



Department of
Conservation
Te Papa Atawhai

Intention to Grant a 30 year Lease/Licence

(Approved In Principle)

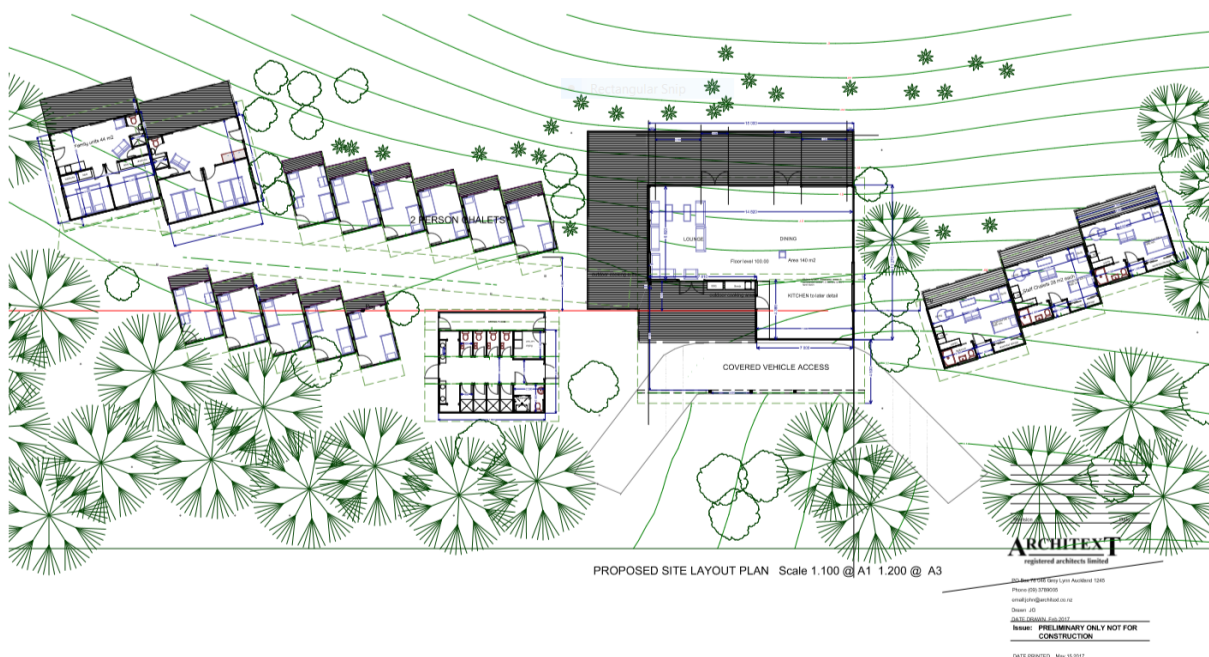
To Supporters of Tiritiri Matangi Incorporated

Context

The Applicant has applied for a lease/licence within Tiritiri Matangi Island Scientific Reserve for the construction and use of four buildings or structures.

The Applicant has applied for:

1. Field centre – this will provide accommodation and living space for up to 33 people (including volunteers, SoTM staff, public and researchers). The building design is intended to be eco-friendly and will be self-sufficient with solar power and sewerage systems. The site will not be easily visible from the sea or other parts of the island. Indicative plans for the building and associated infrastructure is expected to cost \$2.5 million. The site has been specifically chosen to minimise visual and ecological impacts on the land.



2. Maritime museum – The Applicant has collected many artefacts which celebrate maritime history and wish to make these available for public viewing. The design of the museum would blend into the maritime precinct but would need to be designed to allow for the original Curvier Island lighthouse light (6.5m high). The Applicant intends to integrate the museum adjoining an existing precinct building (the old workshop) and lower the floor by 2m to reduce the height of the building. A quantity survey completed in 2016 estimated the construction of this building to cost \$600,000.
3. Signal Mast – The Applicant wishes to build an exact replica of the island signal mast in its original location in front of the watch tower. This was estimated to cost \$138,000 in 2015 and is anticipated to be authorised as a licence.
4. Existing implement shed – Retrospective authorisation of an existing building. The Applicant (with agreement from the Department) has built a large workshop for vehicles, equipment storage and a woodwork shop. The original intent was for the Applicant to build the shed and then transfer ownership to the Department (which never happened). The Applicant (with the Department's agreement) now intends to retain ownership of the structure authorised by this lease. As additional power supply is required for the field centre then it is intended to construct solar panels on the roof of the shed, store the equipment in the shed and connect to the existing cable to the generator shed. The Applicant will provide the final details on this aspect of the project in due course. At the rear of the shed there are several water tanks which have an overflow system so this will need to be included in the lease area.

The Applicant has undertaken multiple activities on Tiritiri Matangi for many years which involve guiding, events and restoration activities. The Applicant will not commence any work until funding commitments have been obtained. They anticipate \$4 million will be required and have developed a fund-raising plan. On-going revenue will be funded by overnight stays.

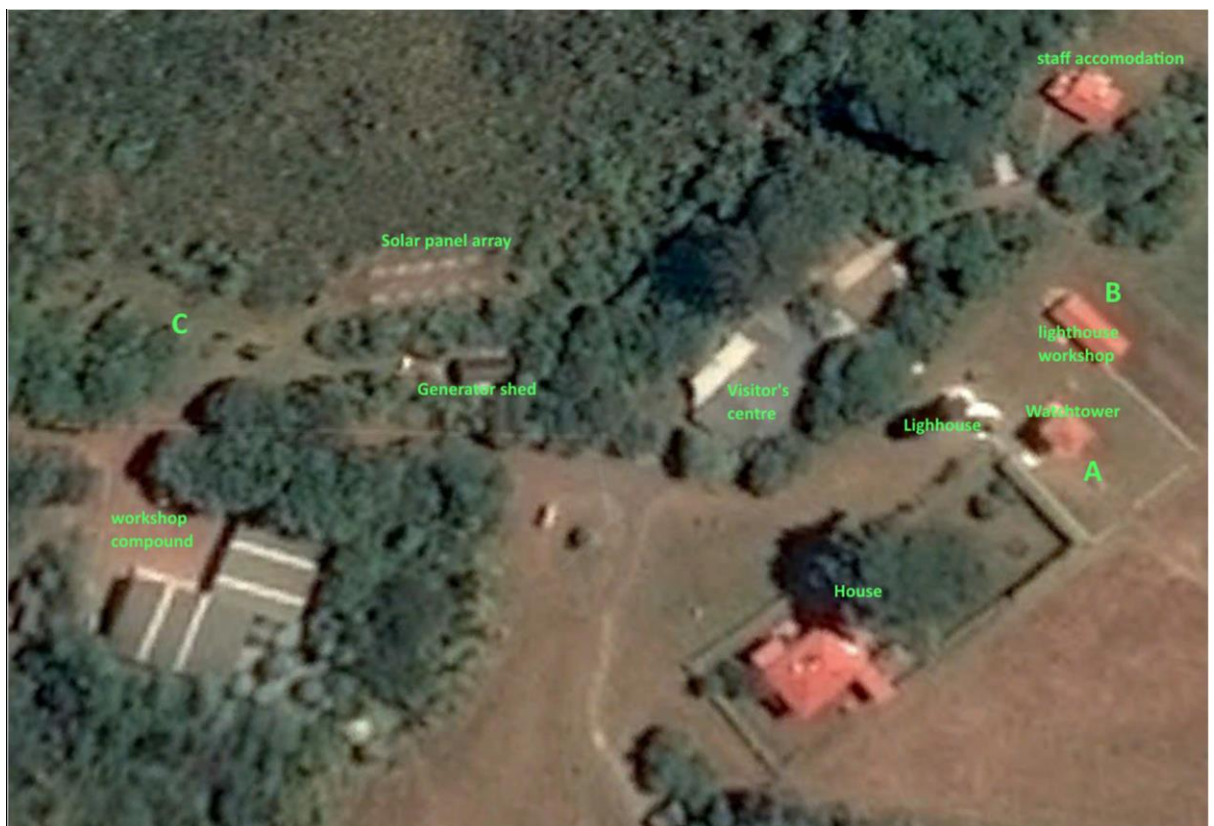
The Applicant has provided multiple documents in their application including:

- Business Plan – this provides an outline of the structure of the business and includes financial projections.
- Accommodation Income and Expense Model – a spreadsheet setting out models for income which will result from the proposal.
- Initial Fundraising Plan – A high level plan on their intended approach to raising the required funds for construction works.
- Ecological Impact Assessment – A report prepared by RMA Ecology Limited on behalf of the Applicant to undertake an assessment of the ecological values.
- Archaeological Impact Assessment – this is a report prepared by Clough and Associates Limited on behalf of the Applicant to establish the effects of the proposed work on archaeological and other historic heritage values.

Additional information was requested for the following and was subsequently provided by the Applicant.

- Incorporated Society Certificate and Registered Charity status
- Project Management information and business structure
 - The Project Management plan is currently high level and focuses on the preliminary stages of the project
 - The Applicant has created a sub-committee to manage the projects to make decisions but all expenditure over \$1,000 needs to be approved by the main committee. They have appointed the following: Architect, Fundraising Manager, Archaeological and Historic Advisors, Biodiversity Advisor and Landscape Architect. Other building and construction professionals will be contracted when required.
 - The Applicant intends to appoint a capital projects specialist to manage fundraising. Fundraising cannot start until the leases and resource consents have been granted and the fundraising could take 12 months.
- Construction details
 - They aim to construct as much as possible on the mainland and this includes walls and roofs of smaller units. Concrete, blockwork, decking, cladding will be undertaken on the island.
 - They will use barges to transport materials and equipment. They already use a barge for current work with a robust biosecurity process worked out with DOC. They anticipate 15 barge trips over the life of the project.
 - Construction will comprise of three phases:
 - Excavation and concrete work – will be undertaken for all projects in one go. The areas will be prepared in advance of the bird breeding season (September to March) so as to avoid unintended mortality of eggs or chicks and will be carried out during the drier months with an anticipated timeframe of 2 months.
 - Building and assembly – will also be carried out in the drier season if possible and enclosed prior to winter. It is anticipated that both building projects should be erected and roofed within 3 months.
 - Fit-out, decoration, etc. – Can be carried out all year and depends on the availability of subcontractors but could take 6 months or more.
 - Batching details – logistical considerations force the Applicant to undertake concrete batching on the island. They are looking at importing a small (2.5m³) mobile batching plant.
- Bio-security plan
 - They will use DOC's comprehensive biosecurity processes and see this project as an extension of current activities. All materials will be checked before loading and where practical the source of the products will be accredited.
 - There will be no change to biosecurity processes post-construction. The current process has proven to be robust and will continue.
 - All goods and transport to the island will be thoroughly inspected. DOC provides dogs and the Applicant provides details about material brought to the island (source, suppliers, transport)
- Freshwater and run-off details

- All water utilised in the Field Centre will originate from roof catchment, stored in holding tanks or in certain circumstances the adjacent bore will be used. The water will be filtered and UV treated. There will be no water supply in the museum, so the water captured from the roof will be piped to the existing tank stand to the west of the existing museum building.
- Resources required from DOC
 - Biosecurity resources will be required. The Applicant will liaise with the island rangers and may ask for assistance with traffic control and visitor management.
 - Contractors will use existing accommodation facilities
 - There will be no long term additional requirements for DOC resources.
- Information on Heritage Area
 - The Field Centre would be outside of the historic lighthouse precinct but some of the buildings are within the Auckland Council Historic Heritage Overlay. This is because of the historic precinct being expanded in the Auckland Unitary Plan. The Applicant has had discussion with the Council who have indicated that they do not place much significance on this section of the historic area.
 - In respect of the museum building the Applicant resulting from the discussion with Council were assured that they are supportive of the project and have endorsed the design of the museum as suitable to blend with the lighthouse precinct.
 - The Applicant agrees to share relevant documentation generated during the Council consenting process.



Tiritiri Matangi lighthouse station area showing exiting structures and the proposed location of the signal mast (A), proposed maritime museum extension (B) and proposed field centre (C).

Statutory Analysis: Notified Concession under Part 3B of the Conservation Act 1987

Intention to Grant

S17S: Contents of application

To be complete (s17S(1)), an application for a concession must include:

- A description of the proposed activity;
- A description of the locations for the proposed activity;
- A description of the potential effects of the proposed activity and proposed action to avoid, remedy, or mitigate adverse effects;
- The proposed term and reasons for that term;
- Relevant information about the application (as requested in the application form).

Criteria for decision:

Does the application include all the required information as per s17S?

Yes.

Comment: All information required under section 17S has been provided. Further information was requested to clarify a number of factors and this information was provided by the Applicant.

S17T: Consider applications

The intention to grant a concession must be publicly notified if it meets any of the following criteria:

- The concession type is a lease/licence – this is for exclusive use of public conservation land;
- The term of the concession exceeds ten years (unless it is an easement – an easement may be granted for a term exceeding ten years without public notification);
- The effects of the activity mean it is appropriate to do so.

Criteria for decision:

Is public notification required?

Yes.

Comment: The concession is for a lease/licence which requires public notification in terms of the Conservation Act 1987. It is considered that the application will be of local or regional interest only and placing notification in the New Zealand Herald is appropriate pursuant to section 49(1) of the Conservation Act 1987.

S17U(1) and (2): Analysis of effects

Briefly discuss the positive and adverse effects of the proposed activity, drawing on information from:

- The application form, as provided by the Applicant;
- The contributions described in the context and check in meetings, and outlined in this document.

Any adverse effects identified that are not managed by a standard condition for the activity may require a site/activity specific special condition to either avoid, remedy, or mitigate the adverse effect. Include the condition proposed and a description of how it avoids, remedies, or mitigates the adverse effect, and list the condition in the Proposed Operating Conditions section of this document.

Criteria for decision:

Is the activity consistent with s17U(1) and (2) of the Conservation Act?

Yes.

Discussion:

The Applicant provided supporting documents being ecological and archaeological effects assessment for the field centre, signal mast and maritime museum. These comments are incorporated below.

Construction effects:

The Applicant has identified the following effects from construction:

The following excavation has been proposed to be required by the Applicant to construct the structures:

- Signal Mast – minor excavation will be required with the base of the mast mounted on an in-situ reinforced concrete base 2m² and 300m deep resulting in 1.6m³ being excavated. The spoil re-used on site or taken to the road area for the field centre spoil.
- Maritime Museum – excavation will be 5m wide and 11 m long with a depth of 2.2m below ground. deep. Approximately 64.1m³ is expected to be required for the foundation plus storm water piping. It is proposed to pipe the stormwater into the existing tank located on a tank stand to the west of the existing museum building. As there is no overflow for this tank as it is controlled by a pump, a new overflow system will have to be installed by the Applicant and depending on how this is undertaken, it may involve some excavation.

