



Department of Conservation  
*Te Papa Atawhai*

## Permission Decision Support Document

### Application Details

Decision Maker	David Butt, Operations Manager, Whakatipu District
Applicant	Dalefield Water Supply Society Incorporated
Permission Number	107337-OTH
Permission Type	Non-notified Easement

### Key Dates

Application received	05 May 2023
Task Assignment assigned	17 August 2023
Context Meeting	24 August 2023
Check-In Meeting	
Decision due	19 September 2023

### Document Links

Application	<a href="#">DOC-7334853</a>
Task Assignment	<a href="#">DOC-7335055</a>
Cost Recovery Tool	<a href="#">DOC-7430903</a>
Existing Easement Contract	<a href="#">DOCDM-1166168</a>
One-off Concession Contract	<a href="#">DOC-6854637</a>

### Resources

Permissions Advisor	Ben Fielding, Ōtepoti / Dunedin Shared Service Centre
District Office	Juliet Bruce, Community Ranger

## 1. Task Register

Tasks as set by the Decision Maker:

No.	Task description	Accountability	Estimated time req'd to complete task (minutes)	Timeframe (date due)	Date complete	Time taken to complete task (minutes)
1	Capture and assign application	Capture Team			17/08/2023	100 minutes
2	Context Meeting	Ben Fielding David Butt Juliet Bruce	3 x 30 minutes		24/08/2023	3 x 15 mins = 45 mins
3	Iwi engagement	Juliet Bruce	120 minutes	19/10/2023	6/11/2023	230 minutes
4	District comments	Juliet Bruce	60 minutes	15/09/2023		140 minutes to 14.12.23 – JB to update
5	Co-ordinate the processing of the application – including (but not limited to) communicating with the Applicant, managing the Permissions Database record, and co-ordinating the completion of the Decision Support Document	Ben Fielding	300 minutes			150 mins to 17/01/2024
6	Undertake a statutory analysis of the application	Ben Fielding	120 minutes		17/01/2024	60 minutes
7	Share the decision with the team members on behalf of the Decision Maker	Permissions Advisor				
8	Share the decision with those consulted with (including Treaty Partners and the Conservation Board)	Community Ranger/anyone				

		who has consulted				
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Released under the Official Information Act

## **2. Purpose**

To make a decision on the application.

## **3. Context**

The Department has received an application from Dalefield Water Supply Society Incorporated (the Applicant) to install a new bore head connecting a recently drilled productive bore to an existing water supply system in the Tuckers Beach Wildlife Management Reserve, adjacent to the true left side of the Shotover River, near Queenstown.

The new bore head structure will have a footprint of approximately 1.2m x 2m x 1.2m high and will be set mostly in ground, with around 600mm protruding. A trench will be dug to install buried pipes and control cables will connect the new bore with a new valve chamber (approx. 1.2m x 2m x 0.4m high) and existing power supply (power pole). The total earthworks required will be confined to an area of approximately 34m<sup>2</sup>. A plan showing the proposed new infrastructure is shown in figure 3 below.

This infrastructure is proposed to be authorised by way of an easement for the right to convey water and the right to convey electricity.

### **Background**

The Dalefield Water Supply Society Incorporated owns, operates, and maintains the Dalefield water supply scheme which consists of two older bore sites and associated pipes and controls as authorised by concession PAC-13-04-17, and as shown in figure 1 below. The supply services approximately 100 private residences near Queenstown.

The original bore site (Figure 2 - area B) has long been decommissioned, and the current bore (Figure 2 - area A) has been operating since circa 1997. Given the age of the current bore, and the lack of redundancy in the scheme, the Applicant seeks to install a second operable bore nearby to secure security of supply.

A one-off concession (97509-OTH) was granted in May 2022 (expired August 2022) allowing the Applicant to drill test bore holes at the location to find a suitable new water supply site. A suitable site was found, and this application seeks to authorise the installation of the new bore and associated connections to the existing water supply system.

### **Scope of application**

In their application, the Applicant notes that their existing easement concession PAC-13-04-17 expires in July 2027, and suggests a renewal of the concession could be considered as part of the processing of this new application. At the context meeting for this application, the Decision Maker determined that, in order to ensure a timelier decision, that only the new easement should be considered as part of the process.

However, since the context meeting, there has been a delay in processing the application due to allocation of Permission Advisor resources elsewhere. The Commercial Team has also advised that an external valuation report is considered necessary to assess the appropriate activity fees for the easement. Their view is that it would be preferable to be able to assess the whole water



supply scheme at one time, to ensure all the related activity is captured within the set fee, and to avoid having to carry out a further assessment in 2027 upon the expiry of the older concession.

Having all easements relating to the Dalefield scheme on one easement concession will generally make the activity easier to manage in the future for both the Applicant and the Department.

This proposal has been discussed with the Applicant and the District Office who agree this is a pragmatic approach.

It is considered that the information provided within this application is sufficient to assess the existing easement infrastructure, given it is already in situ and there are no changes required to that infrastructure. There will be no additional adverse effects that need to be considered in this report that are not covered in the application. If this application is granted, a surrender of concession PAC-13-04-17 can be actioned.

### **Other concession**

It is notable that there is another residential water supply scheme authorised to operate a bore and convey water from within the same area of Tuckers Beach Wildlife Management Reserve, that being the Fitzpatrick Water Supply Scheme Limited. An application to vary an existing bore and water conveyance easement to install a new control panel and electrical cabling for that scheme is also before you for consideration alongside this application, under 77927-OTH. The two schemes do not involve any co-siting of equipment. If both applications are approved, the two schemes will be encouraged to coordinate their works within public conservation land to minimise earthworks and the impact on public access to the area.

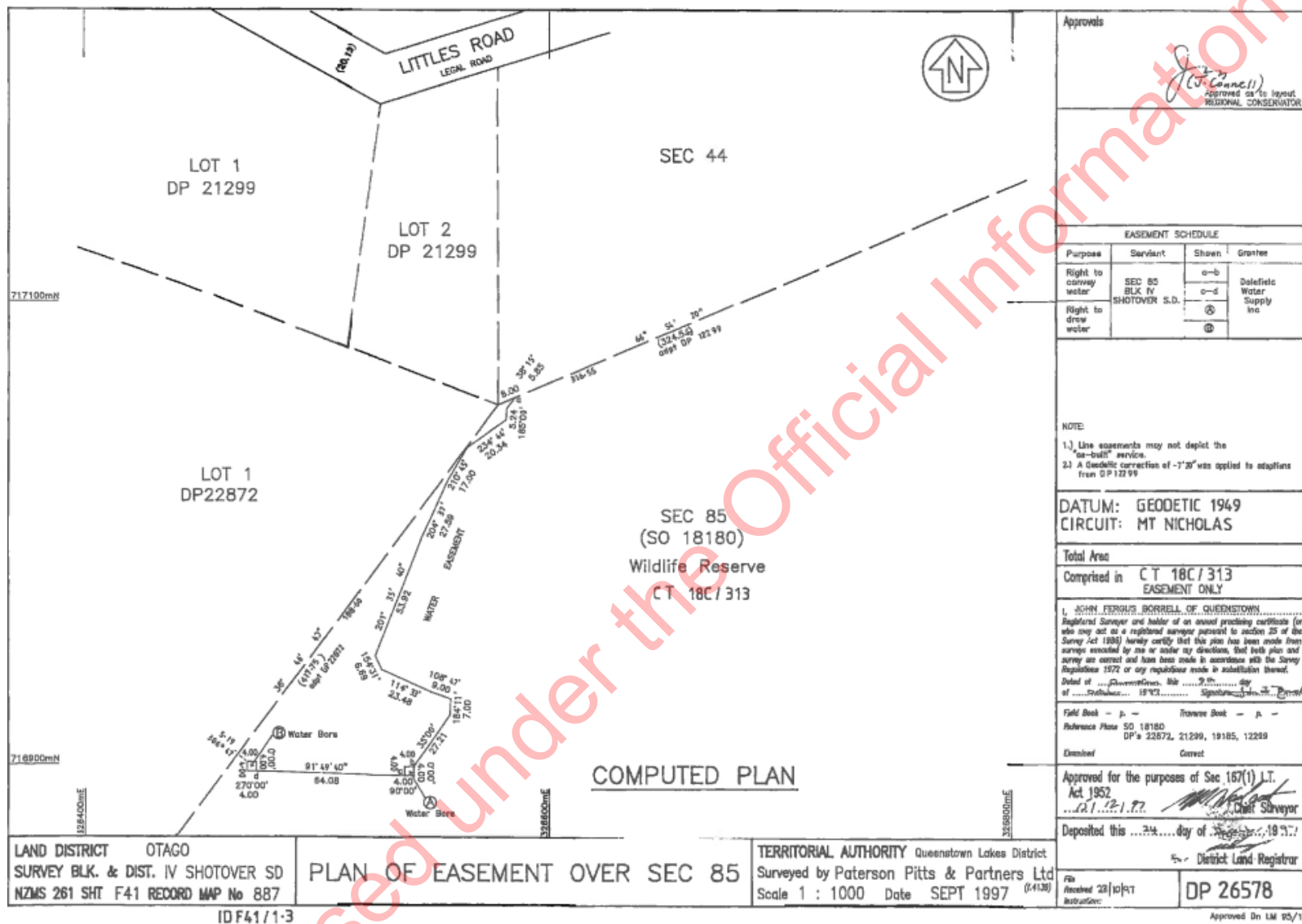


Figure 1: Existing Dalefield water supply easement (PAC-13-04-17)



Figure 2: Map of existing Dalefield supply infrastructure (green line), proposed new bore site (purple) and proposed new easement land (yellow rectangle)





## Location

The activity has been applied for at the following location:

Conservation area	Description of location (if applicable)	Land status	District Office	Activity
Tuckers Beach Wildlife Management Reserve NaPALIS ID: 2804649	Section 85, Block IV, Shotover Survey District RT OT18C/313 NZTM midpoint: 1263747E, 5010557N	Held as a Government Purpose Reserve under s.22 of the Reserves Act 1977	Whakatipu	Easement for: (a) A right to convey water (b) A right to convey electricity  For the purpose of a residential water supply scheme

## Relevant details about the Applicant

Dalefield Water Supply Society Incorporated is a society formed in the late 1990's to provide secure water supply to the growing Dalefield community. It is currently understood to consist of around 100 members.

Compliance with previous permission conditions	No previous breaches noted in the database
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## 4. Critical Issues

### Critical Issue 1: How To Ensure the values of the area are maintained?

**Action:** Community Ranger to discuss risks to flora and fauna (e.g. nesting birds and cushion plants) and advise. Then to work with Ben on Special Conditions to manage risks.

**Outcome:** Senior Biosecurity Ranger has provided appropriate conditions to manage effects on nesting birds. See Community Ranger Contributions in section 6.

### Critical Issue 2: How To Understand concerns around potential co-siting of equipment with the Fitzpatrick scheme that is at same location?

**Action:** Permissions Advisor to query Applicant in acknowledgement letter and consult the other concession documents to make sure there are no conflicts.

**Outcome:** Both schemes are aware of the presence of the other however they do not share equipment. If the application is granted, the approval letter sent alongside the final concession document can recommend that the two parties coordinate their works to ensure effects are minimised.

### Critical Issue 3: How To Understand if iwi consultation is required?

**Action:** Community Ranger to consult agreed triggers and undertake if required.

**Outcome:** See Section 5 below – no concerns around this activity raised by iwi.

**Critical Issue 4: How To Understand if vehicle access is allowed at this location/reserve in CMS?**

**Action:** Permissions Advisor to check Otago CMS for this early in process in case an exceptional circumstances case needs to be considered.

**Outcome:** The Otago CMS Policy 3.2.3 allows for vehicle use on PCL for the construction and maintenance of authorised utilities which will cover this activity. See section 17W assessment in Section 6 below.

## 5. Consultation with Treaty Partners

**Juliet Bruce – Community Ranger, Whakatipu-wai-māori**

### SECTION A: Treaty Settlement implications

*If you have any questions about Treaty Settlement implications of an application, contact the Treaty Negotiations Team.*

1. Is any site subject to the application due to be transferred to whānau, hapū, or iwi?  
If no, delete questions 2-3 and go to question 4. If yes, identify the site.  
**No**
2. If your Treaty Partners have settlement legislation in place already, are there any specific post-settlement implementation obligations that relate to the site or proposed activity?  
**N/A**

### SECTION B: Marine and Coastal (Takutai Moana) Area Act 2011

*If you have any questions about the Marine and Coastal (Takutai Moana) Area Act or the consultation required by this Act, contact your Team Leader.*

1. Is the location subject to any applications or approvals for customary marine title or protected marine rights under the Marine and Coastal (Takutai Moana) Act 2011? If no, delete question 2. If yes, identify the Treaty Partners who have either applied for or had approved customary marine title or protected marine rights at the location.  
**No**

### SECTION C: Whānau, hapū, and iwi consulted

Treaty Partner consulted with	Ngāi Tahu
Date consultation was sent out	<a href="#">DOC-7458504</a> 21 September 2023
Consultation time frame end date	19 October 2023
Consultation method (email, phone, face to face etc)	Email
How many attempts made to consult?	One

DOC-CM link to any consultation emails received		<a href="#">DOC-7488527</a>	
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Ōtakou Papatipu Rūnanga

Treaty Partner consulted with	Te Rūnanga o Moeraki	Te Rūnanga o Ōtakou	Kāti Huirapa Rūnaka ki Puketeraki
Date consultation was sent out	<a href="#">DOC-7458509</a> 21 September 2023	<a href="#">DOC-7458509</a> 21 September 2023	<a href="#">DOC-7458509</a> 21 September 2023
Consultation time frame end date	19 October 2023	19 October 2023	19 October 2023
Consultation method (email, phone, face to face etc)	Email	Email	Email
How many attempts made to consult?	One	One	One
DOC-CM link to any consultation emails received	N/A	N/A	N/A

Murihiku Papatipu Rūnanga

Treaty Partner consulted with	Hokonui	Waihopai	Awarua	Ōraka-Aparima
Date consultation was sent out	<a href="#">DOC-7458513</a> 21 September 2023	<a href="#">DOC-7458513</a> 21 September 2023	<a href="#">DOC-7458513</a> 21 September 2023	<a href="#">DOC-7458513</a> 21 September 2023
Consultation time frame end date	19 October 2023	19 October 2023	19 October 2023	19 October 2023
Consultation method (email, phone, face to face etc)	Email	Email	Email	Email
How many attempts made to consult?	One	One	One	One
DOC-CM link to any consultation emails received	N/A	N/A	N/A	N/A

SECTION D: Consultation with Ngāi Tahu, Ōtakou Papatipu Rūnanga, Murihiku Papatipu



## Rūnanga

- Does this application activate any agreed triggers for consultation with Treaty Partners?

Ngāi Tahu triggers [DOCDM-405911](#)

Murihiku triggers [DOCDM-1023770](#)

Ōtākou triggers [DOCDM-1397839](#)

No, triggers are not met. We engaged with Ngāi Tahu and rūnanga due to the application being for a term of 30 years and on the understanding that Ngāi Tahu are interested in applications of this length.

- Did the whānau, hapū, or iwi engage in consultation on this application? If not, ensure attempts to engage are detailed in Section C.  
Yes, we received a letter from Ngāi Tahu.
- What is the interest of the whānau, hapū, or iwi in the site or activity?  
Kimi-ākau [Shotover River] is a place of cultural significance to Ngāi Tahu, as outlined in the letter linked above. There was traditionally a network of mahinga kai [food gathering], kāinga [settlements], and ara tawhito [traditional travel routes] throughout this area.
- What are their views on the activity (taking place at the specified site)?  
Ngāi Tahu do not object to the application and recognise that the service provided by the easement (water supply to at least 100 households) will be essential.
- What sort of adverse effects do the whānau, hapū, or iwi believe the activity will have on their interests (at the specified site)?  
Ngāi Tahu does not consider activity related to installing the new bore would adversely impact Ngāi Tahu's interests at the site.
- Have the whānau, hapū, or iwi identified any methods to avoid, remedy, or mitigate these effects?  
N/A
- Summarise any other information provided by the whānau, hapū, or iwi.  
Ngāi Tahu stated in the letter that: "...until a section 4 compliant process is applied, concessions in areas of significance, such as Kimi-ākau [Shotover River], should be granted on a limited basis."

## 6. Contributions

### Juliet Bruce, Community Ranger, Whakatipu-wai-māori

#### Access

Access to the site is using a 4WD track which passes through four Littles Road private properties before entering the Wildlife Management Reserve. Two or three people will be using this access

with a vehicle (for materials delivery) and a small excavator. Due to the 4WD access, the intention is to carry out the work during summer months.

#### Ground disturbance and remediation of site

The trench would be 40 metres long and 0.6 metres wide, which is 24m<sup>2</sup> of ground disturbance. The trench will be approximately 0.8m deep.

The bore head and valve chambers, which each have a footprint of about 2m by 1.2m, will require 10m<sup>2</sup> of ground disturbance in total.

The ground will be reinstated upon completion.

#### Biodiversity considerations

The proposed easement and ground disturbance location is surrounded by woody weeds, and is within the braided riverbed.

The following advice indicates that conditions should be included to protect any braided river birds:

- For the test bore drilling in 2021, community ranger Fiona Peat talked to independent ecologist **Sec 9(2)(a)** about the timing of the test drilling. **Sec 9(2)(a)** was happy with the three month term for the test drilling to start from 1 February to ensure birds would no longer be nesting at this time and all birds would be able to fly.
- **Sec 9(2)(a)** observed in September 2023 that due to high river flows earlier that month, the birds may adapt their future nesting locations rather than remain on the true right as in previous nesting seasons.
- The special conditions listed below have been reviewed by Senior Ranger Biodiversity Rebecca Teele, and edited according to her advice.

#### Special conditions

1) Shotover River between 1st August and 31st January:

- a) No access to the riverbed shall occur between 1st August and 31st January.
- b) An exemption to the above condition may occur between 1st August to 31st January, provided prior to any works commencing, the Concessionaire commissions, at their own expense, a survey of all areas to be disturbed, plus 100 metres distance, to identify any breeding bird sites (this includes but is not limited to the ground disturbance area and transport route). The survey must be undertaken by a suitably qualified and independent ornithologist/ecologist. The survey must be undertaken within 72 hours of works commencing. The ornithologist/ecologist must provide DOC Whakatipu (Community or Biodiversity Team) with a written overview of the findings and recommendations of their survey (including a map of all bird breeding sites and 100m separation distance) for approval prior to any works occurring, and within five working days provide a full written report which must include the method, results, findings, recommendations, maps, and locations of all bird breeding and nesting sites. Further:

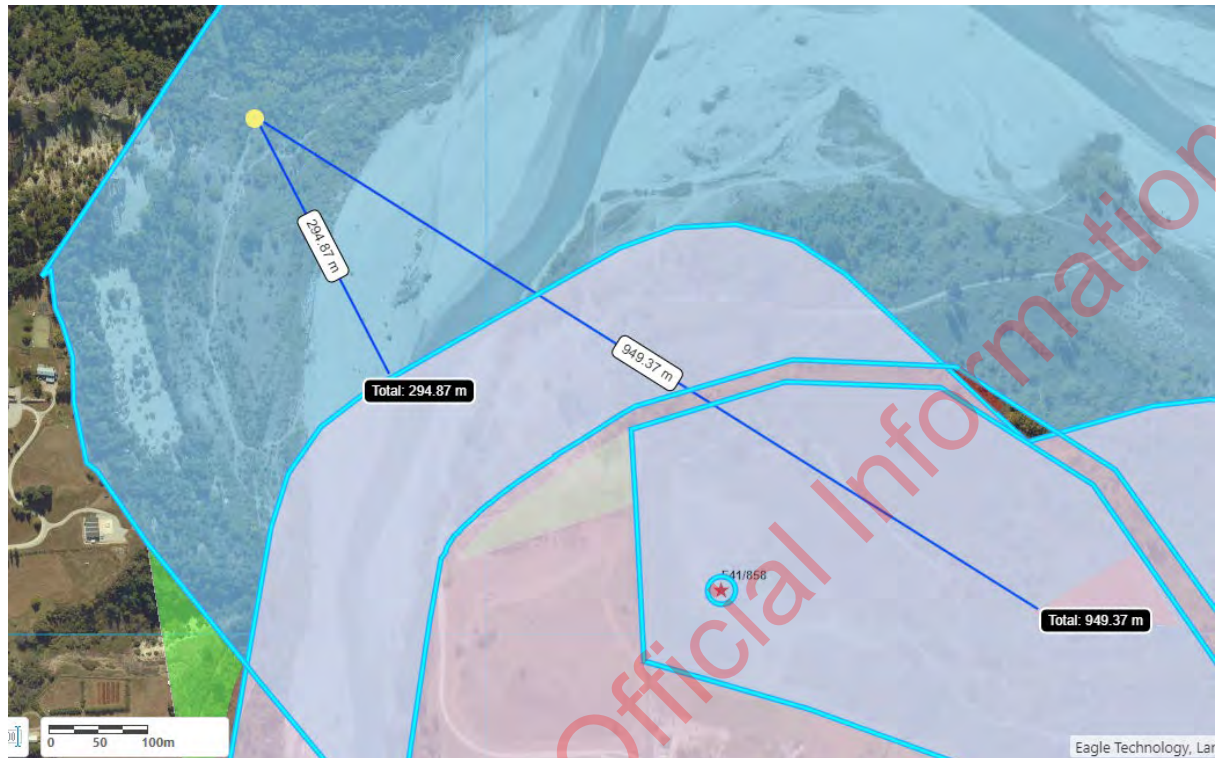
- i) Vehicles and/or machinery shall not operate within 100 metres of birds which are breeding, nesting, or rearing their young in the bed of the river, or as identified by the survey, and the report must clearly show where bird nesting is occurring and that there is a separation distance of 100m from any proposed activity/disturbance.
- ii) The findings and recommendations of the survey must be adhered to (once approved by DOC Whakatipu).
- iii) If work ceases for more than 72 hours on site, the site must be re-surveyed (i.e. Condition 1(b) must be completed again).
- iv) No indigenous vegetation is to be cleared. Any indigenous vegetation within the proposed disturbed areas is to be recorded and mapped and provided in the above report.
- v) If clearance of indigenous vegetation is proposed to occur, an Ecological Impact Assessment is required to be provided to DOC for review prior to any works occurring. The Assessment must be completed by a suitably qualified and independent ecologist/botanist at the Concessionaire's expense.
- c) Prior to any machinery or equipment entering the riverbed, it must be cleaned and checked for soil and seeds that could potentially further contaminate the area. Removal of native vegetation to be avoided, and removal of other vegetation to be minimal.
- 2) The site must be checked for Raoulia species. If any species are located, they must be avoided.
- 3) The concessionaire must reinstate the area of ground disturbance to the same or better standard at the completion of the work.
- 4) No disturbance, deposition of soils or sediments, or vegetation clearance is permitted outside of the 34m<sup>2</sup> required for installation of the bore heads, cables, and pipes underground.
- 5) The Concessionaire must take all precautions to ensure weeds are not introduced to the Land; this includes ensuring that all tyres, vehicles and machinery used by the Concessionaire and its contractors are clean before entering the Land.
- 6) All necessary resource consents must be obtained prior to exercising this concession.

#### Cultural and heritage values

On the true right side of the river there is the Tuckers Beach nohoanga site, which is of cultural significance to Ngāi Tahu. The easement location would be approximately 950m from the nohoanga.

Gold mining tailings are registered as an archaeological site NZAA ID: F41/858. This is also located on the true right of the Shotover River and within the Wildlife Management Reserve. The proposed location for the easement is approximately 290m distance away from the ground disturbance buffer zone which surrounds the gold tailings.

There are not expected to be any negative impacts on these values due to the construction or maintenance of the bore. Screenshot below shows the approximate distances between proposed easement location (yellow dot) and the gold tailings buffer zone (294m) and the nohoanga site (950m).



#### Recreational values

The infrastructure will be largely hidden from public view by vegetation. The access to the site is through private land. Impacts on recreation values are expected to be very low. Queenstown Trails Trust's Tucker Beach bike trail will not be affected.

#### **Analysis of the Principles of the Treaty of Waitangi** **Ben Fielding, Permissions Advisor**

Section 4 of the Conservation Act 1987 states 'This Act shall be so interpreted and administered as to give effect to the principles of the Treaty of Waitangi'.

The key [principles](#) of the Treaty of Waitangi that apply to DOC's work are:

1. Partnership – mutual good faith and reasonableness: The Crown and Māori must act towards each other reasonably and in good faith;
2. Informed decision-making: Both the Crown and Māori need to be well informed of the other's interests and views;
3. Active protection: The Crown must actively protect Māori interests retained under the Treaty as part of the promises made in the Treaty for the right to govern;
4. Redress and reconciliation: The Treaty relationship should include processes to address differences of view between the Crown and Māori.

**Discussion:**

The relevant Treaty Partner for this application is Ngāi Tahu and engagement was undertaken with Te Rūnanga o Ngāi Tahu (TRoNT) itself and all Ōtakou and Murihiku Papatipu Rūnanga.

**Partnership**

The Department and Ngāi Tahu have worked together in partnership to come up with a 'triggers' document that reflects when and why consultation with Ngāi Tahu is required.

**Informed Decision Making**

The Whakatipu-wai-māori Office have reviewed this application and determined that, while no specific triggers were met, it would be appropriate to undertake consultation given Ngāi Tahu has expressed an interest in longer term (greater than a 10-year term) concessions in the region. This application is for a 30-year easement. Consultation was undertaken, with TRoNT providing a formal response indicating they have no concerns with the proposed activity.

**Active Protection**

The agreed triggers document ensures informed decision making and active protection of Māori interests. In this case, the consultation process was undertaken despite not meeting agreed triggers, to ensure our Treaty Partners had the opportunity to provide their views on this longer-term application. The Department has considered that there is a nohoanga site near the activity area, however this is some 950m away and is not anticipated to be affected by either the construction works or ongoing easement.

**Redress and Reconciliation**

There are no known settlements in progress over this area that would affect this Activity type.

It is considered that effect has been given to the treaty principles throughout this process.

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

**Ben Fielding, Permissions Advisor**

**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 / ~~No~~

**Discussion:**

The Decision Maker should be satisfied that all information has been received to enable a decision to be made.

**S17SC: Public Notification**

The concession application must be publicly notified if it meets any of the following criteria:

- The concession type is a lease – 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~~/ No

**Discussion:**

The application is for an easement and is for a 30-year term. An easement is an appropriate authorising instrument in this instance as the activity consists of installing and operating infrastructure for the sole purpose of conveying water and electricity for residential water supply. The effects of the proposed activity have been assessed as minor and are such that public notification is not appropriate (or necessary).

**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.*

**Criteria for decision:**

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

Yes/~~No~~

**Discussion:**

The District Office have provided full comment on the effects of this activity in their contributions in Section 6 above including proposed special conditions from a Senior Biodiversity Ranger.

The overall assessment is consistent with that provided by the Applicant and the adverse effects of the proposed activity are considered minor. The footprint of the facilities is small and requires approximated 34m<sup>2</sup> of total excavation. The ground will be reinstated upon completion and will have the added benefit of removing some weed species in the area. The conservation land does not contain any native vegetation. There will be no likely adverse effect on cultural and heritage, or recreational values.



It is notable that the existing water supply infrastructure that is to be incorporated into this concession has been in situ since 1997 and there have been no known ongoing adverse effects, and this is expected to be the case going forward for both that existing infrastructure, and the new proposed structures, once they are installed.

Potential adverse effects on biodiversity values, particularly on nesting braided river birds, can be adequately managed through the proposed conditions provided, which have been included in section 7 of this report (Special Conditions 9 to 18)

It is considered that potential adverse effects of the proposed activity can be adequately avoided, remedy or mitigate through the adherence to the proposed standard and special conditions.

**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 / ~~No~~

**Discussion:**

The land is a Wildlife Management Reserve held under Section 22 of the Reserves Act 1977. The land is held for the purpose of protecting the wildlife present in the area.

At this site it is known that there are braided river birds. Special conditions have been proposed by the District Office Biodiversity Ranger which will ensure that, if adhered to, there will be no harm or lasting adverse effects to this wildlife.

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 / ~~No~~ / ~~NA~~

**Discussion:**

This application involves both a renewed term for existing water supply infrastructure and the



installation of new bore connections and pipelines to increase the water supply. Test bores were previously drilled (authorised by one-off concession 97509-OTH) and one of those productive bores is to now be connected to the existing scheme. This makes the proposed location a necessary one, as the required water has been located there. It would be unreasonable to relocate the existing infrastructure, and given the minor effects of the structures, there are no other locations on PCL where those effects would be significantly less.

The proposed activity is considered consistent with s17U(4) of the Conservation Act 1987.

**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, conservation management plan, and/or national park management plan.

**Criteria for decision:**

- Is the activity consistent with all relevant statutory planning documents?

Yes / ~~No~~

**Discussion:**

**Conservation General Policy 2005**

Section 11.3 outlines the policies concerning utilities. The following policies should be noted:

*Policy 11.3 (a) Utilities may be provided for on public conservation lands and waters where they cannot be reasonably located outside public conservation lands and waters, or if specifically provided for as a purpose for which the place is held.*

*Policy 11.3 (b) When new utilities are installed or existing utilities are maintained or extended, they should be of a scale, design and colour that relates to, and is integrated with, the landscape and seascape.*

*Policy 11.3 (c) Public access to utilities may be denied where necessary for the protection of public safety or the security or competent operation of the activity concerned.*

The proposal is not inconsistent with these policies.

**Otago Conservation Management Strategy 2016**

The Tuckers Beach Wildlife Management Reserve is located in the Western Lakes and Mountains/ Nga Puna Wai Karikari Rakaihautu Place (section 2.6 of the CMS).

This place covers a range of landforms from mountains to braided river valley systems. In terms of this location (Tuckers Beach Wildlife Management Reserve) the Place objectives, policies and outcomes are to protect the wildlife values present and allow the area to be used for public recreation purposes that are compatible with the natural values.

The proposed new borehead and buried pipe is not expected to adversely affect any of these

values. Disturbance will be limited the construction period which is short term. The bore will have minimal impact on the landscape values.

### **3.2 Vehicles**

The proposed activity will involve accessing the Tuckers Beach Wildlife Management Reserve using a vehicle (for materials delivery) and an excavator to undertake the required earthworks. Motorised vehicle use is restricted in the CMS by Policies 3.2.1 and 3.2.2 to sites identified in the CMS. Tuckers Beach Wildlife Management Reserve is not one of these identified sites.

However, policy 3.2.3 allows for the use motorised vehicles on PCL for the construction, operation and/or maintenance of authorised facilities. Motorised vehicle access to the site is therefore consistent with the CMS provided it is limited to the establishment and maintenance of the easement facilities.

### **3.10 Structures and Utilities**

This section provides relevant policies for utilities such as the proposed water supply infrastructure.

*Policy 3.10.1 Should apply the following criteria when considering applications to erect or retain structures or utilities or for the adaptive reuse of existing structures on public conservation lands and waters:*

- a) the purposes for which the lands and waters concerned are held;*
- b) the outcomes and policies for the Places where activity is proposed to occur;*
- c) whether the structure could reasonably be located outside public conservation lands and waters;*
- d) whether the structure could reasonably be located in another location where fewer 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 on Map 3 and as described in Appendix 12.*

The proposal is not inconsistent with these policies.

Regarding 3.10.1(f), while the structure is not readily available for public use, however it is for the benefit of nearby landowners, and will not adversely affect public access to the area.

The relevant visitor management zone (3.10.1(g)) is frontcountry. Appendix 12 of the CMS states that the preferred concession effects management in this zone is to “avoid or mitigate adverse effects”. As discussed in section 17U(1) & (2) above, adverse effects of the activity will be minor provided conditions are adhered to, which is consistent with this requirement.

The proposed activity being considered for this variation application is similar in kind and scope to what is already authorised by this concession and is consistent with the Otago Conservation Management Strategy 2016.

## **Climate Change**

This activity is for the installation, operation and maintenance of a water supply scheme. This will involve the use of motor vehicles and mechanised machinery during the installation phase.

The activity will use petrol and/or diesel fuel.

The activity will emit greenhouse gas emissions that will contribute to climate change and is an adverse effect on New Zealand's natural and historic resources in terms of s17U(1). The activity's contribution to climate change is relevant to the purpose of the Conservation Act, and the Conservation General Policy, in particular Policy 4.6 Ecosystem Services of the CGP (avoiding or otherwise minimising adverse effects on the quality of ecosystem services).

The 2050 target for emissions reductions in the Climate Change Response Act 2002 is also relevant in assessing the application and is consistent with the purpose of the Conservation Act.

Reducing greenhouse gas emissions requires measuring the emissions of the activity, developing and implementing a plan to reduce those emissions, and if appropriate, offsetting those emissions. The Permissions Advisor recommends, if the application is approved, to include special conditions 4 to 8 enabling the Department to require greenhouse gas emissions data from the applicant during the term of the concession, and to amend the conditions to reflect climate change-related legislation and government or Departmental policy and that those conditions may, amongst other things, require the applicant to measure, manage and reduce the greenhouse gas emissions of the proposal.

## 7. Proposed Operating Conditions

### Conditions

#### Standard conditions applicable to the proposed activity:

See Schedule 2 of the draft contract: ([DOC-7430502](#))

#### Special conditions relevant to this application:

1. The rights and powers implied in easements under Schedule 5 of the Land Transfer Regulations 2018, apply as is relevant to the class of easement provided for in this Concession. Schedule 5 of the Regulations (excluding clauses 13 and 14) is set out in Schedule 5 of this Concession and the clauses are varied as follows:
  - (a) Clause 1 is amended by adding the words "in Schedule 4" after the words "on a plan" in paragraph (a) of the interpretation of "**easement area**"
  - (b) Clause 1 is amended by deleting the words "grantee and" from the interpretation of "**grantee and grantor**"
  - (c) Schedule 5 is amended by adding a new clause 1A: "Any reference to "grantee" in this Schedule is to be read as "Concessionaire" and includes the Concessionaire's agents, employees, contractors, tenants, licensees and invitees."
  - (d) Clause 11(2) is deleted and clause 11(4) is amended by deleting the reference to (2).
  - (e) Clauses 13 and 14 are deleted.
2. If the Concessionaire wishes the easement to be registered, the Concessionaire must at its own expense:
  - (a) prepare an easement instrument in accordance with the Land Transfer Act

- 2017 and the rights and powers provided in the easement as set out in this Concession; and
- (b) arrange for any necessary survey; and
  - (c) register the easement.

3. The Grantor, if satisfied the easement instrument implements this Concession, must sign the easement instrument to enable registration.

#### **Climate change considerations**

4. The Concessionaire acknowledges that the Grantor and the Department of Conservation are reviewing their obligations under the Climate Change Response Act 2002 and developing responses to address greenhouse gas emissions from activities conducted on public conservation land and waters. The reviews are likely to result in policies which seek to measure, manage and reduce greenhouse gas emissions from Concession Activities. The Grantor wishes to signal to the Concessionaire that new concession conditions related to both climate change mitigation and adaptation may be imposed during the life of this Concession to address greenhouse gas emissions associated with the Concession Activity.
5. If the Grantor requests data relating to greenhouse gas emissions associated with the Concession Activity, the Concessionaire must provide any relevant data that is reasonably available to it within 6 months of the Grantor's request.
6. The Grantor may review and amend the conditions of this Concession to reflect climate change-related legislation and government or Departmental policy and those conditions ("Revised Conditions") may, amongst other things, require the Concessionaire to measure, manage and reduce the greenhouse gas emissions of the Concession Activity.
7. Before amending the conditions of this Concession in accordance with clause 6, the Grantor will provide the Concessionaire the draft Revised Conditions. The Concessionaire may provide written comments on those draft Revised Conditions within 60 days. The Grantor must take into account any comments received from the Concessionaire on the Revised Conditions before finalising the Revised Conditions.
8. The Revised Conditions will apply to the Concession Activity 4 months after the Grantor has notified the Concessionaire of the Revised Conditions in accordance with clause 5 or any later date specified in the Revised Conditions.

#### **General Conditions**

9. No access to the Shotover River riverbed shall occur between 1st August and 31st January, except as described in Special Condition 10.
10. An exemption to the above condition may occur between 1st August to 31st January, provided prior to any works commencing, the Concessionaire commissions, at their own expense, a survey of all areas to be disturbed, plus 100 metres distance, to identify any breeding bird sites (this includes but is not limited to the ground disturbance area and transport route). The survey must be undertaken by a suitably qualified and independent ornithologist/ecologist. The survey must be undertaken within 72 hours of works commencing. The ornithologist/ecologist must provide DOC Whakatipu (Community or Biodiversity Team) with a written overview of the findings and

recommendations of their survey (including a map of all bird breeding sites and 100m separation distance) for approval prior to any works occurring, and within five working days provide a full written report which must include the method, results, findings, recommendations, maps, and locations of all bird breeding and nesting sites. Further:

- (a) Vehicles and/or machinery shall not operate within 100 metres of birds which are breeding, nesting, or rearing their young in the bed of the river, or as identified by the survey, and the report must clearly show where bird nesting is occurring and that there is a separation distance of 100 m from any proposed activity/disturbance.
- (b) The findings and recommendations of the survey must be adhered to (once approved by DOC Whakatipu Office).
- (c) If work ceases for more than 72 hours on site, the site must be re-surveyed (i.e. the survey specified in Special Condition 10 must be completed again).

11. No indigenous vegetation is to be cleared. Any indigenous vegetation within the proposed disturbed areas is to be recorded and mapped and provided in the above report.

- (a) If clearance of indigenous vegetation is proposed to occur, an Ecological Impact Assessment is required to be provided to DOC for review prior to any works occurring. The Assessment must be completed by a suitably qualified and independent ecologist/botanist at the Concessionaire's expense.

12. The site must be checked for *Raoulia* species. If any species are located, they must be avoided.

13. The concessionaire must reinstate the area of ground disturbance to the same or better standard at the completion of the work.

14. No disturbance, deposition of soils or sediments, or vegetation clearance is permitted outside of the approximately 34m<sup>2</sup> required for installation of the bore heads, cables, and pipes underground.

15. The Concessionaire must take all precautions to ensure weeds are not introduced to the Land; this includes ensuring that all tyres, vehicles and machinery used by the Concessionaire and its contractors are clean before entering the Land.

16. All necessary resource consents must be obtained prior to exercising this concession.

17. No alterations to the easement facility requiring earth disturbance must be undertaken without prior consent in writing of the Grantor.

#### **Construction conditions (pipeline)**

18. The pipeline must be no greater than 100mm in diameter.

19. The trench for the pipeline must be dug with a maximum width of 700mm.

20. The pipeline must be laid at a minimum of 500mm below the surface of the ground.

#### **Fuels, hazardous materials, chemicals and waste**

21. Any waste or rubbish must be disposed of in an approved manner off the Easement Land at a Council approved site. Waste held on the Easement Land prior to its removal must be stored in a manner so as to ensure it does not become a contaminant or is not blown by wind or present a potential hazard to wildlife.
22. In the event of any hazardous substance spill the Concessionaire must:
  - (a) Take all practicable measures to stop the flow of the substances and prevent further contamination onto the Easement Land or water;
  - (b) Immediately contain, collect and remove the hazardous substances and any contaminated material, and dispose of all such material in an appropriate manner / authorised facility;
  - (c) Notify the Grantor as soon as practicable;
  - (d) Undertake any remedial action to restore any damage to the soil; and
  - (e) Take all measures to prevent any reoccurrence.

### **Accidental Discovery Protocol**

23. The Concessionaire must take all reasonable care to avoid any archaeological values on the Land which includes (but is not limited to) historic sites and protected New Zealand objects on the Easement Land. In the event that archaeological sites or other features with heritage values are found during any approved earth disturbance work on the Easement Land:
  - (a) Work must cease immediately until further notice and advice must be sought from the Grantor;
  - (b) If it is an archaeological site as defined by the Heritage New Zealand Pouhere Taonga Act 2014 then Heritage New Zealand must be contacted and its advice sought;
  - (c) If it is an archaeological site relating to Māori activity then local iwi must be contacted and their advice sought;
  - (d) If it is an artefact as defined by the Protected Objects Act 1975 then the Ministry for Culture and Heritage must be notified within 28 days;
  - (e) If it is human remains the New Zealand Police should also be notified;
  - (f) In the event of cessation of approved work because of discovery of potential historical artefact or archaeological site the Concessionaire must not recommence work until permitted to do so by the Grantor.

### **Myrtle Rust Protocols**

24. The Concessionaire must 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 pohutukawa, manuka, kanuka, and ramarama. See <https://www.mpi.govt.nz/protection-and-response/responding/alerts/myrtle-rust/>.
25. If the Concessionaire encounters suspected symptoms of myrtle rust, the Concessionaire must not touch it and must take the following steps:
  - (a) Call the MPI Exotic Pest and Disease Hotline immediately on 0800 80 99 66;
  - (b) Take clear photos, including the whole plant, the whole affected leaf, and a close-up of the spores/affected areas of the plant;
  - (c) Don't touch or try to collect samples as this may increase the spread of the disease;
  - (d) If accidental contact with the affected plant or rust occurs, bag clothing and wash clothes, bags and shoes as soon as possible.

### Monitoring and compliance

26. If the Grantor determines that compliance with the conditions of this Concession 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.

### Surrender of Concession

27. The Concessionaire and the Grantor agree that upon commencement of this Concession, the Concessionaire's existing concession over part of the Easement Land, PAC-13-04-17 issued on 7 July 1997, is surrendered.

### Monitoring

See proposed Special Condition 27 above

### Term

A 30-year term has been sought and is considered appropriate for this proposed activity to ensure the ongoing water supply required by the Applicant. This length is consistent with what is permitted under section 17Z(2) of the Conservation Act 1987.

It is notable that the existing water supply infrastructure is authorised by an easement (PAC-13-04-17) that is due to expire on 06/07/2027. That concession will be surrendered if this concession is approved, with all infrastructure and easement rights captured under a single concession moving forward.

### Fees

Due to the number of properties being served by this water supply scheme, a fee assessment request was lodged with the Commercial Team, and it was determined that an external valuation would be required to set an appropriate market rate for the activity fee.

Quotable Value were engaged to provide a valuation report on this easement, as well as the Out of Scope

the cost of obtaining the report has been split evenly between the two Applicants and is captured in the processing fee for the application.

The activity fee recommended by the valuer for this activity is \$15,600.00 per annum plus GST. This fee has been approved by the Commercial Manager (see activity Fee memo: [DOC-7733449](#))

Processing fee: \$3,725.00 plus GST (including valuation report)

Management fee: \$250.00 per annum plus GST. This is comprised of:

- the base rate (managing invoices and follow up): \$150.00 per annum plus GST
- rent/fee review (covers the annual portion of the three yearly rent reviews): \$100.00 per annum plus GST

Activity fee: \$15,600.00 per annum plus GST



## 8. Applicant Comments

Not required

## 9. Decision Making

### Recommendations

It is considered that the proposed activity is not inconsistent with the provisions of the Reserves Act 1977; is not contrary to the purpose for which the land is held, nor with other provisions of the Conservation Act (s.17U(3)); and does not breach the Conservation Act 1987 (17W(1)).

The Department's Section 4 obligations have been met through ensuring appropriate consultation and engagement has been undertaken with our Treaty Partners who have indicated they do not oppose the granting of this application.

The District Office has no concerns with the proposed activity, provided the proposed Special Conditions are adhered to.

Any effects on conservation values such as biodiversity, historic, social and amenity values resulting from the proposed activity can be avoided, remedied, or mitigated by conditions if a concession is granted.

It is recommended that the Decision Maker grant an easement (right to convey water, right to convey electricity) for a 30-year term pursuant to section 17Q of the Conservation Act 1987.

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

1. Deem this application to be complete in terms of s17S of the Conservation Act 1987:

Agree / ~~Disagree~~

2. Agree that it is not considered appropriate to give public notification of the application:

Agree / ~~Disagree~~

3. Approve the granting of a concession (easement) to Dalefield Water Supply Society Incorporated subject to the standard concession contract and the special conditions listed below:

Approve / ~~Decline~~

Special conditions to be included:

*Special Conditions 1-28 as per section 7 of this report.*



Signed by David Butt, Operations Manager, Whakatipu District  
Pursuant to the delegation dated 9 September 2015 / 9 July 2019

13/09/2024

Date

**Decision Maker comments**



**Date:** 28 August 2024  
**To:** Arna Litchfield, Commercial Manager  
**CC:** Ben Fielding, Permissions Advisor  
**From:** Kayla Mahon, Senior Commercial and Revenue Advisor

---

**Subject: Request to adopt valuation advice as market rate for two water supply easement concession applications near Queenstown**

---

## Context

1. DOC received two applications, [Out of Scope] and a new application, 107337-OTH, that are both for water supply easements at the Tuckers Beach Wildlife Management Reserve.
2. Both applicants are supplying water to several subdivided sections that rely on a potable water supply.
3. Internal pricing for these types of applications exceeds \$10,000 per annum, and as such an external valuation was sought to determine the market fee for these applications.
4. We engaged Quotable Value to conduct a comprehensive valuation, and they have provided detailed market fee values based on current market conditions and comparable benchmarks.
5. The cost of this valuation advice forms part of the processing fee and is to be split equally between the two applicants.

Out of Scope

A large rectangular grey box redacting the majority of the page content below the context section.

## 107337-OTH – Dalefield Water Supply Society Incorporated

1. Currently there are approximately 100 connections to the scheme, servicing approximately 230 hectares of benefiting land.
2. The easement is for a right to convey water and a right to convey electricity.
3. Term- 30 years from the commencement date of the new concession.
4. The recommended annual market fee for this application is \$15,600 plus GST
5. The full valuation report can be found here: [DOC-7733433](#)
6. I have reviewed the report and agree with the recommended fee as assessed by the valuer
7. As such, I recommend an activity fee of \$15,600 plus GST per annum is adopted and approved.
8. A standard management fee of \$250.00 should also apply.

## Recommendations

A. Out of Scope



## B. 107337-OTH – Dalefield Water Supply Society Incorporated

The recommended fees for this concession, based on the information provided by the applicant in conjunction with the independent assessment of the market rate for this site are:

### Activity Fee

\$15,600.00 plus GST per annum

### Management Fee

\$250.00 plus GST per annum

## Decision

Pursuant to the Conservation Act 1987, the recommended fees outlined above are:

Approved

Signed by Arna Litchfield, Commercial Manager  
Pursuant to the delegation dated 9 September 2015  
Date: 9 September 2024

Released under the Official Information Act

**From:** [Redacted]  
**To:** [Kayla Mahon](#)  
**Subject:** Easement Concession - [Redacted]  
**Date:** Wednesday, 21 February 2024 12:28:52 pm  
**Attachments:** [image001.png](#)

---

Hi Kayla

Sorry, the [Redacted]

I will Price up Tuckers Beach and get back to you.

[Redacted]

Hi Kayla

I am just looking at your Tuckers Beach application.

Before I submit on that one, can you please advise where the [Redacted] is at?

Regards

[Redacted]



[Redacted]

Ph: [Redacted] - [QV.co.nz](#)  
43 Tarbert Street, Alexandra

**Please note that my hours are** [Redacted]



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**From:** [Kayla Mahon](#)  
**To:** Sec 9(2)(a)  
**Subject:** RE: Easement Concession - Out of Scope  
**Date:** Friday, 1 March 2024 5:01:00 pm  
**Attachments:** [image001.png](#)

---

Hi Sec 9(2)(a)

I just wanted to get in touch with you quickly with some updates on some outstanding work/quotes as I'm off on leave next week.

Out of Scope

**Tuckers Beach Reserve** – I am required to provide options for this work, so I am awaiting one additional quote back on this and have given them until I return to the office on the 11<sup>th</sup> to provide one. If not I would be looking to define the TOR and get back in touch later that week.

Have a great weekend,  
Kayla

---

**From:** Kayla Mahon  
**Sent:** Wednesday, February 21, 2024 3:53 PM  
**To:** Sec 9(2)(a)  
**Subject:** RE: Easement Concession - Out of Scope

Hi Sec 9(2)(a)

Out of Scope

Sharlan finished up with DOC this week, so I'm picking I will become the POC on this one too.

Cheers,  
Kayla

---

**From:** Sec 9(2)(a)  
**Sent:** Wednesday, February 21, 2024 11:20 AM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** Easement Concession - Out of Scope

Hi Kayla



I am just looking at your Tuckers Beach application.

Before I submit on that one, can you please advise where the [Out of Scope] is at?

Regards

Sec  
9(2)(a)



Sec 9(2)(a)

Reg [redacted] uer

Ph: [redacted] – [QV.co.nz](http://QV.co.nz)

43 Tarbert Street, Alexandra

Please note that my hours are [redacted]

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**From:** Sec 9(2)(a)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown  
**Date:** Thursday, 21 March 2024 3:52:40 pm  
**Attachments:** [image001.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Thanks Kayla

I am still interested and will provide TOE tomorrow.

Out of Scope

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Reg user  
Ph: Sec 9(2)(a) – [QV.co.nz](#)  
43 Tarbert Street, Alexandra

Please note that my hours are Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Thursday, 21 March 2024 3:36 pm  
**To:** Sec 9(2)(a)  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

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Hi Sec 9(2)(a)

We would like to proceed with this offer, noting that the timeframes will need to be adjusted. If you are still in a position to undertake this work, could you please send through the terms of engagement at your earliest convenience?

I will provide an updated summary of the applications, including copies of the concession documents and contact details for the applicants, should you require access to their lands. Please let me know if there is anything else you will require us to provide when accepting the TOE.

Ngā mihi,  
Kayla

**Kayla Mahon**  
Commercial Analyst | Kaitātari  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti  
Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



*Please note that my usual days of work are Monday, Tuesday, Thursday, & Friday.*

---

**From:** Sec 9(2)(a)

**Sent:** Wednesday, February 21, 2024 1:40 PM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Hi Kayla

Thank you for the offer of this work.

I would be interested in assisting DOC with this assignment. I believe that I have the necessary expertise.

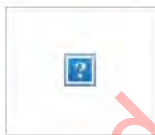
My fee would be \$2,240 plus GST with completion 20 working days after acceptance of our standard terms/scope of work.

The fee includes a site inspection and I assume that access can be arranged. If this proposal is accepted I could inspect on 6 March.

Please confirm if this offer is accepted and I will arrange for terms of engagement.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Ph: Sec 9(2)(a) – [QV.co.nz](http://QV.co.nz)  
43 Tarbert Street, Alexandra

**Please note that my hours are** Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Wednesday, 21 February 2024 10:42 am

**To:** Sec 9(2)(a)

**Subject:** Request for Quote - Rental assessment for easement application over crown land - Queenstown

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Kia ora Sec 9(2)(a)

I am reaching out on behalf of the Department of Conservation to request a quote for a rental assessment required for two concession applications we have received.

These applications are for easements to install or upgrade private water supply infrastructure on public conservation land in Queenstown. As the location and activity for both applications are incredibly similar, we are requesting that these applications be assessed in tandem, but we will require an individual report/assessment for each application. Is this something you would be interested in quoting for?

A quick outline of these applications is included below, along with our requirements for the valuation. A more detailed outline of these activities is included in the attachments to this email.

#### Application details

<b>Location:</b>	Tuckers Beach Wildlife Management Reserve, being Section 85, Block IV, Shotover Survey District, comprised in RT OT18C/313
<b>Activity:</b>	Easements for the conveyance of water over conservation land along with associated infrastructure for the purpose of private domestic supply.
<b>Attachments</b>	<ul style="list-style-type: none"><li>• Summary of applications</li><li>• A map/plan for each application</li></ul>

*Note: DOC's standard approach to easement fee setting is outlined here:*

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

#### Valuation requirements

The valuer needs to have experience valuing similar easement activities and not have any conflict of interest with the application.

The valuer needs to:

- Recommend appropriate annual concession activity fees to be paid to the Department, considering a range of potential methodologies - including land valuation, before and after comparisons, and other approaches as appropriate.
- Provide comparable valuation evidence to support the recommended activity fees.
- Consider if the DOC's standard approach to pricing easements of this nature is in line with the market assessment.

#### Next Steps

- If you have the capacity and expertise to undertake this work, please provide a quote and advise on the timeframe required to complete this work.

If you need more information to help you quote for this, please do not hesitate to reach out.

Ngā mihi,  
Kayla

**Kayla Mahon**

Commercial Analyst

Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti Office

Phone: Sec 9(2)(a)



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**From:** [Kayla Mahon](#)  
**To:** [Sec 9\(2\)\(a\)](#)  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown  
**Date:** Tuesday, 21 May 2024 1:56:00 pm  
**Attachments:** [image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)

---

Hi [Sec 9\(2\)\(a\)](#)

I was just talking to the permissions advisor who is processing these applications, and he reminded me that we haven't heard from you on this valuation yet.

Do you have any update on this work at this stage?

Cheers,  
Kayla

---

**From:** Kayla Mahon  
**Sent:** Tuesday, April 9, 2024 4:46 PM  
**To:** [Sec 9\(2\)\(a\)](#)  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Hi [Sec 9\(2\)\(a\)](#)

Attached are the signed TOE for this work. Sorry for the delay in getting this back to you trying to wrangle an acting manager acting in two roles is proving difficult. I will get this off to our billing team, to get the purchase order set up etc.

