

# Sounds Foreshore Reserve

## Application Form:

## Existing and New Buildings/Structures



Department of  
Conservation  
*Te Papa Atawhai*

New Zealand Government

### 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)	Catherine Elizabeth Collins			
	Phone		Mobile phone	[REDACTED]	
	Email	[REDACTED]			
	Physical address	[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. Duration

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

30 years, Lease

Explain why you are seeking this duration:

This is for a family property we have owned since 1970. We had a Foreshore Licence which expired in December 2020 because I did not receive the paperwork to renew possibly due to COVID 19 and only noticed the expiration in April 2021 when renewing our mooring licence, at which point I contacted you immediately. I live in London, and have been managing the Sounds property since 2000, when my father became ill and subsequently died, and my mother has since died. You can contact Vanessa Hantz at MDC who is aware of and understands our situation. I may not have all the information you will require with me, and as you know I am unable to travel to NZ due to COVID 19, and hope that you will be able to retrieve any information you my need from our previous Foreshore Licence. The reference on the latest invoice dated 29.7.2020 is NM-30748-SFR, and our account number is 25036. I can also see a reference PAL-24-43-01. We pay £520 twice a year for a part house encroachment (an error by builders in 1970 who constructed the house).

## C. Pre-application meeting

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

No

Yes

State when and who with:

I've not had a pre-application, but I have contacted DOC about the inadvertent expiration of our Foreshore Licence, explaining how I did not receive any renewal documents either by email or post, neither did our firm of accountants in Wellington with whom I have checked, and did not notice that the Licence had expired until April when I had our mooring inspected, at which point I contacted you immediately. I have had email correspondence with Harriet Kemp to whom I appealed for help, due to my situation in the UK and not being able to travel to New Zealand, and then I received an email from the Sounds Foreshore Renewals Inbox asking me to apply for a new licence and a fee waiver to reduce the processing fee to the same cost of a renewal, for which I am extremely grateful.

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## D. Is this application for an existing building or structure?

Is this application for an existing building or structure?

No (for **new buildings or structures**, fill in all sections except Section E).

Yes (for an **existing building or structure only** complete sections except Section F).

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## E. Existing 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	Lot 3
DP number	DP 3298
Name of the bay	West Bay, Lochmara Bay

2. Describe in detail the existing encroachment including when it was installed, 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.

The encroachment runs through the front elevation of the dwelling and was an error by builders who constructed the house in 1971 for my father, Wellington barrister Richard Gray Collins. They made a mistake with the surveyor's pegs, building the house on the footprint of the previous dwelling, instead of following the surveyed line. This went unnoticed until the house was completed. It caused my father great upset, but he realised that taking action against the builders would bankrupt them so he paid the encroachment fee instead. The extent of the encroachment is in document 2. Collins Locality Plan

We also have a jetty, a boatshed and slipway, and a mooring.

3. Could this structure/work be re-located elsewhere? Is there an acceptable site on your property? Provide details of other sites considered:

No

4. Is the building going to be used for commercial purposes?

No

5. Do you use the Sounds Foreshore Reserve for any other purpose? (e.g. lawns, picnic table, garden, wastewater soakage field etc).

There is a small lawn in front of the house before the land slopes steeply down to the shore

## F. 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

2. Describe in detail the existing encroachment including when it was installed, 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.

3. Could this structure/work be reasonably located elsewhere? Is there an acceptable site on your property? Provide details of other sites considered.

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

5. Do you intend to use the Sounds Foreshore Reserve for any other private purposes (e.g. lawns, picnic table, garden, wastewater soakage field etc)? Give details/reasons.



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## G. 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 to convey water and electricity over SFR, from adjacent property to boatshed.

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## H. 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.)

## I. 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 Maori) 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.

## J. Consistency with DOC statutory plans

List [DOC's statutory planning documents](#)<sup>10</sup> relevant to your application (e.g. Nelson/Marlborough Conservation Management Strategy):

I'm sorry but I don't know how to answer this question

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.

## K. 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>11</sup> and [DOC's guide to preparing your environmental impact assessment](#)<sup>12</sup>.

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

<sup>10</sup> <https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/>

<sup>11</sup> <https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/environmental-impact-assessment/#low-medium-impact>

<sup>12</sup> <https://www.doc.govt.nz/globalassets/documents/about-doc/concessions-and-permits/concessions/guide-to-environmental-impact-assessments.pdf>

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.	NOT APPLICABLE
Effects on the <b>visual</b> composition of the landscape.	NOT APPLICABLE
Effects on <b>cultural values</b> of Tangata Whenua or members of the public.	NOT APPLICABLE
Effects on <b>historic sites or objects</b> including Wahi Tapu e.g., disturbance of the ground.	NOT APPLICABLE
Effects on <b>existing infrastructure</b> such as roads, tracks, huts, carparks, huts etc.	NOT APPLICABLE
Effects on <b>existing vegetation</b> e.g. disturbance or removal of vegetation.	NOT APPLICABLE
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.	NOT APPLICABLE
Effects on <b>wildlife or wildlife habitat</b>	NOT APPLICABLE
Effects on <b>aquatic habitat</b> (waterways, swamps, freshwater animals and vegetation).	NOT APPLICABLE
Effects on <b>other users</b> (tangata whenua, recreational users and concessionaires) of the land.	NOT APPLICABLE
Effects of potential <b>increased threats</b> (pests, weeds, pathogens and fire) to public conservation land.	NOT APPLICABLE
Effects of <b>increased rubbish, toilet waste or debris left on public conservation land</b> during construction and regular use of the easement.	NOT APPLICABLE
<b>Cumulative effects</b> that could be caused by the activity.	NOT APPLICABLE
<b>Positive effects</b> of the activity.	NOT APPLICABLE



## L. 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.

Section of the application form the attachment relates to	Document title	Document form (e.g. Word, PDF, Excel, jpg etc)
<u>Correct example ✓</u> D	Existing structure relevant information	PDF
<u>Correct example ✓</u> E	Environmental Impact Assessment	Word
<u>Incorrect example ✗</u> Table	Doc1	Word

	[Redacted]	
	2: Locality plan	pdf
	[Redacted]	if
	[Redacted]	[Redacted]
	[Redacted]	[Redacted]
	[Redacted]	[Redacted]
	[Redacted]	[Redacted]

## M. Checklist

Application checklist	
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 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 type="checkbox"/>
I have attached all relevant information (e.g. Certificate of Title, maps, photographs, resource consent applications etc) and recorded them in section L	<input type="checkbox"/>
I have appropriately labelled all attachments and completed the section L. Attachments to match	<input type="checkbox"/>

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

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 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 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 type="checkbox"/>	
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.		<input 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 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 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 type="checkbox"/>	
<b>Applicant name/s (of authorised person/s)</b>	Catherine Elizabeth Collins	<b>Date</b>	16 <sup>th</sup> June 2021

### Additional note

I have been told to apply for a fee waiver to enable me to pay a renewal fee for expired licence but cannot see how to do this on this form. Please advise and I will transfer to your bank account if you can send me the details.

I'm really hoping you can help me with this situation, as I am struggling to find the application from 10 years ago in order to complete this correctly.

Many thanks,  
Catherine Collins