

Sounds Foreshore Reserve

Application Form:

Existing and New Buildings/Structures



Department of
Conservation
Te Papa Atawhai
New Zealand Government

Is this the right application form for me?

Use this application form for existing or proposed buildings/structures (e.g. boatsheds, sheds, retaining walls, bridges, steps, etc.) on Sounds Foreshore Reserve (SFR).

The Department of Conservation (DOC) will process the application and issue a concession if it is satisfied that the application meets all the requirements for granting a concession under Part 3B of the Conservation Act 1987.

You can also use this form to apply for a 'variation' of a current licence/lease concession if the change(s) are only minor. A variation can't be used if you want to extend the term, substantially change the location or increase the environmental effects of your concession activity.

What other application forms may be relevant?

If you seek an easement concession across SFR, either to benefit other land or in gross (e.g. right of way), for the following purpose:

- a right to convey water.
- a right to drain water.
- a right to drain sewage.
- a right of way.
- a right to convey electricity.
- a right to convey telecommunications.
- a right to convey gas.

Use or include this [form for new easement applications and variations to an existing easement concession](#)¹ across land administered by DOC.

How do I complete this application form?

- Complete all relevant sections of this form.
- DOC encourages electronic applications (e.g. typed Word document), rather than handwritten applications. Electronic applications are easier to read and less likely to be returned to you for clarification.
- If you need extra space, attach or include extra documents and label them according to the relevant section. Record all attachments in the table at the back of the application form (section L).

Note: Personal and sensitive information will be managed by DOC confidentially. For further information check [DOC's privacy and security statements](#)².

¹ <https://www.doc.govt.nz/globalassets/documents/about-doc/concessions-and-permits/concessions/easement-application-form.pdf>

² <https://www.doc.govt.nz/footer-links/privacy-and-security/>

If I need some help, where do I get more information?

- Check DOC's [SFR Licences/Concessions](#)³ and [Access structures on SFR](#)⁴ webpages.
- DOC recommends that the applicant contact the Waitohi/Picton District Office to discuss the application and arrange a pre-application meeting (either face to face or over the phone) prior to filling in this form. Phone +64 3 520 3002. Email picton@doc.govt.nz
- It is also recommended that you seek legal advice for guidance when completing this form.

Have you considered DOC's statutory planning documents?

Your building or structure must not be inconsistent with [DOC's relevant statutory planning documents](#)⁵ as they set out how DOC and our Treaty partners manage public conservation land. Statutory planning documents can have a direct impact on your application, for example they may set the specific track limitations and vegetation clearance.

Book a pre-application meeting with DOC staff if you require assistance with navigating DOC's statutory planning documents.

How do I submit my application?

Email your completed application and any other attachments to: permissions@doc.govt.nz

What happens next?

Once received, your application will be assessed by DOC. If your application is complete, DOC will begin processing.

If your application is incomplete, it will be returned to you with a request for more information.

Why does DOC ask for this information?

The questions in this application form are designed to cover the requirements set out in DOC's conservation legislation. DOC will not use this information for any other reason not related to that purpose. Your answers allow us to assess:

- The effects of your encroachment and your proposed methods to avoid, remedy or mitigate any adverse effects of the activity.
- Your creditworthiness – a factor in determining whether DOC should extend credit to you and set up a DOC customer accounts receivable credit account for cost recovery. To make this assessment DOC will supply your information to a credit checking agency.

Note: Personal information will be managed by DOC confidentially. For further information check [DOC's privacy and security statements](#)⁶.

Information collected by DOC may be supplied to a debt collection agency in the event of non-payment of payable fees.

³ <https://www.doc.govt.nz/get-involved/apply-for-permits/individuals/sounds-foreshore-reserve-licences-and-concessions/>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/individuals/access-structures-on-the-sounds-foreshore-reserve/>

⁵ <https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/>

⁶ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

Treaty Partner consultation

DOC has a responsibility to give effect to the principles of the Treaty of Waitangi in all areas of our work and may consult with our Treaty Partners about your application. More information can be found on the DOC website on our [iwi/hapū/whānau consultation](https://www.doc.govt.nz/get-involved/apply-for-permits/iwi-consultation/)⁷.

