



Submission 9

A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

B. Name of Proposed Activity and Location(s)

10-year lease of a building on the Sounds Foreshore Reserve, Anatohia Bay, Marlborough Sounds

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Sam and Sharon Gemmell Family Trust
Contact person and role of organisation	Charles Murdoch Legal counsel
Email (Communication from DOC will be via email unless alternate contact requested)	charles@wmp.co.nz
Alternate contact for all DOC communication	Sharon Gemmell
Phone/Mobile	
Postal Address and Post Code	

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.



A. Permission Application Number and Name of Applicant

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10-year lease of a building on the Sounds Foreshore Reserve, Anatohia Bay, Marlborough Sounds

C.2 Your name

In placing your name and organisation below, you acknowledge that you are the person or authorised person submitting this objection or submission. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	Charles Murdoch
Organisation	Sam and Sharon Gemmell Family Trust
Date	7 February 2026

D. Statement of Support, Neutrality or Opposition

- I **Support** this Application (I am making a submission)
- I am **Neutral** on this Application (I am making a submission).
- I **Oppose** this Application (I am making an objection).

E. Hearing Request

- I **Do Not** wish to be heard in support of this objection or submission at a hearing.
- I **Do** wish to be heard in support of this objection or submission at a hearing

F. Objection or submission

The specific parts of the application that this objection or submission relates to are:

See attached

My reasons for my objection or submission are:

See attached

The outcomes that need to be addressed by this application are:

Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought if the application is approved.

See attached

G. Attachments

If you are using attachments to support your objection or submission clearly label each attachment, complete the table below and send in your attachments with this 'objection or submission form'.

Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment
Submission In Opposition to Concession Application	PDF	Submission

How do I submit my objection or submission?

Complete this form and email to tgill@doc.govt.nz. You may also mail your objection and submission to: Director-General, c/o Department of Conservation, Private Bag 4715, Christchurch Mail Centre, Christchurch 8140.

SUBMISSION IN OPPOSITION TO CONCESSION APPLICATION

Applicant: Mr Jim Love

Location: Anatohia Bay- Foreshore Reserve

DOC Reference: CORD-1396

1. Submitters

This submission is made on behalf of the trustees of the Sam and Sharon Gemmell Family Trust ("the Trust"), owners of the adjoining property at 90C Anatohia Bay, Marlborough Sounds.

The Trust is directly and materially affected by the application, including through loss of amenity, obstruction of outlook, adverse effects on public access and natural character, and the continued unauthorised occupation of public conservation land.

2. Summary of Opposition

The trustees oppose the granting of any concession permitting the continued occupation or residential use of the structure commonly referred to as the "woolshed" at Anatohia Bay.

In summary:

- The structure is located on public local purpose reserve (formerly part of the Queen's Chain) / conservation land;
- It has been substantially modified and converted into residential accommodation without authority;
- The applicant is not an owner of the adjoining Maori land (Gore Block 90B2) and has no exclusive mandate to apply on its behalf;
- Previous applications to occupy have been refused, and DOC holds documentation refuting any heritage value;
- The current application contains material factual inaccuracies;
- There are unresolved wastewater and fire-safety concerns; and
- Granting a concession would amount to retrospective legitimisation of unlawful private occupation, contrary to the Conservation Act 1987 and the public interest.

The appropriate and lawful outcome is decline of the concession and removal of the structure.

3. Statutory Framework

Under the Conservation Act 1987, a concession may only be granted where the activity:

- Is not inconsistent with the purposes of the Act (s 17SB);
- Does not compromise conservation, natural character, or public access values;
- Has acceptable effects; and
- Is justified in circumstances where there is no reasonable alternative that better protects conservation land.

The concession regime is not intended to retrospectively validate unlawful use or confer exclusive private benefit over public land.

4. History of the Structure and Prior Decisions

The Department is already aware that:

- The structure was originally a woolshed, not a dwelling;
- It is located on the Queen's Chain / local purpose reserve (formerly part of the Queen's Chain), now administered by DOC;
- It has been extensively modified and converted to residential use without authority;
- Marlborough District Council has issued a Notice to Fix in relation to unauthorised works and wastewater concerns;
- Previous applications to occupy the structure have been declined; and
- DOC holds documentation refuting any claim that the structure has heritage status.

The applicant has lodged the present application with full knowledge of that history.

A change in statutory pathway does not justify a different substantive outcome.

5. Standing and Ownership of Gore Block 90B2

The application proceeds on the premise that the applicant is an owner of, or has authority in relation to, Gore Block 90B2.

That premise is incorrect.

