

[REDACTED]
[REDACTED]
30 May 2025

Whare Kaupapa
Atawhai/Conservation
House
18 Manners Street
Wellington 6011

doc.govt.nz

Ref: OIAD-5114

Tēnā koe [REDACTED]

Thank you for your request to the Department of Conservation (DOC), received on 08 April 2025, in which you asked for:

Information regarding the legal easement through Poronui Station that provides public access to the Kaimanawa Forest Park and the Mohaka River:

1. *All documents relating to the legal easement through Poronui Station, including but not limited to:*
 - *The original easement agreement and any subsequent amendments*
 - *Maps or surveys showing the exact route of the legal easement*
 - *Any documents outlining the rights and responsibilities of the parties in relation to this easement*
2. *All communications between the Department of Conservation and Poronui Station (or its representatives) regarding:*

The arrangement to allow DOC and public access via Poronui Station's farm tracks instead of developing the formal easement

- *Any conditions or restrictions placed on public access as part of this arrangement*
 - *Any financial considerations or other compensation related to this arrangement*
3. *Any internal DOC documents or communications that discuss:*
 - *The rationale for not developing the formal easement route*
 - *Considerations regarding recreational river user access to the Upper Mohaka River*
 - *Policy or guidance provided to DOC staff regarding advising the public about access through this area*
 4. *Any agreements between DOC and Poronui Station (or Helisika Helicopters) regarding helicopter landing concessions at Oamaru Hut or other locations that provide access to the Upper Mohaka River.*

5. *Records of any public complaints or inquiries regarding access issues through Poronui Station to the Upper Mohaka River and DOC's responses to these inquiries within the past five years.*

We have considered your request under the Official Information Act 1982 (the OIA).

On 29 April 2025 you refined your request to:

1. *Regarding the legal easement:*
 - *A copy of the current/most recent easement agreement allowing DOC and public access via Poronui Station's farm tracks*
 - *The most recent map showing the route of the legal easement*
2. *Regarding current access arrangements:*
 - *Current conditions or restrictions on public access*
 - *Email communications between DOC and Poronui Station (or its representatives) regarding the easement within the last 10 years*
3. *Regarding DOC's approach:*
 - *If available, key documentation explaining DOC's decision to utilise farm tracks rather than developing the formal easement route*
 - *Current policy or guidance provided to DOC staff for advising the public about access through this area*
4. *Regarding helicopter access:*
 - *Current agreement(s) between DOC and Poronui Station/Helisika Helicopters regarding helicopter landing at Oamaru Hut or other locations providing access to the Upper Mohaka River*

On 7 May 2025 we extended the timeframe to respond to your request to 30 May 2025 due to actions required to research and collate historical information, and to consult third parties about the release of information in scope of your request.

Context

In or around 2007, the Tongariro Taupo Conservation Board (the Board) considered that part of the land owned by Poronui Station Limited and Poronui Ranch Limited (together Poronui) should be made available for use by the public as a walkway. The Board requested the Director General of Conservation acquire an easement over the land for walkway purposes. An "Agreement to grant easement for walkway purposes" was created between Poronui and the Crown. This agreement formalised an informal access arrangement along the 'Poled Access Route', which was made up of a paper road and Poronui land. We have been unable to find a signed copy of this agreement in our searches.

Around the same time in 2007, Poronui sold its land to Westervelt Sporting Lodges (NZ) Limited (Westervelt). As an overseas-based purchaser, Westervelt was subject to the Overseas Investment Act 2005 and required approval from the Overseas Investment Office (OIO) to purchase the land. A 2007 Memorandum of Understanding records that, as part of Westervelt's consent from the OIO, it would agree to:

- a) Offer back part of the Taharua River and Mohaka River to the Crown; and
- b) Enter into an easement with the Crown to allow public walking access to these rivers through the land contiguous to the paper road.

A formal easement between Westervelt and the Crown was registered on 14 October 2009, granting public access along the Poled Access Route by way of a pedestrian right of way.