Contact your [local DOC office](https://www.doc.govt.nz/footer-links/contact-us/office-by-name/)⁸ if you require further information about consultation.

What fees will I pay?

You will be charged a processing fee for this application, regardless of whether your application is granted or not. If your application is granted, you may be required to pay annual activity and management fees.

DOC will send you a cost estimate of the processing fee once your application has been accepted. If further charges are likely to be incurred, DOC will provide you with a revised estimate.

DOC will invoice your processing fees after your application has been considered. If your application is large or complex, DOC may undertake billing at intervals periodically during processing until a decision is made. If you withdraw your application DOC will invoice you for the costs incurred up to the point of your withdrawal.

Your application will set up a credit account with DOC. See the checklist at the end of the form for the terms and conditions you need to accept for a DOC credit account.

In addition, if you are granted a licence over public conservation land you may also be required to pay a bond, insurance, monitoring fees and [ongoing activity fees](https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/ongoing-concession-fees/)⁹ and management fees.

Bond

A bond may be required to ensure compliance with the conditions of a Sounds Foreshore Reserve permit or licence. The amount of the bond will be set at an appropriate level to recognise potential costs. The bond may be an unconditional on-demand surety bond or a cash bond held in trust and refunded (with any interest) at the conclusion of the building activity or called upon to ensure compliance with the conditions of the permit or licence.

Will my application be publicly notified?

Your application will be publicly notified if:

- It is a license with a term of more than 10 years.
- It is a lease.
- After having regard to the effects of the activity, DOC considers it appropriate to do so.

Public notification will increase the time and cost of processing your application.

What does DOC require if my application is approved?

If your application is approved DOC requires **insurance** to indemnify the Minister of Conservation against any claims or liabilities arising from your occupation and/or activities on SFR. The level of insurance cover will depend on the activity.

Note: DOC/Minister can vary the concession if the information on which the concession was granted contained material inaccuracies. DOC may also recover any costs incurred.

⁷ <https://www.doc.govt.nz/get-involved/apply-for-permits/iwi-consultation/>

⁸ <https://www.doc.govt.nz/footer-links/contact-us/office-by-name/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/ongoing-concession-fees/>

A. Applicant details

Legal status of applicant (tick)	<input checked="" type="checkbox"/> Individual (Go to ①)	
	<input type="checkbox"/> Registered company (Go to ②)	<input type="checkbox"/> Trust (Go to ②)
	<input type="checkbox"/> Incorporated society (Go to ②)	<input type="checkbox"/> Other (Go to ②)

①	Applicant name (individual)	Lindley, Lex; Lindley, Marie and Smith, Brent [REDACTED] – acting as agent for the applicants above.		
	Phone	[REDACTED] (Gavin)	Mobile phone	[REDACTED] (Gavin)
	Email	[REDACTED]		
	Physical address	[REDACTED] [REDACTED] [REDACTED]	Postcode	[REDACTED]
	Postal address (if different from above)		Postcode	

②	Applicant name (full name of registered company, trustees, educational institute or incorporated society)			
	Trading name or trust name (if different from applicant name)			
	NZBN if applicable (To apply go to: https://www.nzbn.govt.nz)		Company, trust or incorporated society registration number	
	Registered office of company or incorporated society (if applicable)			
	Company phone		Company website	
	Contact person and role			
	Phone		Mobile phone	
	Email			
	Postal address		Postcode	

Street address (if different from
Postal address)

Postcode

B. Variation of an existing licence and/or concession.

Is this application *varying* an existing licence/lease concession?

No

☒

Yes

☐

Licence/lease concession number(s) you wish to vary

C. Pre-application meeting

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

☐ No (continue to section D.)