A subsoil drain located behind retaining walls will be required to relieve hydrostatic pressure on the waterproof membrane on the exterior of the retaining walls around the edge of the pit. A 2.3m deep 100mm diameter subsoil drain will be underground thrust from under the slab at the bottom of the lantern pit, northwards for about 35m to an outlet on the northern slope. The volumes of water involved will be small.

The proposed lean-to generator shed located on the western end of the existing building will require excavations of about 200mm deep, being 1m³.

The spoil from the excavations will be used to raise ground levels locally to merge the local ground level with the new floor level.

- Field Centre

Building Structures, Concrete Paths & Driveway: Excavation will be approximately 829m³.

Sewage Treatment: The 2 AdvanTex AX20 treatment plants (tanks) will require an excavation of 5.5m by 3m and 2.55m deep, being 84m³. The sanity drains extend from the bathrooms in the family chalets, the staff chalets, shower/toilet block, kitchen and drain into the tanks. These drains are buried in 400 deep x 200 mm wide trenches, being 11m³. The spoil from the excavations will be used to fill in the trenches.

The tanks will be in front of the kitchen dining block and each tank will require between 400 and 600m² of drainage field depending on the porosity of the soil. These fields will be located downhill and to the north of the treatment tanks to allow gravity drainage.

Stormwater: This will be collected from the various buildings and piped into 5 x 15,000 litre tanks located under the deck of the kitchen dining block. The excavation for the tanks will be 45m³ and half of the spoil from this will be spread under the kitchen dining block suspended concrete slab. The drains will be buried in a trench 400mm deep, 200mm wide and with an estimated length of 150m. The overflow from the stormwater tanks will be via a 100mm wide pipe approximately 60m installed by hand trenching (requiring no removal of vegetation) downslope of the field centre to discharge into the ephemeral stream at the head of Lighthouse Valley. The discharge will be dissipated to ground surface via an engineered water dispersal system (such as discharge apron) to reduce intensity and risk of erosion. The final plans are yet to be prepared.

The spoil from the excavations will be to level or raise sections of road further down the Island in accordance with road construction practices undertaken by the Department for the Island.

All construction materials can be delivered to the building sites from the Island wharf using the existing road network without modification.

The Applicant intends on undertake concrete batching on the Island for the floors of the field centre. The foundations will be reinforced concrete “Ribraft” waffle slab type construction where a level platform for each structure will be created and the slab will sit on top of the ground to minimise excavations. The concrete slabs will be poured on site in the existing workshop compound in batches of up to 2m³ at any one time. The timber decks will be constructed on timber piles.

The museum will also incorporate a concrete slab around the pit above ground level which will be supported on a concrete strip footing. A lean-to generator shed is proposed on the western end of the existing structure and will have a 10m² ribraft foundation.

The Applicant will reduce the impact of the construction of the buildings by constructing as much as possible on the mainland for assembly on the Island. This includes most of the wall panels and some of the roofs for the smaller units. All excavation, foundation, concrete and block work for all projects will be undertaken at the same time which the Applicant states will minimise environmental impact, costs and logistics.

It is acknowledged that there is the potential for adverse effects resulting from the construction of the structures. These effects should only be short-term and will not result in any significant

long-term effects. The Applicant is proposing to undertake the construction with the least effect on the Island as possible. It is considered that adherence to the standard and special conditions will ensure that these effects are no more than minor.

The Applicant has identified that they intend on using the current Department bunkhouse accommodation on the Island while undertaking construction. The Department has no concerns with the applicant using the bunkhouse provided they pay the market rate for the bunkhouse. This will be included as a special condition.

Wildlife:

The Applicant has identified that a great number of birds and lizards may use the proposed sites. However, the Applicant notes the proximity of the proposed field centre to the main vehicle track, the abundance of better-quality habitat nearby and the relatively small size affected means the area is unlikely to be an important habitat for nesting birds. The Applicant does state that the site is certain to support the at risk moko skink and non-threatened copper skink, and very likely to support tuatara. There are unlikely to be any important invertebrate species which are not also found in the extensive nearby flax shrubland.

The Applicant identifies that the potential effects on birds will be minimised by undertaking vegetation clearance by hand outside the bird breeding season (September to March) to avoid unintended mortality of eggs or chicks. They will undertake progressive clearance (particularly flax) by hand to ensure that ground-dwelling birds will be able to move to adjoining intact habitat refuges, or (in the unlikely case that an occupied kiwi burrow is found), works halted while Department staff are consulted regarding standard practices for removing kiwi from the works area.

The Applicant will apply standard lizard salvage practices to prevent the harm or mortality of native lizards that may be present from the field centre site. Vegetation will be carefully cleared in a 'moving front' and leaf litter and logs carefully sorted to remove habitat. The Applicant anticipates this will result in most lizards moving voluntarily into adjoining habitat. After the vegetation has been cleared the Applicant will erect a skink-proof fence on the downslope end of the field centre site to prevent movement back into the construction area. Any salvaged lizards will be moved into suitable habitat at least 50 metres from the construction site.

The Applicant has applied the Environmental Institute of Australia and New Zealand assessment matrix which identified the level of effect as low or very low for takehe, moko skink and native bird habitat due to the small level of land affected.

Comment

The proposed special conditions covering undertaking vegetation clearance outside bird nesting season, salvaging lizards and checking for kiwi are considered to be adequate to ensure there are minimal adverse effects to wildlife.

Vegetation:

The Applicant states the footprint of the proposed signal mast (4.5m²) and maritime museum (60m²) and the construction of the structures will require the removal of mown exotic grasses

(lawn). The ecological values are very low with no botanical value and very low fauna values. The lawn area comprises a small fraction of a percent of the available grassland habitat for pukeko and takahe.

The vegetation at the proposed field centre includes a range of early seral plant species, some planted specimen trees and shrubs along with a large area of rank and mown grassland. Most vegetation is less than 2 metres tall (although some specimen trees are up to 6m tall). A total of 1,200m² of vegetation will require removal during construction including 269 vascular plants, all of which are common plant species. The site has been chosen to avoid young (4m high) puriri but one pohutukawa (6m tall) is proposed for removal. The driveway to the field centre has been chosen to avoid the removal of 2 other pohutukawa but this will require minor works and gravelling (building the ground level up) under part of the dripline of each tree to prevent damage to roots.

The Applicant will ensure any flax cleared will be trimmed and divided and moved to a relocation site at the eastern end of the Island where an area adjacent to existing plantings has been identified. They state it is likely that most, if not all, of the flax removed will be successfully transplanted.

The vegetation required to be removed is considered to be minimal for the signal mast and maritime museum with only exotic grasses affected. Relocating the flax removed will be included as a special condition. It is considered that the effects to vegetation is no more than minor.

Bio-Security: Materials and equipment will be transported via barge which can do one trip a day and up to 15 barge trips could be required over the construction phase. The Applicant states all machinery and materials that are brought to the Island will be required to pass through the Departments rigorous biosecurity protocols to prevent incursions. The Applicant currently use SeaLink barges operating out of Half Moon Bay for bringing track metal to the Island twice a year, and will use the same process to bring construction materials to the Island.

Biosecurity protocols include:

- Complying with the Department of Conservation's 'Pest-free Island Biosecurity Checklist'
- All commercial vessels must have been inspected prior to landing at the Island (or hold a pest-free warrant)
- All materials will be checked before loading and where practical the source of the products will be accredited. The Applicant will inform the Department about sourcing materials and use preferred suppliers where practical.
- The Department may provide dogs to inspect trucks and barges and provides protocols for quarries and other sources.
- The Applicant must report any sightings of any rats or other pests.

