the adjoining land.

BC020689 – building consent for garage, retaining wall and deck.

011088.03 – retaining wall for construction of carpark

## K. Consultation undertaken

DOC has a statutory obligation to give effect to the principles of the Treaty of Waitangi. This often requires consultation with our Treaty Partner (iwi/hapū/whānau of local Māori) on your application. If you have already consulted with our Treaty Partner, or with other interested stakeholders, DOC would like to know about it.

We recommend you discuss consultation with a DOC staff member before starting your application.

Have you carried out any consultation?

No

Yes

If yes, supply details for each group consulted with:

Whānau/hapū/iwi or other interested party consulted with:	
Name of individual you consulted with:	
Date of consultation:	
Form of consultation (e.g. email, meeting):	
Outcome of consultation*:	

**\*If you received a written response to your consultation attach a copy to this application. Record the document details in the L Attachments section of this form.**

## L. Consistency with DOC statutory plans

List [DOC's statutory planning documents](#)<sup>13</sup> relevant to your application (e.g. Nelson/Marlborough Conservation Management Strategy):

General Policy Conservation – private accommodation and related facilities  
Nelson/Marlborough Conservation Management Strategy  
Marlborough Sounds Maritime Park Management Plan

Are you aware of any potential inconsistency your activity may have with DOC's statutory planning documents?

No	<input checked="" type="checkbox"/>
Yes	<input type="checkbox"/>

If you have answered 'yes' explain why it is inconsistent with the statutory planning documents.

<sup>13</sup> <https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/>



## M. Description of actual and potential effects of existing or proposed works (all applicants)

Identify actual or possible effects of the activity applied for. Describe the actions you propose to take to avoid, remedy or mitigate those effects. For further information check [DOC's Environmental Impact Assessment](#)<sup>14</sup> and [DOC's guide to preparing your environmental impact assessment](#)<sup>15</sup>.

In many cases an Assessment of Environmental Effect (AEE) prepared for resource consent under the Resource Management Act 1991 will satisfy this requirement.

**Provide details below and record the document details in the L Attachments section of this form.**

Effects	Description
Effects on the <b>landscape</b> e.g. ability of landscape to accommodate changes.	The structures and utilities have been in-situ for nearly two decades, it is not expected that there will be any significant effects on these values. It is a modified area.
Effects on the <b>visual</b> composition of the landscape.	The structures and utilities have been in-situ for nearly two decades, it is not expected that there will be any significant effects on these values. It is a modified area.
Effects on <b>cultural values</b> of Tangata Whenua or members of the public.	The structures and utilities have been in-situ for nearly two decades, it is not expected that there will be any significant effects on these values.
Effects on <b>historic sites or objects</b> including Wāhi Tapu e.g., disturbance of the ground.	The structures and utilities have been in-situ for nearly two decades, it is not expected that there will be any significant effects on these values. It is a modified area.
Effects on <b>existing infrastructure</b> such as roads, tracks, huts, carparks etc.	The structures and utilities have been in-situ for nearly two decades, it is not expected that there will be any significant effects on these values. It is a modified area. The reserve will still be open to the public.
Effects on <b>existing vegetation</b> e.g. disturbance or removal of vegetation.	The structures and utilities have been in-situ for nearly two decades, it is not expected that there will be any significant effects on these values. It is a modified area.

<sup>14</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/environmental-impact-assessment/#low-medium-impact>

<sup>15</sup> <https://www.doc.govt.nz/globalassets/documents/about-doc/concessions-and-permits/concessions/guide-to-environmental-impact-assessments.pdf>