I will hopefully have the purchase order number for the invoice for the other job tomorrow too.

Ngā mihi,  
Kayla

**Kayla Mahon**  
Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti  
Phone: [Sec 9\(2\)\(a\)](#)  
[www.doc.govt.nz](http://www.doc.govt.nz)



---

**From:** [Sec 9\(2\)\(a\)](#)  
**Sent:** Wednesday, April 3, 2024 3:48 PM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Cc:** 'jbruce@doct.govt.nz' <[jbruce@doct.govt.nz](mailto:jbruce@doct.govt.nz)>  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown



Thanks Kayla



Sec 9(2)(a)  
Reg  
Ph: Sec 9(2)(a) – QV.co.nz  
43 Tarbert Street, Alexandra

Please note that my hours are Sec 9(2)(a)

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Wednesday, 3 April 2024 3:45 pm  
**To:** Sec 9(2)(a)  
**Cc:** [jbruce@doct.govt.nz](mailto:jbruce@doct.govt.nz)  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

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Hi Sec 9(2)(a)

Thank you for getting this information through to me last week. I am working on getting the TOE signed by my manager and back to you asap. I have had a small internal hold-up in completing this, as my manager, Kevin, is on annual leave until the end of the month. I am hoping to hear back from our acting manager later today with the signed document, but if I don't, I will see him in the office tomorrow and will ensure I get it back to you then.

In the meantime, below are the contact details for each applicant and the local DOC representative. I've cc'd in Juliet, who should be able to provide more information on the access arrangements to the reserve on the left bank of the shotover.

Department of Conservation		
Contact Details	Juliet Bruce Community Ranger Whakatipu-wai-Māori / Queenstown District Sec 9(2)(a) <a href="mailto:jbruce@doct.govt.nz">jbruce@doct.govt.nz</a>	
Applicant	Out of Scope	
Contact Details		
Applicant	Dalefield Water Supply Society Incorporated - 107337-OTH	
	Bruce McLeod <a href="mailto:bmcleod@ascl.co.nz">bmcleod@ascl.co.nz</a>	

<b>Contact Details</b>	03 442 3466 027 418 2104
------------------------	-----------------------------

Let me know if there is anything else I can provide at this time, and I will ensure it gets sent through with the TOE later today/tomorrow.

Kia pai tō rā,  
Kayla

**Kayla Mahon**

Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti  
Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



*Please note that my usual days of work are Monday, Tuesday, Thursday, & Friday.*

---

**From:** Sec 9(2)(a)

**Sent:** Tuesday, March 26, 2024 4:10 PM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Hi Kayla

Once again, thank you for the offer of this work.

Please find attached our terms of engagement/scope of works for your consideration.

Anticipated delivery is prior to 3 May 2024.

I will require access to the two bore sites, but I am not sure of the access arrangements to the Reserve. Possibly a representative of one of the concessionaires, or someone from your Queenstown office could point me in the right direction. Please advise.

I have pencilled in 9 April for the inspection.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Reg user

Ph: Sec 9(2)(a) – [QV.co.nz](http://QV.co.nz)

Please note that my hours are Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Thursday, 21 March 2024 3:36 pm

**To:** Sec 9(2)(a)

**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

**Caution:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Sec 9(2)(a)

We would like to proceed with this offer, noting that the timeframes will need to be adjusted.

If you are still in a position to undertake this work, could you please send through the terms of engagement at your earliest convenience?

I will provide an updated summary of the applications, including copies of the concession documents and contact details for the applicants, should you require access to their lands. Please let me know if there is anything else you will require us to provide when accepting the TOE.

Ngā mihi,  
Kayla

**Kayla Mahon**

Commercial Analyst | Kaitātari

Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti

Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



Please note that my usual days of work are Monday, Tuesday, Thursday, & Friday.

---

**From:** Sec 9(2)(a)

**Sent:** Wednesday, February 21, 2024 1:40 PM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Hi Kayla

Thank you for the offer of this work.

I would be interested in assisting DOC with this assignment. I believe that I have the necessary expertise.

My fee would be \$2,240 plus GST with completion 20 working days after acceptance of our standard terms/scope of work.

The fee includes a site inspection and I assume that access can be arranged. If this proposal is accepted I could inspect on 6 March.

Please confirm if this offer is accepted and I will arrange for terms of engagement.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Reg user

Ph: Sec 9(2)(a) – [QV.co.nz](http://QV.co.nz)  
43 Tarbert Street, Alexandra

Please note that my hours are Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Wednesday, 21 February 2024 10:42 am

**To:** Sec 9(2)(a)

**Subject:** Request for Quote - Rental assessment for easement application over crown land - Queenstown

**Caution:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Kia ora Sec 9(2)(a)

I am reaching out on behalf of the Department of Conservation to request a quote for a rental assessment required for two concession applications we have received.

These applications are for easements to install or upgrade private water supply infrastructure on public conservation land in Queenstown. As the location and activity for both applications are incredibly similar, we are requesting that these applications be assessed in tandem, but we will require an individual report/assessment for each application. Is this something you would be interested in quoting for?

A quick outline of these applications is included below, along with our requirements for the valuation. A more detailed outline of these activities is included in the attachments to this email.

#### Application details

<b>Location:</b>	Tuckers Beach Wildlife Management Reserve, being Section 85, Block IV, Shotover Survey District, comprised in RT OT18C/313
<b>Activity:</b>	Easements for the conveyance of water over conservation land along with associated infrastructure for the purpose of private domestic supply.

<b>Attachments</b>	<ul style="list-style-type: none"> <li>• Summary of applications</li> <li>• A map/plan for each application</li> </ul>
--------------------	--

Note: DOC's standard approach to easement fee setting is outlined here:

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

### Valuation requirements

The valuer needs to have experience valuing similar easement activities and not have any conflict of interest with the application.

The valuer needs to:

- Recommend appropriate annual concession activity fees to be paid to the Department, considering a range of potential methodologies - including land valuation, before and after comparisons, and other approaches as appropriate.
- Provide comparable valuation evidence to support the recommended activity fees.
- Consider if the DOC's standard approach to pricing easements of this nature is in line with the market assessment.

### Next Steps

- If you have the capacity and expertise to undertake this work, please provide a quote and advise on the timeframe required to complete this work.

If you need more information to help you quote for this, please do not hesitate to reach out.

Ngā mihi,  
Kayla

### Kayla Mahon

Commercial Analyst

Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti Office

Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



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 Please consider the environment before printing this email

This email message and any attachments contain information that is confidential and may be legally privileged. Quotable Value Ltd & Darroch consent to receive information electronically is not implied by the fact that you have received this email. If you are not the intended recipient, any use, disclosure or copying of this communication is strictly prohibited. The opinions expressed in this email are not necessarily those of Quotable Value Ltd & Darroch. If you have received this message in error please notify the sender

immediately and erase all copies of the message and attachments. Thank you.

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## Quotable Value Limited ("QV")

Quotable Value Limited  
www.qv.co.nz

### Standard Terms and Conditions

Please read these standard terms of trade ("terms") carefully. You must sign and return a copy of these terms to QV. If you do not return a signed copy of these terms to QV, your acceptance of these terms is demonstrated by using QV's services.

**Client Name: ("you") Department of Conservation**

**Report Type: Concession Rental Assessment (X2)**

**Our Invoice Number: TBA**

**Client No:**

**Nominated user/s: Department of Conservation**

**Valuation Service Fee: \$2,240.00 (plus GST)**

- 1 These terms apply to the valuation services you request from QV as provided in the Scope of Work attached. If there are additional agreed conditions or terms of any kind that are inconsistent with these terms (and the exact clauses of these terms have not been explicitly referred to and amended or removed by agreement between QV and you) then you agree that these terms override and take precedence over the inconsistent conditions and terms.
- 2 Subject to the Scope of Work, QV provides valuation services solely for your use and any other party specifically agreed with QV and specified as a "nominated user/s". QV's valuation services are not otherwise for use by any other person or entity, including, but in no way limited to, subsidiary entities owned wholly or partially by you or owned wholly or partially by a nominated user/s.
- 3 QV will provide valuation services as instructed in a timely and professional manner.
- 4 All reports prepared by QV in providing valuation services are written for the stated purpose only as shown in the valuation report. QV accepts no liability where valuation reports have been used for a purpose other than the stated purpose.
- 5 No valuation report (in whole or in part) or any reference to it may be included in any published document or posted on the internet without QV's prior written approval.
- 6 If a quote or estimate has been given by QV for the provision of services, the quote will only be valid for 10 working days from the date of that quote or estimate.

- 7 Payment for valuation reports must be made on the 20<sup>th</sup> of the month after delivery. Payments can be made via credit card or internet banking.
- 8 All opinions of value expressed by QV are subject to QV's Statement of Valuation Policies and the conditions outlined in the valuation report.
- 9 QV does not provide site or structural survey services. You should seek separate professional advice to identify structural issues or the presence of "Leaky Building Syndrome".
- 10 Where the valuation services are supplied for the purposes of business, and it is reasonable to do so, the provisions of the Consumer Guarantees Act 1993 will not apply. Where the Consumer Guarantees Act 1993 does not apply, the following limitations on QV's liability will be applicable:
  - a) QV's liability to you for breach of any implied warranty or condition which cannot be excluded is limited to the supply of the services again or the payment of the cost of having the service supplied again.
  - b) Apart from refunding to you the price paid for any goods or services which QV has been unable to supply, QV has no liability to you for any loss or damage (either direct, indirect or consequential, including a loss of profit) suffered by you or any other person as a result of using QV's services or any failure or delay in providing this service.
  - c) QV's liability (however arising) in respect of any claims for loss, damage or injury which arises under QV's contract with you shall not in aggregate exceed the price paid for goods or services in relation to which the loss, damage or injury arose
- 11 Valuation services are provided on the basis that you have provided QV with a full and correct disclosure of all information and circumstances that may affect the valuation. Where full and correct disclosure has not been made, QV accepts no liability in respect of the valuation.
- 12 You agree that all information in respect of your property (not including personal information, information that may identify you and information that is confidential information) that is submitted in connection with valuation services may become public information. Such information will be searchable and will be able to be viewed by the general public.
- 13 You agree that QV may take photos of your property for the purposes of carrying out valuation services and that QV (or a third party) owns the copyright in these photos. You authorise the use of photos for property related purposes by QV and permit QV to provide photos to third parties such as its clients and customers for property related purposes only. QV will remove any images from photos that are provided to third parties that are reasonably likely to identify the owner of the property.
- 14 You agree that certain information recorded about the valuation of your property (such as the reason for requesting a valuation) may be passed on to third parties by QV for statistical, trending, keeping records and other related purposes

- 15 You will notify QV (and any valuer who attends the property) in advance of the valuation of all hazards and risks (whether actual or potential) that exist on your property or could exist. All hazards or risks that exist or could exist as at the date of accepting these terms and conditions must be identified in the Scope of Work. You acknowledge that QV may (at its discretion) choose not to carry out a valuation, or delay a valuation, of your property if you have not provided QV with sufficient information about any hazards and risks.
- 16 These terms and conditions apply to all future valuation services work carried out or otherwise provided by QV to you, unless superseded by a subsequent agreement.
- 17 Any personal information collected and held by QV will be used for the purpose of meeting your needs in respect of valuation services. Under the Privacy Act 1993 you have the right of access to and correction of your personal information held by QV.
- 18 You acknowledge that in the event of a default in the payment of any amounts due, you will be responsible for all reasonable costs, charges and legal expenses (including costs between solicitor and own client) as well as any collection cost incurred by QV in recovering the outstanding amount.
- 19 Where a dispute arises relating to these terms and conditions, the parties agree to notify the other of the dispute in writing and to use their best endeavours to settle the dispute directly before resorting to litigation and/or arbitration.
- 20 Either party may terminate QVs' appointment to provide the Services, for any reason, on 7 days written notice to the other party. Termination will be without prejudice to either party's accrued rights and obligations incurred prior to the date that termination becomes effective.

  
**Signature** .....

**On behalf of the client**

**Name:** David Johnstone

**Position:** Manager

## Scope of Work

**a) Identification and status of the valuer**

The valuation will be carried out by **Sec 9(2)(a)** (Registered Valuer) of Quotable Value. The Registered Valuer is competent to undertake the valuation and is in a position to provide an objective and unbiased opinion and have no material connection or involvement with the subject of the valuation or the party commissioning the valuation.

**b) Identification of the client and any other intended users**

Department of Conservation

**c) Purpose of the valuation**

➤ To provide market rental for proposed concession.

**d) Identification of the asset to be valued**

Concessions over the Tuckers Beach Wildlife Management Reserve, Queenstown in favour of **Out of Scope** and Dalefield Water Supply Society Incorporated.

Generally as shown on the attached plans.

**e) Basis of value**

Market rental based on market evidence using direct comparison and a before and after approach.

**f) Currency**

All values will be expressed in New Zealand Dollars

**g) Valuation date**

Date of inspection

**h) Extent of investigation**

- Site inspection
- Market information obtained from QV's database and additional sales details where required from other sources such as real estate agents.
- Zoning and planning information from the applicable District Plan

**i) Nature and source of the information to be relied upon**

- Plans provided by the client.
- Easement descriptions provided by client

- Site inspection
- Market information obtained from QV's database and additional sales details where required from other sources such as real estate agents.
- Zoning and planning information from the applicable District Plan

**j) Assumptions and special assumptions**

None that are additional to those detailed in the Valuation Conditions section of our report

**k) Site Hazards**

To be identified by the client

**l) Restrictions on use, distribution or publication**

Our responsibility in connection to this valuation is limited solely to those parties described in Section b) of this Scope of Work.

Neither the whole nor any part of the valuation or any reference thereto may be included in any document, circular or statement without our approval of the form and context in which it will appear.

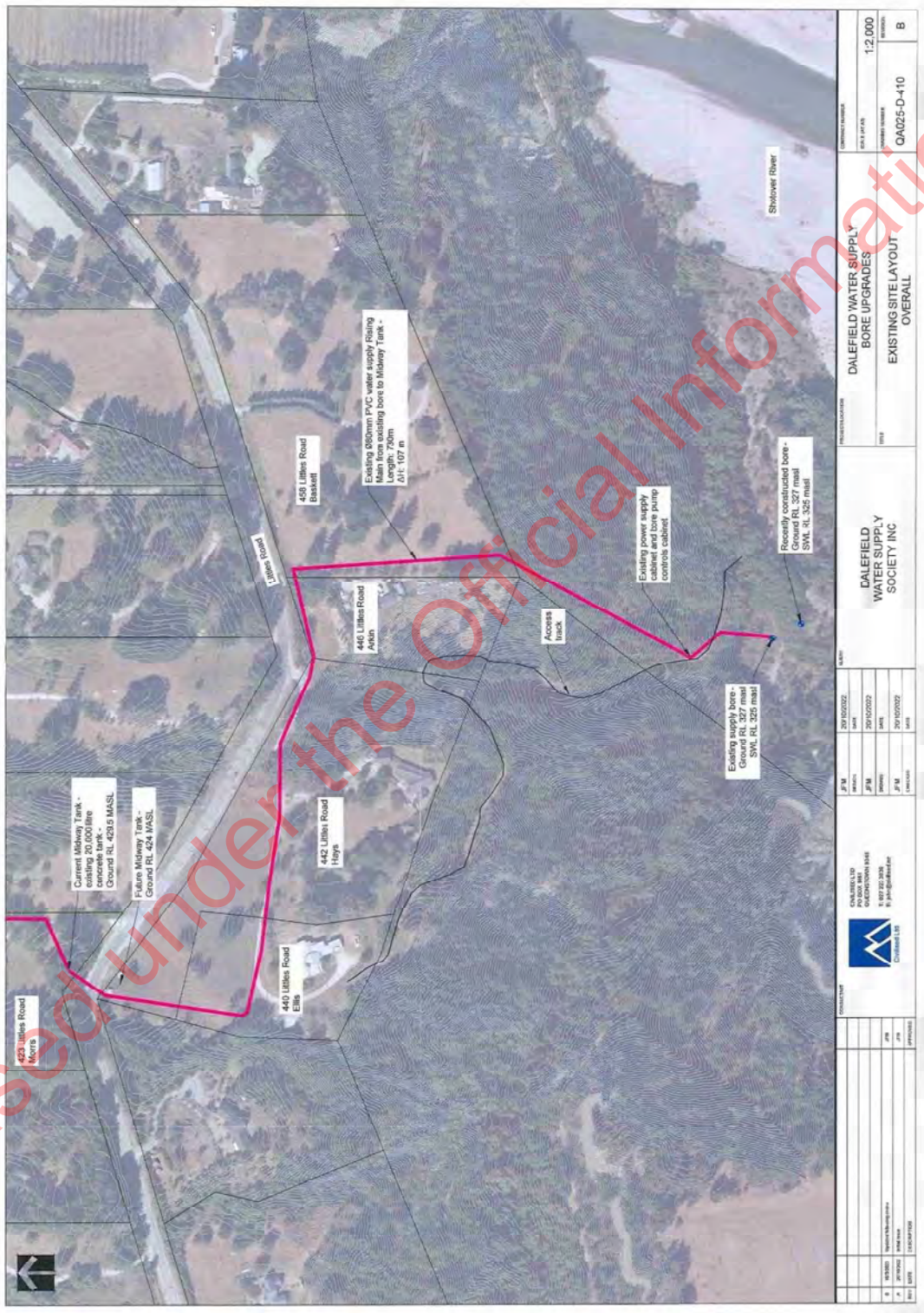
**m) Confirmation that the valuation will be undertaken in accordance with the IVS**

The report will be completed in accordance with International Valuation Standards (IVS), the New Zealand Institute of Valuer (NZIV) Code of Ethics and Australian and New Zealand Guidance Papers.

**n) Description of report**

The format of the report shall be Quotable Value's standard report format, meeting requirements of IVS 103 Reporting.









Released under the Official Information Act

# QV MV STB DOC 2024-03-26

Final Audit Report

2024-04-09

Created:	2024-04-07
By:	Kayla Mahon (kmahon@doc.govt.nz)
Status:	Signed
Transaction ID:	CBJCHBCAABAArSoJugS5SI78kwlaQoG4FdMXbjxW36k9

## "QV MV STB DOC 2024-03-26" History

-  Document created by Kayla Mahon (kmahon@doc.govt.nz)  
2024-04-07 - 9:30:12 PM GMT- IP address: 147.161.216.254
-  Document emailed to djohnstone@doc.govt.nz for signature  
2024-04-07 - 9:30:57 PM GMT
-  Email viewed by djohnstone@doc.govt.nz  
2024-04-09 - 1:41:49 AM GMT- IP address: 104.47.110.62
-  Signer djohnstone@doc.govt.nz entered name at signing as Dave Johnstone  
2024-04-09 - 1:44:19 AM GMT- IP address: 147.161.217.14
-  Document e-signed by Dave Johnstone (djohnstone@doc.govt.nz)  
Signature Date: 2024-04-09 - 1:44:21 AM GMT - Time Source: server- IP address: 147.161.217.14
-  Agreement completed.  
2024-04-09 - 1:44:21 AM GMT



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www.qv.co.nz

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**Client Name: ("you") Department of Conservation**

**Report Type: Concession Rental Assessment (X2)**

**Our Invoice Number: TBA**

**Client No:**

**Nominated user/s: Department of Conservation**

**Valuation Service Fee: \$2,240.00 (plus GST)**

- 1 These terms apply to the valuation services you request from QV as provided in the Scope of Work attached. If there are additional agreed conditions or terms of any kind that are inconsistent with these terms (and the exact clauses of these terms have not been explicitly referred to and amended or removed by agreement between QV and you) then you agree that these terms override and take precedence over the inconsistent conditions and terms.
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- 20 Either party may terminate QVs' appointment to provide the Services, for any reason, on 7 days written notice to the other party. Termination will be without prejudice to either party's accrued rights and obligations incurred prior to the date that termination becomes effective.

**Signature** .....

**On behalf of the client**

**Name:**

**Position:**



## Scope of Work

### a) Identification and status of the valuer

The valuation will be carried out by **Sec 9(2)(a)** (Registered Valuer) of Quotable Value. The Registered Valuer is competent to undertake the valuation and is in a position to provide an objective and unbiased opinion and have no material connection or involvement with the subject of the valuation or the party commissioning the valuation.

### b) Identification of the client and any other intended users

Department of Conservation

### c) Purpose of the valuation

➤ To provide market rental for proposed concession.

### d) Identification of the asset to be valued

Concessions over the Tuckers Beach Wildlife Management Reserve, Queenstown in favour of **Out of Scope** and Dalefield Water Supply Society Incorporated.

Generally as shown on the attached plans.

### e) Basis of value

Market rental based on market evidence using direct comparison and a before and after approach.

### f) Currency

All values will be expressed in New Zealand Dollars

### g) Valuation date

Date of inspection

### h) Extent of investigation

- Site inspection
- Market information obtained from QV's database and additional sales details where required from other sources such as real estate agents.
- Zoning and planning information from the applicable District Plan

### i) Nature and source of the information to be relied upon

- Plans provided by the client.
- Easement descriptions provided by client





- Site inspection
- Market information obtained from QV's database and additional sales details where required from other sources such as real estate agents.
- Zoning and planning information from the applicable District Plan

**j) Assumptions and special assumptions**

None that are additional to those detailed in the Valuation Conditions section of our report

**k) Site Hazards**

To be identified by the client

**l) Restrictions on use, distribution or publication**

Our responsibility in connection to this valuation is limited solely to those parties described in Section b) of this Scope of Work.

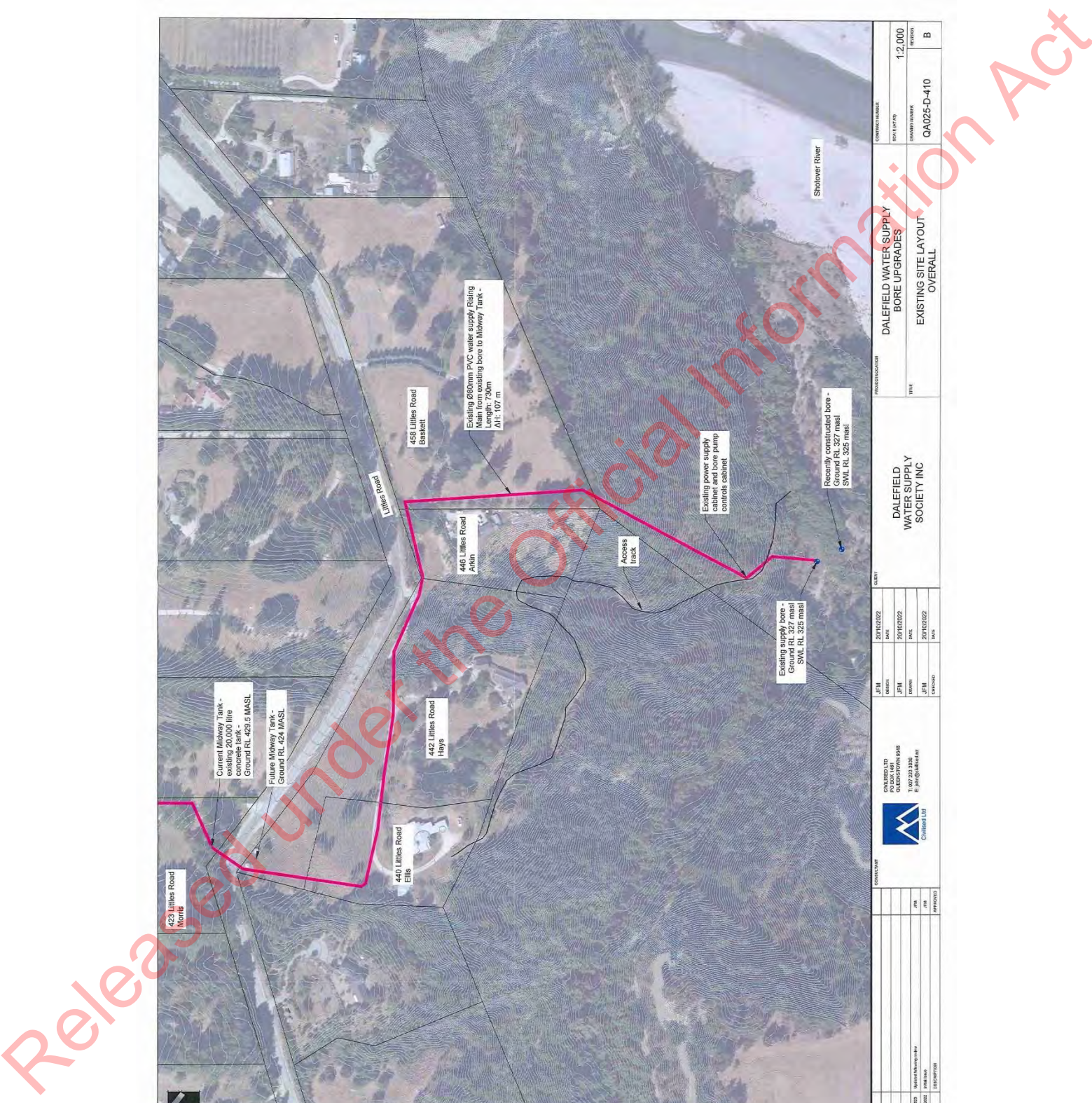
Neither the whole nor any part of the valuation or any reference thereto may be included in any document, circular or statement without our approval of the form and context in which it will appear.

**m) Confirmation that the valuation will be undertaken in accordance with the IVS**

The report will be completed in accordance with International Valuation Standards (IVS), the New Zealand Institute of Valuer (NZIV) Code of Ethics and Australian and New Zealand Guidance Papers.

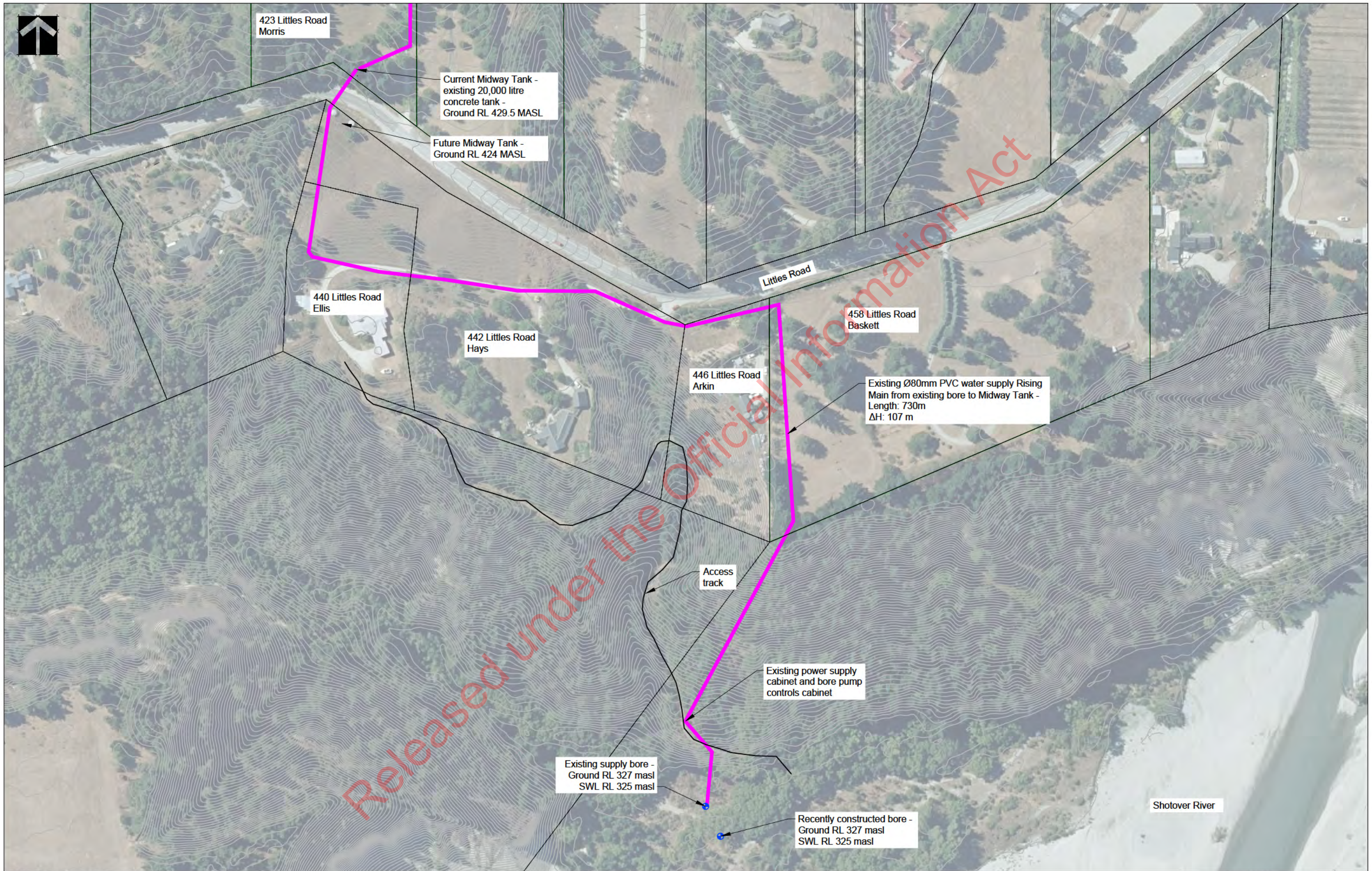
**n) Description of report**


The format of the report shall be Quotable Value's standard report format, meeting requirements of IVS 103 Reporting.



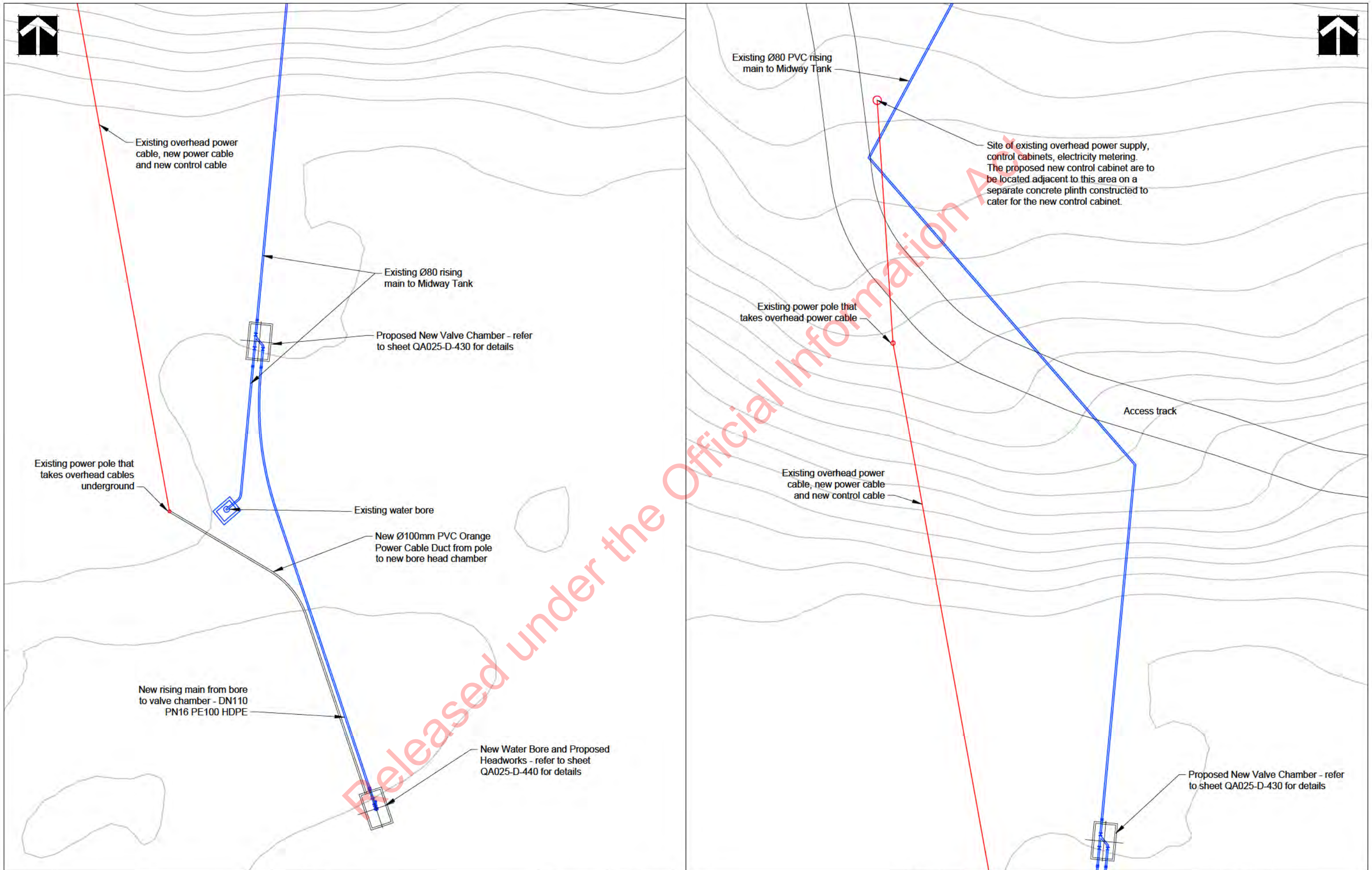
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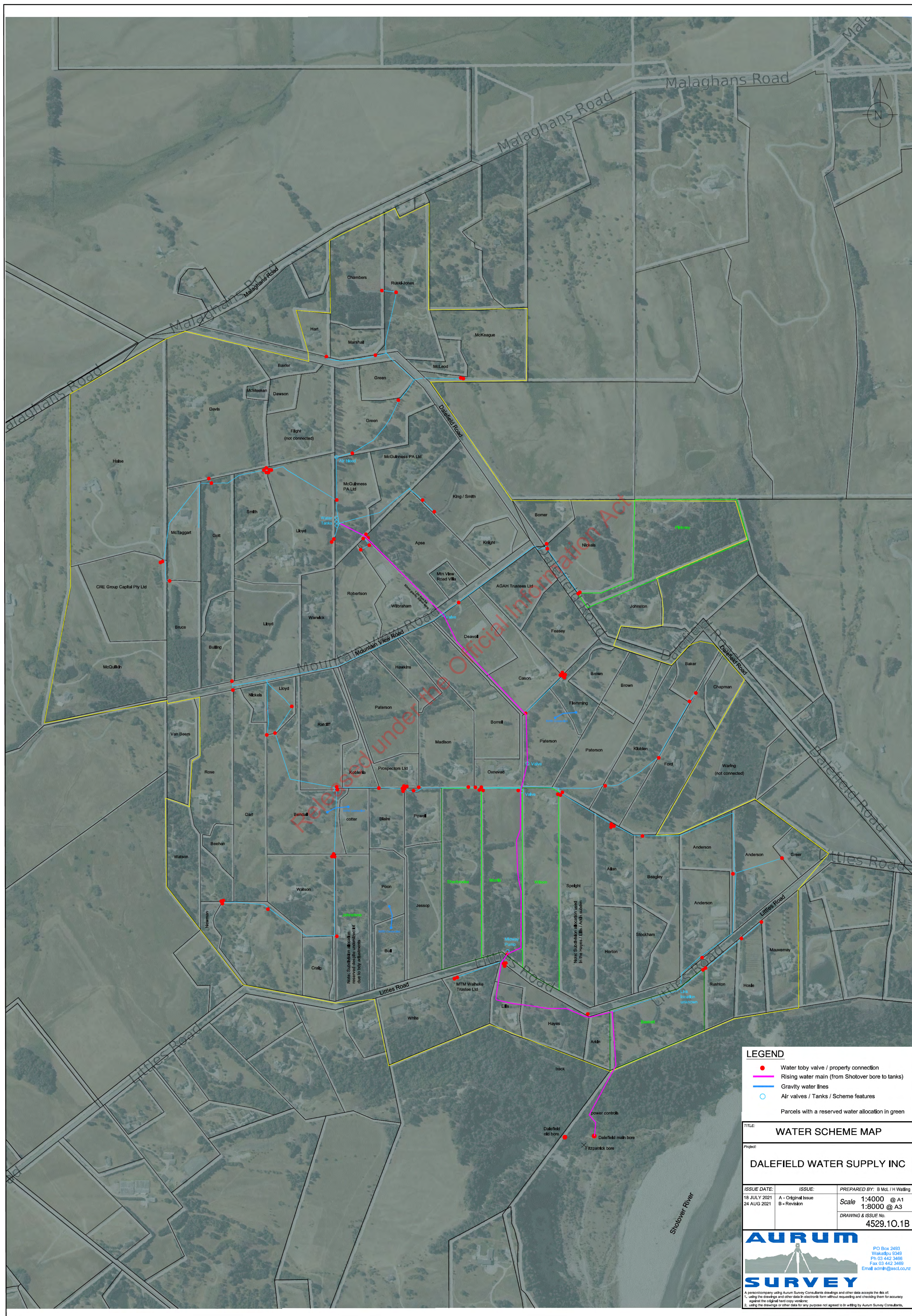
				<div>CONSULTANT</div> <div><div>CIVILISED LTD PO BOX 1461 QUEENSTOWN 9348  T: 027 223 3036 E: john@civilised.nz</div></div>	JFM	20/10/2022	<div>CLIENT</div> <div>DALEFIELD WATER SUPPLY SOCIETY INC</div>	<div>PROJECT/LOCATION</div> <div>DALEFIELD WATER SUPPLY BORE UPGRADES</div>	CONTRACT NUMBER			
									SCALE (AT A3)	1:2,000		
									TITLE	EXISTING SITE LAYOUT OVERALL	DRAWING NUMBER	REVISION
B	10/3/2023	Updated following review	JFM								QA025-D-410	B
A	20/10/2022	Initial Issue	JFM									
REV	DATE	DESCRIPTION	APPROVED		JFM	20/10/2022						





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**From:** Sec 9(2)(a)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown  
**Date:** Tuesday, 21 May 2024 2:05:14 pm  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image007.png](#)  
[image008.png](#)

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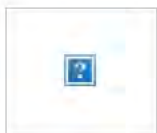
Hi Kayla

I had scheduled to inspect this tomorrow, Sec 9(2)(a)  
[Redacted]

Weather permitting I will be there next week. I will be in touch with the district staff in the next few days to sort logistics.

Sorry about the further delay.

Sec 9(2)(a)



Sec 9(2)(a)

Ph: Sec 9(2)(a) – [QV.co.nz](#)  
Level 1, 43 Tarbert Street, Alexandra

Please note that my hours are Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Tuesday, 21 May 2024 1:57 pm  
**To:** Sec 9(2)(a)  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

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Hi Sec 9(2)(a)

I was just talking to the permissions advisor who is processing these applications, and he reminded me that we haven't heard from you on this valuation yet.

Do you have any update on this work at this stage?

Cheers,  
Kayla

---

**From:** Kayla Mahon  
**Sent:** Tuesday, April 9, 2024 4:46 PM  
**To:** Sec 9(2)(a)

**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Hi Sec 9(2)(a)

Attached are the signed TOE for this work. Sorry for the delay in getting this back to you trying to wrangle an acting manager acting in two roles is proving difficult.  
I will get this off to our billing team, to get the purchase order set up etc.

I will hopefully have the purchase order number for the invoice for the other job tomorrow too.

Ngā mihi,  
Kayla

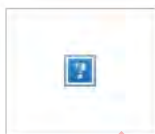
**Kayla Mahon**  
Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti  
Phone: Sec 9(2)(a)  
[www.doc.govt.nz](http://www.doc.govt.nz)



---

**From:** Sec 9(2)(a)  
**Sent:** Wednesday, April 3, 2024 3:48 PM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Cc:** 'jbruce@doct.govt.nz' <[jbruce@doct.govt.nz](mailto:jbruce@doct.govt.nz)>  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Thanks Kayla



Sec 9(2)(a)  
Sec 9(2)(a) – [QV.co.nz](http://QV.co.nz)  
43 Tarbert Street, Alexandra

Please note that my hours are Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Wednesday, 3 April 2024 3:45 pm  
**To:** Sec 9(2)(a)  
**Cc:** [jbruce@doct.govt.nz](mailto:jbruce@doct.govt.nz)  
**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

**Caution:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Sec 9(2)(a)

Thank you for getting this information through to me last week. I am working on getting the TOE signed by my manager and back to you asap.

I have had a small internal hold-up in completing this, as my manager, Kevin, is on annual leave until the end of the month. I am hoping to hear back from our acting manager later today with the signed document, but if I don't, I will see him in the office tomorrow and will ensure I get it back to you then.

In the meantime, below are the contact details for each applicant and the local DOC representative. I've cc'd in Juliet, who should be able to provide more information on the access arrangements to the reserve on the left bank of the shotover.

Department of Conservation	
<b>Contact Details</b>	Juliet Bruce Community Ranger Whakatipu-wai-Māori / Queenstown District <span style="background-color: black; color: black;">Sec 9(2)(a)</span> <a href="mailto:jbruce@doct.govt.nz">jbruce@doct.govt.nz</a>

<b>Applicant</b>	Out of Scope
<b>Contact Details</b>	

<b>Applicant</b>	Dalefield Water Supply Society Incorporated - 107337-OTH
<b>Contact Details</b>	Bruce McLeod <a href="mailto:bmcleod@ascl.co.nz">bmcleod@ascl.co.nz</a> 03 442 3466 027 418 2104

Let me know if there is anything else I can provide at this time, and I will ensure it gets sent through with the TOE later today/tomorrow.

Kia pai tō rā,  
Kayla

**Kayla Mahon**

Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti

Phone: Sec 9(2)(a)

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*Please note that my usual days of work are Monday, Tuesday, Thursday, & Friday.*

---

**From:** Sec 9(2)(a)

**Sent:** Tuesday, March 26, 2024 4:10 PM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Hi Kayla

Once again, thank you for the offer of this work.

Please find attached our terms of engagement/scope of works for your consideration.

Anticipated delivery is prior to 3 May 2024.

I will require access to the two bore sites, but I am not sure of the access arrangements to the Reserve. Possibly a representative of one of the concessionaires, or someone from your Queenstown office could point me in the right direction. Please advise.

I have pencilled in 9 April for the inspection.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Ph: Sec 9(2)(a) – [QV.co.nz](http://QV.co.nz)  
43 Tarbert Street, Alexandra

**Please note that my hours are** Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Thursday, 21 March 2024 3:36 pm

**To:** Sec 9(2)(a)

**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Caution: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Sec 9(2)(a)

We would like to proceed with this offer, noting that the timeframes will need to be adjusted. If you are still in a position to undertake this work, could you please send through the terms of engagement at your earliest convenience?

I will provide an updated summary of the applications, including copies of the concession documents and contact details for the applicants, should you require access to their lands. Please let me know if there is anything else you will require us to provide when accepting the TOE.

Ngā mihi,



Kayla

**Kayla Mahon**

Commercial Analyst | Kaitātari

Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti

Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



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---

**From:** Sec 9(2)(a)

**Sent:** Wednesday, February 21, 2024 1:40 PM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Request for Quote - Rental assessment for easement application over crown land - Queenstown

Hi Kayla

Thank you for the offer of this work.

I would be interested in assisting DOC with this assignment. I believe that I have the necessary expertise.

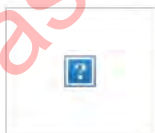
My fee would be \$2,240 plus GST with completion 20 working days after acceptance of our standard terms/scope of work.

The fee includes a site inspection and I assume that access can be arranged. If this proposal is accepted I could inspect on 6 March.

Please confirm if this offer is accepted and I will arrange for terms of engagement.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Ph: Sec 9(2)(a) – [QV.co.nz](http://QV.co.nz)  
43 Tarbert Street, Alexandra

**Please note that my hours are** Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Wednesday, 21 February 2024 10:42 am

**To:** Sec 9(2)(a)

**Subject:** Request for Quote - Rental assessment for easement application over crown land - Queenstown

**Caution:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Kia ora 

I am reaching out on behalf of the Department of Conservation to request a quote for a rental assessment required for two concession applications we have received.

These applications are for easements to install or upgrade private water supply infrastructure on public conservation land in Queenstown. As the location and activity for both applications are incredibly similar, we are requesting that these applications be assessed in tandem, but we will require an individual report/assessment for each application. Is this something you would be interested in quoting for?

A quick outline of these applications is included below, along with our requirements for the valuation. A more detailed outline of these activities is included in the attachments to this email.

#### Application details

<b>Location:</b>	Tuckers Beach Wildlife Management Reserve, being Section 85, Block IV, Shotover Survey District, comprised in RT OT18C/313
<b>Activity:</b>	Easements for the conveyance of water over conservation land along with associated infrastructure for the purpose of private domestic supply.
<b>Attachments</b>	<ul style="list-style-type: none"><li>• Summary of applications</li><li>• A map/plan for each application</li></ul>

*Note: DOC's standard approach to easement fee setting is outlined here:*

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

#### Valuation requirements

The valuer needs to have experience valuing similar easement activities and not have any conflict of interest with the application.

The valuer needs to:

- Recommend appropriate annual concession activity fees to be paid to the Department, considering a range of potential methodologies - including land valuation, before and after comparisons, and other approaches as appropriate.
- Provide comparable valuation evidence to support the recommended activity fees.
- Consider if the DOC's standard approach to pricing easements of this nature is in line with the market assessment.

#### Next Steps

- If you have the capacity and expertise to undertake this work, please provide a quote and advise on the timeframe required to complete this work.

If you need more information to help you quote for this, please do not hesitate to reach out.

Ngā mihi,  
Kayla



**Kayla Mahon**

Commercial Analyst

Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti Office

Phone: Sec 9(2)(a)

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**From:** [Kayla Mahon](#)  
**To:** Sec 9(2)(a)  
**Subject:** RE: Tuckers Beach - Dalefield 8 Out of Scope Water Supplies  
**Date:** Tuesday, 18 June 2024 5:36:00 pm  
**Attachments:** Out of Scope  
image001.png  
wellSummaryExport- Dalefield.csv  
PAC 13 04 17 Dalefield Water Supply Society Incorporated - Plan (1).pdf  
PAC 13 04 17 Dalefield Water Supply - Scanned contract - DOCDM-1166168.pdf  
Concessions - Contract - Easement Type A to D Consolidated 2022 - [107337-OTH] - DOC-7430502 (1).docx  
Out of Scope  
Concessions - Contract - Variation 2022 - [77927-OTH] - DOC-7547388.docx  
Out of Scope  
Out of Scope  
Out of Scope  
Overview Dalefield bore May 2023.pdf  
Dalefield - Engineering Plans 2023-05-03.pdf  
image002.png

---

Hi Sec 9(2)(a)

Attached are the following:

**Dalefield**

- Existing easement document (this expires in 2 – 3 years and will be superseded by the new concessions which will also approve upgrades/a second supply line)
- Existing easement site plan
- Download of approved well sites for the company (to correlate back to your photos)
- Draft new concession document
- Engineering plans from application
- Overview Plan from application

Out of Scope

I must say, I'm not surprised that there appears to have been recent activity in the area, I am glad that there wasn't any on the day you went out though!  
Let me know if there is anything else I can send through to help with this one. As usual, all information is provided in confidence

Ngā mihi,  
Kayla

**Kayla Mahon**

Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti

Phone: Sec 9(2)(a)

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**From:** Sec 9(2)(a)  
**Sent:** Monday, June 17, 2024 5:22 PM  
**To:** Kayla Mahon <kmahon@doc.govt.nz>  
**Cc:** Juliet Bruce <jbruce@doc.govt.nz>  
**Subject:** Tuckers Beach - Dalefield & Out of Scope Water Supplies

Hi Kayla

I inspected the Tuckers Beach Site with Juliet last Tuesday.

There has been quite a lot of activity on the beach with dozed tracks and a significant length of water pipes awaiting installation

We located two bores that had recently been capped plus two lidded structures both of which had electrical supply attached. Photos are attached.

We discussed the site with Simon Hay, (one of the Dalefield beneficiaries) through whose property we gained access but he did not provide much clarification and was not aware of the pipes. He thought that they may belong to the Fitzpatrick scheme. I am therefore unclear as to who the various sites belong to and Out of Scope

The site visit was adequate for my purposes, but it could be useful if there was a composite plan of what is going on at the beach.