Biosecurity is critical to keeping the Island pest free and all protocols must be followed. In order for the rigorous protocols to be met however, it will require significant resourcing which the Applicant must meet. The Department has informed the Applicant of this requirement which

may cost up to \$350.00 plus GST per day (current contractor price). A special condition will be included.

A recent biosecurity threat is myrtle rust and although this is not currently on the Island a special condition will be included.

Heritage Effects:

The maritime museum is within the historic lighthouse precinct and the field centre is just outside the historic lighthouse precinct but partly within the extent of place for the lighthouse complex that is now scheduled within the Auckland Unitary Plan.

The Department commissioned a Conservation Plan for the Tiritiri Matangi Island Lighthouse complex which was published in 1997. However, the scope of the plan is restricted to the following buildings: the lighthouse, the two keeper's houses, the signal station, the diaphonic fog signal, the gun cotton store and fog signal. There are no direct policies affecting this application, but reference has been included to note the importance of this area to the Department.

The Applicant has provided a Historic Heritage Assessment Report and an Archaeological Assessment as part of their application which discusses the effects of the proposal on heritage values.

The Historic Heritage Assessment Report was prepared by Clough and Associates Limited to accompany the Applicant's resource consent application (under the Resource Management Act) and identify requirements under the Heritage New Zealand Pouhere Taonga Act 2014. The Heritage New Zealand Pouhere Taonga Act 2014 protects all archaeological sites whether recorded or not and they may not be damaged or destroyed unless an Authority to modify an archaeological site has been issued by Heritage NZ.

There is evidence the Island was occupied by Māori from approximately 1400 and there are still remnants of two pā on the Island. Te Kawerau are the iwi most closely associated with the Island. The Island was identified as a suitable location for a lighthouse in 1843 and the lighthouse reserve was established in 1864. Three houses were subsequently built to service the lighthouse. The signal station was built in 1912 and used until 1934. Prior to the ecological restoration project commencing, the entire Island was surveyed to identify and record archaeological sites. Three archaeological sites have been recorded within 200 metres of the project area: R10/395 on the high point to the northwest of the project area where *Allium vineale* (a garlic-like crop grown by Māori) was noted, R10/596 for the lighthouse and associated buildings and R10/716 where a possible human bone was found. The lighthouse (and surrounding 10 metres) are a category 1 listed heritage site. None of the proposed works are within the category 1 heritage area although as noted above the proposed maritime museum and signal mast are within R10/596 area for the lighthouse complex.

The Auckland Council also records various historic structures within or near the lighthouse precinct and also records the whole area of the Tiritiri lighthouse complex as a historic area (CHI 18872). The Tiritiri lighthouse complex is a scheduled Historic Heritage Place in the Auckland Unitary Plan (Schedule 14.1 ID 507, Category A). This is a larger area than the former lighthouse reserve and extends partly into the proposed field centre area. This heritage place is identified as

having 'additional rules for archaeological sites or features' which requires a resource consent and a heritage impact assessment which this application provides. It is noted that the resource consent process with the Auckland Council is a separate process to the concessions process. Schedule 2 standard condition 15.1 requires the Concessionaire comply with all relevant legislation and consents and all requisitions of any competent authority affecting the activity.

Maritime Museum – This will incorporate an existing 1950s workshop building which is currently being used as a temporary museum. The archaeological report states the area behind the workshop (where the new part of the museum is proposed) is under mown grass. No buildings or structures associated with the lighthouse era are known to be located in this area and there is no indication of any archaeological features or deposits relating to earlier Māori occupation. The report states there will be no adverse effects on any archaeological remains but it will have significant positive effects through keeping the building in use and educating the public on the historic use of the lighthouse.

Proposed Signal Mast – The replica signal mast is to be placed in the original signal mast location but will leave the remaining features in situ. The four wooden cable anchors are still evident, however, no other foundations remain. As the operation of the lighthouse is under the control of Maritime New Zealand, then the Applicant should obtain approval from Maritime New Zealand that the mast would not have any effect on their interests especially in the operation of the lighthouse. As the Applicant has been trying for some time to get a response from Maritime New Zealand on this matter, then a special condition has been included that provides for the approval of Maritime New Zealand before construction can commence.

There is no indication of any other archaeological remains in the area. There will be significant positive effects in public education as the Applicant intends to demonstrate the signalling system to the public.

Field Centre - Although there is archaeological evidence close to the location of the proposed field centre, no indication of any archaeological remains has been found at the site. The proposed field centre has been designed to reduce the adverse visual effects to the historic area to the extent possible.

It is acknowledged in the Heritage Assessment report that there is the possibility of more archaeological remains which may be found during earthworks and it is recommended that archaeological monitoring of earthworks is undertaken. The Permissions team agrees and will recommend this as a special condition. The Department's standard accidental discovery protocol will also be included as a recommended special condition. The archaeological assessment provided by the Applicant recommends the applicant also apply for an Authority under section 44(a) of the Heritage New Zealand Pouhere Taonga Act because some of the works are proposed to be within R10/596 (lighthouse complex). It is noted that this is outside the scope of the concession but is covered under Schedule 2, standard condition 15.1.



Figure 24. Tiritiri Matangi lighthouse complex scheduled extent of place (source: AUP OP historic heritage overlay, ID 507)

Other effects:

There is the potential that there will be other effects of the proposal on the Island including the use of hazardous materials, the increased risk of fire, and adequate waste disposal. It is considered that the recommended special conditions will ensure these risks are low.

Financial evidence:

The Applicant states they will not commence building of any of the structures until it has obtained enough funding to cover the construction. The Applicant has stated they will provide the Department with details of the committed funds thereby effectively providing guarantees that sufficient funds are available to complete each build. The majority of funds will be via sponsorship and donations and fundraising will commence as soon as the application process reaches a suitable stage. A special condition is recommended requiring the Applicant to provide evidence to the Department of the funds required for each part of the construction and also to prove these funds are available prior to construction starting. If work stalls during construction and the Applicant is unable to pay the ownership of the buildings will revert to the Department.

Summary:

The effects of this proposal include potential adverse effects resulting from construction and excavation, wildlife and vegetation effects, potential adverse effects to the historical features on

the land and other general effects. It is acknowledged that there may be temporary adverse effects to the land, but the recommended special conditions will ensure that these effects are no more than minor.

S17U(3): Purpose for which the land is held

A concession shall not be granted if the proposed activity is contrary to the purpose for which the land is held.

Criteria for decision:

Is the activity consistent with s17U(3) of the Conservation Act? (That is, not contrary to the purpose for which the land is held).

Yes.

Discussion:

The land is Tiritiri Matangi Island Scientific Reserve. Reserves are managed by the Department for the purpose of “*providing for the preservation and management for the benefit and enjoyment of the public area of New Zealand*”. In accordance with Section 59A of the Reserves Act 1977, the Minister may, in accordance with Part 3B of the Conservation Act 1987, grant a concession in respect of any reserve vested in the Crown.

Scientific Reserves are held specifically held for the purpose of protecting and preserving in perpetuity for scientific study, research, education, and the benefit of the country, ecological associations, plant or animal communities, types of soil, geomorphological phenomena, and like matters of special interest. The indigenous flora and fauna shall be preserved, exotic flora and fauna exterminated. In addition; they shall be administered and maintained that the features of the reserve shall be managed and protected to the extent compatible with the primary purpose of the reserve.