☒ Yes (record details below)

Date of DOC pre-application meeting

19 May 2023

Name of DOC staff member(s)

Trish Gill

Name of person(s) who had the pre-application meeting with DOC

Record relevant notes/comments:

This application is to replace three previous applications - 65489-OTH, 78323-OTH, and 78348-OTH. These will be cancelled upon receiving the new application.

D. What structures or activities are currently on SFR fronting your property?

All existing/new structures or activities are required to have prior approval for the continued occupancy of SFR. This may mean you have unauthorised structures or activities adjacent to your property that you are unaware of.

Please select below all appropriate structures and activities in relation to SFR fronting your property (Licensed and/or Unlicensed):

Boardwalk

Bridge

Conveying electricity

Conveying water

Drainage/Stormwater pipe

Retaining wall <1.5m

Septic system

Slipway

Tramway/Trolley

Boatshed

Concrete path

Conveying gas

Culvert

Rope Handrail

Retaining wall >1.5m

Shed

Staircase

Water tank

Box steps

Concrete steps

Conveying telecoms

Decking

House

Seawall

Shelter

Step risers

Other:

Note: If the activity is not in this list check the activity on the DOC website to find the correct application form or book a pre-application meeting. Application forms that combine applicant and activity information on the DOC website include:

- [Aircraft activities](#)¹⁰
- [Easements](#)¹¹
- [Land based guiding](#)¹²

Provide details of currently held SFR Licenses, Permissions/Permits and Easements:

The background context is that the activities and structures have been under an application process previously. As the Reserves and Land Disposals Act 1982 is no longer the appropriate instrument to authorise activities on the Sounds Foreshore Reserve, a new application has been lodged.

E. Duration

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

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

30 years. This is an appropriate term for the type of access and retaining structures already in-situ (and have been for decades) and proposed. The activities are consistent with the purpose and management of the reserve land.

F. Is this application for existing or new buildings and structures?

Select from the following:

- ☐ No (for **new buildings and structures only** fill in all sections **except** Section G.)
- ☐ Yes (for **existing buildings and structures only** fill in all sections **except** Section H.)
- ☒ Both (for **existing AND new buildings and structures** complete **both** Sections G. & H.)

¹⁰ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

¹¹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

¹² <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/land-based-guided-activities/>

G. Existing Buildings or Structures – Description of Encroachment on Sounds Foreshore Reserve

1. Provide the Lot, Deposited Plan (DP) number and name of the bay of the **adjoining property** to the encroachment.

Lot number: 5

DP number: 4223

Name of the bay: Arthurs Bay, Bay of Many Coves, Queen Charlotte Sound, Marlborough

Address (if applicable):

2. Describe in detail the existing encroachment, including when it was installed / constructed, the size and footprint of the structure/s and the purpose of the structure/s. Attach all relevant information and list in section L Attachments including:

- Record(s) of Title for your property (mandatory)
- Maps
- NZTM coordinates
- Photographs
- Survey plans
- Resource consent applications
- Concept plans
- Engineering reports
- Other

The existing structures on the Sounds Foreshore Reserve fronting Lot 5 DP 4223 are:

1. Two retaining walls.

- 10 metres in length – 700mm in height
- 25 metres in length (the total length of this wall is 37 metres, however only approximately 25 metres of this wall is on SFR) – 700mm-1100mm in height.

2. Rope barriers along part of existing access track

The rope barriers run along the edge of two sections of existing retaining walls. One section is approximately 10 metres in length, with the other section approximately 15 metres in length.

3. Stairs

The stairs provide access from the small beach up to a greasy retained area raised 700mm. The stairs are 1.4 metres wide.

Survey plan and photos are attached as Appendix G.

3. Could this structure/work be reasonably located on your private property? Provide details of other sites considered:

The applicants private land is accessible by water only and the Sounds Foreshore Reserve is required to be used for access purposes to their land. Access structures on the SFR facilitate safe, appropriate travel while on the SFR and are appropriate for the purpose of the land. The topography of the reserve, and with weather events that undermine the integrity of the land, retaining and stabilising structures are necessary to protect and support access structures.

