

Applicant Information Form 1a Notified or Non-notified Process



Department of
Conservation
Te Papa Atawhai

New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenancing and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- 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 information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

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

- Check the [DOC webpage for the activity you are applying](#)¹ for.

¹ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the [Department of Conservation Office](#)² closest to where the activity is proposed. You can use [DOC maps](#)³ to identify which District Office you should contact. Or arrange a meeting with any of our [four offices that process concessions](#)⁴ – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are 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 for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine 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](#)⁵.
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the [DOC webpage for the activity you are applying](#)⁶ for.

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.

² www.doc.govt.nz/footer-links/contact-us/office-by-name/

³ <http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/contacts>

⁵ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

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.

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 of 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 actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the [Safety Plan](#)⁷ information on the DOC website for further information.

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/managing-your-concession/safety-plans/>

A. Applicant details

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

①	Applicant name (individual)			
	Phone		Mobile phone	
	Email			
	Physical address		Postcode	
	Postal address (if different from above)		Postcode	

②	Applicant name (full name of registered company, trust, incorporated society or other)	Horsfall family trust		
	Trading 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	(Trustee)		
	Phone		Mobile phone	
	Email			
	Postal address		Postcode	

Street address (if different from postal address)

Postcode

B. Pre-application meeting

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

No

☐

Yes

☒

- If yes record the:

Date of DOC pre-application meeting

Name of DOC staff member

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

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	<input type="checkbox"/>
Land use: Tenanting and/or using existing DOC facility/structure	3a	<input type="checkbox"/>
Land use: Use of public conservation land for private/commercial facility/structure	3b	<input checked="" type="checkbox"/>
Guiding/Tourism/Recreation: Watercraft activities	4b	<input type="checkbox"/>
Filming	5a	<input type="checkbox"/>
Sporting Events	6a	<input type="checkbox"/>
Marine reserves application form: Structure in a marine reserve	11a	<input type="checkbox"/>
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	<input type="checkbox"/>

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](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/)⁸
- [Easements](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/)⁹

⁸ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

- [Land based guiding](#)¹⁰

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

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

No



Yes



- If yes, state which application forms:

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

This application relates to the continued access and use of a currently leased site at Pourerere Beach. The original leases were granted as Land Act leases. Further information is provided in the relevant application form (3b). We have owned the property on the site since 2012 and at all times complied with and honoured lease conditions and obligations to the Department under the Terms and Conditions of my lease.

F. Attachments

Attachments should *only* be used if 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>Correct example ✓</u> <i>D</i>	<i>Locations</i>	<i>PDF</i>	<i>Trust Deed.</i>
<u>Incorrect example X</u> <i>Table</i>	<i>Doc1</i>	<i>Word</i>	<i>Table</i>

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	<input type="checkbox"/>
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	<input type="checkbox"/>
I have completed the activity application form .	<input type="checkbox"/>
I have appropriately labelled all attachments and completed section F Attachments .	<input type="checkbox"/>
I will email permissions@doc.govt.nz my: <ul style="list-style-type: none">• Completed applicant information form• Completed activity application form/s• Any other attachments.	<input type="checkbox"/>

H. 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	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>
If 'yes' under what name	Horsfall family trust
Does your organisation require a purchase order number for invoicing purposes?	<input type="checkbox"/>
If yes, please provide the number here:	

All invoices related to this Permission will be coded to this purchase order number unless otherwise advised. It is the applicant's responsibility to advise the Department if the purchase order needs to change through the lifetime of the Permission.

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

Terms and conditions	Tick
I/We agree that the Department of Conservation can provide my/our details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
Typed applicant name/s	Date
	18 June 2025

For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	



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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

If you require extra space for answering, please attach and label according to the relevant section.

A. Description of Activity

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

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

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

Proposal to lease 234 Pourerere Beach Road, Aramoana 4271. Legal description: Section 13 Block XII Pourerere Survey District,

I am seeking a 60 year concession (lease) to be granted under the exceptional circumstances detailed in this application, supported by detailed commitment to the Department of Conservation priorities.

The subject lease is a small parcel of land, within a group of 23 leasehold sections, within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram. The subject of this application is the southern most section in the entire settlement. The map attached to this application shows the subject site marked.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Leasholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose.

DOC's purchase was completed in 2021.

The lease site is a base for a small family bach that we purchased in 2012, immediately prior to the cyclonic storm affecting the local area. At the time of purchase, the original Land Act Lease was transferred to us "without variation", including the perpetual rights of renewal at 33 year intervals. In the intervening 13 years, we have enjoyed simple family gatherings and established deep ties to the community and the local area. We have made deep connections to the area through local planting, erosion control and coastal protection, community safety, first responders to beach visitors when they strike difficulty, and fishery monitoring. We have done this without hesitation, to reflect our deep commitment to the coast and all who visit there.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

The application is only for the lease.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility

NO

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

Is this necessary for safety or security purposes?

NO

Is this necessary as an integral part of the activity?

NO

Is this essential to carrying on the activity?