The application is to formalise the retrospective authorisation of the existing implement shed, build structures on the land (accommodation, maritime museum, and signal mast) which could be seen to be contrary to the purpose for which the land is held. However, the purpose of the Supporters of Tiritiri Matangi Incorporated is to assist with the restoration of the Island which includes the preservation of the indigenous flora and fauna and extermination of the weeds. The accommodation will allow researchers and educators to stay on the Island and undertake valuable research/education. Volunteers will also use the accommodation for restoration work. In addition, all funds received from accommodation will go into the restoration work of the Island. The special features of the reserve include historic features which will be protected by the construction of the signal mast and maritime museum. Special conditions will be included to ensure the features of the reserve shall be managed and protected to the extent compatible with the primary purpose of the reserve.

It is considered that the proposed activity is not contrary to the purpose for which the land is held.

S17U(4): Can a structure or facility be reasonably undertaken elsewhere?

A concession to build or extend a structure or facility shall not be granted if the activity could reasonably be undertaken in another location that is outside conservation land or in another conservation area where the potential adverse effects would be significantly less, or if the activity could reasonably be undertaken in an existing structure.

Criteria for decision:

Is the activity consistent with s17U(4) of the Conservation Act? (That is, the activity cannot reasonably be undertaken at another location or in an existing structure?)

Yes.

Discussion:

The proposed activity is for the retrospective authorisation of the existing implement shed, construction and use of the accommodation building/field centre, maritime museum building and signal mast.

The existing implement shed has been in place for a number of years and is essential for the Applicant to store their necessary equipment to undertake their activities.

Each of the new structures will add to the existing services on the island and together with the implement shed cannot be located off the Island. The Applicant operates entirely on the Island and directly benefits the Island. The field centre building, maritime museum building and signal mast will add to the visitor experience of the Island. Each of the structures has also been specifically sited on the Island to have the least potential adverse effects and to also be located close to key Island infrastructure. The signal mast is proposed in the location of the original signal mast, the maritime museum is proposed to be within the maritime precinct and will be integrated with an existing precinct building (the old workshop). The field centre building site has been chosen close to the main infrastructure of the Island but will have low ecological, heritage and visual impact.

It is considered that the proposal is consistent with section 17U(4) as they cannot be undertaken off the Island and the specific sites for the new structures have been chosen as having least impact.

S17U(5): A lease or licence may only be granted if it relates to a fixed structure/s?

The Minister may grant a lease or a licence (other than a *profit à prendre*) granting an interest in land only if—

- (a) the lease or licence relates to 1 or more fixed structures and facilities (which structures and facilities do not include any track or road except where the track or road is an integral part of a larger facility); and
- (b) in any case where the application includes an area or areas around the structure or facility,
 - (i) either—

(A) It is necessary for the purposes of safety or security of the site, structure, or facility to include any area or areas (including any security fence) around the structure or facility; or

(B) It is necessary to include any clearly defined area or areas that are an integral part of the activity on the land; and

(ii) the grant of a lease or licence granting an interest in land is essential to enable the activity to be carried on.

Discussion:

The Applicant has applied for a lease/licence for the proposal which is necessary when the various activities are considered. The proposal is therefore not contrary to section 17U(5).

S17U(6): Is exclusive possession necessary?

No lease may be granted unless the applicant satisfies the Minister that exclusive possession is necessary for—

(a) the protection of public safety; or

(b) the protection of the physical security of the activity concerned; or

(c) the competent operation of the activity concerned.

Discussion:

It is necessary to grant a lease for the field centre to protect the physical security of clients and the structures and for the competent operation of the field centre. The maritime museum requires exclusive possession to protect the physical security of the artefacts within the museum and for the competent operation of the museum. The museum will be open to the public during operating hours under the supervision of trained volunteers but will be restricted outside these hours. The implement shed requires exclusive possession to protect the public from the hazardous operations and to ensure the protection of the equipment stored in the shed. It is considered that exclusive possession is required for the three lease structures. Access will be restricted during construction and maintenance works for health and safety reasons.

S17W: Relationship between concessions and conservation management strategies and plans

A concession shall not be granted unless the proposed activity is consistent with any established conservation management strategy and conservation management plan.

Criteria for decision:

Is the activity consistent with all relevant statutory planning documents?

Yes

Discussion:

Conservation General Policy (CGP)

Accommodation and related facilities are covered in section 10 of the CGP. The following policies are relevant to the application:

10 (a)	Accommodation and related facilities on public conservation lands and waters may be allowed for public recreation, educational and community services, consistent with the outcomes planned for places.
10 (b)	Accommodation and related facilities on public conservation lands and waters owned and occupied by people and organisations other than the Department, will require a concession.
10 (c)	Any application for a concession will comply with, or be consistent with, the objectives of the relevant Act, the statutory purposes for which the place is held, and any relevant conservation management strategy or plan.
10 (e)	<p>All accommodation and related facilities including replacements, additions and extensions on public conservation lands and waters should:</p> <p>be consistent with the outcomes planned for places;</p> <p>avoid or otherwise minimise adverse effects on natural resources and historical and cultural heritage, and on the benefit and enjoyment of the public, including public access;</p> <p>complement and, wherever possible, be located close to existing accommodation and related facilities;</p> <p>be located, designed, constructed and maintained to meet all legal requirements and standards;</p> <p>be of such a scale, design and colour that they harmonise with the landscape and seascape;</p> <p>provide for disabled people in places where this is practicable; and</p> <p>be available for use by the public.</p>
10 (f)	The Department and all concessionaires should monitor the effects of the use of accommodation and related facilities on natural resources and historical and cultural heritage, and on the benefit and enjoyment of the public, including public access, to inform future management decisions

The field centre is consistent with the above policies as it will enable further public recreation and educational services which is consistent with the Tiritiri Matangi Place in the CMS as shown below. The proposal will be authorised through a concession and as shown by this report is consistent with the Act, purpose for which the land is held and the relevant strategies and plans. The field centre has been designed to minimise adverse effects to the extent possible, will be

close to existing buildings, has been designed to be of such a scale and colour to harmonise with the landscape, and will be available for use by the public. Monitoring will be undertaken as part of the concession conditions.

The signal mast, museum and implement shed are covered under section 11 'Activities requiring specific authorisation (not covered elsewhere)', specifically 11.1 'All Activities'. The following policies are relevant:

11.1 (a)	Any application for a concession or other authorisation will comply with, or be consistent with, the objectives of the relevant Act, the statutory purposes for which the place is held, and any conservation management strategy or plan.
11.1 (b)	All activities on public conservation lands and waters which require a concession or other authorisation should, where relevant, avoid, remedy or mitigate any adverse effects (including cumulative effects) and maximise any positive effects on natural resources and historical and cultural heritage, and on the benefit and enjoyment of the public, including public access.
11.1 (c)	The Department and all concession and other authorisation Concessionaires should monitor the effects of authorised activities on natural resources, historical and cultural heritage, and the benefit and enjoyment of the public, including public access, to inform future management decisions.
11.1 (d)	Concession and other authorisation Concessionaires will be responsible for the safe conduct of their operations, including the safety of staff, clients, contractors, and the public, and compliance with relevant safety standards and legal obligations.
11.1 (e)	The policies below for the activities specified are to be considered in conjunction with policies 11.1 (a) to 11.1 (d).

This report shows the proposed activity is consistent with all the above policies and the recommended special conditions will ensure adverse effects will be minimised to the extent possible.

The proposal is not inconsistent with the CGP

Auckland Conservation Management Strategy 2014-2024 (CMS)

The CMS is made up of three parts. Part One covers general policies of the region. Part Two Section 18 covers Tiritiri Matangi Islands Place. Part Three covers specific policy requirements for Auckland.