It would assist my deliberations if I could please have a copy of the current concession documents. If you can send me those it would be great.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Ph: Sec 9(2)(a) – [QV.co.nz](http://QV.co.nz)  
Level 1, 43 Tarbert Street, Alexandra

Please note that my hours are Sec 9(2)(a)



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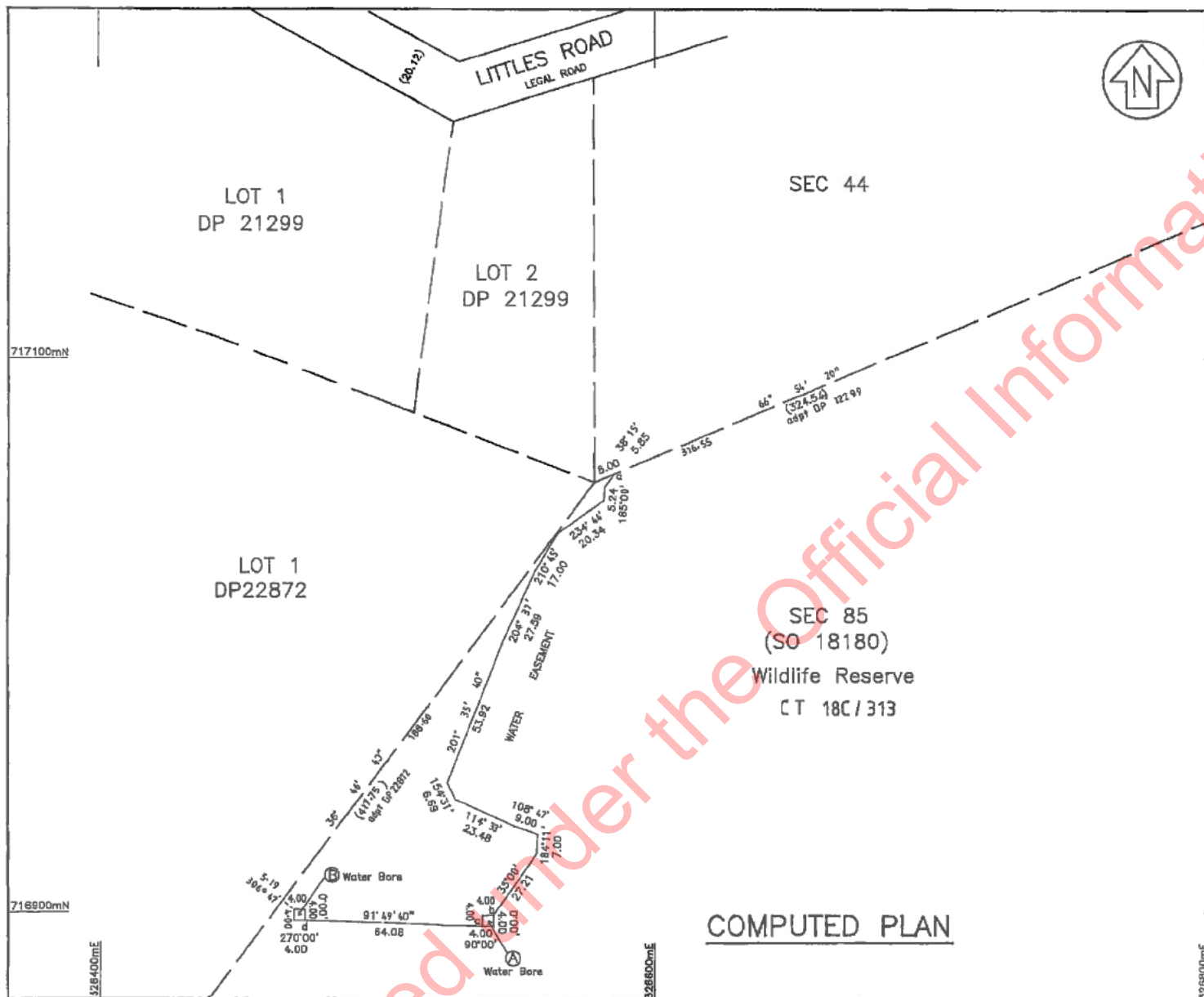
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Released under the Official Information Act

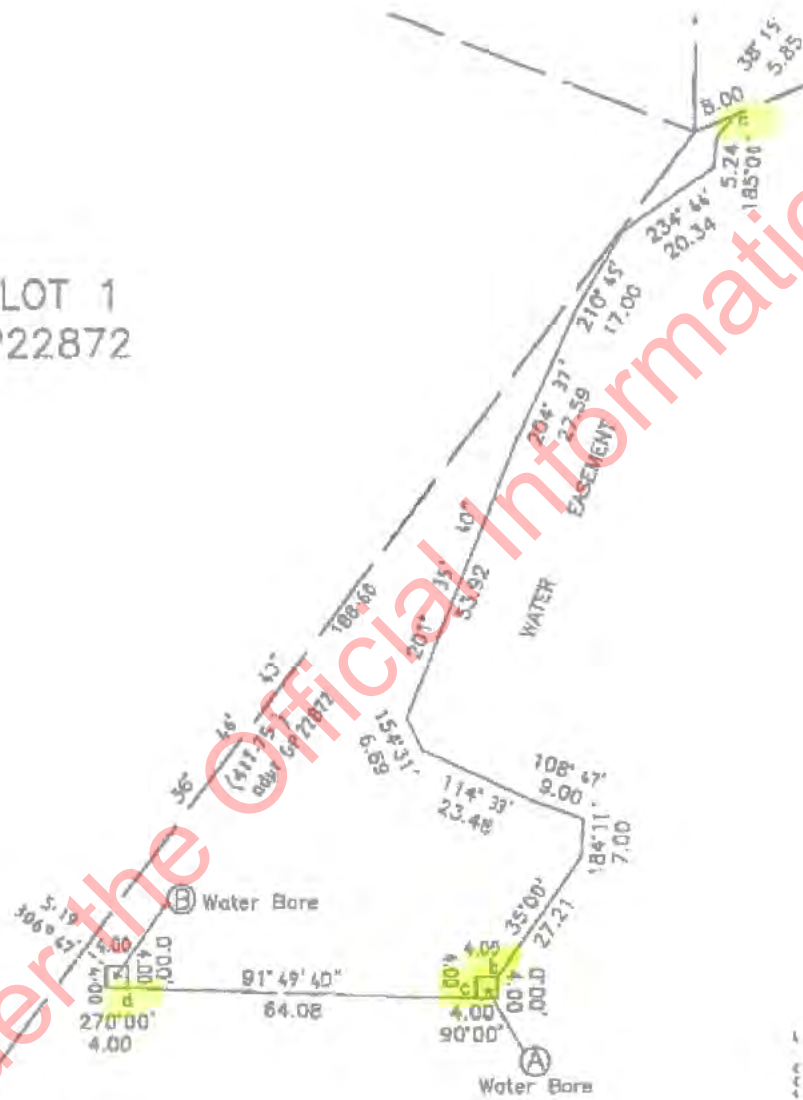




Approvals  Approved as to layout REGIONAL CONSERVATOR			
EASEMENT SCHEDULE			
Purpose	Servient	Shown	Grantee
Right to convey water	SEC 85 BLK IV SHOTOVER S.D.	a-b a-d ②	Dalefield Water Supply Inc
Right to draw water		③	
NOTE: 1.) Line easements may not depict the "as-built" service. 2.) A Gendetic correction of -1'20" was applied to adoptions from DP 12199			
DATUM: GEODETIC 1949 CIRCUIT: MT NICHOLAS			
Total Area Comprised in CT 18C/313 EASEMENT ONLY			
I, JOHN FERGIUS BORRELL, OF QUEENSTOWN, Registered Surveyor and holder of an annual practicing certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1952) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof. Dated at ..... day of ..... 1997 Signature:			
Field Book - p. -		Traverse Book - p. -	
Reference Plans SO 18180 DP's 22872, 21299, 19185, 12269			
Examined		Correct	
Approved for the purposes of Sec 167(1) LT. Act 1952 ...12/12/97... 			
Deposited this ...24... day of ...Sept... 1997 By District Land Registrar			
LAND DISTRICT OTAGO SURVEY BLK. & DIST. IV SHOTOVER SD NZMS 261 SHOT F41 RECORD MAP No 887		TERRITORIAL AUTHORITY Queenstown Lakes District Surveyed by Paterson Pitts & Partners Ltd Scale 1 : 1000 Date SEPT 1997 (14138)	
PLAN OF EASEMENT OVER SEC 85 ID F41/1-3		File Received 28/10/97 Instructions:	
		DP 26578 Approved On LM 95/1	

LOT 1  
DP22872

3400mE





LAND INFORMATION NEW ZEALAND

Contact: HELP DESK  
Phone: 0800 4 83772  
Fax : 01 470 6136

Terralink NZ Limited  
Heaphy House, 103 Thorndon Quay  
Private Bag 2767  
Wellington, New Zealand

Date : \_\_\_\_\_

No of Pages, including this one : \_\_\_\_\_

To : DEPARTMENT OF CONSERVATION  
P O BOX 5244,  
DUNEDIN



Attention : OTAGO CONSERVANCY

Batch No : 544366 ROUTINE SEARCH REQUESTS

Return By : MAIL

ORDERED THROUGH TERRANET  
OTAGO DISTRICT

Ref Ordered	Charging Ref.	Date & Time Ordered	Encls'd	Message
DO 979855	53273/1	11/02/00@02:14pm	[*]	

\*\*MAIL SHEET\*\*

System Updated

[\_\_\_\_\_]

**TRANSFER**  
**Land Transfer Act 1952**

If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District

Otago

Certificate of Title No. All or Part? Area and legal description:— Insert only when part or Stratum, CT

18C	313	All	
-----	-----	-----	--

Transferor Surnames must be underlined

MINISTER OF CONSERVATION

Transferee Surnames must be underlined

DALEFIELD WATER SUPPLY INCORPORATED

Estate or Interest or Easement to be created: Insert e.g. Fee simple; Leasehold in Lease No. ....; Right of way etc.

1. Right to draw water 2. Right to convey water 3. Right to convey electricity (all in gross)  
(continued on page 2 annexure schedule)


Consideration  
10 cents

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEE all the transferor's estate and interest described above in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 25th day of February 1999

Attestation

	Signed in my presence by the Transferor	SIGNED for and on behalf of the
	Signature of Witness	<u>MINISTER OF CONSERVATION</u> by Jeff
	Witness to complete in BLOCK letters (unless typewritten or legibly stamped)	Connell pursuant to a
	Witness name JANE HUGH BEARD	delegation given to him by the Director-General of Conservation and dated the 27th day of June 1996 in the presence of:
	Occupation SOLICITOR	(continued on page 3 annexure schedule)
	Address DUNDON	
Signature, or common seal of Transferor		

Certified correct for the purposes of the Land Transfer Act 1952

Certified that no conveyance duty is payable by virtue of Section 24(1) of the Stamp and Cheque Duties Act 1971.  
(DELETE INAPPLICABLE CERTIFICATE)

REF 4125  
TRANSFER/DALEFIELD.doc

Insert below  
Mortgage", "Transfer  
Transfer

Continuation of

1 The right  
Land Transfer  
paragraph

2 The right  
privilege  
persons

a

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a

b

3 The Transfer  
18C/313  
marked  
this schedule

4 The Transfer

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b

the

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ol

AND IT IS HERE

1 The easement

1 this Annexure Schedule  
Solicitors must put their

  
Solicitor for the Transferor  
Auckland District Law Society  
REF 4120

TRANSFER/DALEFIELD.doc



## Annexure Schedule

ns. below  
Mortgage", "Transfer", "Lease" etc

Transfer

Dated

Page 2 of 3 Pages

Continuation of "Estate or Interest or Easement to be Created"

- 1 The right to convey water shall have the meaning set out in paragraph 2 of the seventh schedule of the Land Transfer Act 1952 ("the schedule") and the Transferee shall have the further rights set out in paragraph 5 of the schedule.
- 2 The right to draw water shall mean the full, free, uninterrupted and unrestricted right, liberty and privilege for the Transferee and its tenants (in common with the Transferor, her tenants and other persons lawfully entitled so to do):
  - a To bore and dig a well in the designated places to place necessary pumping equipment within those wells and piping and lining and to construct any headworks necessary for its protection; and
  - b Otherwise to have the rights set out in clause 5 of the schedule as if reference to pipes therein were reference to the well.
- 3 The Transferee shall have the right to convey water over that part of the land in Certificate of Title 18C/313 marked "a-b" and "c-d" on Deposited Plan 26578 and to draw water from the two water bores marked 'A' and 'B' on Deposited Plan 26578 with the rights and powers set out in clauses 1 and 2 of this schedule.
- 4 The Transferee and its tenants shall also have:
  - a the full free uninterrupted and unrestricted right liberty and privilege to transmit electrical energy along that part of the land in Certificate of Title 18C/313 marked "a"-b" and "c"-d" on Deposited Plan 26578.
  - b the full free uninterrupted and unrestricted right liberty and privilege together with its servants agents and workmen with any tools implements machinery vehicles or equipment necessary for the purpose to enter upon such part of the land in Certificate of Title 18C/313 and by such route as is reasonable in the circumstances for the purpose of laying inspecting renewing or maintaining the line for the transmission of electrical energy and to remain there for any reasonable time for those purposes and to open up the soil of that land to such extent as may be necessary and reasonable in that regard subject to the condition that as little disturbance as possible is caused to the surface of that land and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired.

**AND IT IS HEREBY AGREED AND DECLARED** by and between the Transferor and the Transferee:

- 1 The easement shall be for a term of 30 years commencing on the 7th day of July 1997.

(Continued on page 3 of the annexure schedule)

This Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Auckland District Law Society  
REF 4120

# Annexure Schedule

TRANSFER

Dated

Page

3




of

3

Pages

- 2 For the first three years of the term the annual fee shall be one peppercorn (if demanded).
- 3
  - a Before the expiry of each three years of the term the annual fee shall be fixed for the next following period of three years.
  - b The Conservator Department of Conservation Dunedin ("the Conservator") shall give notice in writing to the Transferee of the annual fee for the next ensuing period fixed in accordance with section 17Y(2) of the Conservation Act 1987.
  - c If the parties reach agreement on the suggested fee or any modification thereof the fee so agreed upon shall become payable from the expiry of the preceding period.
  - d If the parties shall fail to reach agreement within three months of service of the notice referred to in sub-clause b the annual fee for the next succeeding period shall be fixed and determined by the parties referring the matter to mediation by a duly qualified mediator (being a member of the Mediators Institute or a member of LEADR) appointed if the parties cannot agree upon one by the President for the time being of the Otago District Law Society and in the event that such dispute is not capable of being resolved by mediation then the matter shall be resolved by arbitration in accordance with the provisions of the Arbitration act 1996 or any enactment passed in substitution therefor. If the Arbitration act 1996 is used and the parties fail to agree on the person to be appointed as arbitrator the Appointment shall be made by the president for the time being of the Otago District Law Society.
- 4 That if the Transferee shall fail to perform or observe any of the covenants or to pay the fee the Transferor may on giving the Transferee one calendar month's written notice determine this easement and all the rights of the Transferee shall thereupon cease and determine but without releasing the Transferee from liability for damages for any breach of covenant or from liability to pay the fee. Within three months of expiration or sooner determination of this easement the Transferee shall remove the pipe line and its other improvements from the servient tenement and shall leave the servient tenement in a clean and tidy condition to the satisfaction of the Conservator.
- 5 The Transferee shall indemnify the Transferor at all times against all and any action, claim, injury, damage or loss which may arise in any manner whatsoever from the creation of this easement.

## Continuation of "Attestation"

  
 Signed in my presence by the Transferee  
 Signature of witness  
  
 (secretary)  
 Signature or common seal of Transferee  
 Occupation S. H. N. STAMERS-SMITH  
 Address SOLICITOR  
 QUEENSTOWN

This Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.







11.2.00

# TRANSFER

Land Transfer Act 1952

Search

Copy

Law Firm Acting
BERRY & CO SOLICITORS QUEENSTOWN

Auckland District Law Society  
REF: 4135



PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY OF NZ  
FOR REGISTRAR - GENERAL OF LAND

3.34 09.DEC.99

979855.1

This page is for Land Registry Office use only.  
(except for "Law Firm Acting")



## Concession Document (Easement)

Concession Number: 107337-OTH

**THIS CONCESSION** is made this [Date] day of [Month] 2024

### **PARTIES:**

**Minister of Conservation** (the Grantor)

**Dalefield Water Supply Society Incorporated** (the Concessionaire)

### **BACKGROUND**

- A.** The Department of Conservation ("Department") Te Papa Atawhai is responsible for managing and promoting conservation of the natural and historic heritage of New Zealand on behalf of, and for the benefit of, present and future New Zealanders.
- B.** The Department is under the control of the Grantor.
- C.** The carrying out of these functions may result in the Grantor granting concessions to carry out activities on public conservation land.
- D.** The Grantor administers the public conservation land described in Schedule 1 as the Easement Land.
- E.** The Conservation legislation applying to the Easement Land authorises the Grantor to grant a concession over the Easement Land.
- F.** The Concessionaire wishes to carry out the Concession Activity on the Easement Land subject to the terms and conditions of this Concession.
- G.** The Concessionaire acknowledges that the Easement Land may be the subject of Treaty of Waitangi claims.
- H.** The Parties wish to record the terms and conditions of this Concession.

### **OPERATIVE PARTS**

- I.** In exercise of the Grantor's powers under the Conservation legislation the Grantor **GRANTS** to the Concessionaire an **EASEMENT** to carry out the Concession Activity on the Easement Land subject to the terms and conditions contained in this Concession, including its Schedules.

<p>_____</p> <p>SIGNED on behalf of the Minister of Conservation by <b>David Butt, Operations Manger, Whakatipu District</b> acting under delegated authority</p> <p>in the presence of:</p> <p>_____</p> <p>Witness Signature</p> <p>Witness Name: _____</p> <p>Witness Occupation: _____</p> <p>Witness Address: _____</p> <p>A copy of the Instrument of Delegation may be inspected at the Director-General's office at 18-22 Manners Street, Wellington.</p>	<p>The seal of Dalefield Water Supply Society Incorporated was affixed in the presence of:</p> <p>_____</p> <p>Authorised Signatory</p> <p>Name: _____</p> <p>_____</p> <p>Authorised Signatory</p> <p>Name: _____</p>
---	--

## SCHEDULE 1

1.	<b>Easement Land</b> (burdened land - the land where the easement activity occurs) (Schedule 4)	As marked on the attached plan or map in Schedule 4 being: Physical Description/Common Name: Tuckers Beach Wildlife Management Reserve Land Status: Held as a Government Purpose Reserve under section 22 of the Reserves Act 1977 Area: Approximately 80 m <sup>2</sup> Legal Description: Section 85, Block IV, Shotover Survey District RT OT18C/313 Map Reference: NZTM midpoint: 1263747E, 5010557N NaPALIS ID: 2804649
2.	<b>Land</b> (benefited land - the land that benefits from the easement) (If none then select "in gross") (Schedule 4)	Is the easement in gross? Yes
3.	<b>Concession Activity</b> (clause 2)	(a) a right to convey water; and (b) a right to convey electricity for the purpose of the operation and maintenance of an existing residential water supply scheme, being two bores and associated underground water pipeline and electrical cabling; and the establishment, operation and maintenance of a valve chamber, bore head, underground water pipeline and electrical cabling.
4.	<b>Term</b> (clause 3)	Thirty years and zero months commencing on XXXX
5.	<b>Final Expiry Date</b> (clause 3)	XXXX
6.	<b>Concession Fee</b> (clause 4)	<b>Concession Activity Fee:</b> \$[xxx] per annum plus GST <b>Concession Management Fee:</b> \$[xxx] per annum plus GST

7.	<b>Concession Fee Payment Date</b> (clause 4)	As specified on the invoice
8.	<b>Penalty Interest Rate</b> (clause 4)	Double the current Official Cash Rate (OCR). <a href="#">See Reserve Bank of New Zealand website</a>
9.	<b>Concession Fee Review Date(s)</b> (clause 5)	<i>If annual payment in Item 6 in this Schedule 1</i> [Insert interval of review] <i>e.g. yearly, 3 yearly. Ensure intervals do not exceed 3 years as this is the statutory maximum:</i>  <i>Examples – yearly on the anniversary (and for the duration) of this Concession; 3 yearly on the anniversary (and for the duration) of this Concession; or list each review date</i>  <i>e.g. 1 January 2023, 1 January 2026, 1 January 2029</i> <i>OR</i> <i>If one-off payment in Item 6 in this Schedule 1 insert:</i> <i>Not applicable</i> <i>(note: remember to delete the option not relevant)</i>
10.	<b>Insurance</b> (To be obtained by Concessionaire) (clause 11)	Types and amounts: Public Liability Insurance for general indemnity for an amount no less than \$1,000,000.00
11.	<b>Addresses for Notices</b> (clause 20)	The Grantor's address is: <u>Physical Address:</u> Department of Conservation 265 Princes Street Dunedin 9016  <u>Postal Address:</u> Department of Conservation Att: National Transaction Centre PO Box 5244 Dunedin 9054  Phone: (03) 477 0677 Email: <a href="mailto:transactioncentre@doc.govt.nz">transactioncentre@doc.govt.nz</a>
		The Concessionaire's address in New Zealand is: 829 Frankton Road Frankton

		Queenstown 9349 New Zealand Phone: (03) 442 3466 Email: <a href="mailto:bmcleod@ascl.co.nz">bmcleod@ascl.co.nz</a>
12.	<b>Special Conditions</b> (clause 25)	See Schedule 3
13.	<b>Processing Fee</b> (clause 4)	\$[xxx] plus GST

Note: The clause references are to the Grantor's Standard Terms and Conditions set out in Schedule 2.



## **SCHEDULE 2**

### **STANDARD TERMS AND CONDITIONS**

#### **1. Interpretation**

- 1.1 The Concessionaire is responsible for the acts and omissions of its employees, contractors, agents, clients and invitees (excluding other members of the public accessing the Easement Land). The Concessionaire is liable under this Concession for any breach of the terms of the Concession by its employees, contractors, agents, clients and invitees (excluding other members of the public accessing the Easement Land), as if the breach had been committed by the Concessionaire.
- 1.2 Where this Concession requires the Grantor to exercise a discretion or give any approval or provides for any other actions by the Grantor, then the Grantor must act reasonably and within a reasonable time. When a consent is required under this Concession such consent must not be unreasonably withheld.

#### **2. What is being authorised?**

- 2.1 The Concessionaire is only allowed to use the Easement Land for the Concession Activity.
- 2.2 The Concessionaire must not commence the Concession Activity until the Concessionaire has signed the Concession Document and returned one copy of this Document to the Grantor, as if it were a notice to be given under this Concession.

#### **3. How long is the Concession for - the Term?**

- 3.1 This Concession commences on the date specified in Item 4 of Schedule 1 and ends on the Final Expiry Date specified in Item 5 of Schedule 1.

#### **4. What are the fees and when are they to be paid?**

- 4.1 The Concessionaire must pay the Processing Fee (Item 13 of Schedule 1) to the Grantor in the manner directed by the Grantor. Except where the Grantor's written consent has been given, the Concessionaire cannot commence the Concession Activity until the Processing Fee has been paid.
- 4.2 The Concessionaire must pay to the Grantor in the manner directed by the Grantor the Concession Fee plus GST on the Concession Fee Payment Date specified in Items 6, and 7 of Schedule 1.
- 4.3 If the Concessionaire fails to make payment within 14 days of the Concession Fee Payment Date then the Concessionaire is to pay interest on the unpaid Concession Fee from the Concession Fee Payment Date until the date of payment at the Penalty Interest Rate specified in Item 8 of Schedule 1.

#### **5. When can the fee be reviewed?**

- 5.1 The Grantor is to review the Concession Fee on the Concession Fee Review Date in Item 9 of Schedule 1 in the following manner:

- (a) The Grantor must commence the review not earlier than 3 months before a Concession Fee Review Date and no later than 9 months following the Concession Fee Review Date by giving notice to the Concessionaire.
- (b) Subject to clause 5.1(e) the notice must specify the Concession Fee which the Grantor considers to be the market value for the Concession Activity as at the Concession Fee Review Date having regard to the matters specified in section 17Y(2) of the Conservation Act 1987.
- (c) If, within 28 days of receipt of the Grantor's notice, the Concessionaire gives notice to the Grantor that the Concessionaire disputes the proposed new Concession Fee the new Concession Fee is to be determined in accordance with clause 5.2.
- (d) If the Concessionaire does not give notice to the Grantor under clause 5.1(c) the Concessionaire is to be deemed to have accepted the Concession Fee specified in the Grantor's notice.
- (e) Notwithstanding clause 5.1(b) the new Concession Fee so determined or accepted must not be less than the Concession Fee payable during the year preceding the particular Concession Fee Review Date and is to be the Concession Fee payable by the Concessionaire from the Concession Fee Review Date.
- (f) Until determination of the new Concession Fee, the Concession Fee payable by the Concessionaire from the Concession Fee Review Date is to be the Concession Fee specified in the Grantor's notice. On determination of the new Concession Fee in accordance with clause 5.2 an adjustment is to be made and paid, either by the Grantor or by the Concessionaire, whichever is applicable.

5.2 Immediately the Concessionaire gives notice to the Grantor under clause 5.1(c) the parties are to endeavour to agree on a new Concession Fee. If the parties are unable to reach agreement within 28 days the new Concession Fee is to be determined either:

- (a) By one party giving notice to the other requiring the new Concession Fee to be determined in accordance with the Disputes clause (clause 19) or, if the parties agree,
- (b) by registered valuers acting as experts and not as arbitrators as follows:
  - (i) Each party must appoint a valuer and give notice of the appointment to the other party within 14 days of the parties agreeing to determine the new Concession Fee by this means.
  - (ii) If the party receiving a notice does not appoint a valuer within the 14 day period the valuer appointed by the other party is to determine the new Concession Fee and that valuer's determination is to be binding on both parties.
  - (iii) Before commencing their determination the respective valuers must appoint an umpire who need not be a registered valuer.
  - (iv) The valuers are to determine the new Concession Fee which they consider to be the market value for the Concession Activity as at the Concession Fee Review Date having regard to the matters specified in section 17Y(2) of the Conservation

Act 1987 but in no case is the new Concession Fee to be less than the Concession Fee payable during the year preceding the particular Concession Fee Review Date. If the valuers fail to agree, the Concession Fee is to be determined by the umpire.

- (v) In determining the Concession Fee the valuers or umpire are to disregard the annual cost to the Concessionaire to maintain or provide access to the Easement Land.
- (vi) Each party is to be given the opportunity to make written or oral representations or submissions to the valuers or the umpire subject to such reasonable time and other limits as the valuers or the umpire may prescribe.
- (vii) The valuers or the umpire must have regard to any such representations but are not bound by them.
- (c) The valuers or umpire must give written notice to the parties once they have determined the new Concession Fee. The notice is to be binding on the parties and is to provide how the costs of the determination are to be borne.
- (d) If a Concession Fee Review Date is postponed because of a moratorium imposed by law the Concession Fee Review is to take place at the date the moratorium is lifted or so soon afterwards as is practicable and the following applies:
  - (i) the Concession Fee Review is to establish the market value for the Concession Activity as at that date instead of the date fixed under clause 5.1 having regard to the matters specified in section 17Y(2) of the Conservation Act 1987 but in no case is the new Concession Fee to be less than the Concession Fee payable during the year preceding the particular Concession Fee Review Date; and
  - (ii) each subsequent Concession Fee Review is to take place in accordance with the procedure fixed in clause 5.1.

## **6. Are there any other charges?**

- 6.1 The Concessionaire must pay all levies rates and other charges, including utility charges payable in respect of the Easement Land or for the services provided to the Easement Land which relate to the Concessionaire's use of the Easement Land or the carrying on of the Concession Activity.
- 6.2 The Grantor is not liable for any cost incurred in re-establishing the supply of any utilities in the event of any of them becoming unavailable for any reason.
- 6.3 Where the Grantor has paid such levies, rates or other charges the Concessionaire must on receipt of an invoice from the Grantor pay such sum to the Grantor within 14 days of receiving the invoice. If payment is not made within the 14 days then the Concessionaire is to pay interest on the unpaid sum from the date payment was due until the date of payment at the Penalty Interest Rate specified in Item 8 of Schedule 1.

## **7. When can the Concession be assigned?**

- 7.1 The Concessionaire must not transfer, sublease, assign, mortgage or otherwise dispose of the Concessionaire's interest under this Concession or any part of it (which includes the Concessionaire entering into a contract or any other arrangement whatsoever whereby the Concession Activity would be carried out by a person (called the Assignee) other than the Concessionaire) without the prior written consent of the Grantor.
- 7.2 The Grantor may in the Grantor's discretion under clause 7.1:
  - (a) decline any application for consent; or
  - (b) grant consent subject to such conditions as the Grantor thinks fit.
- 7.3 Sections 17S to 17ZC of the Conservation Act 1987 apply to applications for consent under this clause unless the Grantor, in the Grantor's discretion, decides otherwise.
- 7.4 If the Grantor gives consent under this clause then the Concessionaire remains liable to observe and perform the terms and conditions of this Concession throughout the Term and is to procure from the Assignee a covenant to be bound by the terms and conditions of this Concession.
- 7.5 The Concessionaire must pay the costs reasonably incurred by the Grantor incidental to any application for consent, whether or not such consent is granted.
- 7.6 If the Concessionaire is not a publicly listed company any change in the shareholding of the Concessionaire altering the effective control of the Concessionaire is to be deemed to be an assignment and requires the consent of the Grantor.

## **8. What are the obligations to protect the environment?**

- 8.1 The Concessionaire must not, without the prior consent of the Grantor:
  - (a) cut down or damage any vegetation; or
  - (b) damage any natural feature or historic resource on the Easement Land; or
  - (c) light any fire on the Easement Land.
- 8.2 The Concessionaire must, at its cost:
  - (a) keep the easement facility (as defined in Schedule 5) now or hereafter upon the Easement Land, in good order, condition and repair; and
  - (b) must keep the Easement Land in a clean and tidy condition.
- 8.3 The Concessionaire must not store hazardous materials on the Easement Land nor store other materials on the Easement Land where they may obstruct the public or create a nuisance.

## **9. When can structures be erected?**

- 9.1 The Concessionaire must not erect, nor place any structures on, under or over the Easement Land without the prior consent of the Grantor.

**10. What if the Concessionaire wishes to surrender the Concession?**

- 10.1 If the Concessionaire wishes to surrender this Concession during the currency of the Term, then the Grantor may accept that surrender on such conditions as the Grantor considers appropriate.

**11. What are the liabilities and who insures?**

- 11.1 The Concessionaire agrees to use the Easement Land at the Concessionaire's own risk and releases to the full extent permitted by law the Grantor (and the Grantor's employees, agents and contractors) from all claims and demands of any kind and from all liability which may arise in respect of any accident, damage or injury occurring to any person or property in or about the Easement Land.
- 11.2 The Concessionaire must indemnify the Grantor against all claims, actions, losses and expenses of any nature which the Grantor may suffer or incur or for which the Grantor may become liable arising from the Concessionaire's performance of the Concession Activity.
- 11.3 This indemnity is to continue after the expiry or termination of this Concession in respect of any acts or omissions occurring or arising before its expiry or termination.
- 11.4 The Concessionaire has no responsibility or liability for costs, loss, or damage of whatsoever nature arising from any act or omission or lack of performance or any negligent or fraudulent act or omission by the Grantor, or any contractor or supplier to the Grantor, or any employee or agent of the Grantor.
- 11.5 Despite anything else in clause 11 the Concessionaire is not liable for any indirect or consequential damage or loss howsoever caused.
- 11.6 The Grantor is not liable and does not accept any responsibility for damage to or interference with the Easement Land, the Concession Activity, or to any structures, equipment or facilities on the Easement Land or any other indirect or consequential damage or loss due to any natural disaster, vandalism, sabotage, fire, or exposure to the elements except where, subject to clause 11.7, such damage or interference is caused by any wilful act or omission of the Grantor, the Grantor's employees, agents or contractors.
- 11.7 Where the Grantor is found to be liable in accordance with clause 11.6, the total extent of the Grantor's liability is limited to \$1,000,000 in respect of the Concessionaire's structures, equipment and facilities.
- 11.8 Despite anything else in clause 11 the Grantor is not liable for any indirect or consequential damage or loss howsoever caused.
- 11.9 Without prejudice to or in any way limiting its liability under this clause 11 the Concessionaire at the Concessionaire's expense must take out and keep current policies for insurance and for the amounts not less than the sums specified in Item 10 of Schedule 1 with a substantial and reputable insurer.
- 11.10 After every three year period of the Term the Grantor may, on giving 10 working day's notice to the Concessionaire, alter the amounts of insurance required under clause 11.9. On receiving such notice the Concessionaire must within 10 working days take out and keep current policies for insurance and

for the amounts not less than the sums specified in that notice.

11.11 The Concessionaire must provide to the Grantor within 5 working days of the Grantor so requesting:

- (a) details of any insurance policies required to be obtained under this Concession, including any renewal policies if such renewal occurs during the Term; and/or;
- (b) a copy of the current certificate of such policies.

## **12. What about Health and Safety?**

12.1 The Concessionaire must exercise the rights granted by this Concession in a safe and reliable manner and must comply with the Health and Safety at Work Act 2015 and its regulations and all other provisions or requirements of any competent authority relating to the exercise of this Concession. The Concessionaire must comply with any safety directions of the Grantor.

## **13. What are the compliance obligations of the Concessionaire?**

13.1 The Concessionaire must comply where relevant:

- (a) with the provisions of any conservation management strategy or conservation management plan under the Conservation Act 1987 or Part IIA of the Reserves Act 1977, or any general policy statement made under the Conservation Act 1987, Reserves Act 1977, National Parks Act 1980, or Wildlife Act 1953, or management plan under section 45 of the National Parks Act 1980, whichever is appropriate to the Easement Land, together with any amendment or review of any policy, strategy or plan whether approved before, on, or after the date on which this Concession takes effect; and
- (b) with the Conservation Act 1987, the Reserves Act 1977, the National Parks Act 1980, Wildlife Act 1953, Climate Change Response Act 2002 and any other statute, ordinance, regulation, bylaw, or other enactment (collectively the "Legislation") affecting or relating to the Easement Land or affecting or relating to the Concession Activity, including any regulations made under the Conservation Act 1987 and Wildlife Act 1953 or bylaws made under the Reserves Act 1977 or the National Parks Act 1980; and
- (c) with all notices and requisitions of any competent authority affecting or relating to the Easement Land or affecting or relating to the conduct of the Concession Activity; and
- (d) with all Department signs and notices placed on or affecting the Easement Land

13.2 The Concessionaire must comply with this Concession.

13.3 A breach or contravention by the Concessionaire of a relevant conservation management strategy, conservation management plan, management plan or any statement of general policy referred to in clause 13.1(a) is deemed to be a breach of this Concession.

13.4 A breach or contravention by the Concessionaire of any Legislation affecting or relating to the Easement Land or affecting or relating to the Concession Activity is deemed to be a breach of this Concession.



**14. When can the Concession be terminated?**

14.1 If the Concessionaire breaches any of the conditions of this Concession the Grantor may terminate this Concession at any time in respect of the whole or any part of the Easement Land. Before so terminating the Grantor must give the Concessionaire either:

- (a) one calendar month's notice in writing; or
- (b) such other time period which in the sole opinion of the Grantor appears reasonable and necessary;

of the Grantor's intention so to terminate this Concession. If this Concession is terminated then the Grantor, at the Grantor's sole discretion, may adjust the Concession Fee payable or refund any Concession Fee paid in advance.

14.2 The Grantor may choose to remedy at any time any default by the Concessionaire under this Concession. Where that occurs, the Concessionaire must pay forthwith on demand all reasonable costs incurred by the Grantor in remedying such default. Before electing to so remedy in accordance with this clause the Grantor must, if practicable, first give the Concessionaire notice of the default and a reasonable opportunity to remedy the default.

**15. What happens on termination or expiry of the Concession?**

15.1 On expiry or termination of this Concession, either as to all or part of the Easement Land, the Concessionaire is not entitled to compensation for any structures or other improvements placed or carried out by the Concessionaire on the Easement Land.

15.2 The Concessionaire may, with the Grantor's written consent, remove any specified structures and other improvements on the Easement Land. Removal under this clause must occur within the time specified by the Grantor and the Concessionaire is to make good any damage and leave the Easement Land and other public conservation land affected by the removal in a clean and tidy condition.

15.3 The Concessionaire must, if the Grantor gives written notice, remove any specified structures and other improvements on the Easement Land. Removal under this clause must occur within the time specified by the Grantor and the Concessionaire is to make good any damage and leave the Easement Land and other public conservation land affected by the removal in a clean and tidy condition and replant the Easement Land with indigenous vegetation of a similar abundance and diversity as at the commencement of the Term. If before the expiry of the Term the Concessionaire makes an application for a further concession in respect of the same Concession Activity on the Easement Land then the Grantor cannot require such removal and reinstatement until such time as that concession application has been determined. If a new concession is granted then removal and reinstatement cannot be required until the expiry or termination of the new concession.

**16. When is the Grantor's consent required?**

16.1 Where the Grantor's consent or approval is expressly required under this Concession then the Concessionaire must seek that approval or consent for each separate time it is required even though the Grantor may have given approval or consent for a like purpose on a prior occasion. Any such consent or approval may be made on such conditions as the Grantor considers

appropriate.

**17. Are there limitations on public access and closure?**

- 17.1 The Concessionaire acknowledges that the Easement Land is open to the public for access and that the Grantor may close public access during periods of high fire hazard or for reasons of public safety or emergency.

**18. What about other concessions?**

- 18.1 Nothing expressed or implied in this Concession is to be construed as preventing the Grantor from granting other concessions, whether similar or not, to other persons provided that the Grantor must not grant another concession that would derogate in any material way from the Concessionaire's ability to carry out the Concession Activity.

**19. How will disputes be resolved?**

- 19.1 If a dispute arises between the parties in connection with this Concession the parties must, without prejudice to any other rights or entitlements they may have, attempt to resolve the dispute by agreement using informal dispute resolution techniques such as negotiation, mediation, independent expert appraisal or any other alternative dispute resolution technique. The rules governing any such technique adopted are to be agreed between the parties.
- 19.2 If the dispute cannot be resolved by agreement within 14 days of written notice by one party to the other (or such further period as the parties may agree to in writing) either party may refer the dispute to the Disputes Tribunal, where relevant, or to arbitration, which arbitration is to be carried out in accordance with the provisions of the Arbitration Act 1996.
- 19.3 If the parties do not agree on an arbitrator within 10 working days of a party giving written notice of the requirement to appoint an arbitrator the President of the New Zealand Law Society is to appoint the arbitrator. In either case the arbitrator must not be a person who has participated in an informal dispute resolution procedure in respect of the dispute.
- 19.4 The arbitrator must include in the arbitration award reasons for the determination.
- 19.5 Despite the existence of a dispute, each party must continue to perform its obligations under this Concession.

**20. How are notices sent and when are they received?**

- 20.1 Any notice to be given under this Concession is to be in writing and made by personal delivery, by pre-paid post or email to the receiving party at the address, or email address specified in Item 11 of Schedule 1. Any such notice is to be deemed to have been received:
- (a) in the case of personal delivery, on the date of delivery;
  - (b) in the case of post, on the 3<sup>rd</sup> working day after posting;
  - (c) in the case of email,
    - (i) if sent between the hours of 9am and 5pm on a working day, at the time of transmission; or

- (ii) if subclause (i) does not apply, at 9am on the working day most immediately after the time of sending.

Provided that an email is not deemed received unless (if receipt is disputed) the party giving notice produces a printed copy of the email which evidences that the email was sent to the email address of the party given notice.

- 20.2 If either party's details specified in Item 11 of Schedule 1 change then the party whose details change must within 5 working days of such change provide the other party with the changed details.

**21. What about the payment of costs?**

- 21.1 The Concessionaire must pay the Grantor's legal costs and expenses of and incidental to preparing and signing this Concession or any extension or variation of it.

- 21.2 The Concessionaire must pay in full immediately and on demand all costs and fees (including solicitor's costs and fees of debt collecting agencies engaged by the Grantor) arising out of and associated with steps taken by the Grantor to enforce or attempt to enforce the Grantor's rights and powers under this Concession including the right to recover outstanding money owed to the Grantor.

**22. What about the powers implied by statute?**

- 22.1 The rights and powers implied in the relevant easements by Schedule 5 to the Land Transfer Regulations 2018 (as set out in Schedule 5 of this Concession) apply to this Concession **EXCEPT** to the extent set out in Schedule 3 of this Concession.

- 22.2 The rights and powers implied by Schedule 5 to the Property Law Act 2007 do not apply to this Concession.

**23. What about Co-Siting?**

- 23.1 In this clause "Co-Site" means the use of the Concessionaire's structures or facilities on the Easement Land by a third party for an activity; and "Co-Sitee" and "Co-Siting" have corresponding meanings.

- 23.2 The Concessionaire must not allow Co-Siting on the Easement Land without the prior written consent of the Grantor.

- 23.3 The Grantor's consent must not be unreasonably withheld but is at the Grantor's sole discretion and subject to such reasonable terms and conditions as the Grantor thinks fit including a requirement that the Co-Sitee be liable for direct payment to the Grantor of a concession fee and any environmental premium assessed in respect of the Co-Sitee's activity on the Easement Land.

- 23.4 In addition, the Grantor must withhold consent if:

- (a) the Co-Siting would result in a substantial change to the Concession Activity on the Easement Land; or
- (b) the Grantor considers the change to be detrimental to the environment of the Easement Land.

- 23.5 Subject to clause 23.4 the Concessionaire must, if required by the Grantor,

allow Co-Siting on the Easement Land.

- 23.6 Where the Concessionaire maintains that Co-Siting by a third party on the Easement Land would:
- (a) detrimentally interfere physically or technically with the use by the Concessionaire of the Easement Land; or
  - (b) materially prejudice any resource consents obtained by the Concessionaire or cause more onerous conditions to be imposed on it by the relevant authority; or
  - (c) obstruct or impair the Concessionaire's ability effectively to operate from the Easement Land; or
  - (d) interfere with or prevent future forecast works of the Concessionaire,
- the Grantor, must, as a pre-condition to consideration of an application to grant a concession to a third party, require that third party to obtain, at its own cost, a report prepared by an independent consultant acceptable to the Grantor confirming or rejecting the presence of the matters specified in this clause 23.6. The Grantor must not grant a concession to a third party where the report confirms that the proposed concession would give rise to one or more of the matters specified in this clause 23.6.
- 23.7 If the independent consultant report rejects the Concessionaire's concerns, the Concessionaire may dispute this in accordance with the procedure set out in clause 19 of this Schedule 2.
- 23.8 Where the Concessionaire is required under clause 23.5 to allow Co-Siting on the Easement Land, the Concessionaire is, subject to clause 23.10 entitled to enter into commercial agreements with third parties for them to conduct an activity on the Easement Land and to receive a reasonable fee from them for any agreed activity they intend to carry out on the Easement Land. If a dispute arises between the Concessionaire and a third party such dispute must be determined by the Grantor having regard to, but not limited to, the following matters:
- (a) any written comments or submissions of the Concessionaire and third party;
  - (b) market value for the concession activity proposed by the third party having regard to the matters specified in Section 17Y(2) of the Conservation Act 1987;
  - (c) any other matters the Grantor considers relevant.
- 23.9 If the Concessionaire does not accept the Grantor's determination, the Concessionaire may dispute this in accordance with the procedure set out in clause 19 of this Schedule 2.
- 23.10 For the avoidance of doubt, a Co-Sitee permitted on the Easement Land must enter into a separate concession with the Grantor in terms of which the Co-Sitee may be required to pay to the Grantor a concession fee and environmental premium assessed in respect of the Co-Sitee's activity on the Easement Land. This separate concession must not contain provisions that conflict with the Concessionaire's rights and obligations in relation to the Easement Land.
- 23.11 The Grantor must not authorise the third party to commence work on the Easement Land until all relevant resource consents are issued, an agreement

is executed between the Concessionaire and third party, and any conditions imposed by the Concessionaire have been met.

**24. Jointly and severally liable**

- 24.1 In the event that this Concession is held by multiple Concessionaire's, they will be jointly and severally liable.

**25. Are there any Special Conditions?**

- 25.1 Special conditions are specified in Schedule 3. If there is a conflict between this Schedule 2 and the Special Conditions in Schedule 3, the Special Conditions shall prevail.

**26. The Law**

- 26.1 This Concession is to be governed by and interpreted in accordance with the laws of New Zealand.

## SCHEDULE 3

### SPECIAL CONDITIONS

1. The rights and powers implied in easements under Schedule 5 of the Land Transfer Regulations 2018, apply as is relevant to the class of easement provided for in this Concession. Schedule 5 of the Regulations (excluding clauses 13 and 14) is set out in Schedule 5 of this Concession and the clauses are varied as follows:
  - (a) Clause 1 is amended by adding the words “in Schedule 4” after the words “on a plan” in paragraph (a) of the interpretation of “**easement area**”
  - (b) Clause 1 is amended by deleting the words “grantee and” from the interpretation of “**grantee and grantor**”
  - (c) Schedule 5 is amended by adding a new clause 1A: “Any reference to “grantee” in this Schedule is to be read as “Concessionaire” and includes the Concessionaire’s agents, employees, contractors, tenants, licensees and invitees.”
  - (d) Clause 11(2) is deleted and clause 11(4) is amended by deleting the reference to (2).
  - (e) Clauses 13 and 14 are deleted.
2. If the Concessionaire wishes the easement to be registered, the Concessionaire must at its own expense:
  - (a) prepare an easement instrument in accordance with the Land Transfer Act 2017 and the rights and powers provided in the easement as set out in this Concession; and
  - (b) arrange for any necessary survey; and
  - (c) register the easement.
3. The Grantor, if satisfied the easement instrument implements this Concession, must sign the easement instrument to enable registration.

### Climate change considerations

4. The Concessionaire acknowledges that the Grantor and the Department of Conservation are reviewing their obligations under the Climate Change Response Act 2002 and developing responses to address greenhouse gas emissions from activities conducted on public conservation land and waters. The reviews are likely to result in policies which seek to measure, manage and reduce greenhouse gas emissions from Concession Activities. The Grantor wishes to signal to the Concessionaire that new concession conditions related to both climate change mitigation and adaptation may be imposed during the life of this Concession to address greenhouse gas emissions associated with the Concession Activity.
5. If the Grantor requests data relating to greenhouse gas emissions associated with the Concession Activity, the Concessionaire must provide any relevant data that is reasonably available to it within 6 months of the Grantor’s request.
6. The Grantor may review and amend the conditions of this Concession to reflect climate change-related legislation and government or Departmental policy and those conditions (“Revised Conditions”) may, amongst other things, require the Concessionaire to measure, manage and reduce the greenhouse gas emissions of the Concession Activity.
7. Before amending the conditions of this Concession in accordance with clause 4, the Grantor will provide the Concessionaire the draft Revised Conditions. The



Concessionaire may provide written comments on those draft Revised Conditions within 60 days. The Grantor must take into account any comments received from the Concessionaire on the Revised Conditions before finalising the Revised Conditions.

8. The Revised Conditions will apply to the Concession Activity 4 months after the Grantor has notified the Concessionaire of the Revised Conditions in accordance with clause 5 or any later date specified in the Revised Conditions.

### **General Conditions**

9. No access to the Shotover River riverbed shall occur between 1st August and 31st January, except as described in Special Condition 10.
10. An exemption to Special Condition 9 may occur between 1st August to 31st January, provided prior to any works commencing a survey of all areas to be disturbed, plus 100 metres distance, is to occur to identify any breeding bird sites (this includes but is not limited to the ground disturbance area and transport route). The survey must be undertaken by a suitably qualified and independent ornithologist/ecologist. The survey must be undertaken within 72 hours of works commencing. The ornithologist/ecologist must provide DOC Whakatipu (Community or Biodiversity Team) with a written overview of the findings and recommendations of their survey (including map of all bird breeding sites and 100m separation distance) for approval prior to any works occurring, and within five working days provide a full written report which must include the method, results, findings, recommendations, maps, and locations of all bird breeding and nesting sites. Further:
  - (a) Vehicles and/or machinery shall not operate within 100 metres of birds which are breeding, nesting, or rearing their young in the bed of the river, or as identified by the survey, and the report must clearly show where bird nesting is occurring and that there is a separation distance of 100 m from any proposed activity/disturbance.
  - (b) The findings and recommendations of the survey must be adhered to (once approved by DOC Whakatipu Office).
  - (c) If work ceases for more than 72 hours on site, the site must be re-surveyed (i.e. the survey specified in Special Condition 10 must be completed again).
11. No indigenous vegetation is to be cleared. Any indigenous vegetation within the proposed disturbed areas is to be recorded and mapped and provided in the above report.
  - (a) If clearance of indigenous vegetation is proposed to occur, an Ecological Impact Assessment is required to be provided to DOC for review prior to any works occurring. The Assessment must be completed by a suitably qualified and independent ecologist/botanist.
12. Prior to any machinery or equipment entering the riverbed, it must be cleaned and checked for soil and seeds that could potentially further contaminate the area. Removal of native vegetation to be avoided, and removal of other vegetation to be minimal.
13. The site must be checked for Raoulia species. If any species are located, they must be avoided.
14. The concessionaire must reinstate the area of ground disturbance to the same or better standard at the completion of the work.

15. No disturbance, deposition of soils or sediments, or vegetation clearance is permitted outside of the approximately 34m<sup>2</sup> required for installation of the bore heads, cables, and pipes underground.
16. The Concessionaire must take all precautions to ensure weeds are not introduced to the Land; this includes ensuring that all tyres, vehicles and machinery used by the Concessionaire and its contractors are clean before entering the Land.
17. All necessary resource consents must be obtained prior to exercising this concession.
18. No alterations to the easement facility requiring earth disturbance must be undertaken without prior consent in writing of the Grantor.

#### **Construction conditions (pipeline)**

19. The pipeline must be no greater than 100mm in diameter.
20. The trench for the pipeline must be dug with a maximum width of 700mm.
21. The pipeline must be laid at a minimum of 500mm below the surface of the ground.

#### **Fuels, hazardous materials, chemicals and waste**

22. Any waste or rubbish must be disposed of in an approved manner off the Easement Land at a Council approved site. Waste held on the Easement Land prior to its removal must be stored in a manner so as to ensure it does not become a contaminant or is not blown by wind or present a potential hazard to wildlife.
23. In the event of any hazardous substance spill the Concessionaire must:
  - (a) Take all practicable measures to stop the flow of the substances and prevent further contamination onto the Easement Land or water;
  - (b) Immediately contain, collect and remove the hazardous substances and any contaminated material, and dispose of all such material in an appropriate manner / authorised facility;
  - (c) Notify the Grantor as soon as practicable;
  - (d) Undertake any remedial action to restore any damage to the soil; and
  - (e) Take all measures to prevent any reoccurrence.

#### **Accidental Discovery Protocol**

24. The Concessionaire must take all reasonable care to avoid any archaeological values on the Land which includes (but is not limited to) historic sites and protected New Zealand objects on the Easement Land. In the event that archaeological sites or other features with heritage values are found during any approved earth disturbance work on the Easement Land:
  - (a) Work must cease immediately until further notice and advice must be sought from the Grantor;
  - (b) If it is an archaeological site as defined by the Heritage New Zealand Pouhere Taonga Act 2014 then Heritage New Zealand must be contacted and its advice sought;
  - (c) If it is an archaeological site relating to Māori activity then local iwi must be contacted and their advice sought;
  - (d) If it is an artefact as defined by the Protected Objects Act 1975 then the Ministry for Culture and Heritage must be notified within 28 days;

- (e) If it is human remains the New Zealand Police should also be notified;
- (f) In the event of cessation of approved work because of discovery of potential historical artefact or archaeological site the Concessionaire must not recommence work until permitted to do so by the Grantor.

### **Myrtle Rust Protocols**

- 25. The Concessionaire must 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 pohutukawa, manuka, kanuka, and ramarama. See <https://www.mpi.govt.nz/protection-and-response/responding/alerts/myrtle-rust/>.
- 26. If the Concessionaire encounters suspected symptoms of myrtle rust, the Concessionaire must not touch it and must take the following steps:
  - (a) Call the MPI Exotic Pest and Disease Hotline immediately on 0800 80 99 66;
  - (b) Take clear photos, including the whole plant, the whole affected leaf, and a close-up of the spores/affected areas of the plant;
  - (c) Don't touch or try to collect samples as this may increase the spread of the disease;
  - (d) If accidental contact with the affected plant or rust occurs, bag clothing and wash clothes, bags and shoes as soon as possible.

### **Monitoring and compliance**

- 27. If the Grantor determines that compliance with the conditions of this Concession 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.

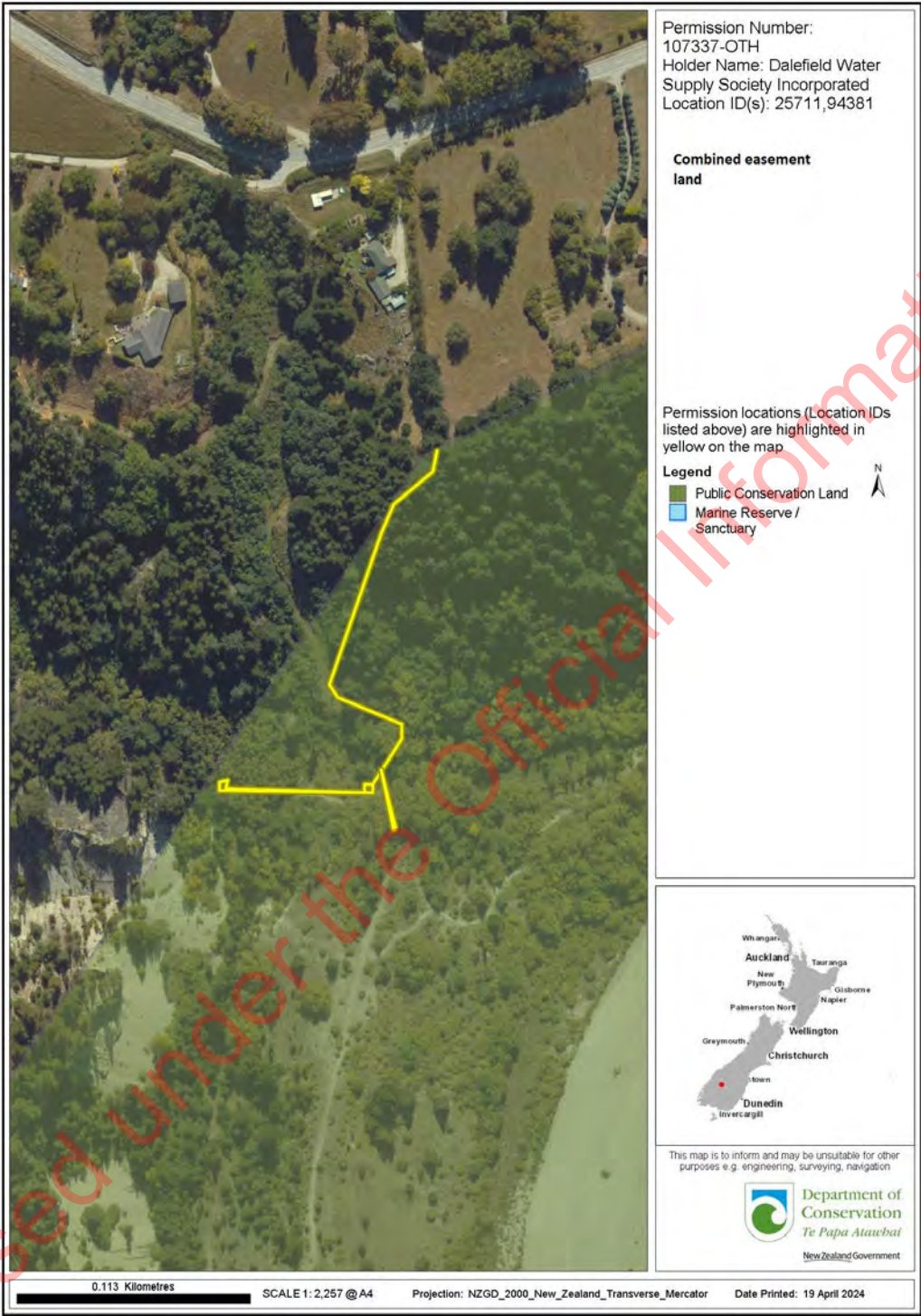
### **Surrender of Concession**

- 28. The Concessionaire and the Grantor agree that upon commencement of this Concession, the Concessionaire's existing concession over part of the Easement Land, PAC-13-04-17 issued on 7 July 1997, is surrendered.