An up-to-date ownership schedule from the Maori Land Court confirms that:

- James Hector M Love is not an owner of Gore Block 90B2;
- The George Love Whanau Trust (being only one of 51 ownership interests according to the Maori Land Court ownership schedule dated 29 January 2025) has over 50 beneficiaries; and
- Mr Love is not listed as a trustee of that trust.

The applicant therefore:

- does not hold exclusive rights in 90B2,
- does not represent the owners as a whole, and
- has no mandate to assert that the structure fronts or serves that land.

This materially undermines the application.

6. Location and Frontage of the Structure

The application states that the woolshed fronts Gore Block 90B2. This is factually incorrect.

The structure is located directly in front of 90C Anatholia Bay, the Trust's property. It obstructs the Trust's outlook and affects amenity in a way that is not acknowledged in the application.

A plan showing the true relationship between the structure, the local purpose reserve (formerly part of the Queen's Chain), and 90C is attached.

7. Nature of the Structure Today

Photographs included with the application demonstrate that:

- The structure has been materially altered in the past decade;
- It now includes modern aluminium joinery and internal fit-out consistent with accommodation;
- It functions as a de facto bach, not as an agricultural or heritage structure.

Any historic character that may once have existed has been compromised. The current use is residential and unauthorised.

8. Material Inaccuracies in the Application

The application contains several material inaccuracies, including assertions that:

- The structure does not adversely affect access to the foreshore;
- There are no wastewater issues;
- The structure fronts the applicant's land; and
- There are no reasonable alternative sites.

These assertions are contradicted by:

- Council enforcement correspondence,
- physical features of the site (including deck encroachment into the high-tide area), and
- the applicant's lack of ownership or mandate.

The Department cannot safely rely on the application as presented.

9. Environmental, Wastewater, and Fire-Safety Concerns

Council correspondence raises unresolved wastewater issues, including concerns about discharge to the coastal marine area.

Photographs also show the presence of a chimney and fireplace. There is no evidence that this installation is consented or authorised. This raises further concerns regarding:

- fire risk,
- residential use on conservation land, and
- public safety.

10. Good Faith Reliance and Procedural Fairness

The Trust purchased 90C in good faith, following direct engagement with DOC staff and on the understanding that:

- the structure was inappropriate for permanent occupation; and
- it would not remain indefinitely.

Granting a concession now would defeat that legitimate expectation and would be unfair to an adjoining owner who has endured prolonged uncertainty.

11. Public Interest and Precedent

Granting the concession would:

- reward long-standing non-compliance;
- entrench exclusive private residential use of public land;
- undermine conservation objectives; and
- set an undesirable precedent throughout the Marlborough Sounds.

12. Reasonable Alternative

There is a clear and reasonable alternative. That is for removal of the structure and restoration of the local purpose reserve (formerly part of the Queen's Chain), funded as DOC has previously acknowledged may be required.

Cost or inconvenience to the applicant is not a lawful basis to grant a concession.

13. Conclusion and Relief Sought

For the reasons set out above, the trustees respectfully submit that:

1. The concession application should be declined;
2. The Department should require removal of the structure and restoration of the site; and
3. If the Department is minded to grant the concession, the trustees request a formal hearing and the opportunity to be heard.

Submitted by:



Charles James Murdoch

Counsel for the Trustees of the Sam and Sharon Gemmell Family Trust



Submission 10

A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

B. Name of Proposed Activity and Location(s)

10-year lease of a building on the Sounds Foreshore Reserve, Anathia Bay, Marlborough Sounds

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Ruby Sandra and David Thomas
Contact person and role of organisation	David & Ruby Thomas
Email (Communication from DOC will be via email unless alternate contact requested)	[REDACTED]
Alternate contact for all DOC communication	n/a
Phone/Mobile	[REDACTED]
Postal Address and Post Code	[REDACTED]

I wish to keep my contact details confidential – **YES I WOULD LIKE MY CONTACT DETAILS CONFIDENTIAL**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.



A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

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C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter	David and Ruby Thomas
Organisation	Whānau of Wharekupenga Bay – East Bay
Date	09/02/2026

D. Statement of Support, Neutrality or Opposition

I **Support** this Application (I am making a submission)

I am **Neutral** on this Application (I am making a submission).

I **Oppose** this Application (I am making an objection).

E. Hearing Request

I **Do Not** wish to be heard in support of this objection or submission at a hearing.

I **Do** wish to be heard in support of this objection or submission at a hearing

F. Objection or submission

The specific parts of the application that this objection or submission relates to are:

This submission relates to the application by Jeanna and James Love Whānau Trust for a 10-year lease of the existing woolshed building located on the Sounds Foreshore Reserve at Anatohia Bay, Marlborough Sounds.