Part One:

Section 4 covers Distinctive features, values and issues of Auckland. 4.3 Treasured Islands – Ngā motu taonga states islands are significant for their high natural values, as sites for ecological restoration programmes and pest free sanctuaries. The maintenance of mammalian pest-free islands is of great importance and is achieved through vigilant biosecurity measures, which also focus on preventing the spread of weeds and other invasive organisms. 4.5 states ferry passenger

numbers to the inner Hauraki Gulf islands have increased substantially and are expected to continue to do so as the conservation values are restored and recreation opportunities improved.

Section 5 of the CMS covers the Treaty of Waitangi principles. The Department recognises the role of tangata whenua as kaitiaki and acknowledges their mana whenua. Effective partnerships with tangata whenua also help to achieve conservation of natural resources and historic and cultural heritage. Settlement processes are underway with most iwi in the Auckland/Tāmaki Makaurau area. The Department has a contributing role in the settlement of historical claims. The island of Tiritiri Matangi is of special significance to iwi and was included in the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 where it was one of the four islands which was vested in iwi for one month and vested back to the Crown.

Section 6 outlines the vision of Auckland by 2024. In section 6.2 the Department has identified six priority heritage areas which includes Tiritiri Matangi Island. The lighthouse complex is one of the most complete in New Zealand, and the island’s archaeological landscape is evidence of early Māori settlement. Section 6.3 ‘More people participate in recreation’ identifies Tiritiri Matangi Island as an Icon destination which will be managed by the Department to ensure visitors have a high-quality experience that supports the growth of international and domestic tourism. The following objectives are relevant to consider:

Number	Objective
6.3.1.3	Build partnerships with others to plan for, maintain and/or better develop, locally treasured and backcountry recreation destinations.
6.3.1.4	Provide visitors with the opportunity for a positive social, physical and learning experience on public conservation lands.
6.3.1.6	Enhance visitors’ understanding and appreciation of natural, historic and cultural heritage, particularly at Icon and Gateway destinations.

The three policies above encourage increased visitor use of public conservation lands, particularly at Icon sites such as Tiritiri Matangi. Objective 6.3.1.3 also encourages the Department to build partnerships to plan, maintain and develop destinations. The proposed application is consistent with these policies.

Section 7 Hauraki Gulf Marine Park was established by legislation in 2000 and covers 1.2 million hectares including Tiritiri Matangi Island. This legislation is relevant to this application and covered in more detail AS below.

Part Two: Section 18 Tiritiri Matangi Island Place

This section identifies Tiritiri Matangi Island as one of New Zealand’s great community conservation success stories, being transformed by volunteers from a farmed island to a restored pest-free island. Many rare and threatened species have been re-introduced to the island and it is an important site for translocation to other locations. It is also an important place for research, education and management of threatened species. The Supporters of Tiritiri Matangi Incorporated was formed in 1988 and is recognised as a major contributor to the success of the

island. They built a visitor centre in 2005 and provide education programmes and an introductory guided walk for visitors. The CMS states the Applicant intends on continuing to expand the education programmes while enhancing the biodiversity and research opportunities on the island. Current biosecurity measures identified in the CMS include providing pre-trip information to visitors and Department rangers meeting each ferry to provide a biosecurity briefing. The demand for the Departments 20-bed bunkhouse is high and often full during summer. The bunkhouse is highly utilised by volunteers, researchers and students. The CMS provides for improving overnight accommodation and has set the capacity to 50 people. An additional purpose-built facility for overnight accommodation may be built to provide improved opportunities.

The Objective recognises the island as an outstanding model for community-led conservation. Visitor numbers and activities, and commercial transport operator access is controlled to manage their impact on the island's conservation values, protect natural quiet and maintain the quality of the visitor experience. The relevant policies to the application are discussed below:

Number	Policy
18.2.2.2	Work in partnership with the Supporters of Tiritiri Matangi, concessionaires and commercial boat operators to manage biosecurity.
18.2.2.5	Work collaboratively with Maritime New Zealand, Heritage New Zealand Pouhere Taonga, Supporters of Tiritiri Matangi and others to ensure that structures within the lighthouse complex are restored, protected, maintained and interpreted in a manner consistent with the Category 1 categorisation of the lighthouse.
18.2.2.10	<p>In considering proposals for new overnight accommodation for the public, the following criteria should be used to assess any application for a new building for overnight accommodation:</p> <ul style="list-style-type: none"> a) not be located within the historic lighthouse precinct unless adaptively reusing a current building; b) be located in close proximity to existing buildings located adjacent to the visitor centre and precinct; c) be sympathetic with and not detract from the historic values of the complex, including maintaining visual linkages between the precinct and the sea; d) provide improved opportunities for the public to stay overnight on the island; e) have a maximum capacity of 50 people (including the capacity of any existing visitor accommodation other than staff buildings); and f) be assessed against criteria in Policy 24.2.1.5 in Part Three.

The proposed application is consistent with section 18 and the relevant policies above. The Applicant is recognised and supported for all the work they currently undertake on the Island and are an example of an outstanding partnership. The biodiversity of the Island is recognised

and therefore biosecurity is considered very important. Part of the application is to build a replica of the original signal mast which is within the lighthouse complex, and also to build a museum which is consistent with policy 18.2.2.5. The Applicant is aware of the historic nature of the site and is engaging with Heritage New Zealand Pouhere Taonga. Policy 18.2.2.10 is relevant when considering the new field centre. The field centre is not within the historic lighthouse precinct and will be located in close proximity to the existing buildings. The site has been specifically chosen as it is close to the main infrastructure of the island but will have a low ecological, heritage and visual impact. It will be used for accommodation for up to 33 people and include volunteers, staff, public and researchers. Policy 24.2.1.5 is assessed below. The proposal is considered to be consistent with Section 18 of the CMS.

Part Three:

Part Three, section 24 covers Specific Policy requirements and is relevant to the application. General authorisations are covered under section 24.2 which discusses the different authorisation types to allow a range of activities that are consistent with relevant legislation and policy. Monitoring of authorised activities is required and is particularly necessary for the Islands such as Tiritiri Matangi due to the nature of the Islands and increasing pressure. Community groups associated with Island restoration programmes are increasingly applying for authorisations to enable them to undertake additional activities will allow for the expansion of services and generate additional funding for conservation activities.

The policies in 24.2.1 sets out a list of six policies to consider when granting authorisations. These policies include issuing authorisations in accordance with the relevant legislation and the provisions of the Conservation General Policy. Section 24.2 discusses the different authorisation types to allow a range of activities that are consistent with relevant legislation and policy. Monitoring of authorised activities is required and is particularly necessary for the islands such as Tiritiri Matangi due to the nature of the Islands and increasing pressure. Community groups associated with Island restoration programmes are increasingly applying for authorisations to enable them to undertake additional activities will allow for the expansion of services and generate additional funding for conservation activities. Policy 24.2.1.5 sets out the following criteria to use when considering applications to retain structures on public conservation lands and waters:

Policy 24.2.1.5

The following criteria will be used when considering applications to erect or retain structures or for the adaptive reuse of existing structures on public conservation lands and waters:

- a) the purposes for which the land concerned is held;
- b) the outcomes and policies for the Place where the activity is proposed to occur;
- c) whether the structure could reasonably be located outside public conservation lands;
- d) whether the structure could reasonably be located in another location where fewer

- potential adverse effects would result from the activity;
- e) whether the structure adversely affects conservation, including recreational, values;
 - f) whether the structure is readily available for public use;
 - g) whether the structure is consistent with the visitor management zone in Volume II, Map 3 and as described in Appendix 11;
 - h) whether the structure enhances the visitor experience;
 - i) whether the activity promotes or enhances the retention of a historic building; and
 - j) whether the activity is a suitable adaptive reuse of an existing building.