## **SCHEDULE 4**

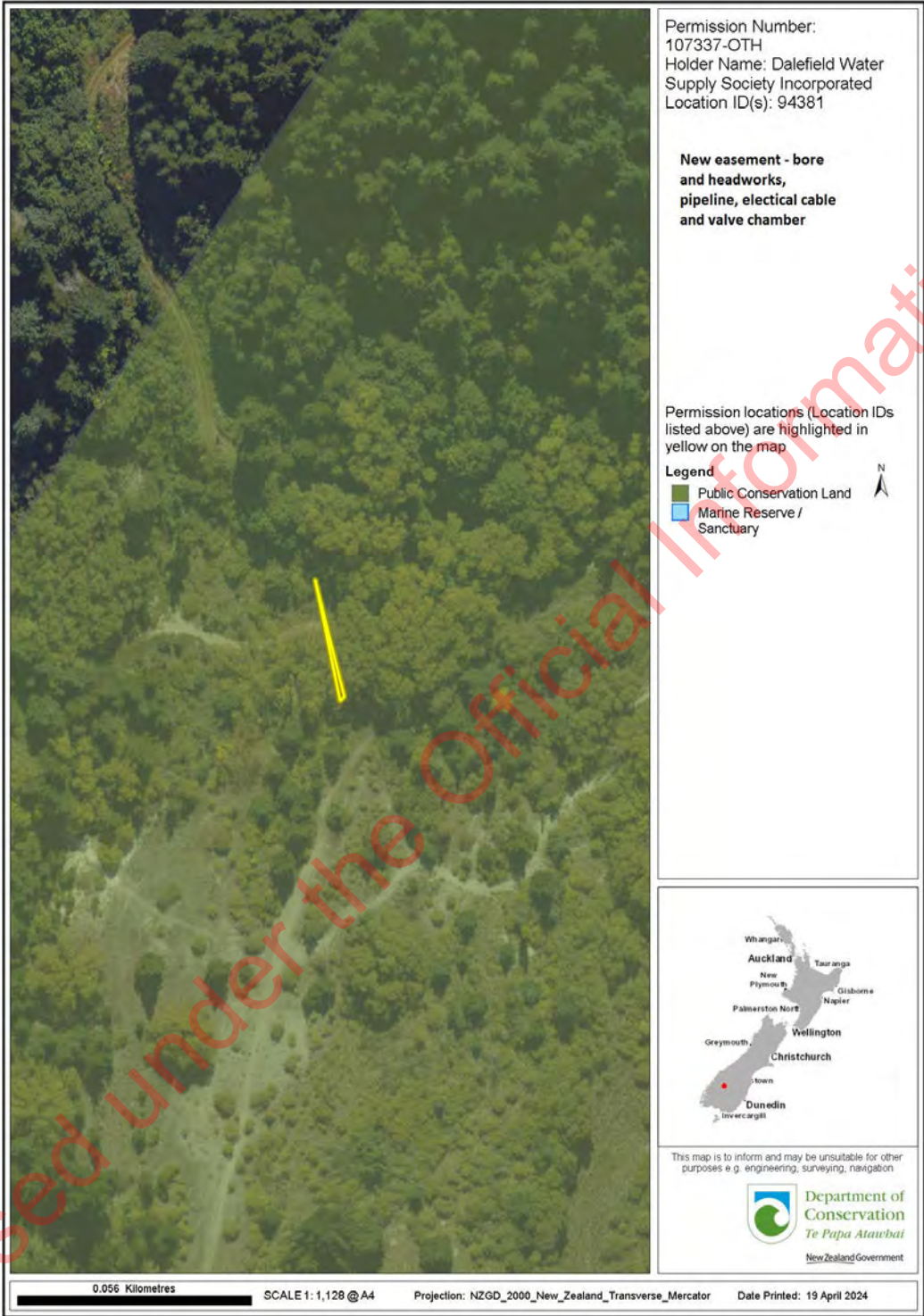
- 4.1 – Permission map showing total Easement Land (yellow shape)**
- 4.2 – Permission Map showing Easement Land of new works (yellow shape)**
- 4.3 – Permission Map showing Easement Land of existing works (yellow shape)**
- 4.4 – Survey plan of existing Easement**
- 4.5 – Schematic plan of new works**

4.1



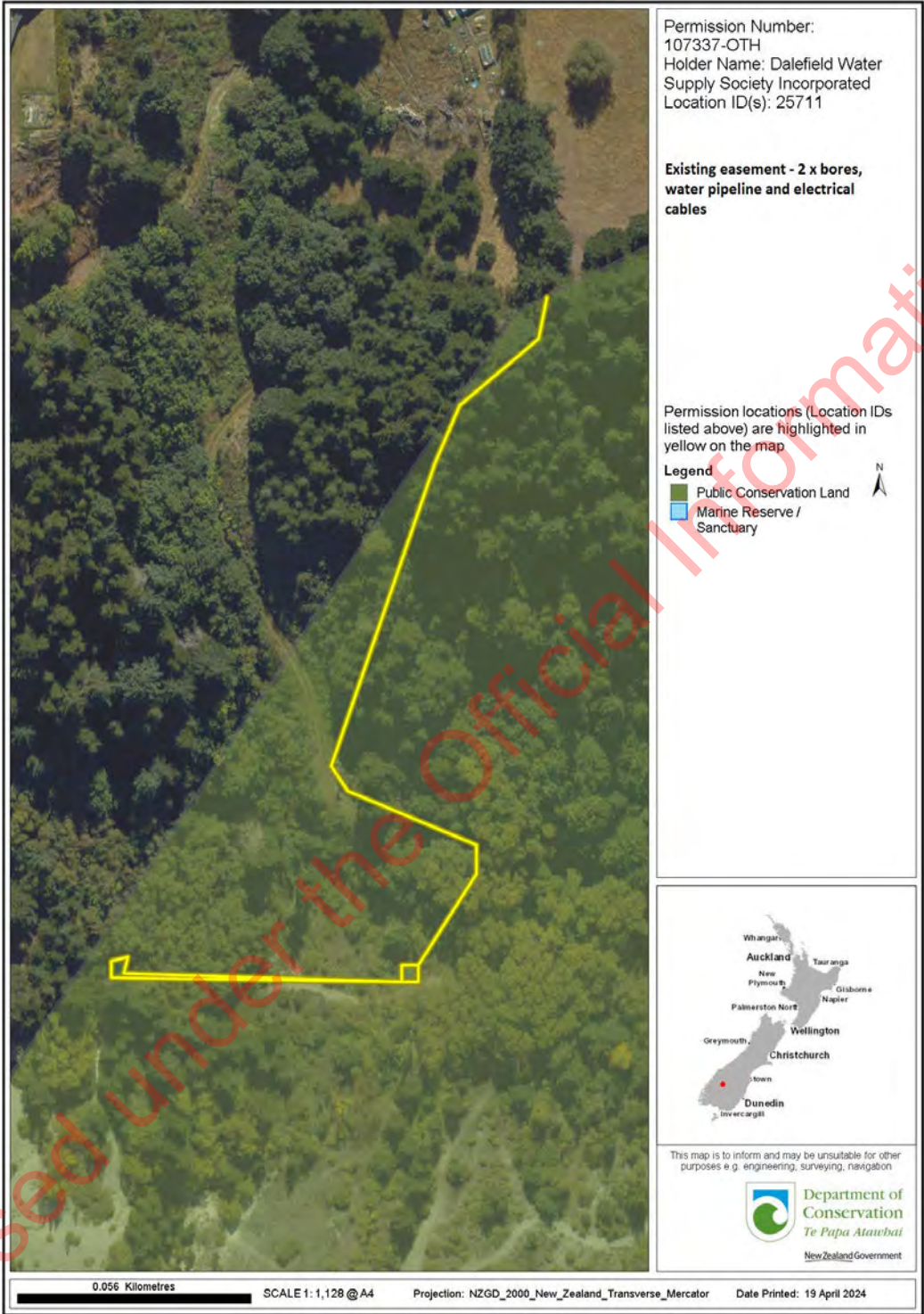


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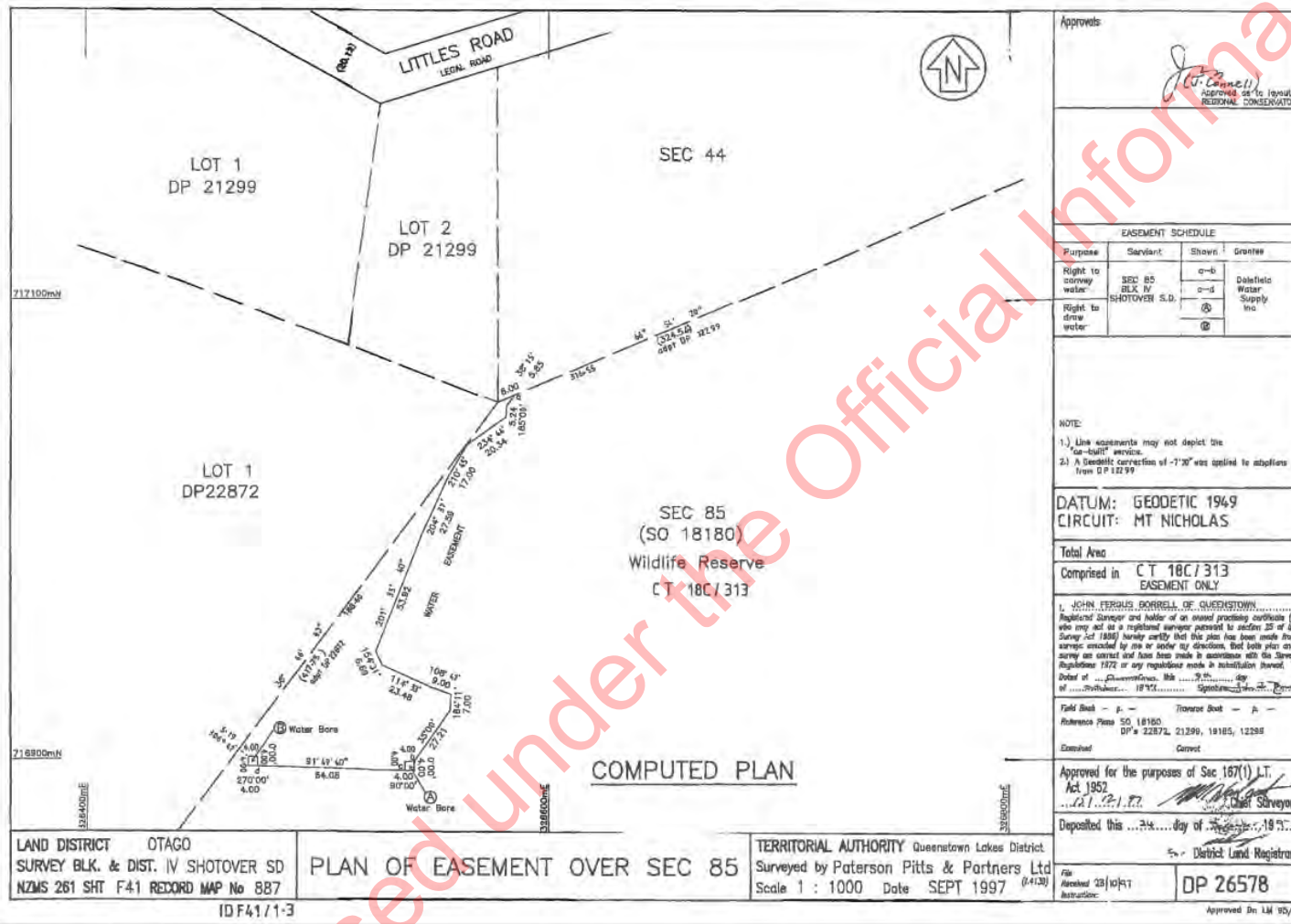




4.3



# 4.4





## SCHEDULE 5

### RIGHTS AND POWERS IMPLIED IN EASEMENTS

#### LAND TRANSFER REGULATIONS 2018

The following are the rights and powers implied in easements as set out in Schedule 5 of the Land Transfer Regulations 2018. The Regulation Schedule applies to all classes of easement and so it is only the specific provisions which relate to the class of easement dealt with in this Concession which apply, along with those that apply to all forms of easement. This Schedule does not include clauses 13 and 14 of Schedule 5 of the Regulations as they are deleted and replaced by the specific default and dispute provisions of the Concession. Refer to Schedule 3 of the Concession for changes to these implied rights and powers.

#### 1 Interpretation

In this schedule, unless the context otherwise requires,—

**benefited land**, in relation to an easement that benefits land, means the land that takes the benefit of the easement and that is described by reference to the register in the relevant easement instrument, transfer instrument, or deposit document

**burdened land**, in relation to an easement,—

- (a) means the land over which the easement is registered and that is described by reference to the register in the relevant easement instrument, transfer instrument, or deposit document; and
- (b) includes the easement area

**easement area**, in relation to an easement, means an area that—

- (a) is shown on a plan; and
- (b) is referred to in the relevant easement instrument, transfer instrument, or deposit document as the area to which the easement applies

**easement facility**,—

- (a) for a right to convey water, means pipes, pumps, pump sheds, storage tanks, water purifying equipment, other equipment suitable for that purpose (whether above or under the ground), and anything in replacement or substitution:
- (b) for a right to convey electricity or a right to convey telecommunications, means wires, cables (containing wire or other media conducting materials), ducts, surface boxes, towers, poles, transformers, switching gear, other equipment suitable for that purpose (whether above or under the ground), and anything in replacement or substitution:
- (c) for a right of way, means the surface of the land described as the easement area, including any driveway:
- (d) for a right to drain water, means pipes, conduits, open drains, pumps, tanks (with or without headwalls), manholes, valves, surface boxes, other equipment suitable for that purpose (whether above or under the ground), and anything in replacement or substitution:



- (e) for a right to drain sewage, means pipes, conduits, pumps, tanks (with or without headwalls), manholes, valves, surface boxes, other equipment suitable for that purpose (whether above or under the ground), and anything in replacement or substitution:
- (f) for a right to convey gas, means pipes, conduits, valves, other equipment suitable for that purpose (whether above or under the ground), and anything in replacement or substitution

**grantee and grantor—**

- (a) have the meanings given by section 107 of the Act; and
- (b) in clauses 3 to 9 and 12(1), include those persons' agents, employees, contractors, tenants, licensees, and invitees

**repair and maintenance**, in relation to an easement facility, includes the replacement of the easement facility

**telecommunication** means the conveyance by electromagnetic means from one device to another of any encrypted or non-encrypted sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not.

## 2 **Classes of easements**

For the purposes of regulation 21, easements are classified by reference to the following rights:

- (a) a right to convey water:
- (b) a right to drain water:
- (c) a right to drain sewage:
- (d) a right of way:
- (e) a right to convey electricity:
- (f) a right to convey telecommunications:
- (g) a right to convey gas.

*Rights and powers implied in easements granting certain rights*

## 3 **Right to convey water**

- (1) A right to convey water includes the right for the grantee, in common with the grantor and other persons to whom the grantor may grant similar rights, at all times, to take and convey water in free and unimpeded flow from the source of supply or point of entry through the easement facility and over the easement area and (for an easement that benefits land) to the benefited land.
- (2) The right to take and convey water in free and unimpeded flow is limited to the extent required by any period of necessary cleansing, renewal, modification, or repair of the easement facility.
- (3) The easement facility for the relevant easement is the easement facility laid or to be laid along the easement area in accordance with clause 10(1).
- (4) The grantor must not do and must not allow to be done anything on the burdened land that may cause the purity or flow of water in the water supply system to be polluted or diminished.

**4 Right to drain water**

4(1) to 4(3) deleted as not relevant.

**5 Right to drain sewage**

5(1) to 5(3) deleted as not relevant

**6 Rights of way**

6(1) to 6(5) deleted as not relevant

**7 Right to convey electricity**

- (1) A right to convey electricity includes the right for the grantee, in common with the grantor and other persons to whom the grantor may grant similar rights, at all times, to lead and convey electricity and electrical impulses without interruption or impediment from the point of entry through the easement facility and over the easement area and (for an easement that benefits land) to the benefited land.
- (2) The right to convey electricity without interruption or impediment is limited to the extent required by any period of necessary renewal or repair of the easement facility.
- (3) The easement facility for the relevant easement is the easement facility laid or to be laid along the easement area in accordance with clause 10(1).

**8 Right to convey telecommunications**

8(1) to 8(3) deleted as not relevant

**9 Right to convey gas**

9(1) to 9(3) deleted as not relevant

*Rights and powers implied in all classes of easement*

**10 General rights**

- (1) All the easements referred to in this schedule include—
  - (a) the right to use any easement facility already situated in the easement area for the purpose of the easement granted; and
  - (b) if no suitable easement facility exists in the easement area, the right to lay, install, and construct in the easement area (including the right to excavate land for the purpose of that construction) an easement facility that the grantee reasonably requires and for which the grantor has given prior consent; and
  - (c) the right to repair and maintain the easement facility.
- (2) The grantor must not unreasonably withhold consent under subclause (1)(b).

- (3) The grantor must not do and must not allow to be done on the burdened land anything that may interfere with or restrict the rights of any other party or interfere with the efficient operation of the easement facility.
- (4) The grantee must not do and must not allow to be done on the benefited land (if any) or the burdened land anything that may interfere with or restrict the rights of any other party or interfere with the efficient operation of the easement facility.
- (5) To avoid doubt, all the easements referred to in this schedule (other than for a right to convey electricity) include the right to convey electricity necessary to operate a pump or other equipment that is part of the easement facility.

## **11 Repair, maintenance, and costs**

- (1) If the 1 or more grantees have exclusive use of the easement facility, each grantee is responsible for arranging the repair and maintenance of the easement facility, and for the associated costs, so as to keep the facility in good order and to prevent it from becoming a danger or nuisance.
- (2) If the 1 or more grantees and the grantor share the use of the easement facility, each of them is responsible equally for the repair and maintenance of the easement facility, and for the associated costs, for the purposes set out in subclause (1).
- (3) If the easement is in gross, the grantee bears the cost of all work done outside the burdened land.
- (4) The parties responsible for maintenance under subclause (1), (2), or (5) (as the case may be) must meet any associated requirements of the relevant local authority.
- (5) Any repair or maintenance of the easement facility that is attributable solely to an act or omission by the grantor or the grantee must be promptly carried out by that grantor or grantee at their sole cost.
- (6) However, if the repair and maintenance of the easement facility is only partly attributable to an act or omission by the grantor or grantee,—
  - (a) that party must pay the portion of the costs of the repair and maintenance that is attributable to that act or omission; and
  - (b) the balance of those costs is payable in accordance with subclause (2).
- (7) The costs of any electricity used for the conveyance of water must be apportioned between users of the water in proportion to their usage of the water.

## **12 Rights of entry**

- (1) The grantee may, for the purpose of exercising any right or power, or performing any related duty, implied in an easement by these regulations,—
  - (a) enter upon the burdened land by a reasonable route and with all necessary tools, vehicles, and equipment; and

- (b) remain on the burdened land for a reasonable time for the sole purpose of completing the necessary work; and
  - (c) leave any vehicles or equipment on the burdened land for a reasonable time if work is proceeding.
- (2) However, the grantee must first give reasonable notice to the grantor.
  - (3) The grantee must ensure that as little damage or disturbance as possible is caused to the burdened land or to the grantor.
  - (4) The grantee must ensure that all work is performed properly.
  - (5) The grantee must ensure that all work is completed promptly.
  - (6) The grantee must immediately make good any damage done to the burdened land by restoring the surface of the land as nearly as possible to its former condition.
  - (7) The grantee must compensate the grantor for all damage caused by the work to any crop (whether ready for harvest or not) or to any buildings, erections, or fences on the burdened land.

**13 Default**

Deleted.

**14 Disputes**

Deleted.



Arkin, Sarah Elizabeth  
Gay, Alasdair Hew

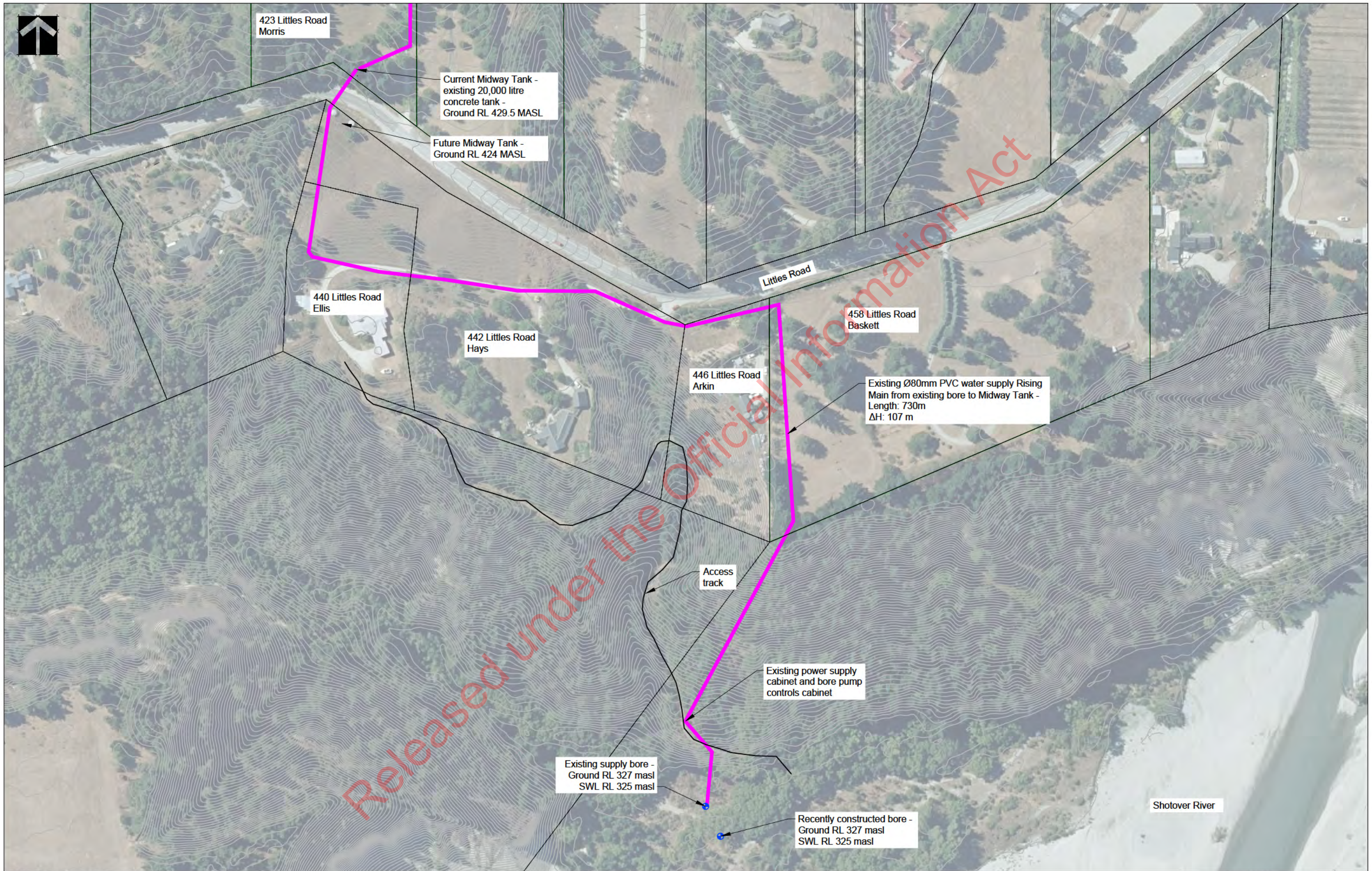
Section 85 Block IV Shotover SD  
OT18C/313  
Wildlife Management Reserve


Proposed second bore  
1263759mE, 5010539mN

Shotover River →

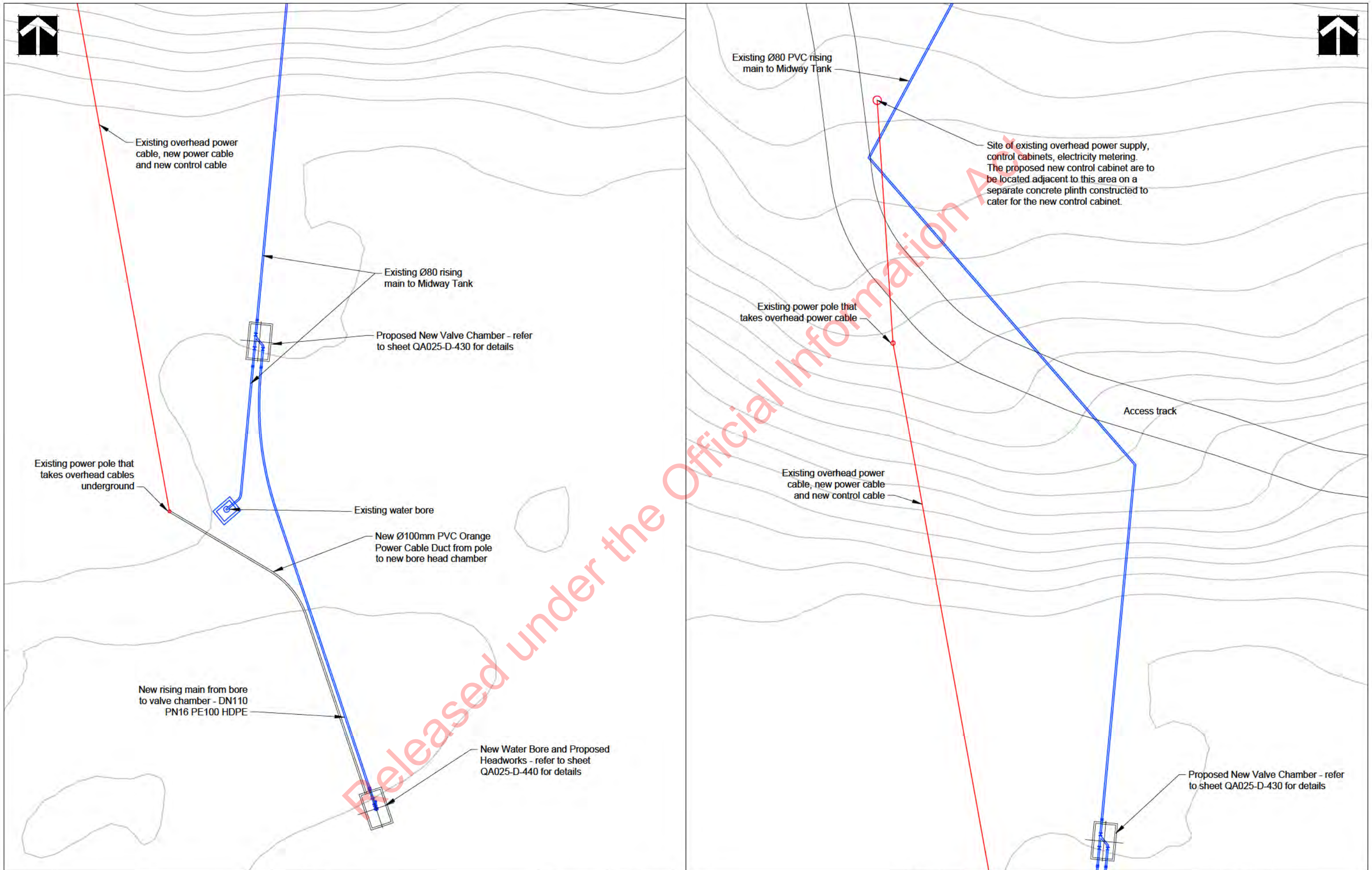







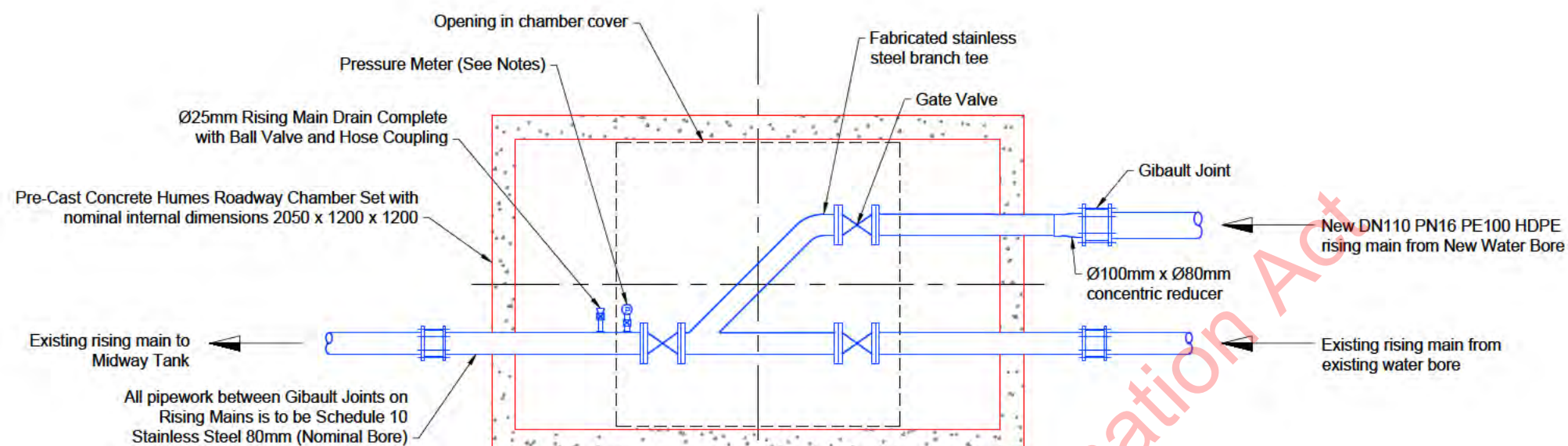
				<div>CONSULTANT</div> <div><div>CIVILISED LTD PO BOX 1461 QUEENSTOWN 9348</div><div>T: 027 223 3036 E: john@civilised.nz</div></div>	JFM	20/10/2022	<div>CLIENT</div> <div>DALEFIELD WATER SUPPLY SOCIETY INC</div>	<div>PROJECT/LOCATION</div> <div>DALEFIELD WATER SUPPLY BORE UPGRADES</div>	CONTRACT NUMBER		
									SCALE (AT A3)	1:2,000	
					JFM	20/10/2022			<div>TITLE</div> <div>EXISTING SITE LAYOUT OVERALL</div>	<div>DRAWING NUMBER</div> <div>QA025-D-410</div>	<div>REVISION</div> <div>B</div>
B	10/3/2023	Updated following review	JFM								
A	20/10/2022	Initial Issue	JFM								
REV	DATE	DESCRIPTION	APPROVED								



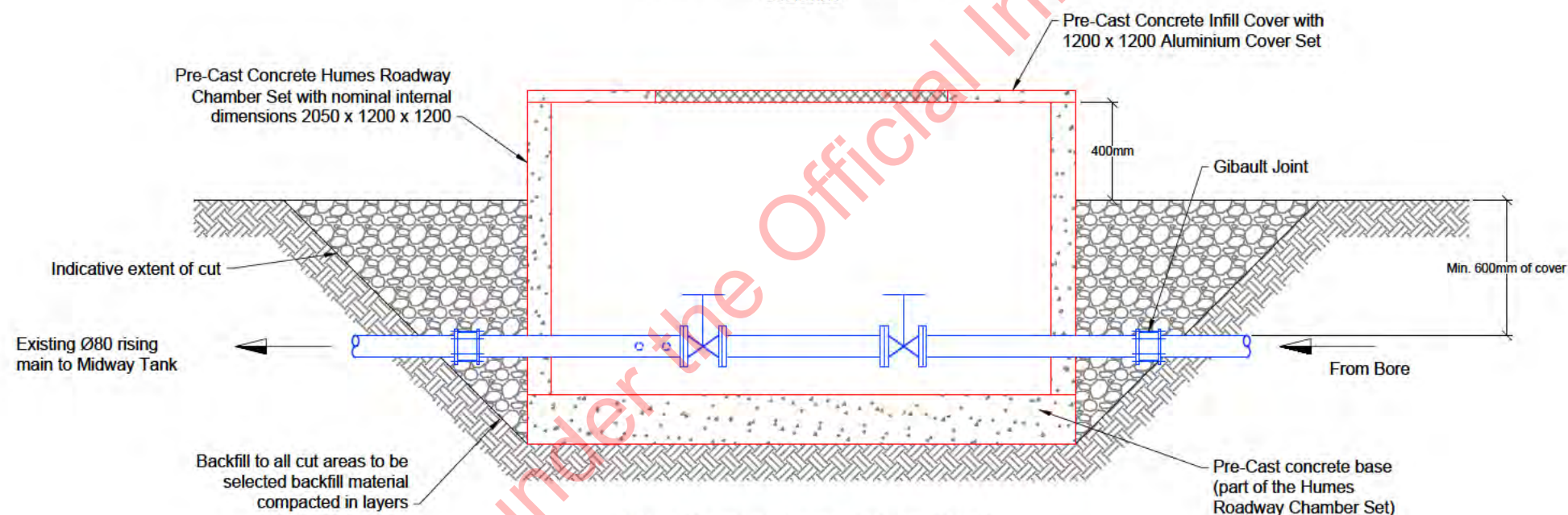


			CONSULTANT		CLIENT		PROJECT/LOCATION		CONTRACT NUMBER	
			 Civilised Ltd		DALEFIELD WATER SUPPLY SOCIETY INC		DALEFIELD WATER SUPPLY BORE UPGRADES		SCALE (AT A3) 1:200	
							SITE LAYOUT BORE HEADS, VALVE CHAMBER & CONTROLS			
							DRAWING NUMBER		REVISION	
							QA025-D-420		B	
REV DATE DESCRIPTION			APPROVED		CHECKED					






Scale 1:25

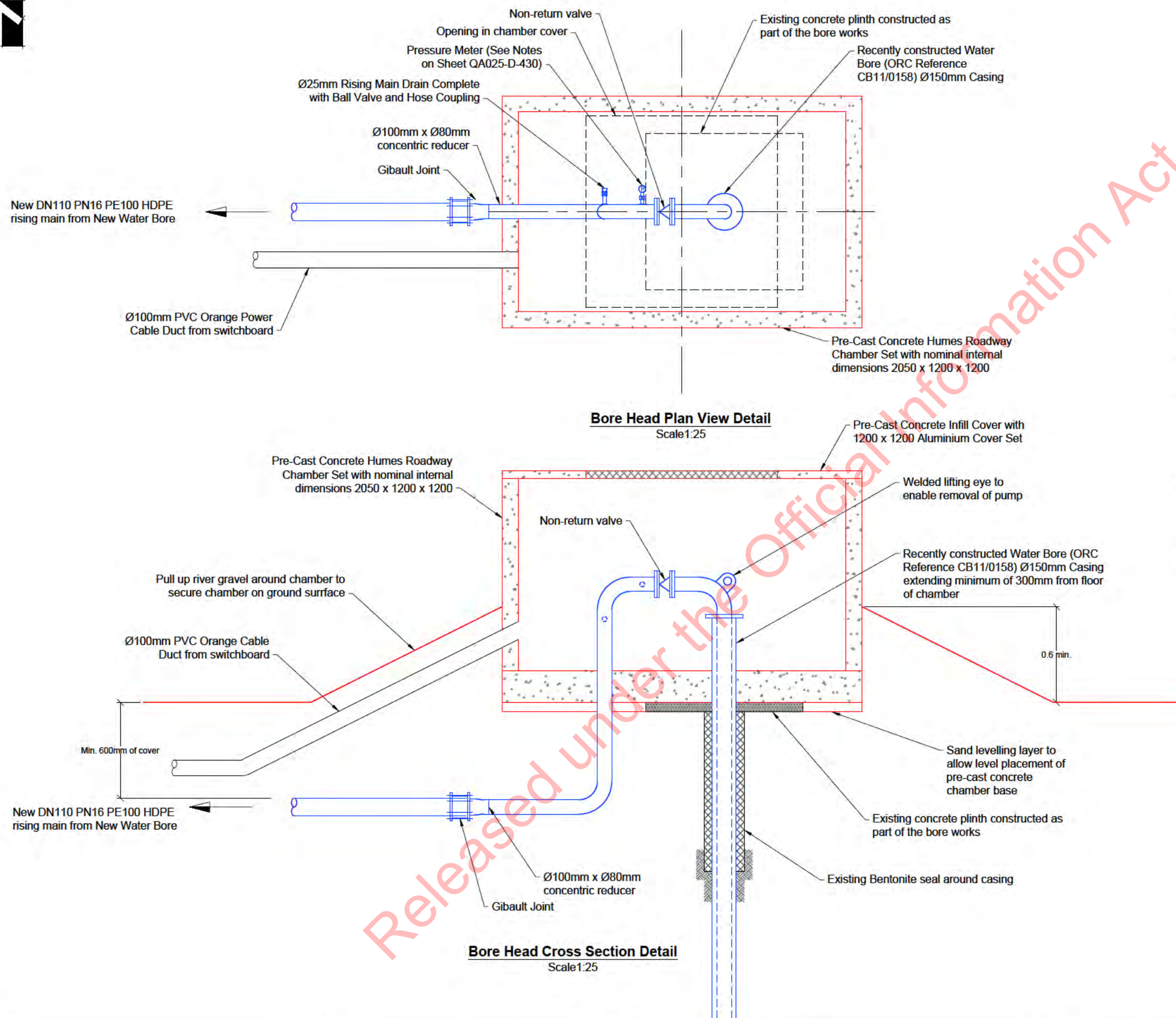


Scale 1:25

1. All penetrations through chambers to be post drilled with a suitable sized drill bit. Seal around pipe with Sika Plastiseal, minimum 20mm sealant depth.
2. All valve chamber pipe work, fittings, valves and pressure meters are to be supplied, installed and commissioned by the nominated subcontractor: **Wallace Murray Electrical Ltd**. The main Civil Contractor is to liaise with Wallace Murray Electrical Ltd to ensure all necessary works including trenching, chambers and assistance is provided.
3. A pressure gauge is to be installed on the pipelines in the location shown on the drawings. The pressure gauge is to be of stainless steel construction, oil filled and read from -1 to +16 bar. Isolating ball valve is to be installed to enable removal for servicing.
4. All pipe joints within the valve chamber are to be: flanged; screw thread; or victaulic (grooved pipe coupling) joints.
5. All pipework between the Gibault Joints is to be Ø80mm Schedule 10 Stainless Steel pipe.


				<div>CONSULTANT</div> <div><div>CIVILISED LTD PO BOX 1461 QUEENSTOWN 9348  T: 027 223 3038 E: john@civilised.nz</div></div>	JFM	10/11/2022	<div>CLIENT</div> <div>DALEFIELD WATER SUPPLY SOCIETY INC</div>	PROJECT/LOCATION		DALEFIELD WATER SUPPLY BORE UPGRADES		CONTRACT NUMBER			
					DESIGN	DATE				SCALE (AT A3)		1:50			
					JFM	10/11/2022									
					DRAWN	DATE									
					JFM	10/11/2022									
					CHECKED	DATE									
B	10/3/2023	Updated following review	JFM					TITLE		DETAILS VALVE CHAMBER		DRAWING NUMBER	QA025-D-430	REVISION	B
A	10/11/2022	Initial Issue	JFM												
REV	DATE	DESCRIPTION	APPROVED												





**Notes:**

1. All penetrations through chambers to be post drilled with a suitable sized drill bit. Seal around pipe with Sika Plastiseal, minimum 20mm sealant depth.
2. New water bore pump to be a Lowara Z616 11-L6W, 11 Stage, 11 kW, Three Phase Submersible Water Bore Pump with a duty point of 4 litres per second and 128 metres of head.
3. Bore pump, controls, flow meter and all associated valve chamber and bore head works pipes, valving, and fittings are to be supplied, installed and commissioned by the nominated subcontractor: **Wallace Murray Electrical Ltd**. The main Civil Contractor is to liaise with Wallace Murray Electrical Ltd to ensure all necessary works including trenching, chambers and assistance is provided.
4. A pressure gauge is to be installed on the pipelines in the location shown on the drawings. The pressure gauge is to be of stainless steel construction, oil filled and read from -1 to +16 bar. Isolating ball valve is to be installed to enable removal for servicing.
5. All pipe joints within the valve chamber are to be: flanged; screw thread; or victaulic (grooved pipe coupling) joints.
6. All pipework from the bore pump outlet is to be Ø80mm Schedule 10 Stainless Steel pipe.

			CONSULTANT		CLIENT		PROJECT/LOCATION		CONTRACT NUMBER	
			 Civilised Ltd		DALEFIELD WATER SUPPLY SOCIETY INC		DALEFIELD WATER SUPPLY BORE UPGRADES		SCALE (AT A3) 1:50	
			CIVILISED LTD PO BOX 1481 QUEENSTOWN 9348 T: 027 223 3036 E: john@civilised.nz				TITLE		DRAWING NUMBER	
							DETAILS BORE HEAD		QA025-D-440	
									REVISION	
									B	
REV	DATE	DESCRIPTION	APPROVED		CHECKED					
B	10/3/2023	Updated following review	JFM		10/11/2022					
A	10/11/2022	Initial Issue	JFM		10/11/2022					





Bore site 1



Bore site 1





Pipe looking towards Bore site 1



Bore Site 2





Looking towards lidded structure 1



Lidded Structure 1



Lidded Structure 2




Electricity Supply

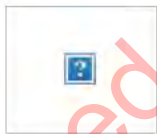



**From:** Sec 9(2)(a)  
**To:** [Kayla Mahon](#)  
**Subject:** Out of Scope - Tuckers Beach  
**Date:** Tuesday, 9 July 2024 11:21:35 am  
**Attachments:** [image003.png](#)  
[DOC 2024-07-09 Attachment 1.pdf](#)  
[DOC 2024-07-09 Attachment 2.pdf](#)

---

Hi Kayla

I have nearly finished the Tuckers Beach fee assessments. Dalefield is essentially done,   
Out of Scope



Sec 9(2)(a)

Ph: Sec 9(2)(a) – [QV.co.nz](#)  
Level 1, 43 Tarbert Street, Alexandra

Please note that my hours are Sec 9(2)(a)



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**From:** Sec 9(2)(a)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Tuckers Beach Water Schemes  
**Date:** Wednesday, 28 August 2024 11:03:42 am  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[image005.png](#)

---

Thanks Kayla

I will arrange for the invoice today.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Reg user

Ph: Sec 9(2)(a) – [QV.co.nz](#)  
Level 1, 43 Tarbert Street, Alexandra

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---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Wednesday, 28 August 2024 11:01 am  
**To:** Sec 9(2)(a)  
**Subject:** RE: Tuckers Beach Water Schemes

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Hi Sec 9(2)(a)

Just confirming that I have received these and at this stage have no questions, except has your team sent through the final invoice for this one?

Thanks for this and I'll let you know if I have any questions.

Ngā mihi,  
Kayla

**Kayla Mahon**  
Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti  
[www.doc.govt.nz](http://www.doc.govt.nz)



---

**From:** Sec 9(2)(a)

**Sent:** Monday, July 29, 2024 10:48 AM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** Tuckers Beach Water Schemes

Good Morning Kayla

Please find attached my fee assessments for the Dalefield and **Out of Scope** water schemes at Tuckers Beach.

I apologise for the delay getting these to you, unfortunately they proved more complex than expected.

Please feel free to come back to me if you have any questions.

Thank you for your instructions.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Ph: **Sec 9(2)(a)** – [QV.co.nz](http://QV.co.nz)  
Level 1, 43 Tarbert Street, Alexandra

**Please note that my hours are** **Sec 9(2)(a)**



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## 1 Instruction Detail

Property Details:	Tuckers Beach Wildlife Management Reserve, Queenstown being the land described as Section 85 Block IV Shotover Survey District and contained in Record of Title 18C/313.
Instructions:	We have received instructions from Kayla Mahon of the Department of Conservation to provide an assessment and recommendation for the fair market fee for the easement summarised below.
Application Details:	<p>Application for an easement concession over public conservation land. The easement is summarised as follows:</p> <ul style="list-style-type: none"><li>• Applicant: Dalefield Water Supply Society Incorporated.</li><li>• We have been advised by DOC that there are approximately 100 connections to the scheme.</li><li>• We estimate that the scheme services approximately 230 hectares bounded by the Shotover River, Tuckers Beach Wildlife Management Reserve, Littles Road, Malaghans Road and Dalefield Road, Lower Shotover.</li><li>• The easement is for a right to convey water and a right to convey electricity.</li><li>• Term- 30 years from a yet to be specified commencement date.</li><li>• The easement area will enable the operation and maintenance of an existing residential water supply scheme, being two bores and associated underground water pipeline and electrical cabling; and the establishment, operation and maintenance of a valve chamber, bore head, underground water pipeline and electrical cabling.</li><li>• A previous easement is held for a term of 30 years from 7 July 2017. The initial fee was one peppercorn reviewable every three years. We have not been advised of the current fee.</li><li>• A permit was issued for three months in 2022 to enable three test bores to be drilled</li><li>• This assessment includes the previous infrastructure plus one of the recently drilled bores and the infrastructure required to connect this to the scheme.</li></ul>

## 2 Assessment Fee

We have assessed the following fee on the basis of the draft concession document provided:

Easement fee as at 11 June 2024 for the first three years of the term:

**Annual fee \$15,600 plus GST if any**

We note the following conditions and assumptions:

- The applicant follows the terms and conditions set out in the draft easement document and the route is in accordance with the attached plans in Appendix 2.
- The benefitting land is essentially as shown on the plan in Appendix 3.

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Released under the Official Information Act



Released under the Official Information Act

**From:** Sec 9(2)(a)  
**To:** [Kayla Mahon](#)  
**Cc:** [Ben Fielding](#)  
**Subject:** RE: Tuckers Beach Water Schemes  
**Date:** Tuesday, 10 September 2024 2:17:52 pm  
**Attachments:** [image007.png](#)  
[image001.png](#)  
[image002.png](#)

---

Hi Kayla

I thought that they possibly would object, Sec 9(2)(i)

I presume that you have advised them of the recommended fee, or else they would not be objecting.

In that case I am happy for you to provide them with pages 3 and 4.

Dispute resolution is typically quite an expensive business and charged at a higher rate than valuation reports. Should an umpire be required they typically charge in the range of \$300 to \$350 plus GST per hour with the cost shared between the parties.

As this is a continuation of the work I have been doing for you I would be willing to participate in the process at my Sec 9(2)(b)(ii) plus GST per hour. I would anticipate 4 to 6 hours for each applicant.

Please advise if I can be of any assistance in the meantime.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Reg user

Ph: Sec 9(2)(a) – [QV.co.nz](#)

Level 1, 43 Tarbert Street, Alexandra

**Please note that my hours are** Sec 9(2)(a)

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Tuesday, 10 September 2024 2:00 pm  
**To:** Sec 9(2)(a)  
**Cc:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** RE: Tuckers Beach Water Schemes

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Hi Sec 9(2)(a)

As I suspected may be the case, the applicants for these concessions have come back asking for a

copy of the valuation report.

We are not in a position to release this without your agreement and not before the fee is agreed upon to maintain neutrality should the applicant choose to get their own valuation advice. I was hoping that it would be okay to release pages 3 and 4 of the reports to the respective applicants – which outline the instruction details and the assessment fee. **Is this okay with you?**

Also - Should the applicants get their own valuer involved, and we need to engage you for a resolution/negotiation process down the line – what are like likely costs associated with this kind of process?

Ngā mihi,  
Kayla

**Kayla Mahon**

Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti  
[www.doc.govt.nz](http://www.doc.govt.nz)



---

**From:** Sec 9(2)(a)  
**Sent:** Monday, 29 July 2024 10:48 am  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** Tuckers Beach Water Schemes

Good Morning Kayla

Please find attached my fee assessments for the Dalefield and Out of Scope water schemes at Tuckers Beach.

I apologise for the delay getting these to you, unfortunately they proved more complex than expected.

Please feel free to come back to me if you have any questions.

Thank you for your instructions.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

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**From:** [Juliet Bruce](#)  
**To:** Sec 9(2)(a)  
**Cc:** [Kayla Mahon](#)  
**Subject:** RE: Tuckers Beach - Dalefield & Out of Scope Water Supplies  
**Date:** Monday, 1 July 2024 12:40:49 pm  
**Attachments:** [PAC 13.04.17 Dalefield Water Supply - Scanned contract - DOCDM-1166168.pdf](#)  
[image001.png](#)  
[image002.png](#)  
Out of Scope  
[Dalefield Water Supply Society Inc - General Permit - \[97509-01H\] - DOC-6854637 \(3\).doc](#)

---

Kia ora Sec 9(2)(a)

I'm not sure if Kayla has replied already, although I see she is on leave at the moment.

Please find attached

- The Dalefield Water Supply concession
- Out of Scope
- Dalefield variation to drill test bores (word doc)

Hope this helps, let me know if you would like any more information.

Kā mihi

Juliet



**Juliet Bruce** (she/her)  
**Kaitiaki, Ao Hāpori** Community Ranger  
**Whakatipu-wai-Māori** Queenstown district  
**Te Papa Atawhai** Department of Conservation  
Whakatipu-wai-Māori Office  
1 Arthurs Point Road | PO Box 811 | Queenstown 9348  
Waea mahi – Work phone: Sec 9(2)(a)  
Īmēra – Email: [jbruce@doc.govt.nz](mailto:jbruce@doc.govt.nz)  
Pae tukutuku – Website: [www.doc.govt.nz](http://www.doc.govt.nz)

---

**From:** Sec 9(2)(a)  
**Sent:** Monday, June 17, 2024 5:22 PM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Cc:** Juliet Bruce <[jbruce@doc.govt.nz](mailto:jbruce@doc.govt.nz)>  
**Subject:** Tuckers Beach - Dalefield & Out of Scope Water Supplies

Hi Kayla

I inspected the Tuckers Beach Site with Juliet last Tuesday.

There has been quite a lot of activity on the beach with dozed tracks and a significant length of water pipes awaiting installation

We located two bores that had recently been capped plus two lidded structures both of which had electrical supply attached. Photos are attached.

We discussed the site with Simon Hay, (one of the Dalefield beneficiaries) through whose property we gained access but he did not provide much clarification and was not aware of the pipes. He thought that they may belong to the Fitzpatrick scheme. I am therefore unclear as to who the

various sites belong to and [Out of Scope]

The site visit was adequate for my purposes, but it could be useful if there was a composite plan of what is going on at the beach.

It would assist my deliberations if I could please have a copy of the current concession documents. If you can send me those it would be great.

Regards

Sec 9(2)(a)



Sec 9(2)(a)

Reg [redacted] uer

Ph: [redacted] – [QV.co.nz](http://QV.co.nz)

Level 1, 43 Tarbert Street, Alexandra

Please note that my hours are [redacted]

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## Concession Document (Permit)

Concession Number: 97509-OTH

**THIS CONCESSION** is made this 29 day of November 2021

### **PARTIES:**

**Minister of Conservation** (the Grantor)

**Dalefield Water Supply Society Incorporated** (the Concessionaire)



### **BACKGROUND**

- A.** The Department of Conservation ("Department") *Te Papa Atawhai* is responsible for managing and promoting conservation of the natural and historic heritage of New Zealand on behalf of, and for the benefit of, present and future New Zealanders.
- B.** The Department is under the control of the Grantor.
- C.** The carrying out of these functions may result in the Grantor granting concessions to carry out activities on public conservation land.
- D.** The Grantor administers the public conservation land described in Schedule 1 as the Land.
- E.** The Conservation legislation applying to the Land authorises the Grantor to grant a concession over the Land.
- F.** The Concessionaire wishes to carry out the Concession Activity on the Land subject to the terms and conditions of this Concession.
- G.** The Concessionaire acknowledges that the land may be the subject of Treaty of Waitangi claims.
- H.** The parties wish to record the terms and conditions of this Concession and its Schedules.

### **OPERATIVE PARTS**

- I.** In exercise of the Grantor's powers under the Conservation legislation the Grantor **GRANTS** to the Concessionaire a **PERMIT** to carry out the Concession Activity on the Land subject to the terms and conditions contained in this Concession and its Schedules.

--	--

 <p>SIGNED on behalf of the Minister of Conservation by David Butt, Operations Manager, Whakatipu-wai-māori acting under delegated authority</p> <p>in the presence of:</p>  <p>Witness Signature</p> <p>Witness Name: _____</p> <p>Witness Occupation: _____</p> <p>Witness Address: _____</p>	<p><b>Incorporated Society</b></p> <p>The seal of Dalefield Water Supply Society Incorporated was affixed in the presence of :</p> <p>_____</p> <p>Authorised Signatory Name: _____</p> <p>_____</p> <p>Authorised Signatory Name: _____</p>
---	--



**SCHEDULE 1**

1.	<b>Land</b> (clause 2)	As marked on the attached plan or map in Schedule 4 being:  Tuckers Beach Wildlife Mgt Reserve - Dalefield Water Supply Society - Bore Hole (X1263728 Y5010562)  Tuckers Beach Wildlife Mgt Reserve - Dalefield Water Supply Society - Bore Hole (X1263754 Y5010562)  Tuckers Beach Wildlife Mgt Reserve - Dalefield Water Supply Society - Bore Hole (X1263758 Y5010539)
2.	<b>Concession Activity</b> (clause 2)	One-off permit to drill test bore holes in Tuckers Beach Management Reserve to find a suitable water supply for properties in the area. Maximum three test sites. Term: 01/02/2022 - 01/05/2022 (three months). More specifically set out in Schedule 3.
3.	<b>Term</b> (clause 3)	3 months commencing on 01/02/2022
4.	<b>Renewal(s)</b> (clause 3)	None
5.	<b>Final Expiry Date</b> (clause 3)	01/05/2022
6.	<b>Concession &amp; Processing Fees</b> (clause 4)	<b>Activity Fee:</b> \$300 plus GST <b>Processing Fee:</b> \$130 plus GST
7.	<b>Annual Environmental Monitoring Fee</b> (clause 9)	Not required
8.	<b>Community Services Contribution</b> (clause 6)	Not required
9.	<b>Total payment to be made per annum</b> (clause 4)	Not applicable
10.	<b>Concession Fee Payment Date(s)</b>	On receipt of invoice

	(clause 4)	
11.	<b>Penalty Interest Rate</b> (clause 4)	Double the current Official Cash Rate (OCR). <a href="#">See Reserve Bank of New Zealand website</a>
12.	<b>Concession Review Date(s)</b> (clause 5)	Not applicable
13.	<b>Health and Safety</b> (clause 13)	Audited Safety Plan: Not required
14.	<b>Concessionaire Identification</b> (clause 31)	Not required
15.	<b>Insurance</b> (To be obtained by Concessionaire) (clause 12)	Types and amounts: Public Liability Insurance for: (a) General indemnity for an amount no less than \$1,000,000.00; and (b) Third party vehicle liability for an amount no less than \$500,000.00.
16.	<b>Addresses for Notices</b> (clause 24)	The Grantor's address is: Department of Conservation 1 Arthurs Point Road Queenstown 9371 Email: <a href="mailto:fpeat@doc.govt.nz">fpeat@doc.govt.nz</a>
		The Concessionaire's address in New Zealand is: c/- Findex Level 1, 13 Camp Street, Queenstown 9300 New Zealand Phone: +64 3 450 1888 Email: hunterleece@hotmail.com
17.	<b>Guarantee</b> (clause 29)	Not required
18.	<b>Special Conditions</b> (clause 34)	See Schedule 3

Note: The clause references are to the Grantor's Standard Terms and Conditions of Permit set out in Schedule 2.