Your questions and our responses are listed below:

1. Regarding the legal easement:

- *A copy of the current/most recent easement agreement allowing DOC and public access via Poronui Station's farm tracks*
- *The most recent map showing the route of the legal easement*

We have provided the original easement instrument dated 14 October 2009, containing:

- Grant of easement, as between Her Majesty the Queen acting through the Director General of Conservation and Westervelt Sporting Lodges (NZ) Limited;
- Deed as between Westervelt Sporting Lodges (NZ) Limited and Minister for Land Information;
- Records of Title SA51D/718 and SA61A/148 held on file from 2009;
- Current Records of Title SA51D/718 and SA61A/148; and
- Survey plan DP 404707.

These are listed in the Documents schedule below under Question 1.

We are not aware of any subsequent amendments to the grant of easement or deed. Land Information New Zealand (**LINZ**) may be able to assist with this question.

Notwithstanding that the grantee of the easement is the Department of Conservation, the rights contained in the easement are in gross and in favour of the general public.

The purpose of the easement is to connect portions of unformed legal road across private land, thus creating one continuous walking access route to the Mohaka River. The Poronui Access Route largely follows a legal road but diverges in parts from the road in the form of easements.

We have attached relevant titles and survey plans that we either had on file, or we have obtained through LINZ to assist you. We note that all documents pertaining to a registered easement (such as this one) are publicly available (often for a small fee). If you wish to obtain copies of such documents in future, you can seek them from LINZ via the Land Online Service.

If you require assistance in interpreting the grant of easement or deed, you will need to seek independent legal advice.

We have provided a map listed in the documents schedule below (**Item 5**). As noted above, the Poronui Access Route largely follows a legal road but deviates away from the road in parts by way of easements. Angler access is managed by Fish and Game.

2. Regarding current access arrangements:

- *Current conditions or restrictions on public access*
- *Email communications between DOC and Poronui Station (or its representatives) regarding the easement within the last 10 years*

We have provided information about conditions or restrictions on public access in the Documents schedule below under Question 2.

Regarding email communications between DOC and Poronui Station (or its representatives) about the easement within the last 10 years, we carried out a digital search of the server for communications with the refined search terms, which yielded a result of 29,000+ emails. Unfortunately, given the substantial amount of research and collation required to respond to this aspect of your request, I am refusing it under section 18(f) of the OIA.

We have, however, included key emails sourced from historical paper files which relate to public access and the easement in or around the time the easement was discussed and negotiated. These emails are listed in the Documents schedule below under Question 2.

3. Regarding DOC's approach:

- *If available, key documentation explaining DOC's decision to utilise farm tracks rather than developing the formal easement route*
- *Current policy or guidance provided to DOC staff for advising the public about access through this area*

We provide key documents in the Documents schedule below under Question 3.

4. Regarding helicopter access:

- *Current agreement(s) between DOC and Poronui Station/Helisika Helicopters regarding helicopter landing at Oamaru Hut or other locations providing access to the Upper Mohaka River*

Information about agreements between DOC and Poronui Station regarding helicopter landings at the hut, or other locations providing access to the Upper Mohaka River is provided and accompanies our response as Item 10, 10a and 11 (in the documents schedule).

I have decided to release relevant parts of documents the schedule table below, subject to information being withheld under one or more of the following sections of the OIA, as applicable:

- personal information, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people,
- advice subject to legal privilege, under section 9(2)(h) - to maintain legal professional privilege,

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA and determined there are no public interests that outweigh the grounds for withholding.

Please note that this letter (with your personal details removed) and attached documents may be published on DOC's website.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Phillippa Fox', is written over a faint, light-colored rectangular stamp or watermark.

Phillippa Fox
Director Regulatory Authorisations
Department of Conservation
Te Papa Atawhai