This report shows that the proposed activity is consistent with the policies in section 24.2 of the CMS. The structures provide for services on the Island and as such cannot be located outside public conservation land. The location of the structures has been chosen to minimise potential adverse effects or to complement existing structures. All structures (excluding the implement shed) will be available for public use and enhance visitor experience on the Island.

Another section of the CMS which is relevant to the application is section 24.3 Vehicles. Policy 24.3.1.3 states may allow motorised vehicles on public conservation lands and waters for the construction, operation and/or maintenance of authorised utilities, farming operations and restoration activities. Policy 24.3.1.4 sets out requirements which must be considered when considering the use of motorised vehicles on public conservation land. The proposed vehicle use during the construction phase is consistent with these clauses.

The above analysis shows the proposed activity is consistent with Parts 1, 2 and 3 of the CMS.

Hauraki Gulf Marine Park Act 2000

Tiritiri Matangi Scenic Reserve falls within the boundaries of the Hauraki Gulf Marine Park Act as established by section 33 of the HGMPA as the Park includes all reserves within the Hauraki Gulf, its islands and coastal areas. The Act has no specific reference to Tiritiri Matangi or to the concessions regime, however it must be considered alongside other legislation.

The Decision Maker must act consistently with sections 7, and 8, and consider sections 11, 32, 33 and 37 of the Act. These provide, in summary, as follows:

Section 7 provides for the recognition of the national significance of Hauraki Gulf in a number of ways; it particularly recognises that the historic, traditional, cultural and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands and the social, economic, recreational and cultural wellbeing of people and communities are matters of national significance

Section 8 sets out six objectives for managing the Hauraki Gulf in recognition of the national significance of the Gulf, its islands and catchments. These include: protecting and enhancing the

natural, historic and physical resources of the Gulf and its islands; protecting and enhancing the those natural, historic and physical resources (including kaimoana) of the Gulf and its islands with which tangata whenua have an historic, traditional, cultural and spiritual relationship; protecting the cultural and historic associations of people and communities in the Gulf with its resources; and maintaining and enhancing the natural and physical resources of the Gulf which contribute to the recreation and enjoyment of the Gulf for the people and communities of the Gulf.

Section 11 provides that sections 7 and 8 have the same effect as a statement of general policy under the Reserves Act 1977. In other words, they are policies for the implementation of that Act and the Minister must act consistently with them.

As noted, section 33 establishes the Hauraki Gulf Marine Park which includes all reserves held or managed by the Crown. Tiritiri Matangi Scientific Reserve, is therefore part of the Park.

Section 32 sets out the purposes of the Park, some of which overlap with the management objectives in s 8. They are, in summary:

- (a) To recognise and protect in perpetuity the national significance of the land and resources within the Park;
- (b) To protect in perpetuity and for the benefit, use and enjoyment of the people and communities of the Gulf and New Zealand, the natural and historic resources of the Park for their intrinsic worth;
- (c) To recognise and have particular regard to the historic, traditional, cultural and spiritual relationship of tangata whenua with the Gulf, its islands and the resources of the Park; and
- (d) To sustain the life-supporting capacity of the soil, air, water and ecosystems of the Gulf in the Park.

Section 37 requires any person administering land in the Park (such as the Minister) to recognise and give effect to the purpose of the Park (while recognising that such land continues to be administered in accordance with the Reserves Act).

Recognising and giving effect to the purpose of the Park is met in this case where the decision is also in accordance with the matters set out in sections 7 and 8, as discussed above.

In summary, sections 7 & 8 are statements of general policy for the implementation of the Reserves Act 1977. They recognise the national significance of the Gulf and its islands and establish management objectives. These include the protection of historic resources; the protection of resources to which tangata whenua have a relationship; and the protection of the associations that people and communities in and around the Gulf have with its resources. It is considered that the proposed activity is not inconsistent with these policies as it will provide for the benefit, use and enjoyment of the people and communities of New Zealand, and protect the natural and historic resources of the park.

Summary

The analysis above shows the proposed activities are considered to be consistent with all relevant sections of the Conservation General Policy, Auckland Conservation Management Strategy and the Hauraki Gulf Marine Parks Act 2000. The cultural effects of the application have been evaluated, with consideration being given to the scope of the special conditions that might be included to manage these effects. As well the Applicant is aware that they need to work with iwi to incorporate cultural features into the design of the field centre.

Conditions

Standard conditions applicable to the proposed activity:

Monitoring

1. If the Grantor determines that the conditions of this Document or the effects of Concession Activity should be monitored, the Concessionaire shall meet: either the full costs of any monitoring programme that is implemented; or, if the Grantor determines that the costs should be apportioned among several Concessionaires who use the same locations, part of the costs of the monitoring programme. These costs will include the Department's standard charge-out rates for staff time and the mileage rates for vehicle use associated with the monitoring programme.

Special conditions relevant to this application:

Construction

- 1) The Concessionaire shall submit a detailed construction plan for each part of the development to the Grantor for approval at least eight weeks before work is expected to commence that will include but not necessarily be limited to:
 - a) Duration and timing of construction
 - b) Final designs of the buildings
 - c) Removal of construction waste
 - d) Measures to mitigate possible issues with wildlife during construction
 - e) Site safety
- 2) The Concessionaire shall submit a detailed timeline for the entire development project to the Grantor for approval. Construction must be initiated within five years of the approval date.
- 3) All barges transporting construction materials and equipment must arrive and depart Tiritiri Matangi Island outside the times the scheduled ferry service arrives and departs i.e. no arrival between 10am – 11am and no departure between 3.00pm – 3.45pm.
- 4) The Concessionaire must ensure that all materials being used for construction are transported on the existing roads, using vehicles that have been approved for use on the Island.

- 5) The Concessionaire shall on completion of construction, ensure that all plant, equipment, chemicals, fencing, signage, debris, rubbish and any other material brought on-site is removed and the site is restored to the satisfaction of the Grantor.
- 6) The Concessionaire shall make all necessary effort to minimise the extent of ground disturbance, and to minimise disturbance to the public, during construction. Noise shall be kept to reasonable levels, particularly during main visiting hours for the public, which is defined as the period between the arrival and departure of the regular ferry service. Whenever possible, activities that cause noise at a level reasonably considered to be a discomforting shall be undertaken outside the main visiting hours.
- 7) The Concessionaire must ensure a hazard notification board is present at all entrances to each construction site.
- 8) The Concessionaire must install a new overflow system for the tank for which the stormwater from the museum building is to be piped. The Concessionaire is to provide the Grantor with the details of the overflow system at the time the construction details are provided as per Schedule 3, Clause 1.

Vegetation

- 9) The Concessionaire must ensure that at the field centre site, the clearance of vegetation is outside of the bird breeding season of September to March each year and is undertaken by hand in a progressive 'moving front'. Leaf litter and logs must be carefully searched for skinks or bird eggs and chicks.
- 10) The Concessionaire must ensure the flax cleared from the field centre construction site is trimmed, divided and transported to an alternative planting site to the satisfaction of the Grantor on the eastern side of the Island. As well the Concessionaire must ensure that all other shrubs and trees that are removed are transplanted if possible.

Wildlife

- 11) As the clearance of vegetation at the field centre site is likely to disturb protected wildlife, then the Concessionaire should obtain in advance a Wildlife Act permit as otherwise the clearance of vegetation will need to cease until the permit is obtained.
- 12) The construction sites shall be securely fenced by the Concessionaire to prevent access by protected ground birds and skinks during construction. The Concessionaire shall regularly inspect the surrounding grounds outside the fence to ensure no debris is left on the ground to which ground birds may have access. No construction materials or implements are to be left unsecured in the open where they may cause harm to wildlife, and all materials and implements must be covered and secured at night. The Concessionaire shall ensure that construction personnel do not feed wildlife or leave food unsecured in the open.