## **SCHEDULE 2**

### **STANDARD TERMS AND CONDITIONS OF PERMIT**

#### **1. Interpretation**

- 1.1 In this Concession unless the context otherwise requires "Structures" means chattels of any description.
- 1.2 Where the Grantor's consent or approval is expressly required under a provision of this Concession, the Concessionaire must seek the consent or approval of the Grantor for each separate occasion it is required notwithstanding that the Grantor has granted consent or approval for a like purpose on a prior occasion.
- 1.3 The Concessionaire is responsible for the acts and omissions of its employees, contractors, agents, clients and invitees (excluding other members of the public accessing the Land). The Concessionaire is liable under this Concession for any breach of the terms of the Concession by its employees, contractors, agents, clients and invitees (excluding other members of the public accessing the Land), as if the breach had been committed by the Concessionaire.
- 1.4 Where this Concession requires the Grantor to exercise a discretion or give any approval or provides for any other actions by the Grantor, then the Grantor must act reasonably and within a reasonable time. When a consent is required under this Concession such consent must not be unreasonably withheld.
- 1.5 Where this Concession provides for approvals, directions, reports and consents to be given by one party to the other, those approvals, directions, reports and consents must be given by notice in writing and clause 24 is to apply.

#### **2. What is being authorised?**

- 2.1 The Concessionaire is only allowed to use the Land for the Concession Activity.
- 2.2 The Concessionaire must exercise reasonable skill, care and diligence in carrying out the Concession Activity, in accordance with standards of skill, care and diligence normally practised by suitably qualified and experienced people in carrying out such activities.
- 2.3 The Concessionaire must provide the Grantor with evidence of the competency and qualifications of its employees and contractors if the Grantor so requests.
- 2.4 The Concessionaire must not commence the Concession Activity until the Concessionaire has signed the Concession Document and returned one copy of this Document to the Grantor, as if it were a notice to be given under this Concession.

#### **3. How long is the Concession for - the Term?**

- 3.1 This Concession commences on the date set out in Item 3 of Schedule 1 and ends on the Final Expiry Date specified in Item 5 of Schedule 1.
- 3.2 If there is a right of renewal then the Grantor at the Concessionaire's cost must renew the Term for a further period as set out in Item 4 of Schedule 1 provided the Concessionaire:

- (a) gives the Grantor at least three month's written notice before the end of the Term, which notice is to be irrevocable, of the Concessionaire's intention to renew this Concession; and
- (b) at the time notice is given in accordance with this clause the Concessionaire is not in breach of this Concession.

3.3 The renewal is to be on the same terms and conditions expressed or implied in this Concession except that the Term of this Concession plus all further renewal terms is to expire on or before the Final Expiry Date.

#### **4. What are the fees and when are they to be paid?**

4.1 The Concessionaire must pay the Processing Fee (Item 19 of Schedule 1) to the Grantor in the manner directed by the Grantor. Except where the Grantor's written consent has been given, the Concessionaire cannot commence the Concession Activity until the Processing Fee has been paid.

4.2 The Concessionaire must pay to the Grantor in the manner directed by the Grantor the Concession Fee and any other payment comprised in the Total Payment specified in Item 9 of Schedule 1 in the instalments and on the Concession Fee Payment Date specified in Items 10 of Schedule 1.

4.3 If the Concessionaire fails to make payment within 14 days of the Concession Fee Payment Date then the Concessionaire is to pay interest on the unpaid Concession Fee from the Concession Fee Payment Date until the date of payment at the Penalty Interest Rate specified in Item 11 of Schedule 1.

#### **5. When can the fee be reviewed?**

5.1 The Grantor is to review the Concession Fee on the Concession Fee Review Dates in the following manner:

- (a) The Grantor must commence the review not earlier than 3 months before a Concession Fee Review Date and no later than 9 months following the Concession Fee Review Date by giving notice to the Concessionaire.
- (b) Subject to clause 5.1(e) the notice must specify the Concession Fee which the Grantor considers to be the market value for the Concession Activity as at the Concession Fee Review Date having regard to the matters specified in section 17Y(2) of the Conservation Act 1987.
- (c) If, within 28 days of receipt of the Grantor's notice, the Concessionaire gives notice to the Grantor that the Concessionaire disputes the proposed new Concession Fee, the new Concession Fee is to be determined in accordance with clause 5.2(a) or (b).
- (d) If the Concessionaire does not give notice to the Grantor under clause 5.1(c) the Concessionaire is to be deemed to have accepted the Concession Fee specified in the Grantor's notice.
- (e) Notwithstanding clause 5.1(b) the new Concession Fee so determined or accepted must not be less than the Concession Fee payable during the year preceding the particular Concession Fee Review Date and is to be the Concession Fee payable by the Concessionaire from the Concession Fee Review Date.
- (f) Until determination of the new Concession Fee, the Concession Fee payable by the Concessionaire from the Concession Fee Review Date is to be the



Concession Fee specified in the Grantor's notice. On determination of the new Concession Fee an adjustment is to be made and paid, either by the Grantor or by the Concessionaire, whichever is applicable.

5.2 Immediately the Concessionaire gives notice to the Grantor under clause 5.1(c) the parties are to endeavour to agree on a new Concession Fee. If the parties are unable to reach agreement within 28 days the new Concession Fee is to be determined either:

- (a) By one party giving notice to the other requiring the new Concession Fee to be determined by the Disputes clause (clause 22) or, if the parties agree,
- (b) by registered valuers acting as experts and not as arbitrators as follows:
  - (i) Each party must appoint a valuer and give notice of the appointment to the other party within 14 days of the parties agreeing to determine the new Concession Fee by this means.
  - (ii) If the party receiving a notice does not appoint a valuer within the 14 day period the valuer appointed by the other party is to determine the new Concession Fee and that valuer's determination is to be binding on both parties.
  - (iii) Before commencing their determination the respective valuers must appoint an umpire who need not be a registered valuer.
  - (iv) The valuers are to determine the new Concession Fee which they consider to be the market value for the Concession Activity as at the Concession Fee Review Date having regard to the matters specified in section 17Y(2) of the Conservation Act 1987 but in no case is the new Concession Fee to be less than the Concession Fee payable during the year preceding the particular Concession Fee Review Date. If they fail to agree the Concession Fee is to be determined by the umpire.
  - (v) In determining the Concession Fee the valuers or umpire are to disregard the annual cost to the Concessionaire to maintain or provide access to the Land.
  - (vi) Each party is to be given the opportunity to make written or oral representations or submissions to the valuers or the umpire subject to such reasonable time and other limits as the valuers or the umpire may prescribe.
  - (vii) The valuers or the umpire must have regard to any such representations but are not bound by them.
- (c) The valuers or umpire must give written notice to the parties once they have determined the new Concession Fee. The notice is to be binding on the parties and is to provide how the costs of the determination are to be borne.
- (d)
  - (i) If a Concession Fee Review Date is postponed because of a moratorium imposed by law the Concession Fee Review is to take place at the date the moratorium is lifted or so soon afterwards as is practicable; and
  - (ii) the Concession Fee Review is to establish the market value for the Concession Activity as at that date instead of the date fixed under clause 5.1 having regard to the matters specified in section 17Y(2) of the Conservation Act 1987 but in no case is the new Concession Fee to be less than the Concession Fee payable during the year preceding the particular Concession Fee Review Date; and

- (iii) each subsequent Concession Fee Review is to take place in accordance with the procedure fixed in clause 5.1.

**6. Are there any other charges?**

- 6.1 The Concessionaire must pay all levies rates and other charges, including utility charges payable in respect of the Land or for the services provided to the Land which relate to the Concessionaire's use of the Land or the carrying on of the Concession Activity.
- 6.2 The Grantor is not liable for any cost incurred in re-establishing the supply of any utilities in the event of any of them becoming unavailable for any reason.
- 6.3 Where the Grantor has paid such levies, rates or other charges the Concessionaire must on receipt of an invoice from the Grantor pay such sum to the Grantor within 14 days of receiving the invoice. If payment is not made within the 14 days then the Concessionaire is to pay interest on the unpaid sum from the date payment was due until the date of payment at the Penalty Interest Rate specified in Item 11 of Schedule 1.
- 6.4 Where the Grantor or Director-General has provided a community service, benefit or facility for the benefit of the Concessionaire under section 17ZH of the Conservation Act 1987, the Concessionaire must pay the Grantor the amount specified in Item 8 of Schedule 1 as part of the Total Payment specified in Item 9 of Schedule 1 on the Concession Fee Payment Dates specified in Item 10 of Schedule 1.

**7. When can the Concession be assigned?**

- 7.1 The Concessionaire must not transfer, sub licence, assign, mortgage or otherwise dispose of the Concessionaire's interest under this Concession or any part of it (which includes the Concessionaire entering into a contract or any other arrangement whatsoever whereby the Concession Activity would be carried out by a person (called the assignee) other than the Concessionaire) without the prior written consent of the Grantor.
- 7.2 The Grantor may in the Grantor's discretion decline any application for consent under clause 7.1.
- 7.3 Sections 17P, 17S, 17T, 17U, 17W, 17X, 17ZB and 17ZC of the Conservation Act 1987 apply to applications for consent under this clause unless the Grantor, in the Grantor's discretion, decides otherwise.
- 7.4 If the Grantor gives consent under this clause then the Concessionaire remains liable to observe and perform the terms and conditions of this Concession throughout the Term and is to procure from the Assignee a covenant to be bound by the terms and conditions of this Concession.
- 7.5 The Concessionaire must pay the costs reasonably incurred by the Grantor incidental to any application for consent, whether or not such consent is granted.
- 7.6 If the Concessionaire is not a publicly listed company then any change in the shareholding of the Concessionaire altering the effective control of the Concessionaire is to be deemed to be an assignment and requires the consent of the Grantor.

## **8. What are the obligations to protect the environment?**

- 8.1 The Concessionaire must not cut down or damage any vegetation; or damage any natural feature or historic resource on the Land; or light any fire on the Land without the prior consent of the Grantor.
- 8.2 The Concessionaire must at its cost keep the Land in a clean and tidy condition and free of weeds and all organisms specified as pests in a relevant pest management strategy.
- 8.3 If directed by the Grantor, the Concessionaire must take all steps necessary to control, or, at the Grantor's option, contribute to the cost of controlling any pest, insect or rodent infestation occurring in or emanating from the Land or any structure or facility on the Land, and if directed by the Grantor, engage a pest exterminator approved by the Grantor.
- 8.4 The Concessionaire must make adequate provision for suitable sanitary facilities for the Land if directed by the Grantor and for the disposal of all refuse material and is to comply with the reasonable directions of the Grantor in regard to these matters.
- 8.5 The Concessionaire must keep all Structures, facilities and land alterations and their surroundings in a clean and tidy condition. If reasonably directed by the Grantor the Concessionaire must paint all Structures and facilities in colours approved by the Grantor and with paints of a type approved by the Grantor.
- 8.6 If, during the Term, the Concessionaire removes a Structure or facility from the Land the Concessionaire must, unless the Grantor directs otherwise, repair and make good at its own expense all damage which may have been done by the removal and must leave the Land in a clean and tidy condition.
- 8.7 The Concessionaire must ensure that it adheres to the international "Leave No Trace" Principles at all times ([www.leavenotrace.org.nz](http://www.leavenotrace.org.nz)).
- 8.8 The Concessionaire must not bury:
  - (a) Any toilet waste within 50 metres of a water source on the Land; or
  - (b) Any animal or fish or any part thereof within 50 metres of any water body, water source or public road or track.

## **9. What about Environmental Monitoring?**

- 9.1 The Concessionaire must, during the Term, if the Grantor so directs, design in consultation with the Grantor and undertake a programme to monitor and report on the environmental effects of the Concessionaire's use of the Land and conduct of the Concession Activity.
- 9.2 If the Grantor does not issue a direction under clause 9.1 the Concessionaire must, during the Term, pay to the Grantor the annual Environmental Monitoring Fee specified in Item 7 of Schedule 1 to enable the Grantor to design and undertake a programme to monitor the environmental effects of the Concessionaire's use of the Land and conduct of the Concession Activity.

## **10. When can new Structures be erected or land alterations occur?**

- 10.1 The Concessionaire must not erect, alter or bring on to the Land any Structure not authorised in Schedule 3 nor alter the Land in any way without the prior approval of the Grantor.
- 10.2 In giving approval under clause 10.1 the Grantor may, in the Grantor's sole and absolute discretion, impose any reasonable terms and conditions, including a review of the Concession Fee, as the Grantor considers appropriate under this clause; and may also decline the grant of such approval after consideration of the relevant conservation and environmental issues.
- 10.3 The Concessionaire must pay to the Grantor all costs associated with applications for approval under this clause determined at the standard rates then applying in the Department for cost recovery of staff time and expenses.
- 10.4 The Concessionaire must, upon request by the Grantor, submit written engineering or building plans and details to the Grantor for approval before :
  - (a) erecting new Structure or altering any Structure on the Land
  - (b) altering the Land in any way.

## **11. What about advertising?**

- 11.1 The Concessionaire must not erect or display any signs or advertising on the Land without the prior approval of the Grantor. At the expiry or termination of this Concession the Concessionaire must remove all signs and advertising material and make good any damage caused by the removal.
- 11.2 If directed by the Grantor, the Concessionaire must ensure that all its advertising and promotional material specifies that it is carrying out the Concession Activity under a Concession granted by the Grantor on land administered by the Department.
- 11.3 If directed by the Grantor, the Concessionaire must include information in its advertising and promotional material which assists its clients to understand the features and values of the natural and historic resources of the Land and the surrounding area.
- 11.4 The Concessionaire is encouraged to obtain information from and have regard to the views of tangata whenua.

## **12. What are the liabilities and who insures?**

- 12.1 The Concessionaire agrees to use the Land at the Concessionaire's own risk and releases to the full extent permitted by law the Grantor and the Grantor's employees and agents from all claims and demands of any kind and from all liability which may arise in respect of any accident, damage or injury occurring to any person or property in or about the Land.
- 12.2 The Concessionaire must indemnify the Grantor against all claims, actions, losses and expenses of any nature which the Grantor may suffer or incur or for which the Grantor may become liable arising from the Concessionaire's performance of the Concession Activity.
- 12.3 This indemnity is to continue after the expiry or termination of this Concession in respect of any acts or omissions occurring or arising before its expiry or termination.



- 12.4 The Concessionaire has no responsibility or liability for costs, loss, or damage of whatsoever nature arising from any act or omission or lack of performance or any negligent or fraudulent act or omission by the Grantor, or any contractor or supplier to the Grantor, or any employee or agent of the Grantor.
- 12.5 Despite anything else in clause 12 the Concessionaire is not liable for any indirect or consequential damage or loss howsoever caused.
- 12.6 The Grantor is not liable and does not accept any responsibility for damage to or interference with the Land, the Concession Activity, or to any structures, equipment or facilities on the Land or any other indirect or consequential damage or loss due to any natural disaster, vandalism, sabotage, fire, or exposure to the elements except where, subject to clause 12.7, such damage or interference is caused by any wilful act or omission of the Grantor, the Grantor's employees, agents or contractors.
- 12.7 Where the Grantor is found to be liable in accordance with clause 12.6, the total extent of the Grantor's liability is limited to \$1,000,000 in respect of the Concessionaire's structures, equipment and facilities.
- 12.8 Despite anything else in clause 12 the Grantor is not liable for any indirect or consequential damage or loss howsoever caused.
- 12.9 Without prejudice to or in any way limiting its liability under this clause 12 the Concessionaire at the Concessionaire's expense must take out and keep current policies for insurance and for the amounts not less than the sums specified in Item 15 of Schedule 1 with a substantial and reputable insurer.
- 12.10 After every three year period of the Term the Grantor may, on giving 10 working days notice to the Concessionaire, alter the amounts of insurance required under clause 12.9. On receiving such notice the Concessionaire must within 10 working days take out and keep current policies for insurance and for the amounts not less than the sums specified in that notice.
- 12.11 The Concessionaire must provide to the Grantor within 5 working days of the Grantor so requesting:
- (a) details of any insurance policies required to be obtained under this Concession, including any renewal policies if such renewal occurs during the Term; and/ or;
  - (b) a copy of the current certificate of such policies.

### **13. What about Health and Safety?**

- 13.1 The Concessionaire must exercise the rights granted by this Concession in a safe and reliable manner and must comply with the Health and Safety at Work Act 2015 and its regulations and all other provisions or requirements of any competent authority relating to the exercise of this Concession. The Concessionaire must comply with its safety plan (if one is required in Item 13 of Schedule 1), and with any safety directions of the Grantor.
- 13.2 Before commencing the Concession Activity the Concessionaire must, where the Concessionaire has Qualmark or Outdoorsmark certification, provide the Grantor with a copy of that certification.

- 13.3 If the Concessionaire does not hold Qualmark or Outdoorsmark certification then before commencing the Concession Activity the Concessionaire must, if required by Item 11 of Schedule 1:
- (a) prepare a safety plan;
  - (b) have it audited by a suitably qualified person approved by the Grantor; and forward to the Grantor a certificate from the auditor certifying that the safety plan is suitable for the Concession Activity; and
  - (c) the Concessionaire must obtain from the auditor details as to when the safety plan is to be re-audited. The Concessionaire must comply with any such requirement to re-audit and forward a copy of the re-audit certificate to the Grantor within 5 working days of the certificate being issued.
- 13.4 For any Concession Activity that is subject to the Health and Safety at Work (Adventure Activities) Regulations 2016, proof of registration with WorkSafe New Zealand will satisfy the Grantor's requirement under clause 13.3(b).
- 13.5 Receipt of the safety plan/auditor certificate by the Grantor is ~~not in~~ any way to limit the obligations of the Concessionaire under clause 13 and is not to be construed as implying any responsibility or liability on the part of the Grantor.
- 13.5 The Concessionaire must:
- (a) notify the Grantor of any natural events or activities on the Land or the surrounding area which may endanger the public or the environment;
  - (b) take all practicable steps to protect the safety of all persons present on the Land and must, where necessary, erect signposts warning the public of any dangers they may encounter as a result of the Concessionaire's operations;
  - (c) take all practicable steps to eliminate any dangers to the public and must clearly and permanently mark any that remain and of which the Concessionaire is aware;
  - (d) record and report to the Grantor all accidents involving serious harm within 24 hours of their occurrence and forward an investigation report within 3 days of the accident occurring;
  - (e) ensure that all contracts between the Concessionaire and any contractors contain, at a minimum, the same requirements as clause 13;
  - (f) be satisfied that facilities or equipment provided by the Grantor to enable the Concession Activity to be carried out meet the safety requirements of the Concessionaire;
  - (g) not bring onto the Land or any land administered by the Department any dangerous or hazardous material or equipment which is not required for purposes of the Concession Activity; and if such material or equipment is required as part of the Concession Activity, the Concessionaire must take all practicable steps at all times to ensure that the material or equipment is treated with due and proper care.

#### **14. What are the compliance obligations of the Concessionaire?**

14.1 The Concessionaire must comply where relevant:

- (a) with the provisions of any conservation management strategy or conservation management plan under the Conservation Act 1987 or Part IIA of the Reserves Act

1977, or any general policy statement made under the Conservation Act 1987, Reserves Act 1977, National Parks Act 1980, or Wildlife Act 1953, or management plan under section 45 of the National Parks Act 1980, whichever is appropriate to the Land, together with any amendment or review of any policy, strategy or plan whether approved before, on, or after the date on which this Concession takes effect; and

- (b) with the Conservation Act 1987, the Reserves Act 1977, the National Parks Act 1980, Wildlife Act 1953, Climate Change Response Act 2002 and any other statute, ordinance, regulation, bylaw, or other enactment (collectively the "Legislation") affecting or relating to the Land or affecting or relating to the Concession Activity, including any regulations made under the Conservation Act 1987 and Wildlife Act 1953 or bylaws made under the Reserves Act 1977 or the National Parks Act 1980; and
- (c) with all notices and requisitions of any competent authority affecting or relating to the Land or affecting or relating to the conduct of the Concession Activity; and
- (d) with all Department signs and notices placed on or affecting the Land; and
- (e) with all reasonable notices and directions of the Grantor concerning the Concession Activity on the Land.

14.2 The Concessionaire must comply with this Concession.

14.3 A breach or contravention by the Concessionaire of a relevant conservation management strategy, conservation management plan, management plan or any statement of general policy referred to in clause 14.1.(a) is deemed to be a breach of this Concession.

14.4 A breach or contravention by the Concessionaire of any Legislation affecting or relating to the Land or affecting or relating to the Concession Activity is deemed to be a breach of this Concession.

## **15. What are the Grantor's rights to remedy defaults?**

15.1 The Grantor may elect to remedy at any time, after giving notice, if practicable, any default by the Concessionaire under this Concession. Before electing to so remedy in accordance with this clause, the Grantor must, if practicable, first give the Concessionaire notice of the default and a reasonable opportunity to remedy the default.

15.2 The Concessionaire must pay to the Grantor forthwith on demand all reasonable costs and expenses incurred by the Grantor, including legal costs and expenses as between solicitor and client, in remedying such default. The Concessionaire is to pay interest on such costs and expenses if payment is not made within 14 days of the Grantor's demand from the date of the demand until the date of payment at the Penalty Interest Rate specified in Item 12 of Schedule 1.

## **16. When can the Concession be suspended?**

- 16.1 If, in the Grantor's opinion, there is a temporary risk to any natural or historic resource on or in the vicinity of the Land or to public safety whether arising from natural events such as earthquake, land slip, volcanic activity, flood, or arising in any other way, whether or not from any breach of the terms of this Concession on the part of the Concessionaire, then the Grantor may suspend this Concession.
- 16.2 If, in the Grantor's opinion, the activities of the Concessionaire are having or may have an adverse effect on the natural, historic or cultural values or resources of the Land and the Grantor considers that the effect can be avoided, remedied or mitigated to an extent satisfactory to the Grantor, then the Grantor may suspend this Concession until the Concessionaire avoids, remedies or mitigates the adverse effect to the Grantor's satisfaction.
- 16.3 The Grantor may suspend the Concession for such period as the Grantor determines where the Concessionaire has breached any terms of this Concession.
- 16.4 The Grantor may suspend this Concession while the Grantor investigates any of the circumstances contemplated in clauses 16.1 and 16.2 and also while the Grantor investigates any potential breach or possible offence by the Concessionaire, whether or not related to the Concession Activity under the Conservation Act 1987 or any of the Acts mentioned in the First Schedule of that Act.
- 16.5 The word "investigates" in clause 16.4 includes the laying of charges and awaiting the decision of the Court.
- 16.6 During any period of temporary suspension arising under clauses 16.1 or 16.2 the Concession Fee payable by the Concessionaire is to abate in fair proportion to the loss of use by the Concessionaire of the Land.
- 16.7 The Grantor is not to be liable to the Concessionaire for any loss sustained by the Concessionaire by reason of the suspension of the Concession under this clause 16 including loss of profits.

## **17. When can the Concession be terminated?**

- 17.1 The Grantor may terminate this Concession either in whole or in part:
- (a) By 14 days notice to the Concessionaire if the Concession Fee or any other money payable to the Grantor under this Concession is in arrears and unpaid for 14 days after any of the days appointed for payment whether it has been lawfully demanded or not; or
  - (b) By 14 days notice to the Concessionaire or such sooner period as it appears necessary and reasonable to the Grantor if;
    - (i) The Concessionaire breaches any terms of this Concession and in the Grantor's sole opinion the breach is able to be rectified; and
    - (ii) The Grantor has notified the Concessionaire of the breach; and
    - (iii) The Concessionaire does not rectify the breach within 7 days of receiving notification; or such earlier time as specified by the Grantor; or
  - (c) By notice in writing to the Concessionaire where the Concessionaire breaches any terms of this Concession and in the sole opinion of the Grantor the breach is not capable of being rectified; or



- (d) Immediately by notice in writing to the Concessionaire where the Concessionaire breaches clauses 12.9 and 13; or
- (e) By notice in writing to the Concessionaire if the Concessionaire ceases to conduct the Concession Activity or, in the reasonable opinion of the Grantor, the conduct of the Concession Activity is manifestly inadequate; or
- (f) By notice in writing to the Concessionaire if the Concessionaire is convicted of an offence under the Conservation Act 1987 or any of the Acts listed in the First Schedule to that Act or any statute, ordinance, regulation, bylaw, or other enactment affecting or relating to the Land or which in the Grantor's sole opinion affects or relates to the Concession Activity; or
- (g) By notice in writing to the Concessionaire if the Concessionaire or the Guarantor is dissolved; or enters into any composition with or assignment for the benefit of its creditors; or is adjudged bankrupt; or being a company, has a receiver appointed; or is put into liquidation; or is placed under statutory management; or has a petition for winding up presented against it; or is otherwise unable to pay its debts as they fall due; or the estate or interest of the Concessionaire is made subject to a Writ of Sale or charging order; or the Concessionaire ceases to function or operate; or
- (h) Immediately if there is, in the opinion of the Grantor, a permanent risk to public safety or to the natural and historic resources of the Land whether arising from the conduct of the Concession Activity or from natural causes such as earthquake, land slip, volcanic activity, flood, or arising in any other way, whether or not from any breach of the terms of this Concession on the part of the Concessionaire.

17.2 The Grantor may exercise its power to terminate under 17.1(h) without giving notice.

17.3 The Grantor may exercise the Grantor's right under this clause to terminate the Concession notwithstanding any prior waiver or failure to take action by the Grantor or any indulgence granted by the Grantor for any matter or default.

17.4 Termination of the Concession is not to prejudice or affect the accrued rights or claims and liabilities of the parties.

## **18. What happens on termination or expiry of the Concession?**

18.1 On expiry or termination of this Concession, either as to all or part of the Land, the Concessionaire is not entitled to compensation for any Structures or other improvements placed or carried out by the Concessionaire on the Land.

18.2 The Concessionaire may, with the Grantor's written consent, remove any specified Structures and other improvements on the Land. Removal under this clause must occur within the time specified by the Grantor and the Concessionaire is to make good any damage and leave the Land and other public conservation land affected by the removal in a clean and tidy condition.

18.3 The Concessionaire must, if the Grantor gives written notice, remove any specified Structures and other improvements on the Land. Removal under this clause must occur within the time specified by the Grantor and the Concessionaire is to make good any damage and leave the Land and other public conservation land affected by the removal in a clean and tidy condition and replant the Land with indigenous vegetation of a similar abundance and diversity as at the commencement of the Term. If before the expiry of the Term the Concessionaire makes an application for a

further concession in respect of the same Concession Activity on the Land then the Grantor cannot require such removal and reinstatement until such time as that concession application has been determined. If a new concession is granted then removal and reinstatement cannot be required until the expiry or termination of the new concession.

**19. When is the Grantor's consent required?**

- 19.1 Where the Grantor's consent or approval is expressly required under this Concession then the Concessionaire must seek that approval or consent for each separate time it is required even though the Grantor may have given approval or consent for a like purpose on a prior occasion. Any such consent or approval may be made on such conditions as the Grantor considers appropriate.

**20. Are there limitations on public access and closure?**

- 20.1 The Concessionaire acknowledges that the Land is open to the public for access and that the Grantor may close public access during periods of high fire hazard or for reasons of public safety or emergency.

**21. What about other concessions?**

- 21.1 Nothing expressed or implied in this Concession is to be construed as preventing the Grantor from granting other concessions, whether similar or not, to other persons provided that the Grantor must not grant another concession that would derogate in any material way from the Concessionaire's ability to carry out the Concession Activity.

**22. How will disputes be resolved?**

- 22.1 If a dispute arises between the parties in connection with this Concession the parties must, without prejudice to any other rights or entitlements they may have, attempt to resolve the dispute by agreement using informal dispute resolution techniques such as negotiation, mediation, independent expert appraisal or any other alternative dispute resolution technique. The rules governing any such technique adopted are to be agreed between the parties.
- 22.2 If the dispute cannot be resolved by agreement within 14 days of written notice by one party to the other (or such further period as the parties may agree to in writing) either party may refer the dispute to the Disputes Tribunal, where relevant, or to arbitration, which arbitration is to be carried out in accordance with the provisions of the Arbitration Act 1996.
- 22.3 If the parties do not agree on an arbitrator within 10 working days of a party giving written notice of the requirement to appoint an arbitrator the President of the New Zealand Law Society is to appoint the arbitrator. In either case the arbitrator must not be a person who has participated in an informal dispute resolution procedure in respect of the dispute.
- 22.4 The arbitrator must include in the arbitration award reasons for the determination.
- 22.5 Despite the existence of a dispute, each party must continue to perform its obligations under this Concession.

**23. What about prosecution for offences?**

23.1 Where any breach of this Concession by the Concessionaire also constitutes an offence under the Resource Management Act 1991, the Conservation Act 1987, or any of the Acts listed in the First Schedule to that Act:

- (a) no waiver or failure to act by the Grantor under this Concession is to preclude the Grantor from prosecuting the Concessionaire; and
- (b) no failure by the Grantor to prosecute the Concessionaire is to preclude the Grantor from exercising the Grantor's remedies under this Concession; and
- (c) any action of the Grantor in prosecuting the Concessionaire is not to preclude the Grantor from exercising the Grantor's remedies under this Concession.

**24. How are notices sent and when are they received?**

24.1 Any notice to be given under this Concession is to be in writing and made by personal delivery, fax, by pre paid post or email to the receiving party at the address, fax number or email address specified in Item 16 of Schedule 1. Any such notice is to be deemed to have been received:

- (a) In the case of personal delivery, on the date of delivery;
- (b) In the case of fax, on the date of dispatch;
- (c) In the case of post, on the 3<sup>rd</sup> working day after posting;
- (d) In the case of email, on the date receipt of the email is acknowledged by the addressee by return email or otherwise in writing.

24.2 If any party's details specified in Item 16 of Schedule 1 change then the party whose details change must within 5 working days of such change provide the other party with the changed details.

**25. What is the scope of the Concession?**

25.1 Except as provided by legislation, this Concession and any written variation agreed by the parties contain the entire understanding between the parties with reference to the subject matter of this Concession and there is no other agreement, representation or warranty whether it is expressed or implied which in any way extends, defines or otherwise relates to the provisions of this Concession.

**26. Can provisions be severed?**

26.1 Any illegality, or invalidity or unenforceability of any provision in this Concession is not to affect the legality, validity or enforceability of any other provisions.

**27. What about the payment of costs?**

27.1 The Concessionaire must pay the Grantor's legal costs and expenses of and incidental to preparing and signing this Concession or any extension or variation of it.

27.2 The Concessionaire must pay in full immediately and on demand all costs and fees (including solicitor's costs and fees of debt collecting agencies engaged by the Grantor) arising out of and associated with steps taken by the Grantor to enforce or attempt to enforce the Grantor's rights and powers under this Concession including the right to recover outstanding money owed to the Grantor.

**28. What is the relationship of parties?**

28.1 Nothing expressed or implied in this Concession is to be construed as:

- (a) Constituting the parties as partners or joint venturers;
- (b) Conferring on the Concessionaire any right of exclusive occupation or use of the Land;
- (c) Granting any exclusive estate or interest in the Land to the Concessionaire;
- (d) Affecting the rights of the Grantor and the public to have access across the Land.

**29. What about a Guarantee?**

29.1 Where the Grantor has in Item 17 of Schedule 1 required this Concession to be guaranteed by a third party the following clauses are to apply.

29.2 In consideration of the Grantor entering into this Concession at the Guarantor's request the Guarantor:

- (a) Guarantees payment of the Concession Fee and the performance by the Concessionaire of the covenants in this Concession; and
- (b) Indemnifies the Grantor against any loss the Grantor might suffer should the Concession be lawfully disclaimed or abandoned by any liquidator, receiver or other persons.

29.3 The Guarantor covenants with the Grantor that:

- (a) No release, delay, or other indulgence given by the Grantor to the Concessionaire, to the Concessionaire's successors or assigns, or any other thing whereby the Guarantor would have been released had the Guarantor been merely a surety is to release, prejudice, or affect the liability of the Guarantor as a Guarantor or as indemnifier;
- (b) As between the Guarantor and Grantor the Guarantor may, for all purposes, be treated as the Concessionaire and the Grantor is under no obligation to take proceedings against the Concessionaire before taking proceedings against the Guarantor;
- (c) The guarantee is for the benefit of and may be enforced by any person entitled for the time being to receive the Concession Fee;
- (d) Any assignment of this Concession and any Concession Fee Review in accordance with this Concession are not to release the Guarantor from liability;
- (e) Should there be more than one Guarantor the liability of each Guarantor under this Guarantee is to be joint and several.

**30. What about Co-Siting?**

30.1 In this clause "Co-Site" means the use of the Concessionaire's structures or facilities on the Land by a third party for an activity; and "Co-Sitee" and "Co-Siting" have corresponding meanings.

30.2 The Concessionaire must not allow Co-Siting on the Land without the prior written consent of the Grantor.



- 30.3 The Grantor's consent must not be unreasonably withheld but is at the Grantor's sole discretion and subject to such reasonable terms and conditions as the Grantor thinks fit including a requirement that the Co-Sitee be liable for direct payment to the Grantor of a concession fee and any environmental premium assessed in respect of the Co-Sitee's activity on the Land.
- 30.4 In addition, the Grantor must withhold consent if:
- (a) The Co-Siting would result in a substantial change to the Concession Activity on the Land; or
  - (b) The Grantor considers the change to be detrimental to the environment of the Land.
- 30.5 Subject to clause 30.4 the Concessionaire must, if required by the Grantor, allow Co-Siting on the Land.
- 30.6 Where the Concessionaire maintains that Co-Siting by a third party on the Land would:
- (a) Detrimentally interfere physically or technically with the use by the Concessionaire of the Land; or
  - (b) Materially prejudice any resource consents obtained by the Concessionaire or cause more onerous conditions to be imposed on it by the relevant authority; or
  - (c) Obstruct or impair the Concessionaire's ability effectively to operate from the Land; or
  - (d) Interfere with or prevent future forecast works of the Concessionaire,
- The Grantor, must, as a pre-condition to consideration of an application to grant a concession to a third party, require that third party to obtain, at its own cost, a report prepared by an independent consultant acceptable to the Grantor confirming or rejecting the presence of the matters specified in this clause 30.6. The Grantor must not grant a concession to a third party where the report confirms that the proposed concession would give rise to one or more of the matters specified in this clause 30.6.
- 30.7 If the independent consultant report rejects the Concessionaire's concerns, the Concessionaire may dispute this in accordance with the procedure set out in clause 22 of Schedule 2.
- 30.8 Where the Concessionaire is required under clause 30.5 to allow Co-Siting on the Land, the Concessionaire is, subject to clause 30.10 entitled to enter into commercial agreements with third parties for them to conduct an activity on the Land and to receive a reasonable fee from them for any agreed activity they intend to carry out on the Land. If a dispute arises between the Concessionaire and a third party such dispute must be determined by the Grantor having regard to, but not limited to, the following matters:
- (a) Any written comments or submissions of the Concessionaire and third party;
  - (b) Market value for the concession activity proposed by the third party having regard to the matters specified in Section 17Y(2) of the Conservation Act 1987;
  - (c) Any other matters the Grantor considers relevant.

- 30.9 If the Concessionaire does not accept the Grantor's determination, the Concessionaire may dispute this in accordance with the procedure set out in clause 22 of Schedule 2.
- 30.10 For the avoidance of doubt, a Co-Sitee permitted on the Land must enter into a separate concession with the Grantor in terms of which the Co-Sitee may be required to pay to the Grantor a concession fee and environmental premium assessed in respect of the Co-Sitee's activity on the Land. This separate concession must not contain provisions that conflict with the Concessionaire's rights and obligations in relation to the Land.
- 30.11 The Grantor must not authorise the third party to commence work on the Land until all relevant resource consents are issued, an agreement is executed between the Concessionaire and third party, and any conditions imposed by the Concessionaire have been met.

**31. What about Identification cards and the Grantor's Approved Label?**

- 31.1 Before commencing the Concession Activity the Concessionaire must, if required by the Grantor in Item 14 of Schedule 1, obtain Concessionaire Identification cards from the Grantor. The Grantor is to supply such cards to the Concessionaire on a cost recovery basis.
- 31.2 The Concessionaire and any person acting under the authority of the Concession must carry and display a Concession Identification card when carrying out the Concession Activity.
- 31.3 The Concessionaire must obtain sufficient cards to ensure all people acting under the authority of the Concession can carry and display such cards when undertaking the Concession Activity.
- 31.4 The Concessionaire may also access, use and/ or display the Grantor's "Approved Label". This right only exists once the Concessionaire agrees to comply with the Grantor's Approved Label terms and conditions and while the Concession remains operative. When the Concessionaire so requests the Grantor is to forward the Concessionaire an electronic link to the Approved Label. This electronic link is to contain the Approved Label terms and conditions.
- 31.5 The right under this clause 31.4 does not affect the obligation in this clause 31 to carry and display a Concession Identification card.

**32. Which clauses survive termination?**

- 32.1 Clauses 12 and 24 survive the termination of this Concession.

**33. When can the conditions of the Concession be varied?**

- 33.1 The Grantor may on each Concession Fee Review Date, after first consulting with the Concessionaire, vary any condition of this Concession to make the condition more effective in addressing adverse effects resulting from the Concession Activity.
- 33.2 Nothing in clause 33.1 otherwise affects the Grantor's rights to vary the Concession under section 17ZC of the Conservation Act 1987.

**34. Are there any Special Conditions?**

- 34.1 Special conditions are specified in Schedule 3. If there is a conflict between this Schedule 2 and the Special Conditions in Schedule 3, the Special Conditions shall prevail.

**35. The Law**

- 35.1 This Concession is to be governed by, and interpreted in accordance with the laws of New Zealand.

Released under the Official Information Act

## **SCHEDULE 3**

### **SPECIAL CONDITIONS**

#### **Public Access**

1. Appropriate signage must be erected to advise the public of the activity.
2. The concession holder must implement stop-go public access control for vehicle and machinery movements.
3. Members of the public cannot be held for more than 10 minutes at any one time.

#### **Bore site**

4. The concession holder is to ensure that the drill site is fenced off from the public by the drilling contractor.
5. Removal of native vegetation to be avoided, and removal of other vegetation to be minimal.
6. The concessionaire must check the area for *Raoulia* species. If any species are located, they must be avoided.
7. The concession holder must reinstate the bore site to the same or better standard at the completion of the work.

#### **General**

8. The concessionaire shall advise the Whakatipu-wai-māori office prior to commencing works.
9. No disturbance, deposition of soils or sediments or vegetation clearance is permitted beyond the test bore sites.
10. Machinery and equipment used on site shall be maintained at all times to prevent leakage of oil and other contaminants on to the marginal strip.
11. The Concessionaire must take all precautions to ensure weeds are not introduced to the Land; this includes ensuring that all tyres, vehicles and machinery used by the Concessionaire and its contractors are clean before entering the Land.
12. The concessionaire shall provide photos of the test bore site to the DOC Whakatipu-wai-māori office once the bore has been decommissioned and site restored. Photos are to be provided no later than one month after the completion of works.
13. The permit holder must adhere to the 'Leave No Trace' Principles ([www.leavenotrace.org.nz](http://www.leavenotrace.org.nz)), ensure all rubbish is removed and that sites are left in the same or better condition in which they were found.
14. The concessionaire must obtain all necessary resource consents prior to exercising this concession.
15. This permit only allows access to public conservation land administered by the Department of Conservation. The granting of this permit in no way infers



permission to access private land, or public land administered by another authority. Gaining additional permissions to access such land are the responsibility of the permit holder.

16. The concession holder must apply for a longer term concession for any future work including permanent bore field and associated infrastructure at the site. The granting of this concession is not a guarantee that any future applications will be approved.

#### **Accidental Discovery Protocol (ADP)**

17. The Concession must take all reasonable care to avoid any archaeological values on the Land which includes (but is not limited to) historic sites and protected New Zealand objects on the Land. In the event that archaeological sites or other features with heritage values are found during any approved earth disturbance work on the Land:
  - a) Work must cease immediately until further notice and advice must be sought from the Grantor;
  - b) If it is an archaeological site as defined by the Heritage New Zealand Pouhere Taonga Act 2014 then Heritage New Zealand must be contacted and their advice also sought;
  - c) If it is an archaeological site relating to Māori activity then the Papatipu Rūnanga must be contacted and their advice sought;
  - d) If it is an artefact as defined by the Protected Objects Act then the Ministry for Culture and Heritage must be notified within 28 days;
  - e) If it is human remains the NZ Police should also be notified;
  - f) In the event of cessation of approved work because of discovery of potential historical artefact or archaeological site the Concessionaire must not recommence work until permitted to do so by the Grantor.

#### **Climate Change Considerations**

18. The Concessionaire acknowledges that the Grantor and the Department of Conservation are reviewing their obligations under the Climate Change Response Act 2002 and developing responses to address greenhouse gas emissions from activities conducted on public conservation land and waters. The reviews are likely to result in policies which seek to measure, manage and reduce greenhouse gas emissions from Concession Activities. The Grantor wishes to signal to the Concessionaire that new concession conditions related to both climate change mitigation and adaptation may be imposed during the life of this Concession to address greenhouse gas emissions associated with the Concession Activity.
19. If the Grantor requests data relating to greenhouse gas emissions associated with the Concession Activity, the Concessionaire must provide any relevant data that is reasonably available to it within 6 months of the Grantor's request.
20. The Grantor may review and amend the conditions of this Concession to reflect climate change-related legislation and government or Departmental policy and those conditions ("Revised Conditions") may, amongst other things, require the Concessionaire to measure, manage and reduce the greenhouse gas emissions of the Concession Activity.

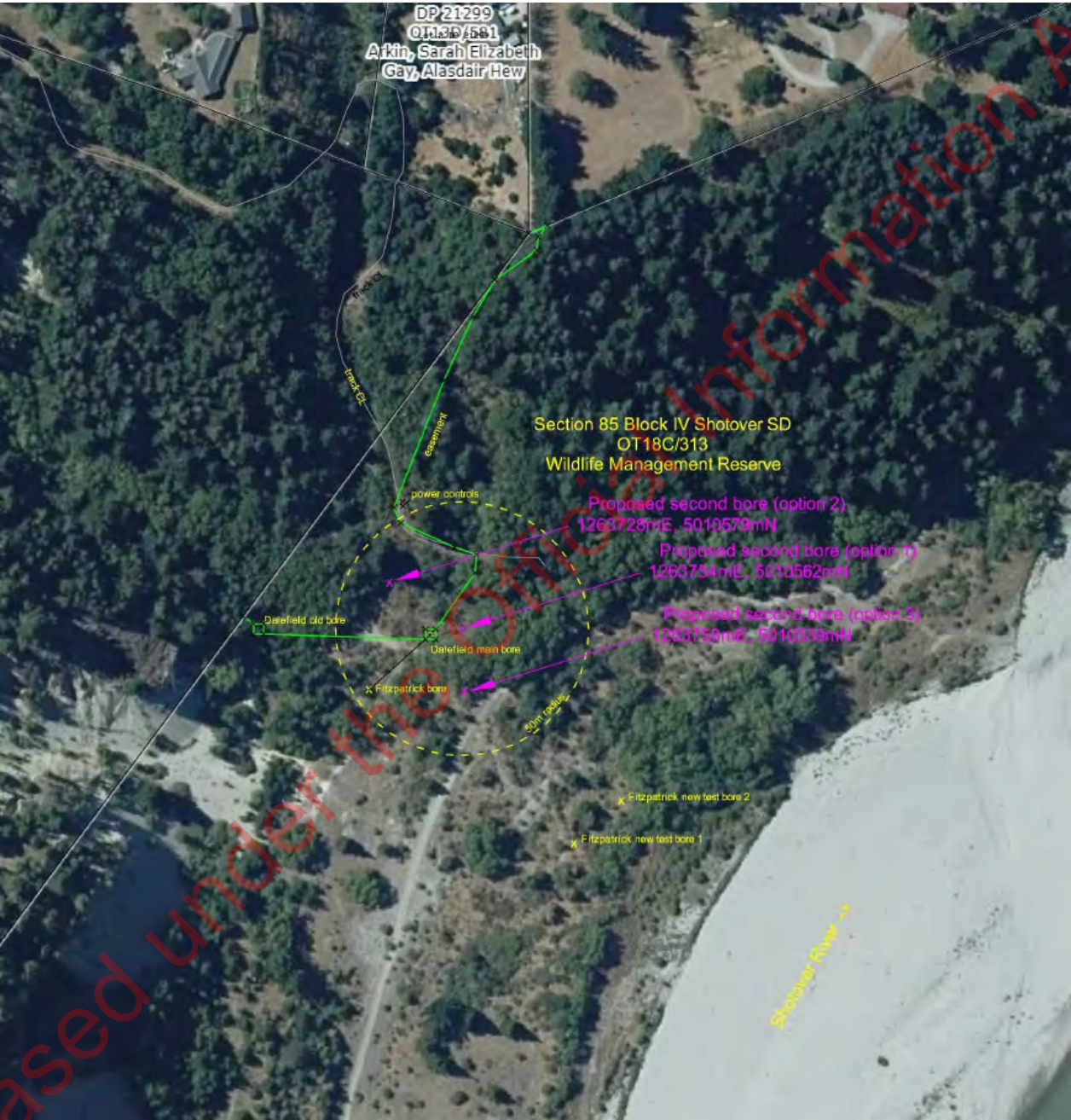
21. Before amending the conditions of this Concession in accordance with clause 3, the Grantor will provide the Concessionaire the draft Revised Conditions. The Concessionaire may provide written comments on those draft Revised Conditions within 60 days. The Grantor must take into account any comments received from the Concessionaire on the Revised Conditions before finalising the Revised Conditions.
22. The Revised Conditions will apply to the Concession Activity 4 months after the Grantor has notified the Concessionaire of the Revised Conditions in accordance with clause 4 or any later date specified in the Revised Conditions.

**Didymo / Freshwater Pests**

23. The Concessionaire must comply and ensure its clients comply with the Ministry for Primary Industry (MPI)'s "Check, Clean, Dry" cleaning methods to prevent the spread of didymo (*Didymosphenia geminata*) and other freshwater pests when moving between waterways. "Check, Clean, Dry" cleaning methods can be found at - <https://www.mpi.govt.nz/travel-and-recreation/outdoor-activities/check-clean-dry/>. The Concessionaire must regularly check this website and update their precautions accordingly.

SCHEDULE 4

Plan or map





**From:** [redacted]  
**To:** [Juliet Bruce](#)  
**Subject:** RE: Tuckers Beach - Dalefield & [redacted] Water Supplies  
**Date:** Monday, 1 July 2024 3:11:32 pm  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)

Thanks Juliet

I will be working on this in the next couple of days.

Regards

[redacted]



[redacted]

Reg [redacted] uer

Ph: [redacted] – [QV.co.nz](#)  
Level 1, 43 Tarbert Street, Alexandra

Please note that my hours are [redacted]

---

**From:** Juliet Bruce <jbruce@doc.govt.nz>  
**Sent:** Monday, 1 July 2024 12:38 pm  
**To:** [redacted]  
**Cc:** Kayla Mahon <kmahon@doc.govt.nz>  
**Subject:** RE: Tuckers Beach - Dalefield & Fitzpatrick Water Supplies

**Caution:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Kia ora [redacted]

I'm not sure if Kayla has replied already, although I see she is on leave at the moment.

Please find attached

- The Dalefield Water Supply concession
- Out of Scope [redacted]
- Dalefield variation to drill test bores (word doc)

Hope this helps, let me know if you would like any more information.

Kā mihi

Juliet

**Juliet Bruce** (she/her)

Kaitiaki, Ao Hāpori Community Ranger

Whakatipu-wai-Māori Queenstown district





**Te Papa Atawhai** *Department of Conservation*

Whakatipu-wai-Māori Office

1 Arthurs Point Road | PO Box 811 | Queenstown 9348

Waea mahi – Work phone: **Sec 9(2)(a)**

Imēra – Email: [jbruce@doc.govt.nz](mailto:jbruce@doc.govt.nz)

Pae tukutuku – Website: [www.doc.govt.nz](http://www.doc.govt.nz)

**From:** **Sec 9(2)(a)**

**Sent:** Monday, June 17, 2024 5:22 PM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Cc:** Juliet Bruce <[jbruce@doc.govt.nz](mailto:jbruce@doc.govt.nz)>

**Subject:** Tuckers Beach - Dalefield & **Out of Scope** Water Supplies

Hi Kayla

I inspected the Tuckers Beach Site with Juliet last Tuesday.

There has been quite a lot of activity on the beach with dozed tracks and a significant length of water pipes awaiting installation

We located two bores that had recently been capped plus two lidded structures both of which had electrical supply attached. Photos are attached.

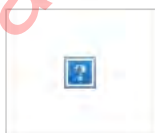
We discussed the site with Simon Hay, (one of the Dalefield beneficiaries) through whose property we gained access but he did not provide much clarification and was not aware of the pipes. He thought that they may belong to the Fitzpatrick scheme. I am therefore unclear as to who the various sites belong to and **Out of Scope**

The site visit was adequate for my purposes, but it could be useful if there was a composite plan of what is going on at the beach.

It would assist my deliberations if I could please have a copy of the current concession documents. If you can send me those it would be great.

Regards

**Sec 9(2)(a)**



**Sec 9(2)(a)**

Ph: **Sec 9(2)(a)**

– [QV.co.nz](http://QV.co.nz)  
Level 1, 43 Tarbert Street, Alexandra

Please note that my hours are **Sec 9(2)(a)**



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8  
JUNE  
Saturday

2024

week 23 : 160-206

Item 24

Sec 9(2)(a) - access. *has contact details for*  
Sec 9(2)(a) *will be - page 100.*  
GPS points. Tuesday afternoon. 1pm.  
Out of Scope  
Out of Scope

January : 24	February : 24	March : 24	April : 24	May : 24	June : 24
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2024  
week 23 : 161-205  
9  
JUNE  
Sunday

Sec 9(2)(a) Alexandra. Out of Scope  
- Shetover River  
- Fee assessment.  
Access. Sec 9(2)(a)  
Tuesday afternoon.  
Sec 9(2)(a)  
Out of Scope

July : 24	August : 24	September : 24	October : 24	November : 24	December : 24
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# Concession Fee Assessment Request

## Section 1 - Request to be filled by Permissions Advisor

Please complete section 1 and provide as much supporting information as possible.

Send form to: [Permissionfees@doc.govt.nz](mailto:Permissionfees@doc.govt.nz).

Request date	24 August 2023
Required date	Given a valuation likely required just confirmation of that process ASAP will be ideal so I can advise the applicant of that likely extra cost and time.
Permissions advisor	Ben Fielding
Permission number	107337-OTH
Applicant	Dalefield Water Supply Society Incorporated
Permission description <i>Provide all relevant context here, such as:</i> <ul style="list-style-type: none"> <li>Type</li> <li>Activity</li> <li>Location</li> <li>Area/Size</li> </ul>	<p>Application for an easement over Tuckers Beach Wildlife Management Reserve to convey water and electricity for residential properties near Queenstown.</p> <p>This is a new application that will be an addition to an existing water supply scheme authorised under PAC-13-04-17 (issued 1997, expires 2027), which is notable in that there are <u>nil</u> management or activity fees. The scheme benefits around 100 properties.</p> <p>This application involves the installation of a new bore head (the bore itself was drilled and constructed under one-off concession 97509-OTH) and piping/wiring to connect it to existing infrastructure via a new valve chamber. Both the new bore head and valve chamber are concrete housings approximately 2m x 1.2m x 1.2m in size. The area of the easement corridor is approximately 25 m<sup>2</sup>. This is to provide security of supply should any issues occur with the existing aged bore.</p>
Decision Support Document Link	<a href="#">DOC-7430497</a>
Draft Contract Link	<a href="#">DOC-7430502</a>
Application Link	<a href="#">DOC-7334853</a>
Other Links	Existing easement contract: <a href="#">DOCDM-1166168</a> One-off concession for test bore drilling: <a href="#">DOC-6854637</a>



## Section 2 - Assessment to be filled by Commercial Team

Assessment date

Completed By:

Assessment Details:

Proposed Fee

Activity Fee

Management Fee

Other Fees?