4. Is the building going to be used for commercial purposes? Give details/reasons.

Not applicable.

H. New Structures/Work - Description of Encroachment on Sounds Foreshore Reserve

1. Provide the Lot, Deposited Plan (DP) number and name of the bay of the adjoining property to the encroachment.

Lot number:	5
DP number:	4223
Name of the bay:	Arthurs Bay, Bay of Many Coves, Queen Charlotte Sound, Marlborough
Address (if applicable):	

2. Describe in detail the proposed encroachment including when work is to commence, the size and footprint of the structure/s and the purpose of the structure/s. Attach relevant documents, including:
 - Record(s) of Title (mandatory)
 - Maps
 - NZTM coordinates
 - Photographs
 - Survey plans
 - Resource consent applications
 - Concept plans
 - Engineering reports
 - Other

The proposed structures on the SFR fronting Lot 5 DP 4223 are:

1. Proposed retaining wall of 10 metres in length – 1250mm in height.
2. Proposed concreting of part of existing access track – up to 60 metres.

The maximum proposed width of concreting is typically 1.65 metres, but 2 metres at the dog leg in the track. The concreting would be a maximum depth of 100mm.

The reason for the concreted section is to support the track and bank edge following washouts during recent weather events. Most of the flatter area of track near to and visible from the water is not proposed to be concreted.

3. Proposed conveyance of electricity and water services across the Sounds Foreshore Reserve (SFR) from the adjacent land for the purpose of servicing the applicants boatshed (which resides within the Coastal Marine Area).

The applicant proposes installation of an electricity conduit and a water pipe across SFR, from the applicant's property to an existing boatshed and jetty on the foreshore. The water transported to the boatshed would be used for washing boats and equipment, and the electricity for lighting and emergency shore power to boats.

The applicant proposes to install the electricity supply inside a galvanised conduit of 50-65mm diameter and painted karaka green. The water would be conveyed in a black PVC pipe of 25-30mm diameter running alongside the electricity conduit. The location of the proposed easement can be seen in red on the site plan (appendix G and H).

The applicant proposes to lay the electricity conduit and water pipe above ground, other than at the point where they intersect with the existing access track leading from the boatshed to the applicant's property, at which point they would be buried under the track.

Survey plan is attached as Appendix H.

4. Could this structure/work be reasonably located on your private property? Provide details of other sites considered:

The applicants private land is accessible by water only and the Sounds Foreshore Reserve is required to be used for access purposes to their land. Access structures on the SFR facilitate safe, appropriate travel while on the SFR and are appropriate for the purpose of the land. The topography of the reserve, and with weather events that undermine the integrity of the land, retaining and stabilising structures are necessary to protect and support access structures.

Services across the SFR are not uncommon and are often an integral service to the boatshed for purposes associated with living in the Sounds. As the dwelling is located on the adjoining private land and the boatshed on the adjoining Coastal Marine Area (CMA) it is not reasonable or practical to have the utilities be installed anywhere else.

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

No, not applicable.

I. Are you applying for anything else?

Are you applying for other DOC permissions (e.g. easement, concession) as well as this activity?

No	<input checked="" type="checkbox"/>
Yes	<input type="checkbox"/>

If yes, state the other permissions you are applying for?

J. Planning provisions (all applicants)

- Does your proposal comply with the Marlborough District Council district plan(s) for the area?
☐ No
☒ Yes
- Do you require resource consent and/or building consent? (Ask the relevant councils' planning sections for advice. Generally, if structures are to be built (or have been built), it is likely that consent/s will be required).
☒ No
☐ Yes
- If resource/building consent is required, provide details of the consent together with information on progress with the application for consents. (It will be a condition of any licence to occupy that all necessary consents have been obtained.)

