



Concession Application Form 3a – Tenanting or using existing DOC structure/facility

The Department recommends that you contact the Department of Conservation Office closest to where the activity is proposed to discuss the application prior to completing the application forms. Please provide all information requested in as much detail as possible. Applicants will be advised if further information is required before this application can be processed by the Department.

This form is to be used when the proposed activity is the tenanting or use of any existing facility or structure that is managed by the Department of Conservation on public conservation land. Examples may include permanent use of historic building for a business or a community group; leasing a campground or lodge. For overnight stays in DOC huts, please fill in Form 4a. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

Please complete this application form, attach Form 1a or Form 1b, and any other applicable forms and information and send to permissions@doc.govt.nz. The Department will process the application and issue a concession if it is satisfied that the application meets all the requirements for granting a concession under the Conservation Act 1987.

A. Description of Activity

Please describe the proposed activity in detail – where the site is located, what you intend to use the building for, whether you intend to make any changes to the infrastructure.

Please include the name and status of the public conservation land, the size of the area you are applying for and why this area has been chosen.

If necessary, attach further information including a map, a detailed site plan and drawings of proposal and label Attachment 3a:A1.

Darren and Hamish both have a private Boatshed located on the Lake Ōkāreka Marginal Strip. The Boatsheds are located within the water stratum of the marginal strip. The Boatsheds sit side by side in the water joined by a walkway. Both Boatsheds are existing structures.

Grid ref; X 1893401.9 Y 5769616 (NZTM)

The Boatsheds both have resource consents from the Bay of Plenty Regional Council. The resource consent number allocated to Darren's Boatshed is G19 and Hamish's is G20.

There are another 15 Boatsheds which are located within the marginal strip under similar circumstances, who were recently each granted a 30-year Lease – see 81689-OTH. The two Boatsheds which are part of this application were not included in the original process due to a misunderstanding about the Boatshed structure and the marginal strip boundary.

Do you believe you need to exclude others from the structure or facility? **YES / NO**
(*Exclusive occupation requires a lease which requires public notification of the application*)

If **yes**, please answer the following 3 questions, if no please go to the next section:

Is exclusive possession necessary to protect public safety? **YES / NO**

Is exclusive possession necessary to protect physical security of the activity? **YES / NO**

Is exclusive possession necessary for the competent operation of the activity? **YES / NO**

If the answer to any of the above is yes, then provide details and supporting evidence and label Attachment 3a:A2.

The Boatsheds are used to store private use recreational items of varying value but generally of high value. The exclusive possession of these items is required for reasons of public safety, and physical security of the recreational water-related items.

The marginal strip is freely accessible by the public. It is necessary to lock the Boatsheds to protect the public from harm, and to also protect the contents of the Boatshed from anti-social behaviour associated with the general public.

B. Term

Please detail the length of the term sought (i.e. number of years or months) and why.

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

30 years

D. Bulk fuel storage

Under the Hazardous Substances and New Organisms Act 1996 (HSNO Act) 'Bulk fuel storage' is considered to be any single container, stationary or mobile, used or unused, that has a capacity in excess of 250 litres of Class 3 fuel types. This includes petrol, diesel, aviation gasoline, kerosene and Jet A1. For more information on Hazardous Substances, go to:

<http://www.business.govt.nz/worksafe/information-guidance/legal-framework/hsno-act-1996>

Do you intend to store fuel in bulk on the land as part of the activity?

YES / NO

If you have answered yes, then please provide full details of how and where you intend to store the fuel, and label any attachments including plans, maps and/or photographs as Attachment 3a:D. If your concession application is approved you will be required to provide a copy of your HSNO compliance certification to the Department before you begin the activity.

E. Other

Is there any further information you wish to supply in support of your application? Please attach if necessary and label Form 3a:E

Attachment 3a: A1.

Figure 1 Aerial map showing the location of the two Boatsheds within the marginal strip



Figure 2 Aerial map showing the location of the two Boatsheds within the Lake Ōkāreka Community



Figure 3 Photo of the Boatsheds - (B - Hamish) Left (A - Darren) Right



Attachment 3a:C.

Assessment of Environmental Effects (AEE)

Please note: This AEE considers the effects of an existing activity requiring retrospective authorisation for use of the footprint of public conservation land.

Existing Natural Environment

Lake Okareka is surrounded on the northern and north-eastern flanks by the Lake Okareka Scenic Reserve and on the southern shores in an intermittent fashion the Lake Okareka Marginal Strip (LOMS). The remainder is a mix of local authority management and private land. The Boatsheds lie on the edges of Lake Okareka within the Lake Okareka Marginal Strip. Some partly on land and in the water, others high and dry on land. The ground is undulating and in places steep and cliff-like. Multiple private lots adjoin the LOMS and these titles make up part of the Lake Okareka Community.