Decision Maker  
([DOC-3137047](#))

Pursuant to the Conservation Act 1987, the proposed fees in the fee assessment section above are:

Approved / Declined

Signed by Kirsty Cameron, Commercial Manager  
Pursuant to the delegation dated 9 September 2015  
Date:

Processing Time

**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)  
**Date:** Friday, 29 September 2023 9:05:00 am  
**Attachments:** [image001.png](#)

---

Morning Kayla,

That sounds sensible to me, and I agree that it makes sense for the existing easement to be included given that it will not take any longer to process. I'll talk to the Applicant and the DO about this so everyone's on the same page and we can get any extra information required.

I will make sure to highlight that the commercial team will need to be engaged for a valuation in my handover notes aswell.

Kind regards,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: **Sec 9(2)(a)** | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Thursday, September 28, 2023 4:59 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** Kirsty Cameron <[kcameron@doc.govt.nz](mailto:kcameron@doc.govt.nz)>; Vicki Crosbie <[vcrosbie@doc.govt.nz](mailto:vcrosbie@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Ben,

I've just had a chat with Kirsty about this one.

Because this application will be processed as part of the sprints scheduled for November, we will not progress with seeking any valuation quotes at this stage. The requirement to obtain a valuation remains for this application, but we need to better align the valuation process and timeframes with the expected timeframe for completing a draft contract.

Could you add a note to the handover notes for this concession to reengage the commercial team when processing recommences on this application and that we will likely need to commission a valuation for this activity?

Having looked over the application, we also recommend that the applicant is offered the opportunity to include their expiring easement activity at this location as part of this application. This would likely be cost-saving for them and time-saving for us in the long term. And while they

await the sprint to begin, it may allow them to get the additional information together. – This is just a suggestion but it would help with the valuation and pricing of this supporting activity.

Let me know if you want to discuss any of this at all.

Kia pai tō rā,  
Kayla

**Kayla Mahon**

Commercial Analyst

Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti Office

Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



Mon	Tues	Wed	Thurs	Fri
WFH	Office	Office	Office	WFH

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Wednesday, September 20, 2023 8:27 AM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Morning Kayla,

We discussed the option of incorporating the renewal of the existing easement into this application process at the context meeting, however decided to just focus on the new application to try and expediate the process as the Applicant has some concern around the security of the water supply with the existing setup and including the other aspects would likely require refiling their application with the full details of the existing infrastructure.

Now that the application isn't likely to be processed until November this decision should probably be revisited by the Sprint team who picks it up then - as you say it would be easier (and cheaper!) for everyone in the long term if they were all together on one concession.

With that in mind it would be ideal for the valuation to consider the supply scheme as a whole, especially as the fees are nil for the existing easement. Is that possible?

Cheers,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: **Sec 9(2)(a)** | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Tuesday, September 19, 2023 5:12 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Ben,

I know it is unlikely that you will continue to process this application at this stage, but I have a quick question about this one before I obtain quotes.

I've been looking over this application and was wondering if there had been any discussions with the applicant regarding including the existing activity within this application.

The application states: *We note the existing easement will expire in July 2027, which is only a few years away. It may be prudent to renew the existing easement at this time, and while this is not the focus of this application, we are open to discussion if DoC officers feel that may be worthwhile.*

I would guess that from a processing POV this shouldn't have too much of an impact on the standard process for an easement application. But I can see benefits from both a valuation POV and (longer-term) permissions POV that an all-inclusive easement would make sense now. It's also likely to save the applicant money in the long term.

Do you know if this application intends to be for the existing and proposed new activities?

Cheers,  
Kayla

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**Sent:** Tuesday, September 19, 2023 1:04 PM

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Hi Kayla,

Thanks for looking into this!



I think it would be best to go ahead and start obtaining quotes now and I will let the Applicant know that that's occurring and explain how that will affect the timeframe and cost estimate I provide them.

I likely won't be able to do too much work on the application itself as I'm involved in other Sprint projects, while this application will likely be picked up in the 'Easements' sprint in November that I'm not currently set to be a part of. I was talking to Kirsty last week and agreed it would be best to try get the ball rolling on these valuations so that when November does come around the Pas who are working on easements have as much of the information to hand and can progress things further.

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Thanks,  
Ben

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I have been assigned to look into this fee. It absolutely will require a valuation to determine the fee.

I just wanted to double-check – do you want me to go ahead and get quotes at this stage, or is it just the general estimates you require?

In terms of general estimates:

- the timeframe – once the documents are ready – it will be about 4-6 weeks depending on the availability of the valuer.
- the cost I expect will range between \$2k and \$6k for this type of valuation given the area/complexity related to the beneficiaries.

Let me know if you have any questions  
-Kayla

---

**From:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Sent:** Friday, August 25, 2023 5:29 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>; Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Thanks Ben – I've popped this onto our board (noting that this is more advice around the valuations process & cost).

An advisor will be in touch.

Cheers, Commercial

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Thursday, August 24, 2023 2:27 PM  
**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi,

This is for potable water.

Cheers,  
Ben

---

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**Sent:** Thursday, August 24, 2023 1:59 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>; Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Kia ora Ben,  
Thanks for your email. Just for some context for when I discuss this with the scheme – this is for potable water? Or irrigation?

Cheers, Commercial

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Thursday, August 24, 2023 1:39 PM  
**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Subject:** Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Team!

See below link for a fee assessment request for a concession application for an easement to connect a new bore to an existing residential water supply scheme near Queenstown. As noted in the request the existing easement concession (PAC-13-04-17) that this application seeks to add to does not currently have any fees charged.

Fee Assessment Request: [DOC-7430654](#)

I understand this is likely to go through a valuation process so I raised that in the context meeting so the DM is aware and I will front foot it with the Applicant when I send my formal acknowledgement/cost estimate so they're aware of the likely extended timeframe/cost that that will mean.

Cheers,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: **Sec 9(2)(a)** | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



Released under the Official Information Act

**From:** [Ben Fielding](#)  
**To:** [Permissionfees](#)  
**Subject:** RE: FEE ASSESSMENT REQUEST - Out of Scope  
**Date:** Thursday, 25 January 2024 10:45:13 am  
**Attachments:** [image001.png](#)

---

Hi Kayla,

Thanks for that – I see the logic in combining this with the Dalefield valuation for a consistent approach and proportionate fees.

Out of Scope

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Sent:** Thursday, January 25, 2024 9:47 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** RE: FEE ASSESSMENT REQUEST - Out of Scope

Hi Ben,

Thanks for sending this one through!

I was going to have a chat with you about this one and potentially doubling up on the valuation request (and potentially reducing the cost to both applicants along the way).

We will add this one to our commercial work board, have a look over the info in conjunction with Dailefield, and see what is appropriate here.

Out of Scope

-Cheers,

Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Thursday, January 25, 2024 8:46 AM

**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** FEE ASSESSMENT REQUEST - 77927 - Out of Scope

Kia ora team,

Yet another water supply easement fee assessment request from me

This one is at the same location as the Dalefield water supply easement (107337-OTH) that is currently having a valuation done, Out of Scope



Out of Scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Kind regards,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: **Out of Scope** and Dalefiled Applications **Out of Scope**  
**Date:** Friday, 9 February 2024 1:03:00 pm  
**Attachments:** [4529.10.1B water scheme overview.pdf](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Hi Kayla,

I've had a look over your summaries and they both look great to me – should be no issue with that information going out in confidence.

I've attached an overview of the properties for the Dalefield Scheme that the Applicant provided last week. Given the number of titles involved (100+ as noted in your summary) they're hoping this map is sufficient information, but they can provide the full list of titles if required - it just might take a wee while to compile.

Thanks for all your work so far on these – hopefully the preferred valuer agrees to carry it out!

**Out of Scope**

---

Cheers,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: **Sec 9(2)(a)** | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Friday, February 9, 2024 12:55 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** **Out of Scope** and Dalefiled Applications **Out of Scope**

Hey Ben,

I've just been popping together a summary of the two applications we have for the water supply infrastructure at Tuckers Beach over in Queenstown. I was hoping you could run your eye over the document linked below to see if there is anything you would add and that it is fine to be released (in confidence)? (a good whack of it is copied from the context in your DSD's).

 [Summary of Application Details for Valuation Purposes.docx](#)

I'll be sending off an approval request to my Manager to approach (up to) five valuers for quotes for this work later today. And will look to contact valuers directly on Monday (pending his approval).

However, I do have a preferred valuer in mind for this one, which would be great if they could do it.

Out of Scope

Cheers,  
Kayla

**Kayla Mahon**

Commercial Analyst | Kaitātari


Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti

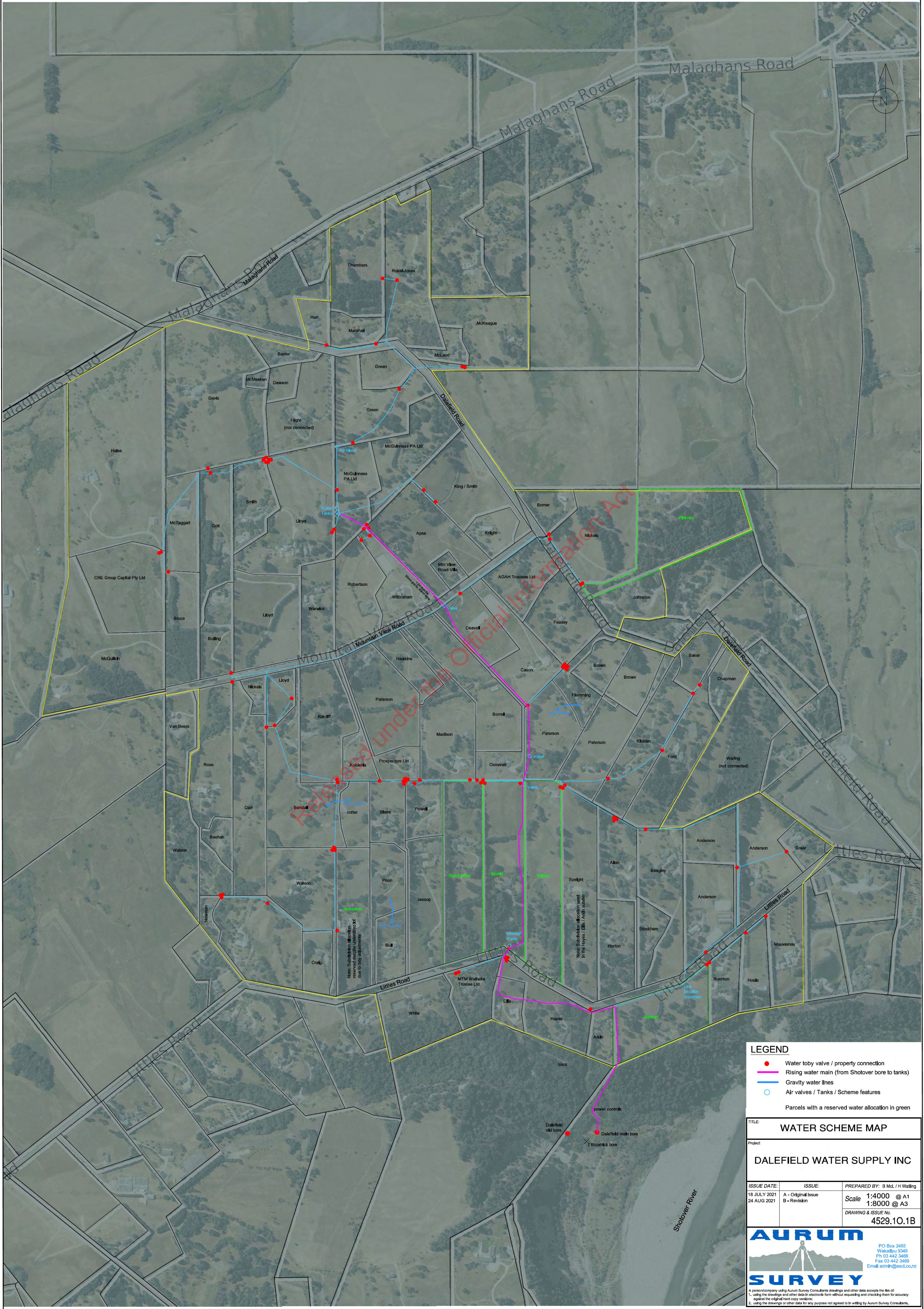
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Office	Office	 Out of Office	Office	WFH





**LEGEND**

- Water toby valve / property connection
- Rising water main (from Shotover bore to tanks)
- Gravity water lines
- Air valves / Tanks / Scheme features

Parcels with a reserved water allocation in green

**TITLE:** WATER SCHEME MAP

**Project:** DALEFIELD WATER SUPPLY INC

<b>ISSUE DATE:</b> 18 JULY 2021 24 AUG 2021	<b>ISSUE:</b> A - Original Issue B - Revision	<b>PREPARED BY:</b> B Mcl / H Walling
		<b>Scale:</b> 1:4000 @ A1 1:8000 @ A3
		<b>DRAWING &amp; ISSUE No:</b> 4529.10.1B

**AURUM**

**SURVEY**

PO Box 2463  
Wakarusa 3459  
Ph 03 442 3466  
Fax 03 442 3468  
Email [aumh@aurum.co.nz](mailto:aumh@aurum.co.nz)

A person/company using Aurum Survey Consultants drawings and other data accepts the risk of:  
1. using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy version;  
2. using the drawings or other data for any purpose not agreed to in writing by Aurum Survey Consultants.



**From:** [Kayla Mahon](#)  
**To:** [Ben Fielding](#)  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)  
**Date:** Friday, 1 March 2024 4:43:15 pm  
**Attachments:** [image001.png](#)

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Hey Ben

I reached out to four valuers early last week. So far only one has quoted for this work, two have declined it and the final one has passed it on to a couple of colleagues to quote on as they didn't think they could complete it in a reasonable timeframe.

I've just followed up with that last one to let them know I haven't heard from their colleagues and that I'm out of the office next week, but if I haven't heard from them when I'm back on the 11th I will assume they don't intend to quote.

In that case, we will have to go ahead with the one quote we have received. The promising thing is that the quote was low range (\$2.5K) and has a 20 working day turnaround from the date of engagement (so no long waits like I've been experiencing in other areas).

Assuming we don't receive the quote back from the others, I should have to get this valuer engaged by the 13<sup>th</sup> of March. So we would be looking in mid-April for their final report.

I'd say let me know if you have any other questions – but I'll be logging off for a week in a moment – so maybe hang on to them for now

Have a good weekend,  
-Kayla

---

**From:** Ben Fielding <bfielding@doc.govt.nz>  
**Sent:** Friday, March 1, 2024 4:26 PM  
**To:** Kayla Mahon <kmahon@doc.govt.nz>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Kayla,

Just touching base re this and the Out of Scope apps. Is there any update or anything further required from the applicants at this stage?

Cheers,

**Ben Fielding** (he/him)  
Permissions Advisor  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office  
M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Monday, January 22, 2024 9:47 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Ben,

This has been added back into our active work programme, and I will start looking into this this week.

I'll let you know if I have any questions, and if not, I'll get back to you with the cost and timeframe expectations once we have some quotes back.

-Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Monday, January 22, 2024 8:27 AM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Kayla,

I'm back working on this application and have been able to confirm that we're going to proceed with including the existing easement activity into this new application.

Are we able to now get this assessment/valuation underway when you have the chance? Let me know if there's anything more needed from my end – the applicant has said they can pull together a list of benefitting titles if required so I can get them started on that if it would be useful at this stage?

Cheers,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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Let me know if you want to discuss any of this at all.

Kia pai tō rā,  
Kayla

**Kayla Mahon**

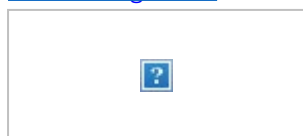
Commercial Analyst

Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti Office

Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



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Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

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Let me know if you have any questions

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**Sent:** Friday, August 25, 2023 5:29 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>; Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

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**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

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Cheers,  
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**Sent:** Thursday, August 24, 2023 1:59 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>; Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Kia ora Ben,

Thanks for your email. Just for some context for when I discuss this with the scheme – this is for potable water? Or irrigation?

Cheers, Commercial

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Thursday, August 24, 2023 1:39 PM

**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Team!

See below link for a fee assessment request for a concession application for an easement to connect a new bore to an existing residential water supply scheme near Queenstown. As noted in the request the existing easement concession (PAC-13-04-17) that this application seeks to add to does not currently have any fees charged.

Fee Assessment Request: [DOC-7430654](#)

I understand this is likely to go through a valuation process so I raised that in the context meeting so the DM is aware and I will front foot it with the Applicant when I send my formal acknowledgement/cost estimate so they're aware of the likely extended timeframe/cost that that will mean.

Cheers,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Valuation Quote: Out of Scope & Dalefield Applications  
**Date:** Thursday, 14 March 2024 3:49:00 pm  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hi Kayla,

Thanks so much for this. I've gone out to both applicants to confirm the below and let you know as soon as I hear back.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Thursday, March 14, 2024 3:37 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Cc:** Kevin Nass <[knass@doc.govt.nz](mailto:knass@doc.govt.nz)>  
**Subject:** Valuation Quote: Out of Scope & Dalefield Applications

Hey Ben,

We have only been able to obtain one quote from a suitable valuer in the region to undertake this work. The details are as follows:

- QV - \$2,240 plus disbursements & GST
- The timeframe of this is 20 working days/4 weeks.

*Obviously, with Otago Anniversary and the Easter weekend coming up, this is likely to longer.*

Could you please:

1. Advise the applicants of the quote, noting that it is acceptable from our perspective and ask if they are happy to proceed with this option, or if they like us to seek options from out of the region?
2. Ensure the applicants are aware that this cost forms part of the processing costs for their applications but will be split 50/50.
3. Request up-to-date contact details for the applicants or an appointed party to represent the applicants so that the valuer can arrange site access. (Or if they have



any questions).

Once I have confirmation of the above, I will request the valuers terms of engagement and we can engage the valuer to undertake this work.

Let me know if you have any questions.

Kia pai tō rā,

Kayla

**Kayla Mahon**

Senior Commerical and Revenue Advisor


Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti

Phone: Sec 9(2)(a)

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## Deanna Randell

---

**Subject:** Kayla Mahon  
**Location:** Microsoft Teams Meeting; DUN - JWH 1.10 (Seats 6, Full AV)  
**Start:** Tue 9/04/2024 10:30 am  
**End:** Tue 9/04/2024 11:00 am  
**Recurrence:** (none)  
**Meeting Status:** Accepted  
**Organizer:** Kayla Mahon  
**Required Attendees:** Ben Fielding  
**Resources:** DUN - JWH 1.10 (Seats 6, Full AV)

Hey Ben,

I have a lot of work assigned to me that relates to applications that you are processing. So I thought it might be good to have a quick meeting to check in on these and make sure we're all updated on where things are with all of them 😊

Let me know if this time doesn't work, or if you think we will need more than 30 minutes, or want to move it to later in the week.

I've popped a quick agenda down below (nothing worse than going into a meeting with no idea about the content).

I will also be updating this document as I work through where things are at today (feel free to add to it): [Work outstanding for Ben - Notes & Next Steps.docx](#)

Out of Scope

Out of Scope

& 107337-OTH - Dalefield Water Supply Society

### Incorporated - Valuation

- Update on where we are in this process, next steps etc.

Out of Scope

Out of Scope

Out of Scope

Have I missed anything?!?

Cheers,  
Kayla

---

## Microsoft Teams [Need help?](#)

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Meeting ID: 449 017 108 506

Passcode: zjY7Yc

---

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Phone conference ID: 728 379 374#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

---

**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Valuation Quote: [Out of Scope] & Dalefield Applications  
**Date:** Tuesday, 2 July 2024 12:59:06 pm  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Thanks Kayla, appreciate you following up with the valuer.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: [Sec 9(2)(a)] | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Tuesday, July 2, 2024 12:47 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** RE: Valuation Quote: Fitzpatrick & Dalefield Applications

Hi Ben,

I had been hoping that this would have come back last week – the valuer went out on site a couple of weeks back and requested some additional info from our end which I provided on the 18<sup>th</sup> of June.

I will follow up with our valuer on this shortly and see if he has an eta. I have some other work with him that I need to review today, so I will do that all at once.

-Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Tuesday, July 2, 2024 9:58 AM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** RE: Valuation Quote: [Out of Scope] & Dalefield Applications

Hi Kayla,

Has there been any update from the valuer on the report for this?



The Applicants have requested a further update, so hoping I can give a firmer timeframe if one is available :)

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Ben Fielding

**Sent:** Wednesday, April 3, 2024 11:09 AM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Valuation Quote: Out of Scope & Dalefield Applications

Hi Kayla,

Great news that this is all on track!

Juliet Bruce is the CR in Queenstown who has been working on these applications and I'll let her know that her details will be passed on and that a site visit is planned for the 9<sup>th</sup>

Juliet Bruce

Community Ranger

Whakatipu-wai-Māori / Queenstown District

Sec 9(2)(a)

[jbruce@doc.govt.nz](mailto:jbruce@doc.govt.nz)

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Wednesday, April 3, 2024 9:31 AM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** Re: Valuation Quote: [Out of Scope] & Dalefield Applications

Hey Ben,

I'm just getting ready to send this info off to the valuer - at this stage he is planning on doing a site visit on the 9th. With the final report through early next month.

I was just wondering if there was a community ranger assigned to this work whose details I can pass on to [Sec 9(2)(a)] should he require a doc representative to be present or arrange site access.

Cheers,  
Kayla

Get [Outlook for Android](#)

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Monday, March 18, 2024 9:29:48 AM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** RE: Valuation Quote: [Out of Scope] & Dalefield Applications

Hi again,

[Out of Scope]

Cheers,  
Ben

---

**From:** Ben Fielding  
**Sent:** Monday, March 18, 2024 9:21 AM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** RE: Valuation Quote: [Out of Scope] & Dalefield Applications

Hi Kayla,

Both applicants have now approved to the costs and valuer being engaged. Contact details are as follows:

Dalefield Water Supply Society Incorporated:  
Bruce McLeod  
[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)  
03 442 3466

027 418 2104

Out of Scope

Thanks,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Thursday, March 14, 2024 3:37 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** Kevin Nass <[knass@doc.govt.nz](mailto:knass@doc.govt.nz)>

**Subject:** Valuation Quote: Out of Scope & Dalefield Applications

Hey Ben,

We have only been able to obtain one quote from a suitable valuer in the region to undertake this work. The details are as follows:

- QV - \$2,240 plus disbursements & GST
- The timeframe of this is 20 working days/4 weeks.

*Obviously, with Otago Anniversary and the Easter weekend coming up, this is likely to longer.*

Could you please:

1. Advise the applicants of the quote, noting that it is acceptable from our perspective and ask if they are happy to proceed with this option, or if they like us to seek options from out of the region?
2. Ensure the applicants are aware that this cost forms part of the processing costs for their applications but will be split 50/50.
3. Request up-to-date contact details for the applicants or an appointed party to represent the applicants so that the valuer can arrange site access. (Or if they have any questions).

Once I have confirmation of the above, I will request the valuers terms of engagement and we can engage the valuer to undertake this work.

Let me know if you have any questions.

Kia pai tō rā,  
Kayla

**Kayla Mahon**

Senior Commerical and Revenue Advisor


Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti

Phone: Sec 9(2)(a)

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**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: [Out of Scope](#) & Dalefield Fees - FYI  
**Date:** Wednesday, 28 August 2024 3:00:13 pm  
**Attachments:** [image001.png](#)

---

Awesome, thanks heaps

I'll make sure to note it separately in all the post-admin docs for NTC

Cheers,

**Ben Fielding** (*he/him*)

Permissions Team Lead (Acting)  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office  
M: [Sec 9\(2\)\(a\)](#) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Wednesday, August 28, 2024 2:57 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** RE: [Out of Scope](#) & Dalefield Fees - FYI

Hey

I got the final invoice about an hour ago - \$2240 + GST – so \$1120 to be on-charged per application.

I still need to figure out the journaling side of things for that to come back to the valuation budget though – but that's an internal thing, it won't affect the invoice or final fee.

-Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Wednesday, August 28, 2024 2:54 PM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** RE: [Out of Scope](#) & Dalefield Fees - FYI

Hi again Kayla,

Quick thing – did [Sec 9\(2\)\(a\)](#) confirm the final cost of the report + disbursements?

Just tidying up the processing fees

Cheers,

**Ben Fielding** *(he/him)*

Permissions Team Lead (Acting)

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Wednesday, August 28, 2024 12:38 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Out of Scope & Dalefield Fees - FYI

Hey Ben,

This memo has been added to Arna's daily report – I'll let you know once she has actioned it. [DOC-7733449](#)

The memo, along with the valuation reports have been linked into the database too – but I've kept the reports locked down to Commercial and you at this stage.

Kia pai tō rā,

Kayla

**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: [Out of Scope](#) & Dalefield Fees - FYI  
**Date:** Wednesday, 28 August 2024 2:32:19 pm  
**Attachments:** [image001.png](#)

---

Hi Kayla,

Thanks for this update and somehow finding the time to get this memo through to Arna amongst all the other work on your plate – awesome stuff

Look forward to that final sign off.

Cheers,

**Ben Fielding** (he/him)

Permissions Team Lead (Acting)

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: [Sec 9\(2\)\(a\)](#) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Wednesday, August 28, 2024 12:38 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** [Out of Scope](#) & Dalefield Fees - FYI

Hey Ben,

This memo has been added to Arna's daily report – I'll let you know once she has actioned it. [DOC-7733449](#)

The memo, along with the valuation reports have been linked into the database too – but I've kept the reports locked down to Commerical and you at this stage.

Kia pai tō rā,

Kayla

**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: [Out of Scope](#) & Dalefield Fees - FYI  
**Date:** Friday, 6 September 2024 1:58:35 pm  
**Attachments:** [image001.png](#)

---

Hi Kayla,

Just checking in on this – I see it hasn't been signed but just wondering if Arna gave any indication of when she might be able to look at it?

If not, I might see if Christine can chase it up directly with Arna...

Thanks,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: [Sec 9\(2\)\(a\)](#) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Wednesday, 28 August 2024 12:38 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** [Out of Scope](#) & Dalefield Fees - FYI

Hey Ben,

This memo has been added to Arna's daily report – I'll let you know once she has actioned it. [DOC-7733449](#)

The memo, along with the valuation reports have been linked into the database too – but I've kept the reports locked down to Commercial and you at this stage.

Kia pai tō rā,

Kayla



## Easement Fee Calculator

<b>Concessionaire</b>	
<b>Concession Number</b>	

Right Granted:	RTCW - Water supply	Assessed Fee
Number of Benefiting <b>Non-Commercial</b> Lots or persons (if in gross)	100	\$ 40,000.00
Number of Benefiting <b>Minor-Commercial</b> Lots or persons (if in gross)		\$ -
Number of Benefiting <b>Commercial</b> Lots or persons (if in gross)	0	\$ -
	<b>SUBTOTAL:</b>	<b>\$ 40,000.00</b>

Right Granted:	RTCE - Overhead/ Underground Cables	Assessed Fee
Number of Benefiting <b>Non-Commercial</b> Lots or persons (if in gross)	100	\$ 16,750.00
Number of Benefiting <b>Minor-Commercial</b> Lots or persons (if in gross)	0	\$ -
Number of Benefiting <b>Commercial</b> Lots or persons (if in gross)	0	\$ -
	<b>SUBTOTAL:</b>	<b>\$ 16,750.00</b>

Right Granted:		Assessed Fee
Number of Benefiting <b>Non-Commercial</b> Lots or persons (if in gross)		\$ -
Number of Benefiting <b>Minor-Commercial</b> Lots or persons (if in gross)	0	\$ -
Number of Benefiting <b>Commercial</b> Lots or persons (if in gross)	0	\$ -
	<b>SUBTOTAL:</b>	<b>\$ -</b>

Right Granted:		Assessed Fee
Number of Benefiting <b>Non-Commercial</b> Lots or persons (if in gross)	0	\$ -
Number of Benefiting <b>Minor-Commercial</b> Lots or persons (if in gross)	0	\$ -
Number of Benefiting <b>Commercial</b> Lots or persons (if in gross)	0	\$ -
	<b>SUBTOTAL:</b>	<b>\$ -</b>

Right Granted:		Assessed Fee
Number of Benefiting <b>Non-Commercial</b> Lots or persons (if in gross)	0	\$ -
Number of Benefiting <b>Minor-Commercial</b> Lots or persons (if in gross)	0	\$ -
Number of Benefiting <b>Commercial</b> Lots or persons (if in gross)	0	\$ -
	<b>SUBTOTAL:</b>	<b>\$ -</b>

<b>RTCW - Water supply</b>		<b>Fee:</b>	<b>\$ 40,000.00</b>
<b>RTCE - Overhead/ Underground Cables</b>		<b>Fee:</b>	<b>\$ 16,750.00</b>
0		<b>Fee:</b>	\$ -
0		<b>Fee:</b>	\$ -
0		<b>Fee:</b>	\$ -
	<b>SUBTOTAL:</b>	<b>\$</b>	<b>56,750.00</b>

Network Fees (Commercial Telco. and Electricity Easements)	
Is this a Telco. or Electricity Easement which forms part of a Network?	No
What is the length of the cable?	
Per Meter Rate	
Per Metre Fee	\$ -
<b>Subtotal</b>	<b>\$ 56,750.00</b>

Premiums	
What is the Status of the PCL burdened by this easement? (per NaPALIS):	Wildlife Management Reserve
Environmental Premium Rate (%)	25%
Environmental Premium	\$ 14,187.50
<b>Total Recommend Fee</b>	<b>\$ 70,937.50</b>

1st Right Granted

2nd Right Granted

3rd Right Granted

4th Right Granted

5th Right Granted

Summary

Other Considerations & Final Recommended Fee

## 1 Instruction Detail

Property Details:	Tuckers Beach Wildlife Management Reserve, Queenstown being the land described as Section 85 Block IV Shotover Survey District and contained in Record of Title 18C/313.
Instructions:	We have received instructions from Kayla Mahon of the Department of Conservation to provide an assessment and recommendation for the fair market fee for the easement summarised below.
Application Details:	<p>Application for an easement concession over public conservation land. The easement is summarised as follows:</p> <ul style="list-style-type: none"><li>• Applicant: Dalefield Water Supply Society Incorporated.</li><li>• We have been advised by DOC that there are approximately 100 connections to the scheme.</li><li>• We estimate that the scheme services approximately 230 hectares bounded by the Shotover River, Tuckers Beach Wildlife Management Reserve, Littles Road, Malaghans Road and Dalefield Road, Lower Shotover.</li><li>• The easement is for a right to convey water and a right to convey electricity.</li><li>• Term- 30 years from a yet to be specified commencement date.</li><li>• The easement area will enable the operation and maintenance of an existing residential water supply scheme, being two bores and associated underground water pipeline and electrical cabling; and the establishment, operation and maintenance of a valve chamber, bore head, underground water pipeline and electrical cabling.</li><li>• A previous easement is held for a term of 30 years from 7 July 2017. The initial fee was one peppercorn reviewable every three years. We have not been advised of the current fee.</li><li>• A permit was issued for three months in 2022 to enable three test bores to be drilled</li><li>• This assessment includes the previous infrastructure plus one of the recently drilled bores and the infrastructure required to connect this to the scheme.</li></ul>

## 2 Assessment Fee

We have assessed the following fee on the basis of the draft concession document provided:

Easement fee as at 11 June 2024 for the first three years of the term:

**Annual fee \$15,600 plus GST if any**

We note the following conditions and assumptions:

- The applicant follows the terms and conditions set out in the draft easement document and the route is in accordance with the attached plans in Appendix 2.
- The benefitting land is essentially as shown on the plan in Appendix 3.

**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** FW: Fees pending Commercial Manager Approval for 2 x Easements  
**Date:** Tuesday, 10 September 2024 8:18:45 am  
**Attachments:** [image001.png](#)

---

Hi Kayla,

FYI Arna signed the memo after a prod from Anna, not sure if she let you know.

One thing I just noticed is that in the final Recommendations section, the activity fee for Dalefield is written as '\$415,600.00' – instead of '\$15,600' which might need to be amended, though it's clear from earlier in the memo that it should be \$15,600!!

Also just wanted to thank you for all your work on these fees – it's hugely appreciated

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Arna Litchfield <[alitchfield@doc.govt.nz](mailto:alitchfield@doc.govt.nz)>  
**Sent:** Monday, 9 September 2024 5:08 pm  
**To:** Anna Morley <[amorley@doc.govt.nz](mailto:amorley@doc.govt.nz)>  
**Cc:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** RE: Fees pending Commercial Manager Approval for 2 x Easements

Hey team,

Thanks for the prompt on this – have reviewed the memo and approved the recommended fees.

Cheers,  
Arna

---

**From:** Anna Morley <[amorley@doc.govt.nz](mailto:amorley@doc.govt.nz)>  
**Sent:** Monday, 9 September 2024 2:54 pm  
**To:** Arna Litchfield <[alitchfield@doc.govt.nz](mailto:alitchfield@doc.govt.nz)>  
**Cc:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** FW: Fees pending Commercial Manager Approval for 2 x Easements



Hi Arna,

Ben in my team sent you a memo a week or so ago regarding the approval of fees for 2 water supply easements. These fees were established by engaging an external valuer to complete a valuation, hence the need to get your final approval. Link to the memo is below

[Memo: DOC-7733449](#)

Will you be able to look at this for Ben any time soon? We are getting some heat from the applicants to get these to a decision maker, and the only piece of the puzzle left for us now is your approval of fees.

If you can find the time to take a look for me, I would be very grateful. These two applications have been in the system for well over a year now, and it would be nice for everyone to be able to get them off to the decision makers.

Cheers

Anna

**Anna Morley**

Permissions Team Lead

Ōtepoti / Dunedin Office

**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Extract from Valuation Report  
**Date:** Wednesday, 11 September 2024 8:10:30 am  
**Attachments:** [image001.png](#)

---

Thanks Kayla

Will let you know if they come back with anything relevant and

Out of Scope

Cheers

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: [Sec 9\(2\)\(a\)](#) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Tuesday, 10 September 2024 4:31 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Extract from Valuation Report

Yep that's perfect – You can include the attached if you want – but it is a very basic look at our internal fee setting

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**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Tuesday, 10 September 2024 4:25 pm

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Extract from Valuation Report

Thanks Kayla,

Was just drafting my response to Dalefield, so that's great timing.

Would the following statement be appropriate to describe why we can't share the full report?:

*"We are unable to release the full report at this time to maintain neutrality should you seek to obtain your own valuation for the activity, in which case we need to be certain that that*

valuation is independent of this report. However, the valuer has agreed to the release of the attached pages of the report for your consideration.

I'm also going to reiterate that our usual methodology gets a fee of \$50k p/a and that we believe this valuation more accurately represents the market rate.

Thanks as always,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Tuesday, 10 September 2024 4:20 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Extract from Valuation Report

Hey Ben,

Here are some extract versions of the valuation reports that you may share with the applicants – as per <sup>Sec 9(2)(a)</sup> email.

Any questions, let me know

Kia pai tō rā,

Kayla

Deanna Randell

**From:** Ben Fielding  
**Sent:** Monday, 16 September 2024 8:13 am  
**To:** Kayla Mahon  
**Subject:** RE: Update -easements memo  
**Attachments:** Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Kayla,

Thanks for this, and good timing – a further response from Dalefield came through on Friday evening, with them objecting to the fees (attached).

Out of Scope

Both applications have now been approved by the DM so I am going through the post admin process, but will hold off sending the final concessions out for now.

Cheers,

**Ben Fielding** (he/him)  
Permissions Advisor  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office  
M: [redacted] | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Friday, 13 September 2024 4:49 pm  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** Update -easements memo

Hi Ben,

Just a heads up that I have put the following on Arna DR for her to review and consider and send up to Pip and Siobhan.

13-Jan	To do	86	Easements FYI memo on recent valuations for 3 applications. To advise Directors on process potential risks	Kayla	re-scope of the Out of Scope memo to include Dalefield and Out of Scope valuation context	20-Sep	review and elevate to Pip and Siobhan as an FYI - sign supporting letter if you are happy with it	<a href="#">DOC-7651719 (FYI Memo)</a>	Out of Scope
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Kia pai tō rā,  
Kayla

**Kayla Mahon**  
Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti



Released under the Official Information Act

**From:** [Bruce McLeod](#)  
**To:** [Ben Fielding](#)  
**Cc:** [dalefieldwater](#); [Simon Hayes](#); [Hunter Leece](#); [Tony Oxnevad](#); [Neil Watson](#); [Emile Bomer](#)  
**Subject:** Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)  
**Date:** Friday, 13 September 2024 5:47:55 pm  
**Attachments:** [image001.png](#)  
[Re Re25 Your Concession Application - Dalefield Water Supply Society Incorporated \(107337-OTH\).msg](#)

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Hi Ben,

I have discussed this issue of the annual charge with the scheme committee, as we are concerned with the extreme cost escalation.

We object to the annual fee and note the following:

- DWS is and has been, from the early 1990's, a Not for Profit Incorporated Society delivering an essential service to members. Our members have purchased and built on the basis of QLDC & ORC consent conditions, and the previous DoC easement in respect of the potable water systems. DoC has not charged for the easement in the past.
- There is nothing in the nature of the additional water or electricity easements that increases the annual administration cost to DOC or add any additional burden to the DOC easement because of the number of homes we must provide water to. ORC permits the volume of the water DWS can take, and effectively from that we determine the number of members. The easement footprint on the reserve does not materially change with the volume extracted (as consented by ORC).
- Largely buried facilities do not detract from the use of the land by either people or wildlife and the wellheads can be readily screened if necessary
- Access to monitor/service the bore is infrequent and occasional, and certainly far less than the public cycling and walking access close by.
- As a not for profit society we would be regarded as a non-commercial easement yet we are now being asked to pay an annual fee which is nearly five times greater than a full commercial operator would for a similar activity?
- The DOC website says that valuations may be required for "significant commercial easements". Clearly we are not in that category.
- We consider DWS to be a single entity for the purposes of administration with DoC, and therefore the activity fee is more logically placed at circa \$400 per annum.
- Given the footprint on the reserve land (low value and minimal footprint), our not for profit status, and the annual administration burden on the Department (very minimal), we do not feel it is reasonable to charge the value of circa \$16,000 as proposed.

We look forward to your review.

Kind regards,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Cc "dalefieldwater" <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; "Simon Hayes"

<[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>

Date 11/09/2024 9:49:04 am

Subject RE: Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for getting back to me.

We are unable to release the full report at this time to maintain neutrality should you seek to obtain your own valuation for the activity, in which case we need to be certain that that valuation is independent of this report. However, the valuer has agreed to the release of the attached pages of the report for your consideration.

I can appreciate that the annual fee is more than may have expected. I have attached a spreadsheet showing how our standard methodology for calculating activity fees would apply to this easement, resulting in an activity fee of \$70,937 per annum plus GST. AS previously indicated, when our usual methodology results in a fee this high, our standard practice is to engage a professional valuer to undertake an independent assessment to better reflect a fair market rate for the activity.

Please let me know if you have any further questions.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Tuesday, 10 September 2024 1:38 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>

**Subject:** Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thanks for the email.

We're a little surprised at that annual fee.

Is it possible to obtain a copy of the valuers report please?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 10/09/2024 9:01:31 am

Subject RE: Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Morning Bruce,

Thank you for your patience while your application has been finalised.

A Commercial and Revenue Advisor has reviewed the valuer's report and believes that the fee accurately reflects the market value of this activity on PCL. The recommended fee has been signed off by the Commercial Manager.

Given this, the annual activity fee appropriate for this easement is: **\$15,600.00 plus GST per annum.**

A standard management fee of **\$250.00 plus GST per annum** would also apply.

The final cost attributed to this application for the valuation was \$1,120 plus GST. This brings the total processing fee for your application to **\$3,725.00 plus GST.**

Now that the fees have been signed off, the application has been sent to the decision maker this morning for consideration and I am expecting a decision to be made this week. I will advise you when a decision is made and what the next steps are.

Once again, my sincere apologies for how long this process has taken and for the inconvenience it may have caused to you and the scheme beneficiaries.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)





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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, 5 September 2024 4:00 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Any update on the decision?

Thanks,

Bruce

On 15/08/2024 12:51 pm, Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)> wrote:

Hi Bruce,

I hesitate to place a timeframe on this given that all the ones I've previously provided have not been met and I don't want to set up any further expectations that can't be met, but I would expect a decision made in the next month – like I said below, everything is set to proceed to the decision maker when the fees are approved.

I appreciate the urgency from your end and how frustrating this process will have been for yourself and the residents the scheme services. Thanks again for your patience.

Regards,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Wednesday, August 14, 2024 2:39 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated

(107337-OTH)

Thanks Ben,

Any idea of approx time frame to complete?

Really need to have this issued so we can confirm with the contractor and arrange bird study etc.

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 14/08/2024 2:09:57 pm

Subject RE: Re[18]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

The valuer has now provided his report to the Department and our Commercial Team are in the process of reviewing and having those fees signed off by the appropriate manager. There have been a few key staff on leave this week so this is taking a bit longer than it normally would.

In the meantime, I have progressed the applications so that once I receive those final fees I can advise you, and send the applications directly the decision maker for consideration.

Thanks again for your patience while everything is finalised.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
**Sent:** Wednesday, August 14, 2024 10:32 AM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** Re[18]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Squeaky wheel here again!

Any news?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
Date 29/07/2024 1:35:01 pm  
Subject RE: Re[16]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Thanks for checking in. I'm expecting to have the final valuation report on hand later today. I'll advise you of the fees when that is received and then finalise my report to the decision maker for consideration.

Regards,

**Ben Fielding** *(he/him)*

Permissions Team Lead (Acting)  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office  
M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
**Sent:** Monday, July 29, 2024 1:11 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** Re[16]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Any progress with the concession?

Do you have an eta?

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/07/2024 10:57:39 am

Subject RE: Re[14]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Regarding access, our biodiversity team have requested the following conditions around access to ensure there is no impact on nesting/breeding birds in the area:

- *No access to the Shotover River riverbed shall occur between 1st August and 31st January, except as described in Special Condition 10.*
- *An exemption to Special Condition 9 may occur between 1st August to 31st January, provided prior to any works commencing a survey of all areas to be disturbed, plus 100 metres distance, is to occur to identify any breeding bird sites (this includes but is not limited to the ground disturbance area and transport route). The survey must be undertaken by a suitably qualified and independent ornithologist/ecologist. The survey must be undertaken within 72 hours of works commencing. The ornithologist/ecologist must provide DOC Whakatipu (Community or Biodiversity Team) with a written overview of the findings and recommendations of their survey (including map of all bird breeding sites and 100m separation distance) for approval prior to any works occurring, and within five working days provide a full written report which must include the method, results, findings, recommendations, maps, and locations of all bird breeding and nesting sites. Further:*
  - *Vehicles and/or machinery shall not operate within 100 metres of birds which are breeding, nesting, or rearing their young in the bed of the river, or as identified by the survey, and the report must clearly show where bird nesting is occurring and that there is a separation distance of 100 m from any proposed*



activity/disturbance.

- *The findings and recommendations of the survey must be adhered to (once approved by DOC Whakatipu Office).*
- *If work ceases for more than 72 hours on site, the site must be re-surveyed (i.e. the survey specified in Special Condition 10 must be completed again).*

Ultimately it is up to the Decision Maker as to whether they are applied to the final concession if it is granted, but I expect that they would be adopted in this case.

We would also encourage you to communicate with the owners of the Fitzpatrick scheme, who are also seeking to undertake works in the area, to try and minimise the timeframe that works occur over and impacts in the area, though I don't believe this would be a formal condition.

I'm mindful that the period that the restrictions apply to is rapidly approaching so hopefully this gives you some indication of what may be required if the concession is granted.

Hope that helps, please let me know if you have any further questions.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, July 8, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[14]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks for the update Ben.

In regard to potential conditions, will there be anything restricting our access to get the work completed?

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/07/2024 9:56:51 am

Subject RE: Re[12]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Once again, I'm really sorry about these delays. I have chased this up with our Commercial and Pricing team who are engaging with the valuer to get clarity of where this is currently sitting. They have advised that the valuer carried out a site visit at the end of June and is now completing the report. I've asked for them to go back and get a firm ETA for the final report and fees and have followed up on this again today.

I appreciate you're wanting to get these works done as soon as possible to ensure security of water supply and this whole process has taken far longer than it should have. As soon as I get any other update I will advise you, and I assure you that I'll be getting your application to a decision as soon as all the information we need is available.

Regards,

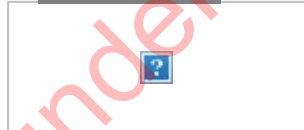
**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, July 4, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[12]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Can you please update me on progress please as another six weeks have passed.

We wish to engage a contractor to complete the installation works and need to press on with the project to help ensure continued supply of water.

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 22/05/2024 8:49:21 am

Subject RE: Re[10]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Sorry for the lack of communication on my part. We are still waiting for the valuer we have engaged to provide their final report with the assessed activity fees. I understand that he was out with covid for a period earlier this month which has led to a delay in completing the work, but the Commercial Advisor who has been arranging this work has been chasing it up this week. I will let you know as soon as I get that update.

I appreciate there has been a more than substantial delay in this process and I apologise for how long this has taken to date. As previously indicated, once the valuer's report is available and the fees set, I will be able to get my report through for a final decision as soon as possible.

As an explanation of why we are seeking this external valuation, it is to assist us in setting the appropriate ongoing fees for the easement. Our standard methodology for setting fees for easements tends to 'break down' when it comes to larger scale water supply schemes with a number of benefiting properties such as the Dalefield Scheme. As such, we are working on updating our methodology for these situations, however as part of that process we are engaging external experts to ensure we are setting reasonable fees for concession we process in the meantime. For example, based on our standard methodology (which can be found on our website: [Ongoing concession fees: Apply for permits \(doc.govt.nz\)](https://www.doc.govt.nz/consent/ongoing-concession-fees-apply-for-permits)) the fees for this easement (assuming 100 benefitting lots) as \$50,000 plus GST per annum. Obviously, this is a substantial amount, and we would expect the valuer to provide a more appropriate fee, but I hope this makes it clear why we want to ensure we get this right before finalising the concession decision making.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, May 20, 2024 9:57 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[10]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

We have a water scheme meeting this week and just wondering where we are at with this application?

Thanks,

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 14/03/2024 3:47:30 pm

Subject RE: Re[8]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,



We have now received a quote from a suitable valuer based in the region and are engaging them to complete a valuation report.

The work has been quoted at \$2,240 plus time disbursements and GST.

The timeframe for completion is 20 working days.

As previously indicated, this will be passed on as part of the Department's cost recovery and is in addition to the previous cost estimate of \$2,715.00 + GST, however as this report will also be covering the valuation for a similar easement in the area currently being processed by the Department, this cost will be split equally between Dalefield Water Supply Society Incorporated and the other applicant.

I ask you to please confirm the following:

1. That you are happy for the Department to proceed with this option, or if you would like us to seek further options from outside the region
2. You are aware that the costs forms part of the processing costs of your application, though it will be split 50/50 with another applicant as the report will cover both easements.
3. If you agree with the above, are you okay with me passing on your details to be a point of contact for the valuer should they need to arrange site access, or have any questions?

Again, thank you for your patience to date and as soon as we are able to have this report complete, I will be prioritising getting your application to a decision as soon as possible.

Kind regards,

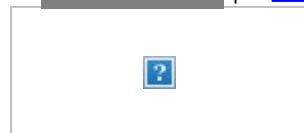
**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, March 11, 2024 10:34 AM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Cc:** [emileb@xtra.co.nz](mailto:emileb@xtra.co.nz); Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>;  
[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au); [simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com);  
[dave.bulling@cookbrothers.co.nz](mailto:dave.bulling@cookbrothers.co.nz); [gonzoart@xtra.co.nz](mailto:gonzart@xtra.co.nz);  
[tony@oxnevad.com](mailto:tony@oxnevad.com); [qtownbendalls@gmail.com](mailto:qtownbendalls@gmail.com)  
**Subject:** Re[8]: Your Concession Application - Dalefield Water Supply  
Society Incorporated (107337-OTH)

Thanks Ben,

I'm rather shocked it has taken six months and counting to engage a valuer for such a simple proposition.

We applied for this easement last May, so it is rapidly approaching a full year in process!

I trust you will appreciate our frustration, as we need this finalised in order to safeguard our water scheme.

We would certainly appreciate anything you can do to expedite a decision.

Kind regards,  
**Bruce McLeod**  
*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**  
PO Box 2493, Wakatipu 9349  
Ph 03 442 3466  
Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
Date 8/03/2024 2:22:29 pm  
Subject RE: Re[6]: Your Concession Application - Dalefield Water  
Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Our Commercial Team have been seeking quotes from external valuers for the valuation report I referred to below. The window for

these coming back closes on Monday, at which time we should be able to proceed to engage a valuer, with that expected to occur by 13 March. I'll provide details and the quote at that time.

The indication I have is that the valuation report will be received by mid-April, and I will have the rest of the documentation ready to go to the Decision Maker for consideration as soon as possible after that has been received.

Kind regards,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, March 7, 2024 3:12 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[6]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Can you please update me on process?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 30/01/2024 3:45:18 pm

Subject RE: Re[4]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

This is brilliant and will certainly help, thanks for sending it through.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Tuesday, January 30, 2024 3:31 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[4]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

If it helps I have attached an overview of the properties serviced by the scheme

Kind regards

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 30/01/2024 3:17:18 pm

Subject RE: Re[2]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,



Thanks for confirming that the approach outlined is suitable. I completely understand your concern around the processing time for your application and I hope this approach of combining everything into one process should at least make things more streamlined in the future (and mean we don't have to go through the process again in a few years!)

Regarding the list of titles, I'm still just waiting to get confirmation as to whether the full list will be required, or whether just the exact number of properties currently being served or a map highlighting them will suffice. I'll let you know as soon as I find out – would definitely not want you compiling the full list if it is not required.

Kind regards,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Saturday, January 20, 2024 11:41 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[2]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thanks for coming back to me and to be honest we are a little bemused with the time it is taking to progress this, but I do understand the Department is likely overwhelmed and under resourced!

I think it is sensible to renew the existing concession at the same time, so please proceed with that.

The scheme serves around 100 properties, so I'm a bit reluctant to take the time to list all of the titles out! However I can do if necessary, just let me know.

Kind regards  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 17/01/2024 11:08:37 am

Subject RE: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Apologies for the lack of updates regarding your Dalefield Water Supply Society easement application - the Department undertook a different approach to processing concession applications towards the end of last year which resulted in some applications being paused for a time. I am now picking up your application again with the aim to progress it to a decision as soon as possible.

As I indicated in my below email dated 29 August 2023, our Commercial Team have indicated that an external valuer will need to be engaged by the Department in order to set appropriate market rate activity fees for the easements. During the discussions around this process we have reconsidered the earlier position to not consider the renewal of the existing easement concession (PAC-13-04-17) as part of this application process, as given the timeframe that has already elapsed and the likely additional costs of the external valuation it now seems reasonable to consider the full scope of the scheme's easements at one time to avoid having to go through a similar process in three years when concession PAC-13-04-17 expires. This would bring everything under one modern concession document and make things easier to manage in the long term.

Does that approach sound suitable to you?

In order to aid any valuation process and our decision process, do have a list of the current property titles that benefit the scheme that you would be able to provide?

As always, if you have any questions please don't hesitate to get in touch and once again my apologies for the lack of progress to date.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office  
M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Ben Fielding  
**Sent:** Tuesday, August 29, 2023 1:11 PM  
**To:** [bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)  
**Subject:** Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

My name is Ben Fielding and I have been assigned as the Permissions Advisor for the processing of the Dalefield Water Supply Society Incorporated's concession application for an easement over the Tuckers Beach Wildlife Management Reserve (107337-OTH).

Please find attached a formal acknowledgement letter which includes an initial application processing cost estimate of \$2,715.00 + GST. I do however note that given the nature of this application, being an easement for a residential water supply scheme, our commercial team will likely seek an external valuation report to assist the Department in determining any appropriate fees for the activity. This would incur additional cost and processing time for the application, and I will forward those details to you as soon as they are available should that be the course that is taken.

Regarding your existing easement for the water supply scheme that is due to expire in 2027 (Concession number PAC-13-04-17): Given the urgency you have highlighted around this application being processed to enable a second bore to be operational to ensure the water supply, it was determined that any consideration of the existing easement would require additional time to consider and therefore only this new easement application will be considered in this process to get a more timely decision.

Should you have any questions regarding your application or the progress please don't hesitate to contact me directly, and I will be in touch as soon as I have any further details regarding a

valuation process as outlined above.