K. Consultation undertaken

DOC has a statutory obligation to give effect to the principles of the Treaty of Waitangi. This often requires consultation with our Treaty Partner (iwi/hapū/whānau of local Māori) on your application. If you have already consulted with our Treaty Partner, or with other interested stakeholders, DOC would like to know about it.

We recommend you discuss consultation with a DOC staff member before starting your application.

Have you carried out any consultation?

☒ No

☐ Yes

If yes, supply details for each group consulted with:

Whānau/hapū/iwi or other interested party consulted with:	
Name of individual you consulted with:	
Date of consultation:	
Form of consultation (e.g. email, meeting):	
Outcome of consultation*:	

***If you received a written response to your consultation attach a copy to this application. Record the document details in the L Attachments section of this form.**

L. Consistency with DOC statutory plans

List [DOC's statutory planning documents](#)¹³ relevant to your application (e.g. Nelson/Marlborough Conservation Management Strategy):

Marlborough Sounds Maritime Park Management Plan
Nelson/Marlborough Conservation Management Strategy
Conservation General Policy

Are you aware of any potential inconsistency your activity may have with DOC's statutory planning documents?

No



Yes



If you have answered 'yes' explain why it is inconsistent with the statutory planning documents.

¹³ <https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/>

M. Description of actual and potential effects of existing or proposed works (all applicants)

Identify actual or possible effects of the activity applied for. Describe the actions you propose to take to avoid, remedy or mitigate those effects. For further information check [DOC's Environmental Impact Assessment](https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/environmental-impact-assessment/#low-medium-impact)¹⁴ and [DOC's guide to preparing your environmental impact assessment](https://www.doc.govt.nz/globalassets/documents/about-doc/concessions-and-permits/concessions/guide-to-environmental-impact-assessments.pdf)¹⁵.

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

Provide details below and record the document details in the L Attachments section of this form.

Effects	Description
Effects on the landscape e.g. ability of landscape to accommodate changes.	The area is modified for the purpose of access to the adjoining private land. Planting of appropriate native vegetation will assist in mitigating the effect.
Effects on the visual composition of the landscape.	The area takes on a privatised visual component with the development of the reserve land for the benefit of the adjoining landowner. Ensuring any seating is provided for the benefit of all visitors to the reserve, and that further perceived privatisation is avoided will mitigate the effects. Strategic planting of appropriate native vegetation will mitigate visual impacts also.
Effects on cultural values of Tangata Whenua or members of the public.	No known cultural sites within the application area. Precautionary practices when undertaking earthworks will be carried out and any accidental discovery during earthworks will be reported to the appropriate parties.
Effects on historic sites or objects including Wāhi Tapu e.g., disturbance of the ground.	No known effects in this area.
Effects on existing infrastructure such as roads, tracks, huts, carparks etc.	The existing path, steps, handrails and retaining walls are owned and maintained by the applicant. They will be available to be used by any other visitors to reserve land.

¹⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/environmental-impact-assessment/#low-medium-impact>

¹⁵ <https://www.doc.govt.nz/globalassets/documents/about-doc/concessions-and-permits/concessions/guide-to-environmental-impact-assessments.pdf>

Effects on existing vegetation e.g. disturbance or removal of vegetation.	The land is modified by access structures and the proposed installation of retaining structures will have little impact on the surrounding vegetation. Planting native vegetation, in accordance with the restoration of the foreshore reserve planting protocols, will assist to improve the terrestrial values of the reserve land.
Effects of earthworks e.g. removal of topsoil and where removed earthworks will be stored. Note: All earthworks storage on public conservation land needs to be authorised.	Earthworks is proposed but is minimal. Bare soil will be planting in appropriate native vegetation.
Effects on wildlife or wildlife habitat .	No known effects.
Effects on aquatic habitat (waterways, swamps, freshwater animals and vegetation).	Sediment run off from the proposed works may occur. Concreting the pathway will reduce run off from the bare and exposed soil. Further planting of the remaining exposed bare soil around the proposed retaining walls should mitigate further erosion and sediment run off.
Effects on other users (Tangata Whenua, recreational users, and concessionaires) of the land.	During installation and construction some short-term effects may be encountered. Aside from this, the benefit and use of the reserve note be impacted upon.
Effects of potential increased threats (pests, weeds, pathogens, and fire) to public conservation land.	Weed free machinery and equipment will be used in all the proposed works.
Effects of increased rubbish, toilet waste or debris left on public conservation land during construction and regular use of the easement.	No items will be left on the reserve land during the construction phase or the regular use of the reserve land.
Cumulative effects that could be caused by the activity.	The cumulative effect is the perceived privatising of the reserve land in front of the adjacent private land. The land is modified by in-situ access and retaining structures to support access by the applicant to their adjacent land across the reserve. The proposed structures are also to support suitable and sustained access, access that can be utilised by all visitors to the reserve. Minimal structures are being proposed and