BioSecurity

- 13) The Concessionaire must ensure that any gravel used for the project shall be sourced from an approved weed free source.
- 14) The Concessionaire must comply with and ensure its contractors comply with the Department of Conservation's 'Pest-free Island Biosecurity Checklist' (attached as Schedule 5) regarding biosecurity measures, including checking footwear, clothing and gear for pests before departure from the mainland.
- 15) Any commercial vessels, including barges to be taken to the Island must have previously been inspected by the Ranger Services (Biosecurity), or hold a Pest-free Warrant.
- 16) The Concessionaire must meet the cost (which is currently \$350.00 plus GST per day) of all the biosecurity checks associated with this proposal for the period of the project. In due course when the detailed construction information as per Schedule 3 Clause 1, is submitted to the Grantor, the Concessionaire must obtain the current daily rate for the biosecurity checks.

Heritage and Archaeological

- 17) In the event that an unidentified archaeological site is located during works then in terms of the Heritage New Zealand Pouhere Taonga Act (2014), there is an archaeological discovery protocol that is to be followed as follows:
 - a) Work shall cease immediately at that place and within 20metres around the site.
 - b) The contractor must shut down all machinery, secure the area, and advise the Site Manager.
 - c) The Site Manager shall secure the site and notify the Heritage New Zealand Regional Archaeologist. Further assessment by an archaeologist may be required.
 - d) If the site is of Maori origin, the Site Manager shall notify the Heritage New Zealand Regional Archaeologist and the appropriate iwi groups or kaitaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act (2014)).
 - e) If human remains (koiwi tangata) are uncovered the Site Manager shall advise the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitaki representative and the above process under d) shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.
 - f) Works affecting the archaeological site and any human remains (koiwi tangata) shall not resume until Heritage New Zealand gives written approval for work to continue. Further assessment by an archaeologist may be required.
 - g) Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.
 - h) Heritage New Zealand will determine if an archaeological authority under the Heritage New Zealand Pouhere Taonga Act (2014) is required for works to continue.
- 18) a) The Concessionaire must ensure an iwi cultural advisor is on-site for all pre-construction

- hui to raise any concerns for the awareness of members, contractors and sub-contractors.
- b) The Concessionaire must ensure an iwi cultural advisor is on-site during the initial earthworks undertaken in the construction phase.

- 19) The Concessionaire must ensure that the approval of Maritime New Zealand is obtained before the construction of the mast is undertaken.

Construction Finance

- 20) Prior to the commencement of any works, the Concessionaire shall provide evidence of the funds in the form of a written guarantee that it holds sufficient finance to meet the full costs of all approved works. Such guarantee shall not expire and shall remain effective until the works are completed to the satisfaction of the Grantor.

Hazardous Materials, Chemicals and Waste

- 21) Any waste or rubbish being held on site prior to its removal is to be stored in a manner to ensure it is not blown by wind or spilled or leached into soil, or presents a potential hazard to wildlife.
- 22) The Concessionaire must ensure that all site personnel are trained in hazardous material and waste handling and spill contingency and emergency procedures.
- 23) The Concessionaire shall ensure that all vehicles, machinery, and hazardous materials such as paints, fuels and other chemicals are stored in a secure enclosed facility on-site including any spill clean-up kits.
- 24) In the event of any spill the Concessionaire shall ensure that all spilled materials and contaminated soil and storm-water are properly contained, pumped or removed into suitable holding containers and removed from site and disposed of at a Council approved site.
- 25) The Concessionaire must immediately notify the Grantor of all spillages.

Accommodation during construction

- 26) Subject to the availability of space, the Concessionaire may be permitted to use up to half the bunks in the Bunkhouse located on the Island for the accommodation of its members, contractors and sub-contractors during the construction period. The Concessionaire must book this accommodation using the normal process and pay to the Grantor, those fees that apply for use of the Bunkhouse accommodation. The Concessionaire shall ensure that its members, contractors and sub-contractors maintain the Bunkhouse in a neat and tidy condition when using.

Myrtle Rust

- 27) The Concessionaire must comply with the following guidelines to minimise possible spread of the pest organism Myrtle Rust (*Austropuccinia psidii*), also known as guava rust or eucalyptus rust.
- a) Know the plants that are affected by myrtle rust and what the rust symptoms look like. This serious fungal disease only affects plants in the Myrtle (Myrtaceae) Family which includes pōhutukawa, mānuka, kanuka, and ramarama. See <http://www.mpi.govt.nz/protection-and-response/responding/alerts/myrtle-rust>.
 - b) If you think you've seen the symptoms of myrtle rust, **do not touch**.
 - i) Call the MPI Exotic Pest and Disease Hotline immediately on **0800 80 99 66**.
 - ii) If you have a camera, take clear photos, including the whole plant, the whole affected leaf, and a close-up of the spores/affected area of the plant.

Failure to Exercise Concession Document

- 28) The Concession will lapse on the expiry of five years after the date of commencement of the concession, unless the concession is exercised before the end of that period.

Monitoring

No specific monitoring has been identified but the standard condition providing for cost recovery of any monitoring undertaken will be included as a special condition. The Department works closely with the Applicant and is aware of activities being undertaken on the Island.

Term

The Applicant has applied for a term of 30 years. A term of 30 years is consistent with section 17Z(1) of the Conservation Act where leases and licences may be granted for a term not exceeding 30 years. A 30 year term is deemed appropriate for the proposed activities as the structures will have a lifespan of at least 30 years.

A term of 30 years is recommended.

Failure to Exercise Concession Document

The Applicant has requested the concession lapse period be extended to 5 years from the standard 2 years. Section 17ZD(2) of the Conservation Act states a concession lapses 2 years after the date of commencement (or after the expiry of such longer period the Minister may allow) unless the concession is exercised. Note this does not affect the expiry date of the concession. The Applicant has requested this is extended due to the time required to undertake the following tasks:

- Obtain resource consent from Auckland Council. We anticipate that this will be time consuming due to the historic complexities of the environments.
- Complete detailed planning and obtain building permits

- Raise the required capital funds to complete the projects. Raising these funds may be a multi-year project.
- Choose builders
- Schedule work around the key breeding and tourist seasons.
- Schedule the conveyance of materials, products and machinery to the island. Complexities will include availability of barges and machinery as well as timing of tides
- Other problems associated with the island location which may include:
 - Biosecurity
 - Weather
 - Obtaining accommodation for contractors

It is recommended that the Decision Maker agree to extend the lapse period to 5 years and a special condition has been included to reflect this.

Decision: Notified Concession under Part 3B of the Conservation Act 1987

Decision in Principle

1. Deem this application to be complete in terms of s17S of the Conservation Act 1987:
Agree / ~~Disagree~~
2. Agree that if this application is approved in principle then the intention to grant the concession will be publicly notified:

Agree / ~~Disagree~~
3. Approve in principle the granting of a 30 year lease/licence to Supporters of Tiritiri Matangi Incorporated, subject to the standard concession contract and the special conditions listed above:

Approve / ~~Decline~~
4. Having regard to s49(1) of the Conservation Act 1987, agree that any intent to grant the permission would be of local or regional interest only, in which case the publication of public notice on this matter be limited notice in the New Zealand Herald:

Agree / ~~Disagree~~

Signed by Andrew Baucke, Director, Operations, Auckland

Pursuant to the delegation dated 9 September 2015

2 February 2018