Kind regards,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us



**From:** [Hunter Leece](#)  
**To:** [Tony Oxnevad](#); [Bruce McLeod](#); [Emile Bomer](#); [Simon Hayes](#); [Neil Watson](#); [sheilaandbruce@gmail.com](mailto:sheilaandbruce@gmail.com)  
**Cc:** [dalefieldwater](#)  
**Subject:** Re: Re[25]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)  
**Date:** Thursday, 12 September 2024 7:11:06 pm  
**Attachments:** [image001.png](#)

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Also worth noting:

- 1) Buried facilities do not detract from the use of the land by either people or wildlife and the wellheads can be readily screened if necessary.
- 2) Access to monitor/service is infrequent and occassional.

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---

**From:** Tony Oxnevad <tony@oxnevad.com>  
**Sent:** Thursday, September 12, 2024 4:58:01 PM  
**To:** Bruce McLeod <bmcLeod@ascl.co.nz>; Emile Bomer <emileb@xtra.co.nz>; Hunter Leece <hunterleece@hotmail.com>; Simon Hayes <simon.hayes232@gmail.com>; Neil Watson <nwatson@penlan.com.au>; sheilaandbruce@gmail.com <sheilaandbruce@gmail.com>  
**Cc:** dalefieldwater <dalefieldwater@shufflehub.co.nz>  
**Subject:** RE: Re[25]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks Bruce. Yes I since saw from a title search it is classified as a Wildlife Management Reserve. Would be good to hear the comments from David Butt.

My points would be:

1. DWS is and has been from the early 1990's a Not for Profit Incorporated Society delivering an essential service to members and the houses of our members built since then have done so on QLDC consent conditions that DWS supplies potable water to the properties. As this is an essential service and we are not for profit, DOC has had the good sense not to charge for the easement.
2. There is nothing in the nature of the water or electricity easements that increases the admin cost to DOC or add any additional burden to the DOC easement because of the number of homes we must provide water to. ORC permits the volume of the water DWS can take for the members.
3. As a not for profit society we would be regarded as a non-commercial easement yet we are now being asked to pay an annual fee which is nearly five times greater than a full commercial operator would for the same easements. The DOC website says that valuations may be required for "significant commercial easements". Not for profit societies delivering essential services are very different in nature.
4. Hunter also makes a very good point regarding easements to convey essential services, electricity, water, gas etc. They are not usually (if ever) paying annual fees for such easements. There may be an initial one off fee for the easement but not

ongoing annual fees. Hunter has some experience with this.

Hope this helps bring a little reality to what looks like an ill-conceived revenue gathering exercise.

Tony

---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, 12 September 2024 12:08 pm

**To:** Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>; Emile Bomer <[emileb@extra.co.nz](mailto:emileb@extra.co.nz)>; Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; [sheilaandbruce@gmail.com](mailto:sheilaandbruce@gmail.com)

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>

**Subject:** Re[25]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks Tony,

We are in Wildlife Management Reserve, so there's no room to debate the 25%.

I certainly get the impression someone is thinking a bit too hard here. Surely we are in the \$400 PA water easement realm?

I know David Butt, manager of local DoC office ... do I reach out to him?

Not ideal for me to meet next week as Sash is away and already juggling kids, work and mtb club :-)

Cheers,  
Bruce Mc

----- Original Message -----

From "Tony Oxnevad" <[tony@oxnevad.com](mailto:tony@oxnevad.com)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>; "Emile Bomer" <[emileb@extra.co.nz](mailto:emileb@extra.co.nz)>;

"Hunter Leece" <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; "Simon Hayes"

<[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; "Neil Watson" <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>;

"[sheilaandbruce@gmail.com](mailto:sheilaandbruce@gmail.com)" <[sheilaandbruce@gmail.com](mailto:sheilaandbruce@gmail.com)>

Cc "dalefieldwater" <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>

Date 11/09/2024 3:13:36 pm

Subject RE: RE: Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

The overview of the valuation says it was a peppercorn rental and that the valuer was not advised what the latest annual fee was. Simon is likely right that they have never charged anything more than the peppercorn. I bet they appreciate the fee would be

more than we expected!

The attached internal easement fee calculation by this DOC staff member was \$70,937.50. How accurate was that! He also claimed the land was a wildlife reserve and required a 25% PREMIUM. I expect it is more likely to be considered a water course area/ recreational reserve which is 10%.

### Activity fees - land type definitions

Where an activity fee requires the addition of an environmental premium, the table below should be used to determine the appropriate environmental premium rate to apply.

Land types and premiums	
Status of land	Premium
National Park, Nature Reserve, Ecological Area, National Reserve, Wilderness Area or Wilderness Reserve, Wildlife Sanctuary or Sanctuary Area	40%
Conservation (Forest) Park, Scientific Reserve, Historic Reserve, Wildlife Management Reserve, Scenic Reserve, Wildlife Refuge	25%
Recreational Reserve, Government and Local Purpose Reserves, Other Reserves, Stewardship Area, Water Course Area, Marginal Strip	10%
Open Pasture Under Grazing in Category III land status and unprotected, or non-reserve land held for administration purposes	No premium

A normal DOC easement to convey electricity (non-commercial) has an activity fee of \$335 PA and \$400 PA for the water easement.

Interestingly, the DOC website only talks about valuations in respect of “ **significant commercial easements.**” It states under the heading **Commercial easements:** “**Commercial easements support larger-scale commercial activity. A valuation is likely required to determine the market value for significant commercial easements.**”

I think we have an exuberant DOC guy making “mountains out of mole hills”. No wonder this took so long to process. My sympathies Bruce!

---

**From:** Bruce McLeod <[bmcLeod@ascl.co.nz](mailto:bmcLeod@ascl.co.nz)>

**Sent:** Wednesday, 11 September 2024 9:59 am

**To:** Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>; Emile Bomer <[emileb@xtra.co.nz](mailto:emileb@xtra.co.nz)>; Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; [sheilaandbruce@gmail.com](mailto:sheilaandbruce@gmail.com)

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>

**Subject:** Fw: RE: Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

So now they go all smoke and mirrors.

Maintain neutrality? WTF does that mean in the world of valuations (ie making stuff up)?

Might need to elevate this.

What were our previous annual fees from these guys?

----- Forwarded Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Cc "dalefieldwater" <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; "Simon Hayes" <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>

Date 11/09/2024 9:49:04 am

Subject RE: Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for getting back to me.

We are unable to release the full report at this time to maintain neutrality should you seek to obtain your own valuation for the activity, in which case we need to be certain that that valuation is independent of this report. However, the valuer has agreed to the release of the attached pages of the report for your consideration.

I can appreciate that the annual fee is more than may have expected. I have attached a spreadsheet showing how our standard methodology for calculating activity fees would apply to this easement, resulting in an activity fee of \$70,937 per annum plus GST. AS previously indicated, when our usual methodology results in a fee this high, our standard practice is to engage a professional valuer to undertake an independent assessment to better reflect a fair market rate for the activity.

Please let me know if you have any further questions.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation



Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Tuesday, 10 September 2024 1:38 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes  
<[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>

**Subject:** Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thanks for the email.

We're a little surprised at that annual fee.

Is it possible to obtain a copy of the valuers report please?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 10/09/2024 9:01:31 am

Subject RE: Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Morning Bruce,

Thank you for your patience while your application has been finalised.

A Commercial and Revenue Advisor has reviewed the valuer's report and believes that the fee accurately reflects the market value of this activity on PCL. The recommended fee has been signed off by the Commercial Manager.

Given this, the annual activity fee appropriate for this easement is: **\$15,600.00 plus GST per annum.**

A standard management fee of **\$250.00 plus GST per annum** would also apply.

The final cost attributed to this application for the valuation was \$1,120 plus GST. This

brings the total processing fee for your application to **\$3,725.00 plus GST**.

Now that the fees have been signed off, the application has been sent to the decision maker this morning for consideration and I am expecting a decision to be made this week. I will advise you when a decision is made and what the next steps are.

Once again, my sincere apologies for how long this process has taken and for the inconvenience it may have caused to you and the scheme beneficiaries.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, 5 September 2024 4:00 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Any update on the decision?

Thanks,

Bruce

On 15/08/2024 12:51 pm, Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)> wrote:

Hi Bruce,

I hesitate to place a timeframe on this given that all the ones I've previously provided have not been met and I don't want to set up any further expectations that can't be met, but I would expect a decision made in the next month – like I said below, everything is set to proceed to the decision maker when the fees are approved.

I appreciate the urgency from your end and how frustrating this process will have been for yourself and the residents the scheme services. Thanks again for your patience.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office  
M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
**Sent:** Wednesday, August 14, 2024 2:39 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)  
Thanks Ben,

Any idea of approx time frame to complete?

Really need to have this issued so we can confirm with the contractor and arrange bird study etc.

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
Date 14/08/2024 2:09:57 pm  
Subject RE: Re[18]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

The valuer has now provided his report to the Department and our Commercial Team are in the process of reviewing and having those fees signed off by the appropriate manager. There have been a few key staff on leave this week so this is taking a bit longer than it normally would.

In the meantime, I have progressed the applications so that once I receive those final fees I can advise you, and send the applications directly the decision maker for consideration.

Thanks again for your patience while everything is finalised.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Wednesday, August 14, 2024 10:32 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[18]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Squeaky wheel here again!

Any news?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 29/07/2024 1:35:01 pm

Subject RE: Re[16]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Thanks for checking in. I'm expecting to have the final valuation report on hand later today. I'll advise you of the fees when that is received and then finalise my report to the decision maker for consideration.

Regards,

**Ben Fielding** (he/him)

Permissions Team Lead (Acting)

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office



M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, July 29, 2024 1:11 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[16]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Any progress with the concession?

Do you have an eta?

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/07/2024 10:57:39 am

Subject RE: Re[14]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Regarding access, our biodiversity team have requested the following conditions around access to ensure there is no impact on nesting/breeding birds in the area:

- *No access to the Shotover River riverbed shall occur between 1st August and 31st January, except as described in Special Condition 10.*
- *An exemption to Special Condition 9 may occur between 1st August to 31st January, provided prior to any works commencing a survey of all areas to be disturbed, plus 100 metres distance, is to occur to identify any breeding bird sites (this includes but is not limited to the ground disturbance area and transport route). The survey must be undertaken by a suitably qualified and independent ornithologist/ecologist. The survey must be undertaken within 72 hours of works commencing. The ornithologist/ecologist must provide DOC Whakatipu (Community or Biodiversity Team) with a written overview of the findings and*

recommendations of their survey (including map of all bird breeding sites and 100m separation distance) for approval prior to any works occurring, and within five working days provide a full written report which must include the method, results, findings, recommendations, maps, and locations of all bird breeding and nesting sites. Further:

- Vehicles and/or machinery shall not operate within 100 metres of birds which are breeding, nesting, or rearing their young in the bed of the river, or as identified by the survey, and the report must clearly show where bird nesting is occurring and that there is a separation distance of 100 m from any proposed activity/disturbance.
- The findings and recommendations of the survey must be adhered to (once approved by DOC Whakatipu Office).
- If work ceases for more than 72 hours on site, the site must be re-surveyed (i.e. the survey specified in Special Condition 10 must be completed again).

Ultimately it is the up to the Decision Maker as to whether they are applied to the final concession if it is granted, but I expect that they would be adopted in this case.

We would also encourage you to communicate with the owners of the Fitzpatrick scheme, who are also seeking to undertake works in the area, to try and minimise the timeframe that works occur over and impacts in the area, though I don't believe this would be a formal condition.

I'm mindful that the period that the restrictions apply to is rapidly approaching so hopefully this gives you some indication of what may be required if the concession is granted.

Hope that helps, please let me know if you have any further questions.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, July 8, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[14]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)  
Thanks for the update Ben.

In regard to potential conditions, will there be anything restricting our access to get the work completed?

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/07/2024 9:56:51 am

Subject RE: Re[12]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Once again, I'm really sorry about these delays. I have chased this up with our Commercial and Pricing team who are engaging with the valuer to get clarity of where this is currently sitting. They have advised that the valuer carried out a site visit at the end of June and is now completing the report. I've asked for them to go back and get a firm ETA for the final report and fees and have followed up on this again today.

I appreciate you're wanting to get these works done as soon as possible to ensure security of water supply and this whole process has taken far longer than it should have. As soon as I get any other update I will advise you, and I assure you that I'll be getting your application to a decision as soon as all the information we need is available.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, July 4, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[12]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Can you please update me on progress please as another six weeks have passed.

We wish to engage a contractor to complete the installation works and need to press on with the project to help ensure continued supply of water.

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 22/05/2024 8:49:21 am

Subject RE: Re[10]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Sorry for the lack of communication on my part. We are still waiting for the valuer we have engaged to provide their final report with the assessed activity fees. I understand that he was out with covid for a period earlier this month which has led to a delay in completing the work, but the Commercial Advisor who has been arranging this work has been chasing it up this week. I will let you know as soon as I get that update.

I appreciate there has been a more than substantial delay in this process and I apologise for how long this has taken to date. As previously indicated, once the valuer's report is available and the fees set, I will be able to get my report through for a final decision as soon as possible.

As an explanation of why we are seeking this external valuation, it is to assist us in setting the appropriate ongoing fees for the easement. Our standard methodology for setting fees for easements tends to 'break down' when it comes to larger scale water supply schemes with a number of benefiting properties such as the Dalefield Scheme. As such, we are working on updating our methodology for these situations, however as part of that process we are engaging external experts to ensure we are setting reasonable fees for concession we process in the meantime. For example, based on our standard methodology (which can be found on our website: [Ongoing concession fees: Apply for permits \(doc.govt.nz\)](https://www.doc.govt.nz/ongoing-concession-fees-apply-for-permits)) the fees for this easement (assuming 100 benefiting lots)



as \$50,000 plus GST per annum. Obviously, this is a substantial amount, and we would expect the valuer to provide a more appropriate fee, but I hope this makes it clear why we want to ensure we get this right before finalising the concession decision making.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, May 20, 2024 9:57 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[10]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

We have a water scheme meeting this week and just wondering where we are at with this application?

Thanks,

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 14/03/2024 3:47:30 pm  
Subject RE: Re[8]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

We have now received a quote from a suitable valuer based in the region and are engaging them to complete a valuation report.

The work has been quoted at \$2,240 plus time disbursements and GST.

The timeframe for completion is 20 working days.

As previously indicated, this will be passed on as part of the Department's cost recovery and is in addition to the previous cost estimate of \$2,715.00 + GST, however as this report will also be covering the valuation for a similar easement in the area currently being processed by the Department, this cost will be split equally between Dalefield Water Supply Society Incorporated and the other applicant.

I ask you to please confirm the following:

1. That you are happy for the Department to proceed with this option, or if you would like us to seek further options from outside the region
2. You are aware that the costs forms part of the processing costs of your application, though it will be split 50/50 with another applicant as the report will cover both easements.
3. If you agree with the above, are you okay with me passing on your details to be a point of contact for the valuer should they need to arrange site access, or have any questions?

Again, thank you for your patience to date and as soon as we are able to have this report complete, I will be prioritising getting your application to a decision as soon as possible.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, March 11, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** [emileb@xtra.co.nz](mailto:emileb@xtra.co.nz); Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>;

[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au); [simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com);

[dave.bulling@cookbrothers.co.nz](mailto:dave.bulling@cookbrothers.co.nz); [gonzoart@xtra.co.nz](mailto:gonzoart@xtra.co.nz);

[tony@oxnevad.com](mailto:tony@oxnevad.com); [qtownbendalls@gmail.com](mailto:qtownbendalls@gmail.com)

**Subject:** Re[8]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks Ben,

I'm rather shocked it has taken six months and counting to engage a valuer for such a simple proposition.

We applied for this easement last May, so it is rapidly approaching a full year in process!

I trust you will appreciate our frustration, as we need this finalised in order to safeguard our water scheme.

We would certainly appreciate anything you can do to expedite a decision.

Kind regards,

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/03/2024 2:22:29 pm

Subject RE: Re[6]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Our Commercial Team have been seeking quotes from external valuers for the valuation report I referred to below. The window for these coming back closes on Monday, at which time we should be able to proceed to engage a valuer, with that expected to occur by 13 March. I'll provide details and the quote at that time.

The indication I have is that the valuation report will be received by mid-April, and I will have the rest of the documentation ready to go to the Decision Maker for consideration as soon as possible after that has been received.

Kind regards,

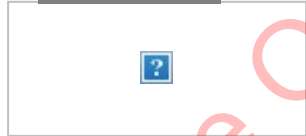
**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, March 7, 2024 3:12 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[6]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Can you please update me on process?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 30/01/2024 3:45:18 pm

Subject RE: Re[4]: Your Concession Application - Dalefield Water



Supply Society Incorporated (107337-OTH)

Hi Bruce,

This is brilliant and will certainly help, thanks for sending it through.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Tuesday, January 30, 2024 3:31 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[4]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

If it helps I have attached an overview of the properties serviced by the scheme

Kind regards

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
Date 30/01/2024 3:17:18 pm  
Subject RE: Re[2]: Your Concession Application - Dalefield  
Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for confirming that the approach outlined is suitable. I completely understand your concern around the processing time for your application and I hope this approach of combining everything into one process should at least make things more streamlined in the future (and mean we don't have to go through the process again in a few years!)

Regarding the list of titles, I'm still just waiting to get confirmation as to whether the full list will be required, or whether just the exact number of properties currently being served or a map highlighting them will suffice. I'll let you know as soon as I find out – would definitely not want you compiling the full list if it is not required.

Kind regards,

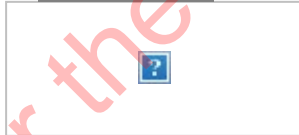
**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Saturday, January 20, 2024 11:41 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[2]: Your Concession Application - Dalefield Water  
Supply Society Incorporated (107337-OTH)

Hi Ben,

Thanks for coming back to me and to be honest we are a little bemused with the time it is taking to progress this, but I do understand the Department is likely overwhelmed and under resourced!

I think it is sensible to renew the existing concession at the same time, so please proceed with that.

The scheme serves around 100 properties, so I'm a bit reluctant to take the time to list all of the titles out! However I can do if necessary, just let me know.

Kind regards  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 17/01/2024 11:08:37 am

Subject RE: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Apologies for the lack of updates regarding your Dalefield Water Supply Society easement application - the Department undertook a different approach to processing concession applications towards the end of last year which resulted in some applications being paused for a time. I am now picking up your application again with the aim to progress it to a decision as soon as possible.

As I indicated in my below email dated 29 August 2023, our Commercial Team have indicated that an external valuer will need to be engaged by the Department in order to set appropriate market rate activity fees for the easements. During the discussions around this process we have reconsidered the earlier position to not consider the renewal of the existing easement concession (PAC-13-04-17) as part of this application process, as given the timeframe that has already elapsed and the likely additional costs of the external valuation it now seems reasonable to consider the full scope of the scheme's easements at one time to avoid having to go through a similar process in three years when concession PAC-13-04-17 expires. This would bring everything under one modern concession document and make things easier to manage in the long term.

Does that approach sound suitable to you?

In order to aid any valuation process and our decision process, do have a list of the current property titles that benefit the scheme that you would be able to provide?

As always, if you have any questions please don't hesitate to get in touch and once again my apologies for the lack of progress to date.

Kind regards,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Ben Fielding

**Sent:** Tuesday, August 29, 2023 1:11 PM

**To:** [bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)

**Subject:** Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

My name is Ben Fielding and I have been assigned as the Permissions Advisor for the processing of the Dalefield Water Supply Society Incorporated's concession application for an easement over the Tuckers Beach Wildlife Management Reserve (107337-OTH).

Please find attached a formal acknowledgement letter which includes an initial application processing cost estimate of \$2,715.00 + GST. I do however note that given the nature of this application, being an easement for a residential water supply scheme, our commercial team will likely seek an external valuation report to assist the Department in determining any appropriate fees for the activity. This would incur additional cost and processing time for the application, and I will forward those details to you as soon as they are available should that be the course that is taken.

Regarding your existing easement for the water supply scheme that is due to expire in 2027 (Concession number PAC-13-04-17): Given the urgency you have highlighted around this application being processed to enable a second bore to be operational to



ensure the water supply, it was determined that any consideration of the existing easement would require additional time to consider and therefore only this new easement application will be considered in this process to get a more timely decision.

Should you have any questions regarding your application or the progress please don't hesitate to contact me directly, and I will be in touch as soon as I have any further details regarding a valuation process as outlined above.

Kind regards,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** [Ben Fielding](#)  
**To:** [Kayla Mahon](#)  
**Cc:** [Arna Litchfield](#); [Anna Morley](#)  
**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)  
**Date:** Friday, 11 October 2024 10:25:53 am  
**Attachments:** [image001.png](#)

---

Hi Kayla,

I'll get the confirmation now and update when I hear back.

Thanks,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Friday, 11 October 2024 10:24 am  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Cc:** Arna Litchfield <[alitchfield@doc.govt.nz](mailto:alitchfield@doc.govt.nz)>; Anna Morley <[amorley@doc.govt.nz](mailto:amorley@doc.govt.nz)>  
**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hey Ben,

I would gather that getting them to confirm that it is an official reconsideration request under s17ZJ is probably the first step for two reasons:

1. We can cost-recover any time spent on this process
2. We don't open ourselves up for any issues down the line if they claim it's not an official reconsideration request.

Arna is on A/L today, so I will check in with her about this one on Monday when I have my weekly catch-up with her and get back to you with what the next steps are for us.

Kia pai tō rā,  
Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Friday, 11 October 2024 9:26 am

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Cc:** Anna Morley <[amorley@doc.govt.nz](mailto:amorley@doc.govt.nz)>

**Subject:** FW: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Kayla,

I have received the below response from Tony Oxnevad, a lawyer representing Dalefield Water Supply Society Incorporated, disputing the activity fee set for the concession.

Based on the last highlighted sentence below they seek a reconsideration of the fee decision, If necessary, I can ask that they clarify whether or not this is a formal request for reconsideration under s17ZJ of the Act.

As the decision making on fees sits with the Commercial Manager, my understanding is that any reconsideration process would be lead with Arna as decision maker instead of David Butt who made the decision to approve the concession. Is that the case? If so, please let me know if I should be engaging with the Applicant on this or if it would be handled through your team

Anna – cc'ing you in noting that that Southland MP Joseph Mooney has been copied into the email – do you think I should flag this on Christine/Nicci's DR?.

Cheers,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>

**Sent:** Thursday, 10 October 2024 5:24 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; Emile Bomer <[emileb@xtra.co.nz](mailto:emileb@xtra.co.nz)>; Bruce McLeod <[bmcLeod@ascl.co.nz](mailto:bmcLeod@ascl.co.nz)>; [Joseph.Mooney@parliament.govt.nz](mailto:Joseph.Mooney@parliament.govt.nz)

**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thank you for your email of 19 September. I am replying on behalf of the Dalefield Water Supply Inc. (DWS), after the committee has considered your email regarding the proposed new annual easement fee.

We have serious concerns as to the appropriateness of the proposed annual activity fees to DWS. DWS is a not for profit society providing potable water (an essential service) to a community which is not served with a town water supply. DWS has also been gazetted as a Requiring Authority under the Resource Management Act since 1999 on the basis that we are a utility provider.

DOC has provided the water/electricity easement to DWS since 1997 for a peppercorn rental. The basis on which DOC can provide such easements for a peppercorn rental is set out in section 17ZH of the Conservation Act 1987. It is limited to situations "where a community service, benefit or facility has been provided" by DOC. In our case DOC appropriately recognised that the easement to DWS provided a community benefit by allowing access to water to a community that could not otherwise obtain a reliable water supply. While Section 17ZH still applies and the circumstances of our water supply remain unchanged, it is apparent that the easement has now been viewed in commercial terms.

DOC has obtained a valuation to determine the market value of the easement which we see from reading the DOC website are only "*likely required....for significant commercial easements*". The DWS easement is not commercial in anyway. We have requested a copy of that valuation, so we could better understand how the proposed annual fee has been calculated. You stated though that we could not get a copy because we may get our own valuation. DWS has no intention of obtaining a valuation, when it is apparent such a process is for "*significant commercial easements*" and not where a community benefit is provided delivering an essential service.

You state in your email that the current DOC pricing policy and methodology has been applied. Unfortunately, we do not have a copy of that policy and methodology. We can see however, a list of activity fees posted on the DOC website for non-commercial easements, minor commercial easements and commercial easements. Those fees, it appears are fixed in accordance with section 17Y. We also note that the fees specified on the DOC website is the fee for a single easement. It seems though from your email that the same fee applies "per lot" for every lot that may benefit from an easement. Therefore, regardless of the fact that there is only one easement and one piece of land, it appears DOC multiplies the activity fee for the easement by the number of lots that may benefit from it. If this is "the policy" it could lead to some extraordinary results. In our case the effects on the 80m2 of easement land are unchanged whether there are 1 or 100 homes that can obtain their essential water supply. If DOC was dealing with 100 easements there would be 100 separate strips of DOC land and the effects on DOC land and DOC admin time would be 100 times that of a single DWS easement. While we appreciate the gesture of a 40% discount, how is that calculated? What is the justification and rationale for this policy and methodology?

We believe from the information provided, the calculation of the activity fee is misguided, unsound and inconsistent with section 17Y (2), and in particular section 17Y (2) (a) which provides regard must be had to "*the effects of the activity on the purposes of the area of land affected.*" The effects of the DWS easement on the purposes of the 80m2 of land remain unchanged regardless of the number of our homes drawing their water. It is also clear from the DOC website that reference to the fees is per easement and not for the number of lots that may benefit from the easement.

Nevertheless, it is section 17ZH that has been the appropriate basis on which the DWS



easement has operated since 1997. That section specifically applies to situations just like ours where DOC land provides a community benefit. This is particularly pertinent in the present case where the easement provides an essential service to a community that cannot access a reliable water supply. DWS is a "not for profit" society and there is no commercial element to the easement. The law and the circumstances of this easement have not changed. The DWS scheme remains at full capacity in accordance with the Otago Regional Council water take consent.

We are happy to meet to discuss this matter further if you consider it would be helpful.

**We would otherwise kindly appreciate you reconsidering this matter in light of the above information.**

Kind regards,

Tony Oxnevad

**OXNEVAD**

Barrister & Solicitor

P.O. Box 722, Queenstown 9348, New Zealand

Phone: +64 - 21 - 44 11 88

Website: [www.oxnevad.com](http://www.oxnevad.com)

Email: [tony@oxnevad.com](mailto:tony@oxnevad.com)

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*(2) Any disclosure, copying, distribution or other use is prohibited.*

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**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Thursday, 19 September 2024 3:55 pm

**To:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; Emile Bomer <[emileb@xtra.co.nz](mailto:emileb@xtra.co.nz)>

**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for getting back to me and your objection is noted. I've have responded in blue text to of the matters you have raised below, which I hope will provide some clarity around our fee setting process and how it has been applied in this case.

I can advise you that your application has been approved and you will soon receive a formal approval letter alongside a copy of the concession for your consideration.

- DWS is and has been, from the early 1990's, a Not for Profit Incorporated Society delivering an essential service to members. Our members have purchased and built on the basis of QLDC & ORC consent conditions, and the previous DoC easement in

*respect of the potable water systems. DoC has not charged for the easement in the past.*

I acknowledge that the Department has not charge a fee for the existing easement to date. That fee is set at "1 peppercorn, if demanded", and while there was a provision for fee reviews to occur 3-yearly, that has not happened to date as our previous practice was not to review "peppercorn" fees. Since the time the easement was granted in 1997 DOC's pricing policy has changed and it is now standard for fees to be charged in situations where they may previously have not been. Similarly we do now undertake fee reviews for "peppercorn" fees. Under the Conservation Act 1987 the Department is required to set fees in line with the market rate for all approved concession activity. The Department must consider matters under the policy of the time, and hence our current pricing policy and methodology has been applied to your application.

- *There is nothing in the nature of the additional water or electricity easements that increases the annual administration cost to DOC or add any additional burden to the DOC easement because of the number of homes we must provide water to. ORC permits the volume of the water DWS can take, and effectively from that we determine the number of members. The easement footprint on the reserve does not materially change with the volume extracted (as consented by ORC).*
- *Largely buried facilities do not detract from the use of the land by either people or wildlife and the wellheads can be readily screened if necessary*
- *Access to monitor/service the bore is infrequent and occasional, and certainly far less than the public cycling and walking access close by.*

The effects of the activity itself have been considered in the application process and, as the application has been approved, the decision maker has considered that any adverse effects can be adequately managed such that a concession can be granted. IN this case, it was acknowledged that any any adverse effects of the activity were likely to be minor and could be well mitigated by the measures indicated in your application. Activity fees are set based on the type of activity being undertaken and in this case reflect inherent burden on the conservation land from the easement as well as the benefit this provides to those that the easement services. As you have noted, without an easement over this land (alongside the necessary resource consents) DWS would not be able to take water from Tuckers Beach Wildlife Management Reserve for the homes the scheme services. This is a clear benefit to each property serviced.

- *As a not for profit society we would be regarded as a non-commercial easement yet we are now being asked to pay an annual fee which is nearly five times greater than a full commercial operator would for a similar activity?*
- *The DOC website says that valuations may be required for "significant commercial easements". Clearly we are not in that category.*
- *We consider DWS to be a single entity for the purposes of administration with DoC, and therefore the activity fee is more logically placed at circa \$400 per annum.*
- *Given the footprint on the reserve land (low value and minimal footprint), our not for*

*profit status, and the annual administration burden on the Department (very minimal), we do not feel it is reasonable to charge the value of circa \$16,000 as proposed.*

It is DOC's policy to consider pricing for easements based on the number of beneficiaries and/or lots serviced. This is outlined on our website, alongside the fact that valuations may be required depending on the scale of the activity. In this case, the activity fee estimated using our standard methodology exceeded \$10,000 per annum (being approximately \$70,000 per annum), which is why an independent valuer was engaged to establish a fair market rate. The Department has agreed that the fee calculated by the valuer accurately reflects the market rate for this activity. This takes into account DWS' incorporated status. The calculated fee of \$15,600 for an easement the benefits in the order of 100 lots is approximately 40% of what the Department's standard fee for this activity would be (\$400 per lot), and less than 10% of what would apply to a commercial easement (\$1,665 per lot).

### Next Steps

As a decision has been reached on this application, the following options will be available when you receive the approval letter and concession document. These will be reiterated in the approval letter:

- a. If you are prepared to accept the activity fee as assessed, please return a signed concession document as outlined in your approval letter.
- b. If you are not prepared to accept the activity fee, you can request a reconsideration of the decision. Under section 17ZJ of the Conservation Act, you have the right to request that this decision be reconsidered at your cost.
- c. If you no longer wish to use this land for any new or existing activities, you can withdraw your application and disestablish any infrastructure on the land. In this instance, processing fees to date will stand.

Kind regards,

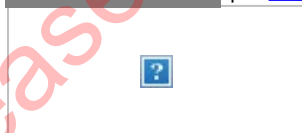
**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Friday, 13 September 2024 5:47 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes

<[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; Emile Bomer <[emileb@xtra.co.nz](mailto:emileb@xtra.co.nz)>

**Subject:** Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

I have discussed this issue of the annual charge with the scheme committee, as we are concerned with the extreme cost escalation.

We object to the annual fee and note the following:

- DWS is and has been, from the early 1990's, a Not for Profit Incorporated Society delivering an essential service to members. Our members have purchased and built on the basis of QLDC & ORC consent conditions, and the previous DoC easement in respect of the potable water systems. DoC has not charged for the easement in the past.
- There is nothing in the nature of the additional water or electricity easements that increases the annual administration cost to DOC, or add any additional burden to the DOC easement because of the number of homes we must provide water to. ORC permits the volume of the water DWS can take, and effectively from that we determine the number of members. The easement footprint on the reserve does not materially change with the volume extracted (as consented by ORC).
- Largely buried facilities do not detract from the use of the land by either people or wildlife and the wellheads can be readily screened if necessary
- Access to monitor/service the bore is infrequent and occasional, and certainly far less than the public cycling and walking access close by.
- As a not for profit society we would be regarded as a non-commercial easement yet we are now being asked to pay an annual fee which is nearly five times greater than a full commercial operator would for a similar activity?
- The DOC website says that valuations may be required for "significant commercial easements". Clearly we are not in that category.
- We consider DWS to be a single entity for the purposes of administration with DoC, and therefore the activity fee is more logically placed at circa \$400 per annum.
- Given the footprint on the reserve land (low value and minimal footprint), our not for profit status, and the annual administration burden on the Department (very minimal), we do not feel it is reasonable to charge the value of circa \$16,000 as proposed.

We look forward to your review.

Kind regards,  
Bruce



----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Cc "dalefieldwater" <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; "Simon Hayes" <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>

Date 11/09/2024 9:49:04 am

Subject RE: Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for getting back to me.

We are unable to release the full report at this time to maintain neutrality should you seek to obtain your own valuation for the activity, in which case we need to be certain that that valuation is independent of this report. However, the valuer has agreed to the release of the attached pages of the report for your consideration.

I can appreciate that the annual fee is more than may have expected. I have attached a spreadsheet showing how our standard methodology for calculating activity fees would apply to this easement, resulting in an activity fee of \$70,937 per annum plus GST. AS previously indicated, when our usual methodology results in a fee this high, our standard practice is to engage a professional valuer to undertake an independent assessment to better reflect a fair market rate for the activity.

Please let me know if you have any further questions.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Tuesday, 10 September 2024 1:38 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>

**Subject:** Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thanks for the email.

We're a little surprised at that annual fee.

Is it possible to obtain a copy of the valuers report please?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 10/09/2024 9:01:31 am

Subject RE: Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Morning Bruce,

Thank you for your patience while your application has been finalised.

A Commercial and Revenue Advisor has reviewed the valuer's report and believes that the fee accurately reflects the market value of this activity on PCL. The recommended fee has been signed off by the Commercial Manager.

Given this, the annual activity fee appropriate for this easement is: **\$15,600.00 plus GST per annum.**

A standard management fee of **\$250.00 plus GST per annum** would also apply.

The final cost attributed to this application for the valuation was \$1,120 plus GST. This brings the total processing fee for your application to **\$3,725.00 plus GST.**

Now that the fees have been signed off, the application has been sent to the decision maker this morning for consideration and I am expecting a decision to be made this week. I will advise you when a decision is made and what the next steps are.

Once again, my sincere apologies for how long this process has taken and for the inconvenience it may have caused to you and the scheme beneficiaries.

Kind regards,

**Ben Fielding** (he/him)  
Permissions Advisor

Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office  
M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
**Sent:** Thursday, 5 September 2024 4:00 pm  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** RE: Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Any update on the decision?

Thanks,  
Bruce

On 15/08/2024 12:51 pm, Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)> wrote:  
Hi Bruce,

I hesitate to place a timeframe on this given that all the ones I've previously provided have not been met and I don't want to set up any further expectations that can't be met, but I would expect a decision made in the next month – like I said below, everything is set to proceed to the decision maker when the fees are approved.

I appreciate the urgency from your end and how frustrating this process will have been for yourself and the residents the scheme services. Thanks again for your patience.

Regards,

**Ben Fielding** (*he/him*)  
Permissions Advisor  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office  
M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Wednesday, August 14, 2024 2:39 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks Ben,

Any idea of approx time frame to complete?

Really need to have this issued so we can confirm with the contractor and arrange bird study etc.

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 14/08/2024 2:09:57 pm

Subject RE: Re[18]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

The valuer has now provided his report to the Department and our Commercial Team are in the process of reviewing and having those fees signed off by the appropriate manager. There have been a few key staff on leave this week so this is taking a bit longer than it normally would.

In the meantime, I have progressed the applications so that once I receive those final fees I can advise you, and send the applications directly the decision maker for consideration.

Thanks again for your patience while everything is finalised.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)





**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
**Sent:** Wednesday, August 14, 2024 10:32 AM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** Re[18]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Squeaky wheel here again!

Any news?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
Date 29/07/2024 1:35:01 pm  
Subject RE: Re[16]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Thanks for checking in. I'm expecting to have the final valuation report on hand later today. I'll advise you of the fees when that is received and then finalise my report to the decision maker for consideration.

Regards,

**Ben Fielding** (he/him)

Permissions Team Lead (Acting)  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, July 29, 2024 1:11 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[16]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Any progress with the concession?

Do you have an eta?

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/07/2024 10:57:39 am

Subject RE: Re[14]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Regarding access, our biodiversity team have requested the following conditions around access to ensure there is no impact on nesting/breeding birds in the area:

- *No access to the Shotover River riverbed shall occur between 1st August and 31st January, except as described in Special Condition 10.*
- *An exemption to Special Condition 9 may occur between 1st August to 31st January, provided prior to any works commencing a survey of all areas to be disturbed, plus 100 metres distance, is to occur to identify any breeding bird sites (this includes but is not limited to the ground disturbance area and transport route). The survey must be undertaken by a suitably qualified and independent ornithologist/ecologist. The survey must be undertaken within 72 hours of works commencing. The ornithologist/ecologist must provide DOC Whakatipu (Community or Biodiversity Team) with a written overview of the findings and recommendations of their survey (including map of all bird breeding sites and 100m separation distance) for approval prior to any works occurring, and within five working days provide a full written report*

which must include the method, results, findings, recommendations, maps, and locations of all bird breeding and nesting sites. Further:

- Vehicles and/or machinery shall not operate within 100 metres of birds which are breeding, nesting, or rearing their young in the bed of the river, or as identified by the survey, and the report must clearly show where bird nesting is occurring and that there is a separation distance of 100 m from any proposed activity/disturbance.
- The findings and recommendations of the survey must be adhered to (once approved by DOC Whakatipu Office).
- If work ceases for more than 72 hours on site, the site must be re-surveyed (i.e. the survey specified in Special Condition 10 must be completed again).

Ultimately it is up to the Decision Maker as to whether they are applied to the final concession if it is granted, but I expect that they would be adopted in this case.

We would also encourage you to communicate with the owners of the Fitzpatrick scheme, who are also seeking to undertake works in the area, to try and minimise the timeframe that works occur over and impacts in the area, though I don't believe this would be a formal condition.

I'm mindful that the period that the restrictions apply to is rapidly approaching so hopefully this gives you some indication of what may be required if the concession is granted.

Hope that helps, please let me know if you have any further questions.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, July 8, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[14]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks for the update Ben.

In regard to potential conditions, will there be anything restricting our access to get the work completed?

Cheers,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/07/2024 9:56:51 am

Subject RE: Re[12]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Once again, I'm really sorry about these delays. I have chased this up with our Commercial and Pricing team who are engaging with the valuer to get clarity of where this is currently sitting. They have advised that the valuer carried out a site visit at the end of June and is now completing the report. I've asked for them to go back and get a firm ETA for the final report and fees and have followed up on this again today.

I appreciate you're wanting to get these works done as soon as possible to ensure security of water supply and this whole process has taken far longer than it should have. As soon as I get any other update I will advise you, and I assure you that I'll be getting your application to a decision as soon as all the information we need is available.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, July 4, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[12]: Your Concession Application - Dalefield Water Supply Society



Incorporated (107337-OTH)

Hi Ben,

Can you please update me on progress please as another six weeks have passed.

We wish to engage a contractor to complete the installation works and need to press on with the project to help ensure continued supply of water.

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 22/05/2024 8:49:21 am

Subject RE: Re[10]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Sorry for the lack of communication on my part. We are still waiting for the valuer we have engaged to provide their final report with the assessed activity fees. I understand that he was out with covid for a period earlier this month which has led to a delay in completing the work, but the Commercial Advisor who has been arranging this work has been chasing it up this week. I will let you know as soon as I get that update.

I appreciate there has been a more than substantial delay in this process and I apologise for how long this has taken to date. As previously indicated, once the valuer's report is available and the fees set, I will be able to get my report through for a final decision as soon as possible.

As an explanation of why we are seeking this external valuation, it is to assist us in setting the appropriate ongoing fees for the easement. Our standard methodology for setting fees for easements tends to 'break down' when it comes to larger scale water supply schemes with a number of benefiting properties such as the Dalefield Scheme. As such, we are working on updating our methodology for these situations, however as part of that process we are engaging external experts to ensure we are setting reasonable fees for concession we process in the meantime. For example, based on our standard methodology (which can be found on our website: [Ongoing concession fees: Apply for permits \(doc.govt.nz\)](https://www.doc.govt.nz/ongoing-concession-fees-apply-for-permits)) the fees for this easement (assuming 100 benefiting lots) as \$50,000 plus GST per annum. Obviously, this is a substantial amount,

and we would expect the valuer to provide a more appropriate fee, but I hope this makes it clear why we want to ensure we get this right before finalising the concession decision making.

Kind regards,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, May 20, 2024 9:57 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[10]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

We have a water scheme meeting this week and just wondering where we are at with this application?

Thanks,

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 14/03/2024 3:47:30 pm

Subject RE: Re[8]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

We have now received a quote from a suitable valuer based in the region and are engaging them to complete a valuation report.

The work has been quoted at \$2,240 plus time disbursements and GST.

The timeframe for completion is 20 working days.

As previously indicated, this will be passed on as part of the Department's cost recovery and is in addition to the previous cost estimate of \$2,715.00 + GST, however as this report will also be covering the valuation for a similar easement in the area currently being processed by the Department, this cost will be split equally between Dalefield Water Supply Society Incorporated and the other applicant.

I ask you to please confirm the following:

1. That you are happy for the Department to proceed with this option, or if you would like us to seek further options from outside the region
2. You are aware that the costs forms part of the processing costs of your application, though it will be split 50/50 with another applicant as the report will cover both easements.
3. If you agree with the above, are you okay with me passing on your details to be a point of contact for the valuer should they need to arrange site access, or have any questions?

Again, thank you for your patience to date and as soon as we are able to have this report complete, I will be prioritising getting your application to a decision as soon as possible.

Kind regards,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>  
**Sent:** Monday, March 11, 2024 10:34 AM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Cc:** [emileb@xtra.co.nz](mailto:emileb@xtra.co.nz); Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>;  
[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au); [simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com);  
[dave.bulling@cookbrothers.co.nz](mailto:dave.bulling@cookbrothers.co.nz); [gonzoart@xtra.co.nz](mailto:gonzoart@xtra.co.nz);  
[tony@oxnevad.com](mailto:tony@oxnevad.com); [qtownbendalls@gmail.com](mailto:qtownbendalls@gmail.com)  
**Subject:** Re[8]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks Ben,

I'm rather shocked it has taken six months and counting to engage a valuer for such a simple proposition.

We applied for this easement last May, so it is rapidly approaching a full year in process!

I trust you will appreciate our frustration, as we need this finalised in order to safeguard our water scheme.

We would certainly appreciate anything you can do to expedite a decision.

Kind regards,

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>



Date 8/03/2024 2:22:29 pm  
Subject RE: Re[6]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Our Commercial Team have been seeking quotes from external valuers for the valuation report I referred to below. The window for these coming back closes on Monday, at which time we should be able to proceed to engage a valuer, with that expected to occur by 13 March. I'll provide details and the quote at that time.

The indication I have is that the valuation report will be received by mid-April, and I will have the rest of the documentation ready to go to the Decision Maker for consideration as soon as possible after that has been received.

Kind regards,

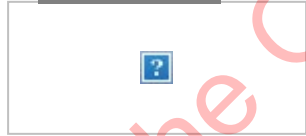
**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, March 7, 2024 3:12 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[6]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Can you please update me on process?

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 30/01/2024 3:45:18 pm  
Subject RE: Re[4]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

This is brilliant and will certainly help, thanks for sending it through.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Tuesday, January 30, 2024 3:31 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[4]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

If it helps I have attached an overview of the properties serviced by the scheme

Kind regards

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 30/01/2024 3:17:18 pm

Subject RE: Re[2]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for confirming that the approach outlined is suitable. I completely understand your concern around the processing time for your application and I hope this approach of combining everything into one process should at least make things more streamlined in the future (and mean we don't have to go through the process again in a few years!)

Regarding the list of titles, I'm still just waiting to get confirmation as to whether the full list will be required, or whether just the exact number of properties currently being served or a map highlighting them will suffice. I'll let you know as soon as I find out – would definitely not want you compiling the full list if it is not required.

Kind regards,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Saturday, January 20, 2024 11:41 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[2]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thanks for coming back to me and to be honest we are a little bemused with the time it is taking to progress this, but I do understand the Department is likely overwhelmed and under resourced!

I think it is sensible to renew the existing concession at the same time, so please proceed with that.

The scheme serves around 100 properties, so I'm a bit reluctant to take the time to list all of the titles out! However I can do if necessary, just let me know.

Kind regards  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 17/01/2024 11:08:37 am

Subject RE: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Apologies for the lack of updates regarding your Dalefield Water Supply Society easement application - the Department undertook a different approach to processing concession applications towards the end of last year which resulted in some applications being paused for a time. I am now picking up your application again with the aim to progress it to a decision as soon as possible.

As I indicated in my below email dated 29 August 2023, our Commercial Team have indicated that an external valuer will need to be engaged by the Department in order to set appropriate market rate activity fees for the easements. During the discussions around this process we have reconsidered the earlier position to not consider the renewal of the existing easement concession (PAC-13-04-17) as part of this application process, as given the timeframe that has already elapsed and the likely additional costs of the external valuation it now seems reasonable to consider the full scope of the scheme's easements at one time to avoid having to go through a similar process in three years when concession PAC-13-04-17 expires. This would bring everything under one modern concession document and make things easier to manage in the long term.

Does that approach sound suitable to you?

In order to aid any valuation process and our decision process, do have a list of the current property titles that



benefit the scheme that you would be able to provide?

As always, if you have any questions please don't hesitate to get in touch and once again my apologies for the lack of progress to date.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Ben Fielding

**Sent:** Tuesday, August 29, 2023 1:11 PM

**To:** [bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)

**Subject:** Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

My name is Ben Fielding and I have been assigned as the Permissions Advisor for the processing of the Dalefield Water Supply Society Incorporated's concession application for an easement over the Tuckers Beach Wildlife Management Reserve (107337-OTH).

Please find attached a formal acknowledgement letter which includes an initial application processing cost estimate of \$2,715.00 + GST. I do however note that given the nature of this application, being an easement for a residential water supply scheme, our commercial team will likely seek an external valuation report to assist the Department in determining any appropriate fees for the activity. This would incur additional cost and processing time for the application, and I will forward those details to you as soon as they are available should that be the course that is taken.

Regarding your existing easement for the water supply scheme that is due to expire in 2027 (Concession number PAC-13-04-17): Given the urgency you have highlighted around this application

being processed to enable a second bore to be operational to ensure the water supply, it was determined that any consideration of the existing easement would require additional time to consider and therefore only this new easement application will be considered in this process to get a more timely decision.

Should you have any questions regarding your application or the progress please don't hesitate to contact me directly, and I will be in touch as soon as I have any further details regarding a valuation process as outlined above.

Kind regards,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** [Kayla Mahon](#)  
**To:** [Ben Fielding](#)  
**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)  
**Date:** Thursday, 17 October 2024 10:07:49 am  
**Attachments:** [image001.png](#)

---

Hey Ben,

I agree with everything you've drafted there. - 17ZH definitely doesn't apply in this case.

If you wanted to provide an example of where 17ZH does apply (although I don't think you need to), then a good one is where DOC acts as the local body, such as Aoraki Mt Cook Village, where DOC provides water supply and rubbish collection services to the concessionaires in with facilities in the village and they are charged a fee for these services.

But I think the response you've drafted is great and makes the options going forward nice and clear.

-Kayla

---

**From:** Ben Fielding <bfielding@doc.govt.nz>  
**Sent:** Wednesday, 16 October 2024 11:24 am  
**To:** Kayla Mahon <kmahon@doc.govt.nz>  
**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Kayla,

Sorry to keep coming back to you with this one but just want to make sure my commercial understanding is correct. Dalefield have stated they are not requesting a reconsideration but did want me to respond to their points.

I've drafted a response addressing our easement pricing methodology and how s17ZH does not (and never has) applied to this easement – are you able to confirm that my understanding is correct on both accounts? I haven't dealt with s17ZH previously, but I think it clearly is not applicable here though happy to be corrected.

I've also reiterated that the decision has been made on the application (including on the fee) and that if they are not seeking a reconsideration they can either sign the concession or not, and if not they will have to remove their infrastructure at the end of the existing concession term.

Cheers,

Ben

---

Kia ora Tony,

Thank you for clarifying that a reconsideration under s17ZJ of the Conservation Act is not being sought. I have addressed the points you have raised below.

#### **Easement pricing methodology**

The Department's website articulates the standard method used for pricing easements:

*Easement activity fees can be calculated at different rates depending on the number of beneficiaries, the type and number of rights being granted, and the nature of the easement. Depending on the scale of the activity, a valuation may be required.*

*For example, an easement application is received for water pipelines servicing 10 beneficiaries/lots of land. Two beneficiaries are classified as minor-commercial, two are commercial, and six are non-commercial, totalling a fee of \$7,730.00 plus GST.*

*The information below guides the minimum base fee for each easement granted to*

*a single beneficiary. An environmental premium will be applied to the fee calculated. View the premiums at [Land type definitions](#).*

As you will see, this outlines that easements fees are charged on a per beneficiary/lot basis, and that a valuation may be required depending on the scale of the activity. In this case, with in around 100 benefitting lots, an external valuation was considered appropriate to ensure that the fee has been set in accordance with section 17Y(2) of the Act, including the circumstances relating to the nature of the activity and the effects of the activity as required under section 17Y(2)(a) and (b). The easement has not been viewed as commercial through this process.

#### **Section 17ZH**

Section 17ZH of the Conservation Act has no bearing on the fee of '1 peppercorn (if demanded)' that was set for the existing easement. That section relates to when the Minister or the Director-General are providing a community service, benefit, or facility for the benefit of concessionaires. No community service, benefit, or facility is being provided for the benefit of any concessionaires in this case. Rather, a concession was granted in the form of an easement (being the right to draw water, right to convey water, right to convey electricity) and at the time the activity fee was set pursuant to s17Y at '1 peppercorn (if demanded)'. Since 1997 when the easement was granted, the Department has undertaken work to understand how s17Y should be applied to all concession types and situations, resulting in the methodology for easement fees outlined above and on our website.

The easement itself makes it clear that fees were to be reviewed every three years and new fees set in accordance with s17Y(2) of the Conservation Act. I acknowledge that these fee reviews have not occurred during the term of the concession, though if they had occurred it is likely that increased fees would have been implemented during the life of the concession in line with other concessions.

As previously advised, a decision has been reached on this application and that includes the setting of an activity fee. You have indicated that Dalefield Water Supply Society Incorporated do not seek a reconsideration of the decision pursuant to s17ZJ of the Conservation Act, therefore there are two ways forward:

- a. If you are prepared to accept the activity fee as assessed, please return a signed concession document as outlined in your approval letter.
- b. If you no longer wish to use this land for any new or existing activities, you can withdraw your application and disestablish any infrastructure on the land at the end of the existing easement term in 2027. In this instance, processing fees to date will stand.

Please advise how you wish to proceed.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>

**Sent:** Tuesday, 15 October 2024 2:51 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; [hunterleece@hotmail.com](mailto:hunterleece@hotmail.com); [emileb@xtra.co.nz](mailto:emileb@xtra.co.nz); Fiona Lattimore <[fiona@shufflehub.co.nz](mailto:fiona@shufflehub.co.nz)>

**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

No I was not making a formal application for reconsideration under section 17ZJ of the Conservation Act. I was inviting you to either meet and discuss or to respond to the matters raised in our letter with the view that you would recognise the good reason why DOC has done as it has until now.

Kind regards,  
Tony Oxnevad

**OXNEVAD**

Barrister & Solicitor

P.O. Box 722, Queenstown 9348, New Zealand

Phone: +64 - 21 - 44 11 88

Website: [www.oxnevad.com](http://www.oxnevad.com)

Email: [tony@oxnevad.com](mailto:tony@oxnevad.com)

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**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Friday, 11 October 2024 11:06 am

**To:** [tony@oxnevad.com](mailto:tony@oxnevad.com)

**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Tony,

Thank you for your email response on behalf of Dalefield Water Supply Inc regarding the fee for easement 107337-OTH.

I'm seeking your clarification regarding the last sentence in your email:

"We would otherwise kindly appreciate you reconsidering this matter in light of the above information."

Can you please confirm whether this is a formal application for a reconsideration of the decision by DWS pursuant to section 17ZJ(b) of the Conservation Act?

**17ZJ Reconsideration of decisions**

*Without limiting any other provision in this Part, upon application by an applicant for a concession,—*

*(a) where the Minister has declined to grant a concession to the applicant, the Minister may reconsider that decision:*

*(b) where the Minister has decided to grant a concession to the applicant, the Minister may reconsider any decision made by the Minister in relation to the proposed concession if the application under this section is made before a concession document is executed.*

If so, I will provide further information about the Department's reconsideration process.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



**From:** Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>

**Sent:** Thursday, 10 October 2024 5:24 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; Emile Bomer <[emileb@xtra.co.nz](mailto:emileb@xtra.co.nz)>; Bruce McLeod <[bmcLeod@ascl.co.nz](mailto:bmcLeod@ascl.co.nz)>; [Joseph.Mooney@parliament.govt.nz](mailto:Joseph.Mooney@parliament.govt.nz)

**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thank you for your email of 19 September. I am replying on behalf of the Dalefield Water Supply Inc. (DWS), after the committee has considered your email regarding the proposed new annual easement fee.