	no signage that promotes privacy is suggested.
Positive effects of the activity.	Improving sustained access to and through the reserve to the water. Restoring native vegetation to the reserve through appropriate and strategic planting.

N. Attachments

Attachments should *only* be used if:

- You are answering a specific question and providing a report e.g. Environmental Impact Assessment.
- There is not enough space on the form to finish your answer.
- You have additional information that supports your answer.
- You wish to make an additional request of DOC regarding the application.

Label each document clearly and complete the table below.

Section of the application form the attachment relates to	Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment
<u>G</u>	Existing structures relevant information	Word	Survey plan and photographs
<u>H</u>	Proposed structures relevant information	Word	Survey plan and photographs.
Q	Record of Title	PDF	Evidence of ownership of adjoining land.

O. Checklist

Application checklist

Tick

I have completed all sections of this form relevant to my application and understand that the form will be returned to me if it is incomplete



I certify that the information provided in this application form and any attached additional forms is, to the best of my knowledge true and correct



I have attached all relevant information (e.g. Certificate of Title, maps, photographs, resource consent applications etc) and recorded them in **Section N**.



I have appropriately labelled all attachments and completed the **Section N**. Attachments to match



I have completed the terms and conditions for a credit account with the Department of Conservation outlined in **Section P**.



I will email permissions@doc.govt.nz my:



- Completed applicant information form
- Any other attachments

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

Have you held an account with the Department of Conservation before?

Tick

No

☐

Yes

☒

If 'yes' under what name:

Lindley, Lex; Lindley, Marie and Smith, Brent

In ticking this checklist and placing your name below you are acknowledging that you have read and agreed to these terms and conditions for an account with the Department of Conservation.

Terms and Conditions

Tick

☒ We agree that the Department of Conservation can provide my details to the Department's Credit Checking Agency to enable it to conduct a full credit check.

☒

☒ We agree that any change which affects the trading address, legal entity, structure of management or control of the applicant's company (as detailed in this application) will be notified in writing to the Department of Conservation within 7 days of that change becoming effective.

☒

☒ We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.

☒

☒ We agree to fully pay the Department of Conservation for any invoice received on or before the due date.

☒

☒ We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.

☒

☒ We agree that the credit account provided by the Department of Conservation may be withdrawn by the Department of Conservation, if any terms and conditions (as above) of the credit account are not met.

☒

☒ We agree that the Department of Conservation can provide my details to the Department's Debt Collection Agency in the event of non-payment of payable fees.

☒

Applicant name/s
(of authorised person/s):

Date:

24/5/23

For Departmental use

Credit check completed

Comments:

Signed

Name

Approved (Tier 4 manager or above)

Name

Appendix G - Photos of area and structures

Image 1 – view from the water access



Image 2: sloped path to be concreted.