NO

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **No, but needs to be managed**

(Exclusive occupation requires a lease which requires public notification of the application)

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

Is exclusive possession necessary to protect public safety?

Is exclusive possession necessary to protect physical security of the activity?

Is exclusive possession necessary for the competent operation of the activity?

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

This section is a small parcel of land that does not impede or restrict coast access, road access or is necessary for coast access and use in any other way. The site is sandwiched between a rural farm and a public road, which borders a wide coastal area with extensive access including a public carpark immediately to the south, a public boat ramp for beach access to vehicles, a road reserve that the public use continuously, etc.

The assets and infrastructure situated on this public conservation land are privately owned and have been since the 1930s. These assets are sympathetic to the local area. They include water infrastructure (such as limited supply fresh water tanks), secure sheds, private home, motor vehicles, firewood, and all related household appliances associate with a private home.

Private owners have health and safety obligations under the Health and Safety at Work Act. A property owner is a PCBU (Person Conducting a Business or Undertaking) in circumstances where they are a private landowner leasing land. As such, access has to be managed to ensure the Crown does not impose a wide and unmanageable duty of care on the leaseholder to all visitors at any time, to:

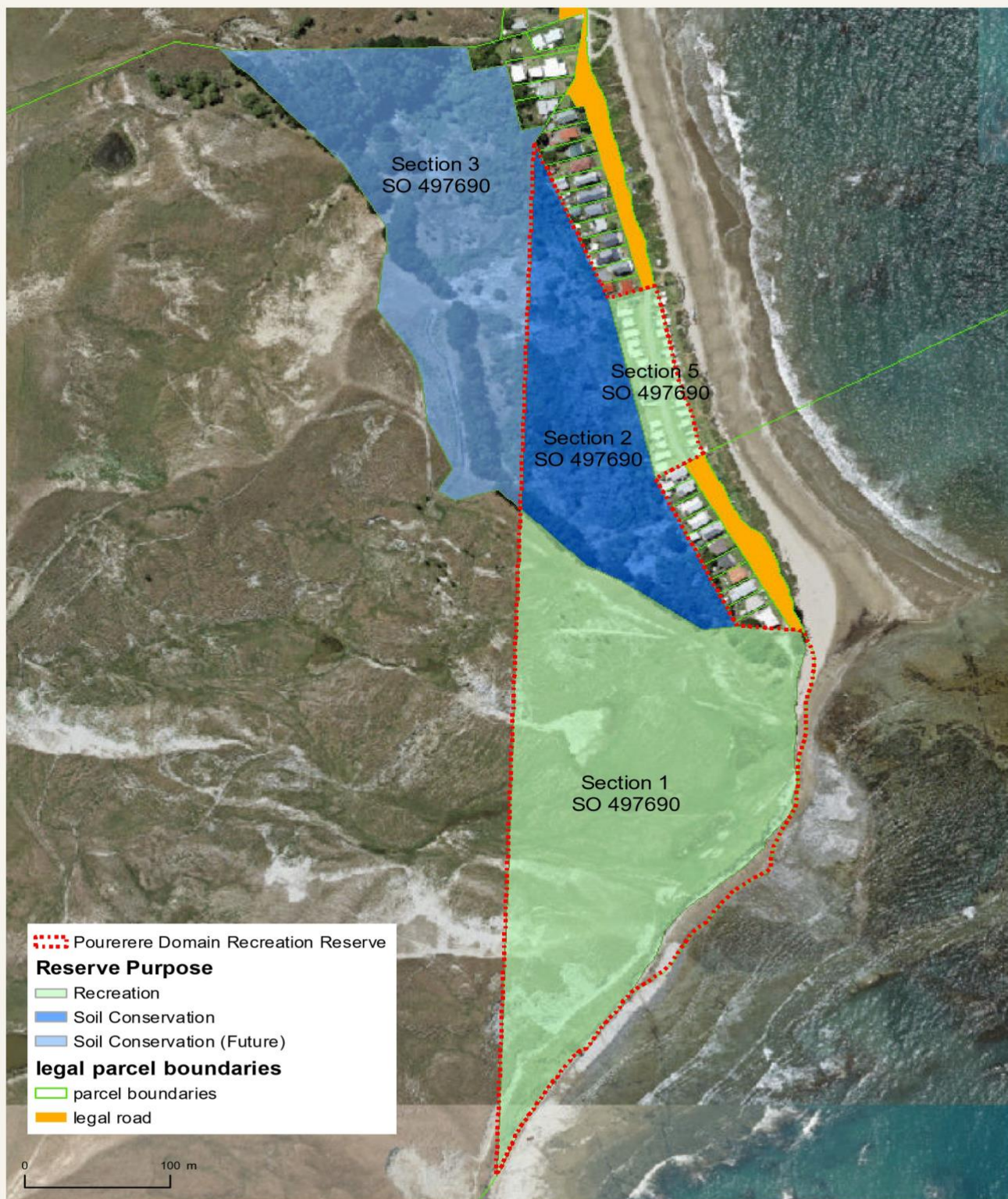
1. Identify risks to any visitors and any time
2. Manage or eliminate those risks
3. Inform visitors about any hazards they may encounter
4. Take steps to keep anyone accessing the property safe....