We have serious concerns as to the appropriateness of the proposed annual activity fees to DWS. DWS is a not for profit society providing potable water (an essential service) to a community which is not served with a town water supply. DWS has also been gazetted as a Requiring Authority under the Resource Management Act since 1999 on the basis that we are a utility provider.

DOC has provided the water/electricity easement to DWS since 1997 for a peppercorn rental. The basis on which DOC can provide such easements for a peppercorn rental is set out in section 17ZH of the Conservation Act 1987. It is limited to situations "where a community service, benefit or facility has been provided" by DOC. In our case DOC appropriately recognised that the easement to DWS provided a community benefit by allowing access to water to a community that could not otherwise obtain a reliable water supply. While Section 17ZH still applies and the circumstances of our water supply remain unchanged, it is apparent that the easement has now been viewed in commercial terms.

DOC has obtained a valuation to determine the market value of the easement which we see from reading the DOC website are only "*likely required....for significant commercial easements*". The DWS easement is not commercial in anyway. We have requested a copy of that valuation, so we could better understand how the proposed annual fee has been calculated. You stated though that we could not get a copy because we may get our own valuation. DWS has no intention of obtaining a valuation, when it is apparent such a process is for "*significant commercial easements*" and not where a community benefit is provided delivering an essential service.

You state in your email that the current DOC pricing policy and methodology has been applied. Unfortunately, we do not have a copy of that policy and methodology. We can see however, a list of activity fees posted on the DOC website for non-commercial easements, minor commercial easements and commercial easements. Those fees, it appears are fixed in accordance with section 17Y. We also note that the fees specified on the DOC website is the fee for a single easement. It seems though from your email that the same fee applies "per lot" for every lot that may benefit from an easement.

Therefore, regardless of the fact that there is only one easement and one piece of land, it appears DOC multiplies the activity fee for the easement by the number of lots that may benefit from it. If this is "the policy" it could lead to some extraordinary results. In our case the effects on the 80m2 of easement land are unchanged whether there are 1 or 100 homes that can obtain their essential water supply. If DOC was dealing with 100 easements there would be 100 separate strips of DOC land and the effects on DOC



land and DOC admin time would be 100 times that of a single DWS easement. While we appreciate the gesture of a 40% discount, how is that calculated? What is the justification and rationale for this policy and methodology?

We believe from the information provided, the calculation of the activity fee is misguided, unsound and inconsistent with section 17Y (2), and in particular section 17Y (2) (a) which provides regard must be had to “*the effects of the activity on the purposes of the area of land affected.*” The effects of the DWS easement on the purposes of the 80m2 of land remain unchanged regardless of the number of our homes drawing their water. It is also clear from the DOC website that reference to the fees is per easement and not for the number of lots that may benefit from the easement.

Nevertheless, it is section 17ZH that has been the appropriate basis on which the DWS easement has operated since 1997. That section specifically applies to situations just like ours where DOC land provides a community benefit. This is particularly pertinent in the present case where the easement provides an essential service to a community that cannot access a reliable water supply. DWS is a “not for profit” society and there is no commercial element to the easement. The law and the circumstances of this easement have not changed. The DWS scheme remains at full capacity in accordance with the Otago Regional Council water take consent.

We are happy to meet to discuss this matter further if you consider it would be helpful. We would otherwise kindly appreciate you reconsidering this matter in light of the above information.

Kind regards,  
Tony Oxnevad

**OXNEVAD**

Barrister & Solicitor

P.O. Box 722, Queenstown 9348, New Zealand

Phone: +64 - 21 - 44 11 88

Website: [www.oxnevad.com](http://www.oxnevad.com)

Email: [tony@oxnevad.com](mailto:tony@oxnevad.com)

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**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Thursday, 19 September 2024 3:55 pm

**To:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; Emile Bomer <[emileb@xtra.co.nz](mailto:emileb@xtra.co.nz)>

**Subject:** RE: Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for getting back to me and your objection is noted. I've have responded in blue text to of the matters you have raised below, which I hope will provide some clarity around our fee setting process and how it has been applied in this case.

I can advise you that your application has been approved and you will soon receive a formal approval letter alongside a copy of the concession for your consideration.

- *DWS is and has been, from the early 1990's, a Not for Profit Incorporated Society delivering an essential service to members. Our members have purchased and built on the basis of QLDC & ORC consent conditions, and the previous DoC easement in*

*respect of the potable water systems. DoC has not charged for the easement in the past.*

I acknowledge that the Department has not charge a fee for the existing easement to date. That fee is set at “1 peppercorn, if demanded”, and while there was a provision for fee reviews to occur 3-yearly, that has not happened to date as our previous practice was not to review “peppercorn” fees. Since the time the easement was granted in 1997 DOC’s pricing policy has changed and it is now standard for fees to be charged in situations where they may previously have not been. Similarly we do now undertake fee reviews for “peppercorn” fees. Under the Conservation Act 1987 the Department is required to set fees in line with the market rate for all approved concession activity. The Department must consider matters under the policy of the time, and hence our current pricing policy and methodology has been applied to your application.

- *There is nothing in the nature of the additional water or electricity easements that increases the annual administration cost to DOC or add any additional burden to the DOC easement because of the number of homes we must provide water to. ORC permits the volume of the water DWS can take, and effectively from that we determine the number of members. The easement footprint on the reserve does not materially change with the volume extracted (as consented by ORC).*
- *Largely buried facilities do not detract from the use of the land by either people or wildlife and the wellheads can be readily screened if necessary*
- *Access to monitor/service the bore is infrequent and occasional, and certainly far less than the public cycling and walking access close by.*

The effects of the activity itself have been considered in the application process and, as the application has been approved, the decision maker has considered that any adverse effects can be adequately managed such that a concession can be granted. IN this case, it was acknowledged that any any adverse effects of the activity were likely to be minor and could be well mitigated by the measures indicated in your application. Activity fees are set based on the type of activity being undertaken and in this case reflect inherent burden on the conservation land from the easement as well as the benefit this provides to those that the easement services. As you have noted, without an easement over this land (alongside the necessary resource consents) DWS would not be able to take water from Tuckers Beach Wildlife Management Reserve for the homes the scheme services. This is a clear benefit to each property serviced.

- *As a not for profit society we would be regarded as a non-commercial easement yet we are now being asked to pay an annual fee which is nearly five times greater than a full commercial operator would for a similar activity?*
- *The DOC website says that valuations may be required for “significant commercial easements”. Clearly we are not in that category.*
- *We consider DWS to be a single entity for the purposes of administration with DoC, and therefore the activity fee is more logically placed at circa \$400 per annum.*
- *Given the footprint on the reserve land (low value and minimal footprint), our not for profit status, and the annual administration burden on the Department (very*

minimal), we do not feel it is reasonable to charge the value of circa \$16,000 as proposed.

It is DOC's policy to consider pricing for easements based on the number of beneficiaries and/or lots serviced. This is outlined on our website, alongside the fact that valuations may be required depending on the scale of the activity. In this case, the activity fee estimated using our standard methodology exceeded \$10,000 per annum (being approximately \$70,000 per annum), which is why an independent valuer was engaged to establish a fair market rate. The Department has agreed that the fee calculated by the valuer accurately reflects the market rate for this activity. This takes into account DWS' incorporated status. The calculated fee of \$15,600 for an easement the benefits in the order of 100 lots is approximately 40% of what the Department's standard fee for this activity would be (\$400 per lot), and less than 10% of what would apply to a commercial easement (\$1,665 per lot).

### Next Steps

As a decision has been reached on this application, the following options will be available when you receive the approval letter and concession document. These will be reiterated in the approval letter:

- a. If you are prepared to accept the activity fee as assessed, please return a signed concession document as outlined in your approval letter.
- b. If you are not prepared to accept the activity fee, you can request a reconsideration of the decision. Under section 17ZJ of the Conservation Act, you have the right to request that this decision be reconsidered at your cost.
- c. If you no longer wish to use this land for any new or existing activities, you can withdraw your application and disestablish any infrastructure on the land. In this instance, processing fees to date will stand.

Kind regards,

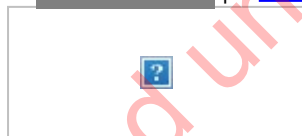
**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Friday, 13 September 2024 5:47 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>; Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>; Tony Oxnevad <[tony@oxnevad.com](mailto:tony@oxnevad.com)>; Neil Watson <[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au)>; Emile Bomer <[emileb@xtra.co.nz](mailto:emileb@xtra.co.nz)>

**Subject:** Re[24]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

I have discussed this issue of the annual charge with the scheme committee, as we are concerned with the extreme cost escalation.

We object to the annual fee and note the following:

- DWS is and has been, from the early 1990's, a Not for Profit Incorporated Society delivering an essential service to members. Our members have purchased and built on the basis of QLDC & ORC consent conditions, and the previous DoC easement in respect of the potable water systems. DoC has not charged for the easement in the past.
- There is nothing in the nature of the additional water or electricity easements that increases the annual administration cost to DOC or add any additional burden to the DOC easement because of the number of homes we must provide water to. ORC permits the volume of the water DWS can take, and effectively from that we determine the number of members. The easement footprint on the reserve does not materially change with the volume extracted (as consented by ORC).
- Largely buried facilities do not detract from the use of the land by either people or wildlife and the wellheads can be readily screened if necessary
- Access to monitor/service the bore is infrequent and occasional, and certainly far less than the public cycling and walking access close by.
- As a not for profit society we would be regarded as a non-commercial easement yet we are now being asked to pay an annual fee which is nearly five times greater than a full commercial operator would for a similar activity?
- The DOC website says that valuations may be required for "significant commercial easements". Clearly we are not in that category.
- We consider DWS to be a single entity for the purposes of administration with DoC, and therefore the activity fee is more logically placed at circa \$400 per annum.
- Given the footprint on the reserve land (low value and minimal footprint), our not for profit status, and the annual administration burden on the Department (very minimal), we do not feel it is reasonable to charge the value of circa \$16,000 as proposed.

We look forward to your review.

Kind regards,

Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Cc "dalefieldwater" <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; "Simon Hayes"

<[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>

Date 11/09/2024 9:49:04 am

Subject RE: Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for getting back to me.

We are unable to release the full report at this time to maintain neutrality should you seek to obtain your own valuation for the activity, in which case we need to be certain that that



valuation is independent of this report. However, the valuer has agreed to the release of the attached pages of the report for your consideration.

I can appreciate that the annual fee is more than may have expected. I have attached a spreadsheet showing how our standard methodology for calculating activity fees would apply to this easement, resulting in an activity fee of \$70,937 per annum plus GST. AS previously indicated, when our usual methodology results in a fee this high, our standard practice is to engage a professional valuer to undertake an independent assessment to better reflect a fair market rate for the activity.

Please let me know if you have any further questions.

Kind regards,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Tuesday, 10 September 2024 1:38 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** dalefieldwater <[dalefieldwater@shufflehub.co.nz](mailto:dalefieldwater@shufflehub.co.nz)>; Simon Hayes <[simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com)>

**Subject:** Re[22]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thanks for the email.

We're a little surprised at that annual fee.

Is it possible to obtain a copy of the valuers report please?

Thanks,

Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 10/09/2024 9:01:31 am

Subject RE: Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Morning Bruce,

Thank you for your patience while your application has been finalised.

A Commercial and Revenue Advisor has reviewed the valuer's report and believes that the fee accurately reflects the market value of this activity on PCL. The recommended fee has been signed off by the Commercial Manager.

Given this, the annual activity fee appropriate for this easement is: **\$15,600.00 plus GST per annum.**

A standard management fee of **\$250.00 plus GST per annum** would also apply.

The final cost attributed to this application for the valuation was \$1,120 plus GST. This brings the total processing fee for your application to **\$3,725.00 plus GST.**

Now that the fees have been signed off, the application has been sent to the decision maker this morning for consideration and I am expecting a decision to be made this week. I will advise you when a decision is made and what the next steps are.

Once again, my sincere apologies for how long this process has taken and for the inconvenience it may have caused to you and the scheme beneficiaries.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, 5 September 2024 4:00 pm

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Any update on the decision?

Thanks,

Bruce

On 15/08/2024 12:51 pm, Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)> wrote:

Hi Bruce,

I hesitate to place a timeframe on this given that all the ones I've previously provided have not been met and I don't want to set up any further expectations that can't be met, but I would expect a decision made in the next month – like I said below, everything is set to proceed to the decision maker when the fees are approved.

I appreciate the urgency from your end and how frustrating this process will have been for yourself and the residents the scheme services. Thanks again for your patience.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Wednesday, August 14, 2024 2:39 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[20]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks Ben,

Any idea of approx time frame to complete?

Really need to have this issued so we can confirm with the contractor and arrange bird study etc.

Cheers,

Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 14/08/2024 2:09:57 pm

Subject RE: Re[18]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

The valuer has now provided his report to the Department and our Commercial Team are in the process of reviewing and having those fees signed off by the appropriate manager.

There have been a few key staff on leave this week so this is taking a bit longer than it normally would.

In the meantime, I have progressed the applications so that once I receive those final fees I can advise you, and send the applications directly the decision maker for consideration.

Thanks again for your patience while everything is finalised.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Wednesday, August 14, 2024 10:32 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[18]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Squeaky wheel here again!

Any news?

Thanks,

Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 29/07/2024 1:35:01 pm

Subject RE: Re[16]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Thanks for checking in. I'm expecting to have the final valuation report on hand later today. I'll advise you of the fees when that is received and then finalise my report to the decision maker for consideration.

Regards,

**Ben Fielding** (he/him)

Permissions Team Lead (Acting)

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, July 29, 2024 1:11 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[16]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Any progress with the concession?

Do you have an eta?

Cheers,

Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/07/2024 10:57:39 am

Subject RE: Re[14]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Regarding access, our biodiversity team have requested the following conditions around access to ensure there is no impact on nesting/breeding birds in the area:

- *No access to the Shotover River riverbed shall occur between 1st August and 31st January, except as described in Special Condition 10.*
- *An exemption to Special Condition 9 may occur between 1st August to 31st January, provided prior to any works commencing a survey of all areas to be disturbed, plus 100 metres distance, is to occur to identify any breeding bird sites (this includes but is not limited to the ground disturbance area and transport route). The survey must be undertaken by a suitably qualified and independent ornithologist/ecologist. The survey must be undertaken within 72 hours of works commencing. The ornithologist/ecologist must provide DOC Whakatipu (Community or Biodiversity Team) with a written overview of the findings and recommendations of their survey (including map of all bird breeding sites and 100m separation distance) for approval prior to any works occurring, and within five working days provide a full written report which must include the method, results, findings, recommendations, maps, and locations of all bird breeding and nesting sites. Further:*
  - *Vehicles and/or machinery shall not operate within 100 metres of*



*birds which are breeding, nesting, or rearing their young in the bed of the river, or as identified by the survey, and the report must clearly show where bird nesting is occurring and that there is a separation distance of 100 m from any proposed activity/disturbance.*

- *The findings and recommendations of the survey must be adhered to (once approved by DOC Whakatipu Office).*
- *If work ceases for more than 72 hours on site, the site must be re-surveyed (i.e. the survey specified in Special Condition 10 must be completed again).*

Ultimately it is up to the Decision Maker as to whether they are applied to the final concession if it is granted, but I expect that they would be adopted in this case. We would also encourage you to communicate with the owners of the Fitzpatrick scheme, who are also seeking to undertake works in the area, to try and minimise the timeframe that works occur over and impacts in the area, though I don't believe this would be a formal condition.

I'm mindful that the period that the restrictions apply to is rapidly approaching so hopefully this gives you some indication of what may be required if the concession is granted.

Hope that helps, please let me know if you have any further questions.

Cheers,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, July 8, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[14]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks for the update Ben.

In regard to potential conditions, will there be anything restricting our access to get the work completed?

Cheers,

Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/07/2024 9:56:51 am

Subject RE: Re[12]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Once again, I'm really sorry about these delays. I have chased this up with our Commercial and Pricing team who are engaging with the valuer to get clarity of where this is currently sitting. They have advised that the valuer carried out a site visit at the end of June and is now completing the report. I've asked for them to go back and get a firm ETA for the final report and fees and have followed up on this again today.

I appreciate you're wanting to get these works done as soon as possible to ensure security of water supply and this whole process has taken far longer than it should have. As soon as I get any other update I will advise you, and I assure you that I'll be getting your application to a decision as soon as all the information we need is available.

Regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, July 4, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[12]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Can you please update me on progress please as another six weeks have passed.

We wish to engage a contractor to complete the installation works and need to press on with the project to help ensure continued supply of water.

Thanks,  
Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 22/05/2024 8:49:21 am

Subject RE: Re[10]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

Sorry for the lack of communication on my part. We are still waiting for the valuer we have engage to provide their final report with the assessed activity fees. I understand that he was out with covid for a period earlier this month which has led to a delay in completing the work, but the Commercial Advisor who has been arranging this work has been chasing it up this week. I will let you know as soon as I get that update.

I appreciate there has been a more than substantial delay in this process and I

apologise for how long this has taken to date. As previously indicated, once the valuer's report is available and the fees set, I will be able to get my report through for a final decision as soon as possible.

As an explanation of why we are seeking this external valuation, it is to assist us in setting the appropriate ongoing fees for the easement. Our standard methodology for setting fees for easements tends to 'break down' when it comes to larger scale water supply schemes with a number of benefiting properties such as the Dalefield Scheme. As such, we are working on updating our methodology for these situations, however as part of that process we are engaging external experts to ensure we are setting reasonable fees for concession we process in the meantime. For example, based on our standard methodology (which can be found on our website: [Ongoing concession fees: Apply for permits \(doc.govt.nz\)](#)) the fees for this easement (assuming 100 benefitting lots) as \$50,000 plus GST per annum. Obviously, this is a substantial amount, and we would expect the valuer to provide a more appropriate fee, but I hope this makes it clear why we want to ensure we get this right before finalising the concession decision making.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, May 20, 2024 9:57 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[10]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

We have a water scheme meeting this week and just wondering where we are at with this application?

Thanks,

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 14/03/2024 3:47:30 pm

Subject RE: Re[8]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

We have now received a quote from a suitable valuer based in the region and are engaging them to complete a valuation report.

The work has been quoted at \$2,240 plus time disbursements and GST.

The timeframe for completion is 20 working days.

As previously indicated, this will be passed on as part of the Department's cost recovery and is in addition to the previous cost estimate of \$2,715.00 + GST, however as this report will also be covering the valuation for a similar easement in the area currently being processed by the Department, this cost will be split equally between Dalefield Water Supply Society Incorporated and the other applicant.

I ask you to please confirm the following:

1. That you are happy for the Department to proceed with this option, or if you would like us to seek further options from outside the region
2. You are aware that the costs forms part of the processing costs of your application, though it will be split 50/50 with another applicant as the report will cover both easements.
3. If you agree with the above, are you okay with me passing on your details to be a point of contact for the valuer should they need to arrange site access, or have any questions?

Again, thank you for your patience to date and as soon as we are able to have this report complete, I will be prioritising getting your application to a decision as soon as possible.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Otepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Monday, March 11, 2024 10:34 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** [emileb@xtra.co.nz](mailto:emileb@xtra.co.nz); Hunter Leece <[hunterleece@hotmail.com](mailto:hunterleece@hotmail.com)>;  
[nwatson@penlan.com.au](mailto:nwatson@penlan.com.au); [simon.hayes232@gmail.com](mailto:simon.hayes232@gmail.com);  
[dave.bulling@cookbrothers.co.nz](mailto:dave.bulling@cookbrothers.co.nz); [gonzoart@xtra.co.nz](mailto:gonzoart@xtra.co.nz);  
[tony@oxnevad.com](mailto:tony@oxnevad.com); [qtownbendalls@gmail.com](mailto:qtownbendalls@gmail.com)

**Subject:** Re[8]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Thanks Ben,

I'm rather shocked it has taken six months and counting to engage

a valuer for such a simple proposition.

We applied for this easement last May, so it is rapidly approaching a full year in process!

I trust you will appreciate our frustration, as we need this finalised in order to safeguard our water scheme.

We would certainly appreciate anything you can do to expedite a decision.

Kind regards,

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 8/03/2024 2:22:29 pm

Subject RE: Re[6]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Our Commercial Team have been seeking quotes from external valuers for the valuation report I referred to below. The window for these coming back closes on Monday, at which time we should be able to proceed to engage a valuer, with that expected to occur by 13 March. I'll provide details and the quote at that time.

The indication I have is that the valuation report will be received by mid-April, and I will have the rest of the documentation ready to go to the Decision Maker for consideration as soon as possible after that has been received.

Kind regards,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Thursday, March 7, 2024 3:12 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[6]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,



Can you please update me on process?

Thanks,

Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 30/01/2024 3:45:18 pm

Subject RE: Re[4]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Bruce,

This is brilliant and will certainly help, thanks for sending it through.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Tuesday, January 30, 2024 3:31 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[4]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

If it helps I have attached an overview of the properties serviced by the scheme

Kind regards

**Bruce McLeod**

*Registered Professional Surveyor*

**Aurum Survey Consultants Ltd**

PO Box 2493, Wakatipu 9349

Ph 03 442 3466

Cell 0274182104

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----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 30/01/2024 3:17:18 pm

Subject RE: Re[2]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Thanks for confirming that the approach outlined is suitable. I completely understand your concern around the processing time

for your application and I hope this approach of combining everything into one process should at least make things more streamlined in the future (and mean we don't have to go through the process again in a few years!)

Regarding the list of titles, I'm still just waiting to get confirmation as to whether the full list will be required, or whether just the exact number of properties currently being served or a map highlighting them will suffice. I'll let you know as soon as I find out – would definitely not want you compiling the full list if it is not required.

Kind regards,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Bruce McLeod <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

**Sent:** Saturday, January 20, 2024 11:41 AM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** Re[2]: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Hi Ben,

Thanks for coming back to me and to be honest we are a little bemused with the time it is taking to progress this, but I do understand the Department is likely overwhelmed and under resourced!

I think it is sensible to renew the existing concession at the same time, so please proceed with that.

The scheme serves around 100 properties, so I'm a bit reluctant to take the time to list all of the titles out!

However I can do if necessary, just let me know.

Kind regards

Bruce

----- Original Message -----

From "Ben Fielding" <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

To "Bruce McLeod" <[bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)>

Date 17/01/2024 11:08:37 am

Subject RE: Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

Apologies for the lack of updates regarding your Dalefield Water Supply Society easement application - the Department undertook a different approach to processing concession applications towards the end of last year which resulted in some applications being paused for a time. I am now picking up your application again with the aim to progress it to a decision as soon

as possible.

As I indicated in my below email dated 29 August 2023, our Commercial Team have indicated that an external valuer will need to be engaged by the Department in order to set appropriate market rate activity fees for the easements. During the discussions around this process we have reconsidered the earlier position to not consider the renewal of the existing easement concession (PAC-13-04-17) as part of this application process, as given the timeframe that has already elapsed and the likely additional costs of the external valuation it now seems reasonable to consider the full scope of the scheme's easements at one time to avoid having to go through a similar process in three years when concession PAC-13-04-17 expires. This would bring everything under one modern concession document and make things easier to manage in the long term.

Does that approach sound suitable to you?

In order to aid any valuation process and our decision process, do have a list of the current property titles that benefit the scheme that you would be able to provide?

As always, if you have any questions please don't hesitate to get in touch and once again my apologies for the lack of progress to date.

Kind regards,

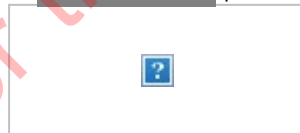
**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Ben Fielding

**Sent:** Tuesday, August 29, 2023 1:11 PM

**To:** [bmcleod@ascl.co.nz](mailto:bmcleod@ascl.co.nz)

**Subject:** Your Concession Application - Dalefield Water Supply Society Incorporated (107337-OTH)

Kia ora Bruce,

My name is Ben Fielding and I have been assigned as the Permissions Advisor for the processing of the Dalefield Water Supply Society Incorporated's concession application for an easement over the Tuckers Beach Wildlife Management Reserve (107337-OTH).

Please find attached a formal acknowledgement letter which includes an initial application processing cost estimate of \$2,715.00 + GST. I do however note that given the nature of this application, being an easement for a residential water supply scheme, our commercial team will likely seek an external

valuation report to assist the Department in determining any appropriate fees for the activity. This would incur additional cost and processing time for the application, and I will forward those details to you as soon as they are available should that be the course that is taken.

Regarding your existing easement for the water supply scheme that is due to expire in 2027 (Concession number PAC-13-04-17): Given the urgency you have highlighted around this application being processed to enable a second bore to be operational to ensure the water supply, it was determined that any consideration of the existing easement would require additional time to consider and therefore only this new easement application will be considered in this process to get a more timely decision.

Should you have any questions regarding your application or the progress please don't hesitate to contact me directly, and I will be in touch as soon as I have any further details regarding a valuation process as outlined above.

Kind regards,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



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Item 26

**From:** [Kirsty Cameron](#)  
**To:** [Sharlan Shields](#); [Kayla Mahon](#); [Teri Urwin](#)  
**Subject:** Work just assigned in teams  
**Date:** Wednesday, 6 September 2023 9:09:42 am  
**Attachments:** [image001.png](#)


---

Hi team,

I have just assigned the following work out for September:

Name	Type	Due Date	Assigned to
Dalefield Water Company	Permissions fee question/valuation	15/09/2023	Kayla

Out of Scope



Let me know if you have any questions.

Cheers,

**Kirsty Cameron**

Commercial Manager

Office of Regulatory Services

Department of Conservation | Te Papa Atawhai

Phone: Sec 9(2)(a)

Mon	Tues	Wed	Thurs	Fri
WFH	Office	Office	Office	WFH



**From:** [Kirsty Cameron](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)  
**Date:** Monday, 25 September 2023 2:13:45 pm  
**Attachments:** [image001.png](#)

---

Yup I will chuck in 15 mins?

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Monday, September 25, 2023 2:04 PM  
**To:** Kirsty Cameron <[kcameron@doc.govt.nz](mailto:kcameron@doc.govt.nz)>  
**Subject:** FW: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hello

- Can we discuss this tomorrow? I'm a bit confused by the highlighted part below

-Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Wednesday, September 20, 2023 8:27 AM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Morning Kayla,

We discussed the option of incorporating the renewal of the existing easement into this application process at the context meeting, however decided to just focus on the new application to try and expediate the process as the Applicant has some concern around the security of the water supply with the existing setup and including the other aspects would likely require refiling their application with the full details of the existing infrastructure.

Now that the application isn't likely to be processed until November this decision should probably be revisited by the Sprint team who picks it up then - as you say it would be easier (and cheaper!) for everyone in the long term if they were all together on one concession.

With that in mind it would be ideal for the valuation to consider the supply scheme as a whole, especially as the fees are nil for the existing easement. Is that possible?

Cheers,

**Ben Fielding** (*he/him*)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Tuesday, September 19, 2023 5:12 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Ben,

I know it is unlikely that you will continue to process this application at this stage, but I have a quick question about this one before I obtain quotes.

I've been looking over this application and was wondering if there had been any discussions with the applicant regarding including the existing activity within this application.

The application states: *We note the existing easement will expire in July 2027, which is only a few years away. It may be prudent to renew the existing easement at this time, and while this is not the focus of this application, we are open to discussion if DoC officers feel that may be worthwhile.*

I would guess that from a processing POV this shouldn't have too much of an impact on the standard process for an easement application. But I can see benefits from both a valuation POV and (longer-term) permissions POV that an all-inclusive easement would make sense now. It's also likely to save the applicant money in the long term.

Do you know if this application intends to be for the existing and proposed new activities?

Cheers,  
Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Tuesday, September 19, 2023 1:04 PM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Kayla,

Thanks for looking into this!

I think it would be best to go ahead and start obtaining quotes now and I will let the Applicant know that that's occurring and explain how that will affect the timeframe and cost estimate I

provide them.

I likely won't be able to do too much work on the application itself as I'm involved in other Sprint projects, while this application will likely be picked up in the 'Easements' sprint in November that I'm not currently set to be a part of. I was talking to Kirsty last week and agreed it would be best to try get the ball rolling on these valuations so that when November does come around the Pas who are working on easements have as much of the information to hand and can progress things further.

Hope that makes sense!

Thanks,  
Ben

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Tuesday, September 19, 2023 12:38 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Ben

I have been assigned to look into this fee. It absolutely will require a valuation to determine the fee.

I just wanted to double-check – do you want me to go ahead and get quotes at this stage, or is it just the general estimates you require?

In terms of general estimates:

- the timeframe – once the documents are ready – it will be about 4-6 weeks depending on the availability of the valuer.
- the cost I expect will range between \$2k and \$6k for this type of valuation given the area/complexity related to the beneficiaries.

Let me know if you have any questions

-Kayla

---

**From:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Sent:** Friday, August 25, 2023 5:29 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>; Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Thanks Ben – I've popped this onto our board (noting that this is more advice around the valuations process & cost).

An advisor will be in touch.



Cheers, Commercial

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Thursday, August 24, 2023 2:27 PM  
**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi,

This is for potable water.

Cheers,  
Ben

---

**From:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Sent:** Thursday, August 24, 2023 1:59 PM  
**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>; Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Kia ora Ben,  
Thanks for your email. Just for some context for when I discuss this with the scheme – this is for potable water? Or irrigation?

Cheers, Commercial

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Thursday, August 24, 2023 1:39 PM  
**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>  
**Subject:** Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Team!

See below link for a fee assessment request for a concession application for an easement to connect a new bore to an existing residential water supply scheme near Queenstown. As noted in the request the existing easement concession (PAC-13-04-17) that this application seeks to add to does not currently have any fees charged.

Fee Assessment Request: [DOC-7430654](#)

I understand this is likely to go through a valuation process so I raised that in the context meeting so the DM is aware and I will front foot it with the Applicant when I send my formal acknowledgement/cost estimate so they're aware of the likely extended timeframe/cost that that will mean.

Cheers,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: **Sec 9(2)(a)** | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



Released under the Official Information Act

**From:** [Kayla Mahon](#)  
**To:** [Kayla Mahon](#); [Kirsty Cameron](#); [Teri Urwin](#); [Commercial Team](#)  
**Subject:** RE: Comments on task "Valuation costs + timing information (Dalefield Water Company)"  
**Date:** Monday, 22 January 2024 9:29:56 am

---

Application back in progress - request to recommence valuation process received today.

These comments are about the task [107337-OTH - Dalefield Water Supply Society Incorporated - Valuation costs + timing information \(Dalefield Water Company\)](#) in the plan [CaPS Planner](#).

[Reply in Microsoft Planner](#) or reply to this email to add a task comment.

---

**From:** Kayla Mahon <kmahon@doc.govt.nz>  
**Sent:** Thursday, September 28, 2023 4:01:17 AM  
**To:** Kayla Mahon <kmahon@doc.govt.nz>; Kirsty Cameron <kcameron@doc.govt.nz>; Teri Urwin <turwin@doc.govt.nz>; Commercial Team <CommercialEconomicsTeam@docnz.onmicrosoft.com>  
**Subject:** RE: Comments on task "Valuation costs + timing information (Dalefield Water Company)"

Task "[107337-OTH - Dalefield Water Supply Society Incorporated - Valuation costs + timing information \(Dalefield Water Company\)](#)" completed by Kayla Mahon

These comments are about the task [107337-OTH - Dalefield Water Supply Society Incorporated - Valuation costs + timing information \(Dalefield Water Company\)](#) in the plan [CaPS Planner](#).

[Reply in Microsoft Planner](#) or reply to this email to add a task comment.

---

**From:** Kayla Mahon <kmahon@doc.govt.nz>  
**Sent:** Thursday, September 28, 2023 4:00:54 AM  
**To:** Kayla Mahon <kmahon@doc.govt.nz>; Kirsty Cameron <kcameron@doc.govt.nz>; Teri Urwin <turwin@doc.govt.nz>; Commercial Team <CommercialEconomicsTeam@docnz.onmicrosoft.com>  
**Subject:** RE: Comments on task "Valuation costs + timing information (Dalefield Water Company)"

Asked Ben to add handover notes directing the sprint team to engage with Commercial when this application is picked up as a valuation is required but the timing of this process needs to better align with the completion of a draft concession document.

Task marked off as completed until we hear from the permissions sprints team

These comments are about the task [107337-OTH - Dalefield Water Supply Society Incorporated - Valuation costs + timing information \(Dalefield Water Company\)](#) in the plan [CaPS Planner](#).

[Reply in Microsoft Planner](#) or reply to this email to add a task comment.

---

**From:** Kayla Mahon <kmahon@doc.govt.nz>  
**Sent:** Tuesday, September 19, 2023 12:50:28 AM  
**To:** Kirsty Cameron <kcameron@doc.govt.nz>; Teri Urwin <turwin@doc.govt.nz>; Commercial Team <CommercialEconomicsTeam@docnz.onmicrosoft.com>  
**Subject:** RE: Comments on task "Valuation costs + timing information (Dalefield Water Company)"

Company)"

Advised Ben of potential time frames and costs and have asked if he would like me to progress with obtaining actual quotes at this stage.

These comments are about the task [Valuation costs + timing information \(Dalefield Water Company\)](#) in the plan [CaPS Planner](#).

[Reply in Microsoft Planner](#) or reply to this email to add a task comment.

---

**From:** Kirsty Cameron <kcameron@doc.govt.nz>

**Sent:** Tuesday, September 5, 2023 9:01:24 PM

**To:** Teri Urwin <turwin@doc.govt.nz>; Commercial Team  
<CommercialEconomicsTeam@docnz.onmicrosoft.com>

**Subject:** RE: Comments on task "Valuation costs + timing information (Dalefield Water Company)"

Task "[Valuation costs + timing information \(Dalefield Water Company\)](#)" assigned to Kayla Mahon

These comments are about the task [Valuation costs + timing information \(Dalefield Water Company\)](#) in the plan [CaPS Planner](#).

[Reply in Microsoft Planner](#) or reply to this email to add a task comment.

---

**From:** Teri Urwin <turwin@doc.govt.nz>

**Sent:** Friday, August 25, 2023 5:28:14 AM

**To:** Commercial Team <CommercialEconomicsTeam@docnz.onmicrosoft.com>

**Subject:** Comments on task "Valuation costs + timing information (Dalefield Water Company)"

Shorter due date given this is just process information, when progressed further will be a valuation with a longer due date on Teams planner.

Reply in Microsoft Planner

You can also reply to this email to add a task comment.

This task is in the [CaPS Planner](#) plan.

**From:** [Teri Urwin](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)  
**Date:** Monday, 22 January 2024 9:18:00 am  
**Attachments:** [image001.png](#)

---

Happy to have it restored if you are happy to keep working on it – makes sense to keep this all in as one lot

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Sent:** Monday, January 22, 2024 8:33 AM  
**To:** Teri Urwin <[turwin@doc.govt.nz](mailto:turwin@doc.govt.nz)>  
**Subject:** FW: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Teri –

I started the process for a valuation for this concession a few months back -but it was being thrown into the sprint work, and was to be moved forward with once that work was picked up. Is it fine if I restore the card (linked below) and proceed with the process now – or should we put it on the work board as a new task and have it assigned out new?

[https://tasks.office.com/docnz.onmicrosoft.com/Home/Task/\\_Jr2dMS5p0eSLse0I5LHlcgAHg8h?Type=TaskLink&Channel=Link&CreatedTime=638414622550800000](https://tasks.office.com/docnz.onmicrosoft.com/Home/Task/_Jr2dMS5p0eSLse0I5LHlcgAHg8h?Type=TaskLink&Channel=Link&CreatedTime=638414622550800000)

-Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>  
**Sent:** Monday, January 22, 2024 8:27 AM  
**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>  
**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Kayla,

I'm back working on this application and have been able to confirm that we're going to proceed with including the existing easement activity into this new application.

Are we able to now get this assessment/valuation underway when you have the chance? Let me know if there's anything more needed from my end – the applicant has said they can pull together a list of benefitting titles if required so I can get them started on that if it would be useful at this stage?

Cheers,

**Ben Fielding** (*he/him*)  
Permissions Advisor  
Te Papa Atawhai | Department of Conservation  
Ōtepoti/Dunedin Office



M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Thursday, September 28, 2023 4:59 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Cc:** Kirsty Cameron <[kcameron@doc.govt.nz](mailto:kcameron@doc.govt.nz)>; Vicki Crosbie <[vcrosbie@doc.govt.nz](mailto:vcrosbie@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Ben,

I've just had a chat with Kirsty about this one.

Because this application will be processed as part of the sprints scheduled for November, we will not progress with seeking any valuation quotes at this stage. The requirement to obtain a valuation remains for this application, but we need to better align the valuation process and timeframes with the expected timeframe for completing a draft contract.

Could you add a note to the handover notes for this concession to reengage the commercial team when processing recommences on this application and that we will likely need to commission a valuation for this activity?

Having looked over the application, we also recommend that the applicant is offered the opportunity to include their expiring easement activity at this location as part of this application. This would likely be cost-saving for them and time-saving for us in the long term. And while they await the sprint to begin, it may allow them to get the additional information together. – This is just a suggestion but it would help with the valuation and pricing of this supporting activity.

Let me know if you want to discuss any of this at all.

Kia pai tō rā,  
Kayla

**Kayla Mahon**

Commercial Analyst

Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti Office

Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



Mon	Tues	Wed	Thurs	Fri
WFH	Office	Office	Office	WFH

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**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Wednesday, September 20, 2023 8:27 AM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Morning Kayla,

We discussed the option of incorporating the renewal of the existing easement into this application process at the context meeting, however decided to just focus on the new application to try and expediate the process as the Applicant has some concern around the security of the water supply with the existing setup and including the other aspects would likely require refiling their application with the full details of the existing infrastructure.

Now that the application isn't likely to be processed until November this decision should probably be revisited by the Sprint team who picks it up then - as you say it would be easier (and cheaper!) for everyone in the long term if they were all together on one concession.

With that in mind it would be ideal for the valuation to consider the supply scheme as a whole, especially as the fees are nil for the existing easement. Is that possible?

Cheers,

**Ben Fielding** *(he/him)*

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: **Sec 9(2)(a)** | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)




---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Tuesday, September 19, 2023 5:12 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Ben,

I know it is unlikely that you will continue to process this application at this stage, but I have a quick question about this one before I obtain quotes.

I've been looking over this application and was wondering if there had been any discussions with the applicant regarding including the existing activity within this application.

The application states: *We note the existing easement will expire in July 2027, which is only a few years away. It may be prudent to renew the existing easement at this time, and while this is not the focus of this application, we are open to discussion if DoC officers feel that may be worthwhile.*

I would guess that from a processing POV this shouldn't have too much of an impact on the standard process for an easement application. But I can see benefits from both a valuation POV and (longer-term) permissions POV that an all-inclusive easement would make sense now. It's also likely to save the applicant money in the long term.

Do you know if this application intends to be for the existing and proposed new activities?

Cheers,  
Kayla

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Tuesday, September 19, 2023 1:04 PM

**To:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Kayla,

Thanks for looking into this!

I think it would be best to go ahead and start obtaining quotes now and I will let the Applicant know that that's occurring and explain how that will affect the timeframe and cost estimate I provide them.

I likely won't be able to do too much work on the application itself as I'm involved in other Sprint projects, while this application will likely be picked up in the 'Easements' sprint in November that I'm not currently set to be a part of. I was talking to Kirsty last week and agreed it would be best to try get the ball rolling on these valuations so that when November does come around the Pas who are working on easements have as much of the information to hand and can progress things further.

Hope that makes sense!

Thanks,  
Ben

---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Tuesday, September 19, 2023 12:38 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hey Ben

I have been assigned to look into this fee. It absolutely will require a valuation to determine the fee.

I just wanted to double-check – do you want me to go ahead and get quotes at this stage, or is it just the general estimates you require?

In terms of general estimates:

- the timeframe – once the documents are ready – it will be about 4-6 weeks depending on the availability of the valuer.
- the cost I expect will range between \$2k and \$6k for this type of valuation given the area/complexity related to the beneficiaries.

Let me know if you have any questions

-Kayla

---

**From:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Sent:** Friday, August 25, 2023 5:29 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>; Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Thanks Ben – I've popped this onto our board (noting that this is more advice around the valuations process & cost).

An advisor will be in touch.

Cheers, Commercial

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Thursday, August 24, 2023 2:27 PM

**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi,

This is for potable water.

Cheers,

Ben

---

**From:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Sent:** Thursday, August 24, 2023 1:59 PM

**To:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>; Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** RE: Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Kia ora Ben,

Thanks for your email. Just for some context for when I discuss this with the scheme – this is for potable water? Or irrigation?

Cheers, Commercial

---

**From:** Ben Fielding <[bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)>

**Sent:** Thursday, August 24, 2023 1:39 PM

**To:** Permissionfees <[permissionfees@doc.govt.nz](mailto:permissionfees@doc.govt.nz)>

**Subject:** Concession Fee Assessment Request - 107337-OTH - Dalefield Water Supply Society (Easement)

Hi Team!

See below link for a fee assessment request for a concession application for an easement to connect a new bore to an existing residential water supply scheme near Queenstown. As noted in the request the existing easement concession (PAC-13-04-17) that this application seeks to add to does not currently have any fees charged.

Fee Assessment Request: [DOC-7430654](#)

I understand this is likely to go through a valuation process so I raised that in the context meeting so the DM is aware and I will front foot it with the Applicant when I send my formal acknowledgement/cost estimate so they're aware of the likely extended timeframe/cost that that will mean.

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: **Sec 9(2)(a)** | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)





**From:** [Kevin Nass](#)  
**To:** [Kayla Mahon](#)  
**Subject:** RE: FOR APPROVAL - Request to seek valuation quotes for four suppliers  
**Date:** Thursday, 15 February 2024 1:25:55 pm  
**Attachments:** [image002.jpg](#)  
[image004.png](#)  
[image005.png](#)

---

Hey Kayla,

Yep, happy for you to proceed with requesting these quotes.

Cheers,  
Kevin

**Kevin Nass** (he/him)

Commercial Manager, Office of Regulatory Services  
Department of Conservation | Te Papa Atawhai

**Mobile | Waea pūkoro:** Sec 9(2)(a) **Email | Īmēra:** [knass@doc.govt.nz](mailto:knass@doc.govt.nz)

DOC logo horizontal long.



---

**From:** Kayla Mahon <[kmahon@doc.govt.nz](mailto:kmahon@doc.govt.nz)>

**Sent:** Friday, February 9, 2024 3:55 PM

**To:** Kevin Nass <[knass@doc.govt.nz](mailto:knass@doc.govt.nz)>

**Subject:** FOR APPROVAL - Request to seek valuation quotes for four suppliers

Hi Kevin,

I have two applications for water supply easements on the Tuckers Beach Wildlife Management Reserve in Queenstown, which require a valuation to determine an appropriate market fee for each concession. They are:

- Out of Scope
- 107337-OTH - Dalefield Water Supply Society Incorporated

Attached is a summary of the applications, along with associated maps/plans, that will be provided to the valuers.

These applications have been deemed to require a valuation as internal pricing methods put the value of these fees above \$10,000 per annum. Additionally, this pricing methodology is currently in the early stages of being reviewed. As these applications are for additional infrastructure to existing activities, obtaining a valuation will help enforce any fee attached to these activities.

Because of the proximity and similarity of these activities, it is practical to request a valuation for both applications together. Furthermore, combining these valuation requests may result in reduced costs, which the applicants will appreciate as this forms part of the processing fee costs.

If you agree, I would like to approach the following four valuers for quotes on this work:

1. Quotable Value – Sec 9(2)(a)  
Sec 9(2)(a) has been appointed to provide valuation advice of this nature recently and is the preferred candidate to review our internal easement pricing methodology. Sec 9(2)(a) is based in Alexandra.
2. CBRE – Sec 9(2)(a)  
CBRE have provided valuation advice to the department in the past. Sec 9(2)(a) is based in Queenstown.
3. Colliers – Sec 9(2)(a)  
Colliers have provided valuation advice to the department in the past – Sec 9(2)(a) is based in Queenstown.
4. APL Property – Sec 9(2)(a)  
APL have provided valuation advice to the department in the past. Sec 9(2)(a) is based in Queenstown.

Please let me know if you are happy for me to progress with requesting quotes from these four valuers?

Kia pai tō rā,  
Kayla

**Kayla Mahon**

Commercial Analyst | Kaitātari


Department of Conservation | Te Papa Atawhai

Dunedin | Ōtepoti

Phone: Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



Mon	Tues	Wed	Thurs	Fri
Office	Office	 Out of Office	Office	WFH

**From:** [Kayla Mahon](#)  
**To:** [Dave Johnstone](#)  
**Subject:** FOR APPROVAL - Acceptance of Terms of Engagement for Valuation  
**Date:** Wednesday, 3 April 2024 3:15:16 pm  
**Attachments:** [RE FOR APPROVAL - Request to seek valuation quotes for four suppliers .msg](#)  
[image001.png](#)  
[QV MV STB DOC 2024-03-26.pdf](#)  
[image003.png](#)

---

Hi Dave

I have received the attached terms of engagement/scope of work from **Sec 9(2)(a)** at QV to undertake valuation work for two water supply easement concessions on Tuckers Beach Reserve in Queenstown.

The terms and scope align with our expectations, and the applicants have been made aware of this cost.

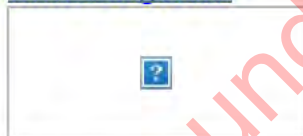
Kevin initially approved the request for the quotes for this work (see attached email). I now need the TOE to be signed so I can send them back to QV and they can complete this work. If you are happy for this work to go ahead – noting that at this stage, the fee is paid from the Commercial Team's valuation budget and is then recovered from the applicants – could you please sign and date page 3 of the attached document and send it back to me?


Kia pai tō rā,  
Kayla

**Kayla Mahon**

Senior Commercial and Revenue Advisor  
Department of Conservation | Te Papa Atawhai  
Dunedin | Ōtepoti  
Phone: **Sec 9(2)(a)**

[www.doc.govt.nz](http://www.doc.govt.nz)



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Office	Office	 Out of Office	Office	WFH

**From:** [Juliet Bruce](#)  
**To:** [Ben Fielding](#)  
**Cc:** [Owen Hale](#)  
**Subject:** RE: Tucker's Beach Easements: Out of Scope 107337-OTH (Dalefield)  
**Date:** Wednesday, 3 April 2024 11:18:50 am  
**Attachments:** [image002.png](#)  
[image003.png](#)

Kia ora Ben

Thanks for touching base, that's great to hear that the valuations are progressing.

Yes I am happy to be a point of contact, although if I am not sure of the answers I'll be checking with Owen.

For your context Owen, there are two easement applications currently underway for the true left of the Shotover River near Littles Road, within the Tucker Beach Wildlife Management Reserve. I understand the main access is via a couple of private properties, before a 4WD track enters the Reserve. The two easements are for two different bores for water supply for neighbouring properties.

Kā mihi

Juliet



**Juliet Bruce** (she/her)

**Kaitiaki, Ao Hāpori** Community Ranger

**Whakatipu-wai-Māori** Queenstown district

**Te Papa Atawhai** Department of Conservation

Whakatipu-wai-Māori Office

1 Arthurs Point Road | PO Box 811 | Queenstown 9348

Waea mahi – Work phone: Sec 9(2)(a)

Īmēra – Email: [jbruce@doc.govt.nz](mailto:jbruce@doc.govt.nz)

Pae tukutuku – Website: [www.doc.govt.nz](http://www.doc.govt.nz)

**From:** Ben Fielding <bfielding@doc.govt.nz>

**Sent:** Wednesday, April 3, 2024 11:13 AM

**To:** Juliet Bruce <jbruce@doc.govt.nz>

**Subject:** Tucker's Beach Easements: Out of Scope , 107337-OTH (Dalefield)

Hi Juliet,

Just a quick update on these two easements: The Commercial Team has now been able to confirm and engage a valuer to complete a valuation to help us set the correct activity fees. The valuer is intending to undertake a site visit on the 9<sup>th</sup> of April and have his report completed for us early next month. He's asked if there is a local DOC representative that can be appointed of contact for him if he has any on-the-site questions about access etc, are you okay for me to pass on your details in case he has any such questions?

Otherwise these are both on track to go to David for a decision as soon as these fees are sorted, thanks again for your thorough contributions

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)

**From:** [Ben Fielding](#)  
**To:** [Juliet Bruce](#)  
**Subject:** RE: **Out of Scope** and 107337-OTH - fee assessment  
**Date:** Tuesday, 11 June 2024 3:10:23 pm  
**Attachments:** [image002.png](#)  
[image003.png](#)

---

Hi Juliet,

Glad to hear the visit went ahead okay. I'll record your time against the cost recovery spreadsheet I have for these applications.

I'll provide the applicant's with an update that the visit has now taken place - was there any indication from the valuer about when the report can be expected?

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: **Sec 9(2)(a)** | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



---

**From:** Juliet Bruce <jbruce@doc.govt.nz>  
**Sent:** Tuesday, June 11, 2024 3:04 PM  
**To:** Ben Fielding <bfielding@doc.govt.nz>  
**Subject:** **Out of Scope** and 107337-OTH - fee assessment

Kia ora Ben

I've just been to visit the bores location at Tucker Beach for these applications/variations, it was interesting to see the existing infrastructure.

All up my time came to 1.5 hours so as discussed it would be great if this is cost recovered.

Kā mihi

Juliet

**Juliet Bruce** (she/her)

**Kaitiaki, Ao Hāpori** Community Ranger

**Whakatipu-wai-Māori** Queenstown district

**Te Papa Atawhai** Department of Conservation

Whakatipu-wai-Māori Office





1 Arthurs Point Road | PO Box 811 | Queenstown 9348

Waea mahi – Work phone: Sec 9(2)(a)

Īmēra – Email: [jbruce@doc.govt.nz](mailto:jbruce@doc.govt.nz)

Pae tukutuku – Website: [www.doc.govt.nz](http://www.doc.govt.nz)

Released under the Official Information Act

**From:** [Ben Fielding](#)  
**To:** [Juliet Bruce](#)  
**Subject:** Tucker's Beach Easements: Out of Scope 107337-OTH (Dalefield)  
**Date:** Wednesday, 3 April 2024 11:13:12 am  
**Attachments:** [image001.png](#)

---

Hi Juliet,

Just a quick update on these two easements: The Commercial Team has now been able to confirm and engage a valuer to complete a valuation to help us set the correct activity fees.

The valuer is intending to undertake a site visit on the 9<sup>th</sup> of April and have his report completed for us early next month. He's asked if there is a local DOC representative that can be appoint of contact for him if he has any on-the site questions about access etc, are you okay for me to pass on your details in case he has any such questions?

Otherwise these are both on track to go to David for a decision as soon as these fees are sorted, thanks again for your thorough contributions

Cheers,

**Ben Fielding** (he/him)

Permissions Advisor

Te Papa Atawhai | Department of Conservation

Ōtepoti/Dunedin Office

M: Sec 9(2)(a) | E: [bfielding@doc.govt.nz](mailto:bfielding@doc.govt.nz)



Item 28

Permission No	Status	Primary Service	Description	Legal Name	Permission Type	Category	Activity	Fees:
74039-OTH	Active	Access	Easement for waste water and drinking water pipes through the Central Otago Rail Trail	Central Otago District Council	Concession Easement Non-notified	Concessions	Sewage Pipes, Water Pipes	Yes
100623-OTH	Active	Access	Easement for structures and ROW associated with water take in Reko Point CA to support new development. Term: thirty years.	Queenstown Lakes District Council	Concession Easement Non-notified	Concessions	Power Cable, Pumpsheds, Right of way - vehicle, Sewage Pipes, Telecommunication Cables, Water Pipes	Yes
OT-14795-OTH	Active	Access	Storm water easement Cardrona River Marginal Strip being Crown Land, Blk III, Lower Wanaka SD	Queenstown Lakes District Council	Concession Easement Non-notified	Concessions	Drainage	Yes
36786-OTH	Active	Structures	Easement to drain water from Johnsons Bannockburn Holdings subdivision into Bannockburn Sluicings Historic Reserve - in favour of CODC.	Central Otago District Council	Concession Easement Non-notified	Concessions	Other - Structures, Water Pipes	Yes
OT-14648-OTH	Active	Structures	Easement to convey water in favour of CODC but primarily to serve Molyneux Est subdivision - for 300mm trunk water main pipe line across the Rail Trail west of Alex under transmission line	Central Otago District Council	Concession Easement Notified	Concessions	Water Pipes	Yes
107237-OTH	Active	Structures	Easement to convey wastewater (sewage) from the Hāwea Wastewater Treatment Plant to the Wānaka Treatment Plant.	Queenstown Lakes District Council	Concession Easement Non-notified	Concessions	Sewage Pipes	Yes
OT-19694-OTH	Active	Structures	Easement to provide for the conveyance of wastewater from Wanaka and Albert Town to treatment plant.	Queenstown Lakes District Council	Concession Easement Non-notified	Concessions	Sewage Pipes	Yes