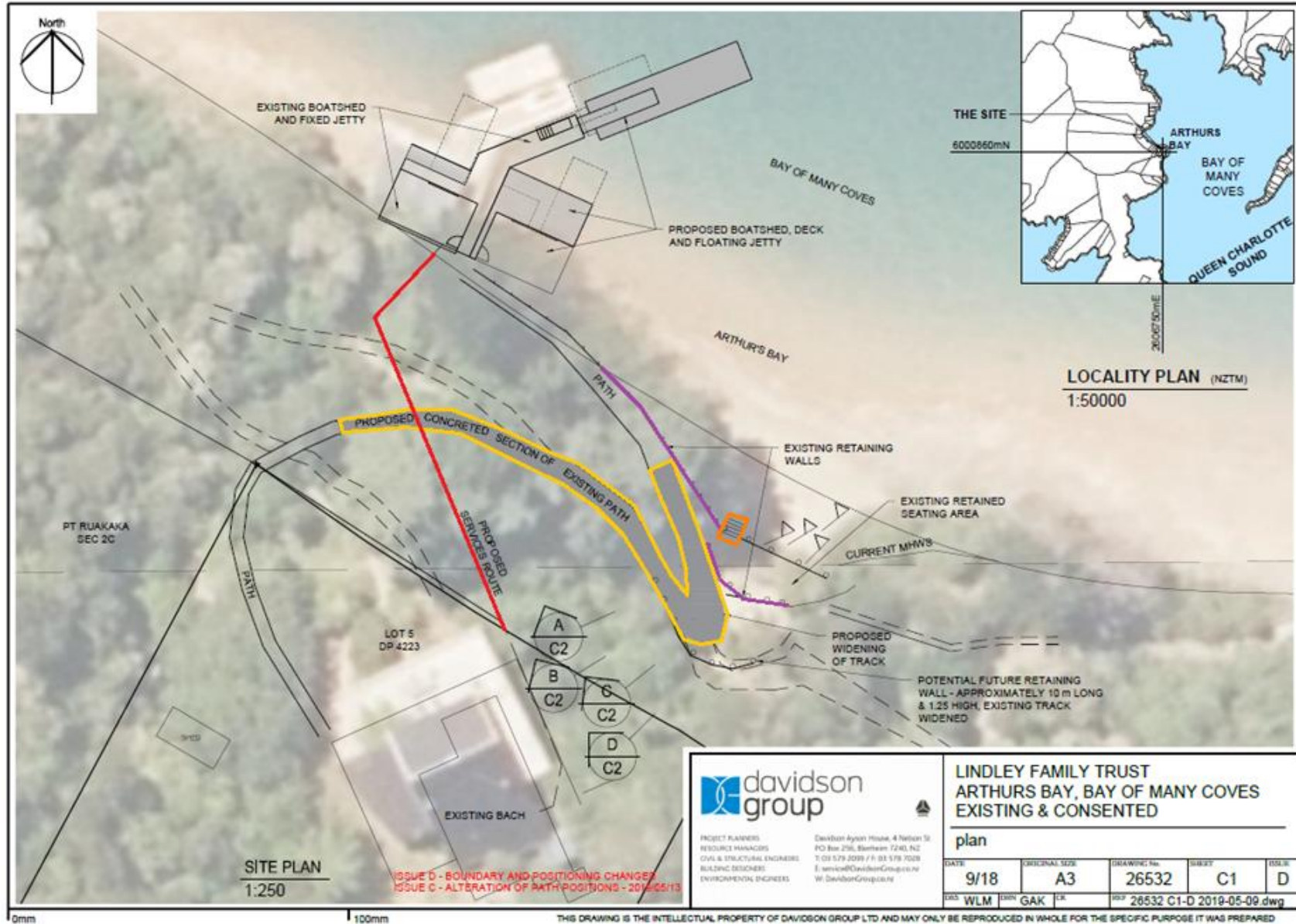
Image 3 – wooden steps, retaining wall, beams and handrails



Image 4 – wooden beams and handrails



Appendix G and H - Site plan - Survey plan showing the easement area in red, the concreting of access path outlined in yellow, the rope barriers in purple and stairs outlined in orange.



Appendix H Continued – location photo of where retaining wall will be installed.