Document schedule

Item	Date	Document description	Decision
Question 1: Legal easement and map			
1	14 October 2009	Easement Instrument containing Grant of Easement and Deed	Released in full
2	17 February 1993 (2009 version and 2025 version)	Record of Title SA51D/718 (2009 version) Record of Title SA51D/718 (2025 version)	Released in full
3	8 May 1997 (2009 version and 2025 version)	Record of Title SA61A/148 (2009 version) Record of Title SA61A/148 (2025 version)	Released in full
4	14 October 2009	Digital Survey Plan DP 404707	Released in full
5	May 2025	Map showing Poled Access Route (source: DOCgis)	Released in full
Question 2: Current access arrangements			
6	12 Aug 2011	Email: Poronui Easement	Released in part
6a	12 August 2011	Attachment to Item 6: Instrument No. 8307660.1	Released in full
7	1 Sep 2011	Email: LT 392249 Poronui covenant & SO 404707 Poronui easement plans	Released in part
7a	1 Sep 2011	Attachment to Item 7: LT 392249	Released in full
7b	1 Sep 2011	Attachment to Item 7: SO 404707	Released in full
8	12 Sep 2011	Email: Access over Poronui Station	Released in part
8a	12 Sep 2011	Attachment to Item 8: Digital Title Plan 404707	Released in full
9	13 Sep 2011	Meeting minutes: Poronui Station Relationship Meeting	Released in part
Question 3: DOC's approach			
10	31 Jul 2000	Letter: Access Arrangement letter from DOC ref: AES 007/PLA 025	Released in part
10a	11 Aug 2000	Letter: Reply to ref: AES 007/PLA 025	Released in part
11	8 Jan 2002	Letter: Poronui Ranch Poled Access	Released in part
12	11 Feb 2002	Letter: Re: the new bridge	Released in part
13	14 Aug 2002	Letter: Poronui Poled Route	Released in part
14	5 January 2005	Letter: Poronui Station	Released in part
15	21 Sep 2004	Email: Poronui Station Sale	Released in part
16	10 Nov 2004	Letters: Letters of Agreement (31 Jul 2000, 11 Aug 2000, 10 Nov 2004)	Released in part

17	11 Nov 2004	File note: Meeting Re Public Access – Poronui Station	Released in part
18	22 Dec 2004	Internal correspondence: Rules for use of Poronui Hut	Released in full
19	2 Mar 2005	Letter: Minister to Fish & Game	Released in part
20	7 Apr 2005	Letter: Minister to Fish & Game	Released in part
21	30 Jun 2005	Email: Re: Urgent: Article from Fish & Game NZ magazine	Released in part
22	2 May 2006	Email: Re: Poronui Sale	Released in part
23	16 Aug 2006	Email: Draft MOU with DOC Binder	Released in part
23a		Attachment to Item 23: <ul style="list-style-type: none"> - Draft MOU - Draft Agreement to grant easement for walkway purposes - Draft Easement Instrument - Draft Heads of Agreement - Public Access Policy – Poronui Station - Draft Notice of Intention to Offer Of Special Land Under Regs 13 & 14 Overseas Investment Regulations - Draft Covenant Under Section 77 of the Reserves Act 1977 	Released in full
24	28 Aug 2006	Email: OIO Westervelt	Released in part
25	5 Dec 2006	Email: Poronui	Released in part
25a	30 Nov 2006	Attachment to Item 25: Letter re Poronui Station and Poronui Ranch Ltd – Offer of Special Land – Taharua River and Mohaka River	Released in full
26	13 Dec 2006	Letter: Special Land – Record of Agreement in Principle	Released in part
27	12 Feb 2007	Deed: Westervelt Sporting Lodges (NZ) Ltd and the Crown	Released in full
28	11 Nov 2008	Fax: Mountain Biking – Poronui Poled Route	Released in part
29	15 Jun 2010	Email: Poronui: Draft Easement instrument	Released in part
30	7 Dec 2010	Email: Poronui public access issues	Released in part
30a	6 Dec 2010	Attachment to Item 30: Letter from Minister to Westervelt	Released in part
30b	8 Nov 2010	Attachment to Item 30: Letter from Westervelt to Minister	Released in part
31	16 May 2011	File note: Meeting with East Taupo Lands Trust	Released in full
32	18 Aug 2011	Email: Easement Signs	Released in part

33	12 Sep 2011	Email: Poronui Station Access Easement	Released in part
34	13 Sep 2011	Meeting minutes: Poronui Station Relationship Meeting	Released in part
	23 Dec 2004	Email: Coalmines Act – Definition of Navigable Rivers	Withheld in full subject to s9(2)(h)
	1 Sep 2011	Email: Poronui Station Access Easement	Withheld in full subject to s9(2)(h)
	20 Feb 2007	File note: Poronui	Withheld in full subject to s9(2)(h)
	19 Sep 2011	Internal correspondence/legal opinion: Poronui Station Trespass Issues	Withheld in full subject to s9(2)(h)
Question 4: Helicopter access			
Refer Item 10, 10a and 11 above			