<p>Effects of <b>earthworks</b> e.g. removal of topsoil and where removed earthworks will be stored. Note: All earthworks storage on public conservation land needs to be authorised.</p>	<p>No effects on these values as no earthworks or disturbance to the land is proposed.</p>
<p>Effects on <b>wildlife or wildlife habitat</b>.</p>	<p>The structures and utilities have been in-situ for nearly two decades, and the effect on the place is well known and can be managed. It is not expected that there will be any further effects.</p>
<p>Effects on <b>aquatic habitat</b> (waterways, swamps, freshwater animals and vegetation).</p>	<p>The structures and utilities have been in-situ for nearly two decades, and the effect on the place is well known and can be managed. It is not expected that there will be any further effects.</p>
<p>Effects <b>on other users</b> (Tangata Whenua, recreational users, and concessionaires) of the land.</p>	<p>The structures and utilities have been in-situ for nearly two decades, and the effect on the place is well known and can be managed. It is not expected that there will be any further effects</p>
<p>Effects of potential <b>increased threats</b> (pests, weeds, pathogens, and fire) to public conservation land.</p>	<p>Use of the reserve will be undertaken with care so not to leave rubbish, or increase the likelihood of weeds or fire risk.</p>
<p>Effects of <b>increased rubbish, toilet waste or debris left on public conservation land</b> during construction and regular use of the easement.</p>	<p>The reserve will be open to the public but there is no construction proposed.</p>
<p><b>Cumulative effects</b> that could be caused by the activity.</p>	<p>The area is modified, and it may give the impression of privatisation. The public will have unrestricted access to the reserve.</p>
<p><b>Positive effects</b> of the activity.</p>	<p>Access between the water and land is maintained and the land stabilised.</p>

## N. Attachments

Attachments should *only* be used if:

- You are answering a specific question and providing a report e.g. Environmental Impact Assessment.
- There is not enough space on the form to finish your answer.
- You have additional information that supports your answer.
- You wish to make an additional request of DOC regarding the application.

**Label each document clearly and complete the table below.**

<b>Section of the application form the attachment relates to</b>	<b>Document title</b>	<b>Document format (e.g. Word, PDF, Excel, jpg etc.)</b>	<b>Description of attachment</b>
Section G – description of activity	Record of Title	PDF	Showing the registered owners of the benefiting land
Section G – description of activity	Allison application (SFR) images of structures	PDF	Photos of the structures on the SFR

## O. Checklist

Application checklist	Tick
I have completed all sections of this form relevant to my application and understand that the form will be returned to me if it is incomplete	<input checked="" type="checkbox"/>
I certify that the information provided in this application form and any attached additional forms is, to the best of my knowledge true and correct	<input checked="" type="checkbox"/>
I have attached all relevant information (e.g. Certificate of Title, maps, photographs, resource consent applications etc) and recorded them in <b>Section N</b> .	<input checked="" type="checkbox"/>
I have appropriately labelled all attachments and completed the <b>Section N</b> . Attachments to match	<input checked="" type="checkbox"/>
I have completed the terms and conditions for a credit account with the Department of Conservation outlined in <b>Section P</b> .	<input checked="" type="checkbox"/>
I will email <a href="mailto:permissions@doc.govt.nz">permissions@doc.govt.nz</a> my: <ul style="list-style-type: none"><li>• Completed applicant information form</li><li>• Any other attachments</li></ul>	<input checked="" type="checkbox"/>

## P. Terms and conditions for a credit account with the Department of Conservation

Have you held an account with the Department of Conservation before?	<b>Tick</b>
No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>
If 'yes' under what name:	[REDACTED]

In ticking this checklist and placing your name below you are acknowledging that you have read and agreed to these terms and conditions for an account with the Department of Conservation.

Terms and Conditions	Tick
I/We agree that the Department of Conservation can provide my details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	<input checked="" type="checkbox"/>
I/We agree that any change which affects the trading address, legal entity, structure of management or control of the applicant's company (as detailed in this application) will be notified in writing to the Department of Conservation within 7 days of that change becoming effective.	<input checked="" type="checkbox"/>
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/We agree that the credit account provided by the Department of Conservation may be withdrawn by the Department of Conservation, if any terms and conditions (as above) of the credit account are not met.	<input checked="" type="checkbox"/>
I/We agree that the Department of Conservation can provide my details to the Department's Debt Collection Agency in the event of non-payment of payable fees.	<input checked="" type="checkbox"/>

Applicant name/s (of authorised person/s):	[REDACTED]	Date:	24/01/2024
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For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	