The LOMS is noted as a lowland bioclimatic zone (as per *Vegetation and Flora of Lands*, S. Beadel, August 1995). It is approximately 6.5 hectares in size. The greater portion of the LOMS has been privatised by adjoining landowners since the establishment of the subdivision in the 1930's. The LOMS is a mix of pasture, water herb field, rush land, exotic grasses, crack willow, exotic trees and reed land. The LOMS is noted as having potential, as with some management it may deserve a higher ranking (as per *Vegetation and Flora of Lands*, S. Beadel, August 1995). The LOMS is currently dominated by adventive species. Management of the flora on the LOMS is undertaken by Landcare Okareka.

The Lake Okareka Scenic Reserve (Reserve) on the opposite side of Lake Okareka contains mature stands of Tawa/kamahi-rewarewa forest, Tawa-tree fern forest with Kamahi, Tawa-kamahi/tree fern forest, Kamahi/whauwhaupaku tree land and Manuka scrubland. The Reserve is of particular scientific interest because "much of the forest had redeveloped since being overwhelmed by Rotomahana Mud in 1886" (Nichols 1968). Where the reserve borders Lake Okareka extensive disturbance by fire and clearing has occurred. The vegetation in this area consists mainly of early successional growth. The northern part of the Reserve consists mainly of late successional forest (King 1983a).

Archaeological and Historic Sites

The Boatsheds currently exist on the LOMS. The Boatsheds are not known to have an impact on any existing archaeological and historic sites.

A cultural impact report was funded by the Bay of Plenty Regional Council as part of the resource consenting process for water structures. To give effect to the consultation requirements required by Occupiers. This cultural impact report was carried out by Te Arawa Lakes Trust, who spoke with all relevant iwi, hapu and whanau associated with each lake in Rotorua. The study has not identified any issues of concerns related to the existing Boatsheds at Lake Okareka. The report did note that overall the structures for private use at Lake Rotoehu is not to increase. Any structure that has material detrimental to the environment should also be removed.

The Department keeps in regular contact with Tuhourangi Tribal Authority (TTA) whose rohe includes the Lake Okareka Marginal Strip. TTA have not raised any concerns with the current activity regarding sites of cultural significance.

Existing Social Environment

Most of the Land currently supports private recreational use either associated with the waterway or the adjoining private land parcel. You would be most likely to encounter activities associated with the adjoining landowner's property on the Land. These activities have been authorised by the Department through individual Management Agreements. There are three accessways which enable the general public to access the LOMS and the shores of Lake Okareka. Most users of the accessways are from the local community, who use to undertake water-related activities. The Boatsheds are existing structures which have been on the LOMS for at least 20 years. The location of the Boatsheds on the LOMS still allows access across the LOMS by the general public.

| Values | Potential Adverse Effects | Mitigation Measures |
|-----------|---|---|
| Land | Discharge of pollutants | <p>Only fuels and oil to be housed in the Boatsheds. To be contained in good quality containers. Any refuelling to be undertaken using a funnel or suitable pouring device. All significant maintenance of any water vessels and engines stored in the Boatshed will be undertaken off-site A specific Environmental Effects Assessment will be submitted to the Department for any works beyond the scope of maintaining the Boatshed in good working condition.</p> |
| | Introduction of new plant pests | Ensure that any equipment bought onto site or used to maintain the Boatshed is free of weeds. |
| | Maintenance of the Boatshed | <p>Only like for like replacement work will take place. Area disturbance around the immediate vicinity of the Boatshed will be kept to a minimum. And the land will be restored to original state.</p> |
| | Rubbish | The immediate surrounds of the Boatshed will be kept free of rubbish. |
| Aquatic | Disturbance to aquatic life and water within the Boatshed footprint and at the entrance to the Boatshed | <p>Vessel movement will be kept to a minimum. Any refuelling to be undertaken using a funnel or suitable pouring device. All significant maintenance of any water vessels and engines stored in the Boatshed will be undertaken off-site. A specific Environmental Effects Assessment will be submitted to the Department for any works beyond the scope of maintaining the Boatshed in good working condition.</p> |
| Landscape | Impingement on the landscape | <p>The Boatshed will be painted and/or stained in colours which are in fitting with the natural surroundings. Colour schemes will have natural feel (forest green/brown/black theme). The Boatshed will always have a low light reflectivity.</p> |

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|------------|---------------|---|
| Recreation | Public Safety | Where practicable the Boatsheds will be locked or made inaccessible to the general public as to ensure the public cannot always access them readily. All fuels associated with the Boatshed will be contained within the Boatshed. The immediate surrounds of the Boatsheds will be kept free of trip hazards, such as ropes, kayaks. |
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