My reasons for my objection or submission are:

We Ruby and David Thomas submit this statement in support of the application by the Jeanna and James Love Whānau Trust for a 10-year lease of the existing woolshed building located on the Sounds Foreshore Reserve at Anatohia Bay, Marlborough Sounds.

My name is Ruby Thomas (née Baker), and I am a fourth-generation descendant of the original owners Makoare and Turama Love of the Wharekupenga Bay homestead and the adjoining whenua that our whānau farmed for generations. My grandfather, Whakahaweā (Harvey) Love, was born at Wharekupenga, and our whānau history is deeply connected to East Bay, Anatohia, and the surrounding islands.

Our homestead once had a ballroom where whānau from across East Bay gathered regularly for church services, social occasions, and dancing. These gatherings were an important part of our way of life. My grandfather and his brothers would often row from East Bay to Picton to collect supplies, sometimes completing the entire trip in a single day. They also rowed to the Anatohia woolshed for whānau gatherings, including tangihanga, with burials taking place on the islands in Anatohia Bay.

At times, they would row to Anatohia, carry their clinker dinghy over the saddle above the bay, and return with tītī and kaimoana such as pāua and kina that were not available at Wharekupenga. These practices were part of our whānau's way of life and reflect the long-standing customary use of the area.

In later years, my grandfather, with the support of his children Kero and Amo, continued to work the farm. Muster days were long and demanding, with sheep often brought into the yards at Anatohia. Many of these sheep were shorn in the Anatohia woolshed with the help of his son-in-law Karaitiana Poki and his son in-laws Les Huntley, and my husband, David Thomas. Fence lines were installed and maintained across the Anatohia house paddocks and ridge lines to keep stock contained and prevent them from drifting toward Dan's southwest point or over the saddle toward the western side of Arapawa Island. During this work, we would often stay in the woolshed.

For generations, the woolshed at Anatohia has been a place of gathering, work, and connection for Te Ātiawa whānau—from the mid-1800s through to today. It is a significant tribal and whānau heritage building within East Bay, and it holds deep cultural, historical, and emotional importance for our people. The nearby urupā and burial grounds on the islands further reinforce the spiritual and ancestral significance of this place, and the woolshed played an integral role in supporting whānau during tangihanga and other important gatherings.

We fully respect the importance of maintaining public access and conservation values. The continued presence and use of the woolshed does not obstruct access nor compromise these values.

For these reasons, I strongly support the application for a 10-year lease of the Anatohia woolshed by the Jeanna and James Love Whānau Trust, and I ask that the longstanding cultural, historical, and whānau significance of this site be formally recognised and upheld.

The outcomes that need to be addressed by this application are:
 Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought if the application is approved.

- Formal recognition of longstanding customary and continuous whānau occupation at Anatohia
- Granting of a 10-year occupation lease for the existing woolshed
- Recognition of the site as one of historical and cultural significance
- Enabling ongoing whānau use for cultural, whānau, and heritage purposes.

G. Attachments

If you are using attachments to support your objection or submission clearly label each attachment, complete the table below and send in your attachments with this 'objection or submission form'.

Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment

How do I submit my objection or submission?

Complete this form and email to tjill@doc.govt.nz. You may also mail your objection and submission to: Director-General, c/o Department of Conservation, Private Bag 4715, Christchurch Mail Centre, Christchurch 8140.

OBJECTION OR SUBMISSION



Department of Conservation
Te Papa Atawhai
New Zealand Government

A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

B. Name of Proposed Activity and Location(s)

10-year lease of a building on the Sounds Foreshore Reserve, Anatohia Bay, Marlborough Sounds

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	
Alternate contact for all DOC communication	
Phone/Mobile	
Postal Address and Post Code	

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC send you all submitter communications.

OBJECTION OR SUBMISSION



Department of Conservation
Te Papa Atūwhai
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A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

B. Name of Proposed Activity and Location(s)

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C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter

Thomas Bishell

Organisation

Date

10/02/2026

D. Statement of Support, Neutrality or Opposition

- I **Support** this Application (I am making a submission)
- I am **Neutral** on this Application (I am making a submission).
- I **Oppose** this Application (I am making an objection).

F. Objection or submission

The specific parts of the application that this objection or submission relates to are:

I have great memories there and would like that to continue for myself and my daughter.

My reasons for my objection or submission are:

This is a part of Aotearoa History.

The outcomes that need to be addressed by this application are:

Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought if the application is approved.

Longer lease period than 10 years, should be indefinite.

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OBJECTION OR SUBMISSION



Department of Conservation
Te Papa Atawhai
New Zealand Government

Submission 12

A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

B. Name of Proposed Activity and Location(s)

10-year lease of a building on the Sounds Foreshore Reserve, Anathia Bay, Marlborough Sounds

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	GREGORY ANDREW BISHELL
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	
Alternate contact for all DOC communication	
Phone/Mobile	
Postal Address and Post Code	

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A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

B. Name of Proposed Activity and Location(s)

10-year lease of a building on the Sounds Foreshore Reserve, Anatholia Bay, Marlborough Sounds

C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter	GREGORY ANDREW BISHFELL
Organisation	GEORGE LOVE WHANAU TRUST BENEFICIARY
Date	09 FEB 2026

D. Statement of Support, Neutrality or Opposition

- I Support this Application (I am making a submission)
- I am Neutral on this Application (I am making a submission).
- I Oppose this Application (I am making an objection).

E. Hearing Request

- I Do Not wish to be heard in support of this objection or submission at a hearing.
- I Do wish to be heard in support of this objection or submission at a hearing

F. Objection or submission

The specific parts of the application that this objection or submission relates to are:

I FULLY SUPPORT THE APPLICATION OF JEANNA & JAMES LOVE WHANAU TRUST TO LEASE THE WOOLSHED AT ANATOMIA BAY, FURTHERMORE I SUPPORT ALL INTENT BY THE TRUST TO OCCUPY, RETAIN AND CONTINUE ANY WORKS REMEDIAL OR OTHERWISE. -

My reasons for my objection or submission are:

AS A BENEFICIARY OF THE LANDS AT ANATOMIA THE WOOLSHED (OR BONES OF) ARE OF SIGNIFICANT SPIRITUAL AND HISTORIC IMPORTANCE EMOTIONAL CONNECTION TO THIS PLACE IS REAL AND ITS FUTURE IS IMPORTANT FOR FUTURE GENERATIONS TO MAINTAIN THE RICH HISTORY OF. THE LOSS OF THE WOOLSHED IS NOT WHAT MY GRANDFATHER GEORGE WOULD HAVE WISHED. r

The outcomes that need to be addressed by this application are:

Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought if the application is approved.

- MAINTAINING HISTORIC WHANUA
- OCCUPATION OF THE WOOLSHED SHOULD BE GRANTED
- CULTURAL SIGNIFICANTS IS ADDRESSED
- UPHOLDING THE LOVE WHANAU DEEP ROOTS AND CONNECTION TO THE LAND

G. Attachments

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Submission 13

A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

B. Name of Proposed Activity and Location(s)

10-year lease of a building on the Sounds Foreshore Reserve, Anathia Bay, Marlborough Sounds

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Anteisha O'Connell
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	
Alternate contact for all DOC communication	
Phone/Mobile	
Postal Address and Post Code	

I wish to **keep my contact details confidential**

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A. Permission Application Number and Name of Applicant

119630-OTH Jeanna and James Love Whānau Trust

B. Name of Proposed Activity and Location(s)

10-year lease of a building on the Sounds Foreshore Reserve, Anatohia Bay, Marlborough Sounds

C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter	Anteisha O'Connell
Organisation	
Date	10 February 2025

D. Statement of Support, Neutrality or Opposition

- I **Support** this Application (I am making a submission)
- I am **Neutral** on this Application (I am making a submission).
- I **Oppose** this Application (I am making an objection).

E. Hearing Request

- I **Do Not** wish to be heard in support of this objection or submission at a hearing.
- I **Do** wish to be heard in support of this objection or submission at a hearing

F. Objection or submission

The specific parts of the application that this objection or submission relates to are:

I would like to provide this submission in support of the application from Jeanna and James Love Whānau Trust for the 10-year lease of a building on the Sounds Foreshore Reserve, Anatohia Bay, Marlborough Sounds.

My reasons for my objection or submission are:

I am a mokopuna of George Love and have ancestral whakapapa back to Anatohia Bay on Arapaoa Island. This is an incredibly special place for all of my whānau.

The building which once stood as woolshed enabled our whānau to continue as kaitiaki of the whenua and moana in this place alongside other whānau who also had land interests and connections to the area. Jim Love was an active kaitiaki at this time with my popa, uncles, and aunties. As time moves and shore lines erode, the way in which we care and protect our whenua has also changed and we have adapted with this change.

The building continues to allow our whānau to uphold our commitment to kaitiakitanga of this special place in Anatohia through access, shelter, and connection in tribute to our tūpuna and for our mokopuna in generations to come.

I know that this application and the applicants would enable this for future years. For these reasons, I am sure DOC would support this application for concession at the very least.

The outcomes that need to be addressed by this application are:

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