...in instances where others may be entitled to access and use the land this application relates to.

Without possession being managed by or through the property owner, the Crown would effectively be creating an open invitation to any visitors on to the leased land without the leaseholder having any control on the extent of that access, when, how often, with what effects, with the consequence that the leaseholder would have personal liability under the HSE Act for all potential hazards, risks and their management.

Similarly, the leaseholders currently pay annual lease costs, all CHBDC and HBRC rates, insurance, maintenance and repairs, and other costs associated with the use of that land. It would be unreasonable to expect private leaseholders to effectively fund public use of the leased land.

However, controlled access via Public accommodation booking platforms (like Airbnb, etc) does enable risk to be managed effectively.



Pourerere Domain Recreation Reserve

NZGD 2000 New Zealand Transverse Mercator
Not for publication nor navigation | 1:3,500
Crown Copyright Reserved | Imagery from LINZ
DOC, Geospatial Services | 12/04/2022

New Zealand Government

Q:\GIS_Analysts\Projects\2021_2022\NorthIsland\R233335_Pourerere_Status_DMA\Pourerere.mxd

E. Technical Specifications (for telecommunications sites only)

Frequencies on which the equipment is to operate

N/A

Power to be used (transmitter output)

N/A

Polarisation of the signal

N/A

Type of antennae

N/A

The likely portion of a 24 hour period that transmitting will occur

N/A

Heaviest period of use

N/A

F. Term

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

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

I am seeking a concession of 60 years under exceptional circumstances, as detailed in this application.

G. Bulk fuel storage

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

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

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

NO

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

N/A

H. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 3b:H.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
	Nil. This is not an area of high conservation value. There are no at risk or threatened species on the site. The lease is a small parcel (487m ²) of land (akin to a small residential section) sandwiched between a public sealed road, a farm and an adjoining leased site.	<p>We take nothing from the area, nor do we engage in any activity that has adverse effects on the land. There is a small house on the site.</p> <p>This is a remote and isolated community. The leaseholders along this entire community undertake planting, beach and dune maintenance, monitor the use of the local fishery and adherence to legal take limits, and are first responders to local emergencies on the beach and out to sea. The intensity of the use of this beach/coastal area has increased in recent years with Rahui placed on Waimarama and Ocean Beach Pāua, which has seen an exponential rise in visitors, divers, fishers, etc to Pourerere Beach. Our small community has ramped up its efforts on behalf of iwi, Fisheries (MPI), Police, FENZ, Coastguard and DOC, to protect this area and the safety of those who visit.</p> <p>Please see the final pages of this application, which sets out in more detail the positive impact our community of leaseholders has on the environment at Pourerere Beach.</p>	<p>There are no discernible adverse effects.</p> <p>Our commitment to Te ora a Papatūānuku - Healthy nature, Te ora a Hapori - Thriving communities, and Te hunga a Atawhai - People who care are described in the attached table.</p>

I. Other

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

The subject lease is a small parcel of land and is not an area of high conservation value. It is one of 23 sites that sit within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Several leasholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose. DOC's purchase was completed in 2021. We have to assume this purchase reflected the intention that the properties below continued to be occupied.

In late 2021, without any forewarning, I was advised by Dave Johnstone, National Transaction Centre Manager), that the Department had made an error in renewing the leases in 2008 because that took place after the s47(2) of the Conservation Amendment Act 1996 came into force.

However, the Department went on to say:

"The Department...acknowledges that this situation is undesirable for all concerned. In order to be fair and reasonable, the Department will continue to administer your lease as though the renewal granted in 2008 occurred lawfully. The Terms and Conditions of your lease (including matters such as rent reviews) will be honoured by the Department until its expiry unless your lease is terminated earlier or deemed by a Court to be invalid....when the current term expires on 31 December 2040, you will need to ensure you have obtained a concession from the Minister....if you wish to continue occupying and using the land beyond that date."

In summary, the applicable lease was renewed and confirmed by the Conservator for the Wellington Hawkes Bay Conservancy of the Department, acting under delegation from the Director General of Conservation, in 2008 (with effect from 1 January 2007).

We purchased the property via an open market sale and purchase in 2012. As part of that sale and purchase, the relevant lease was transferred to us without variation by the Department. This process involved my lawyer and relevant Department officials.

I would not have progressed with the purchase if the Department had acted correctly and applied its own legislation to the subject lease for our property. The single most important consideration during our sale and purchase was the lease conditions and the transfer of the lease without variation to the terms, specifically perpetual renewal rights.

The lease was an asset which I effectively purchased. This inflated the purchase price well beyond what it would have been had no rights of renewal existed.

BNZ (mortgage lender, with an existing interest in my property) also reviewed the lease conditions prior to granting a private mortgage. The lease it reviewed was the lease the Department confirmed it would transfer to me without variation. BNZ would not have granted a mortgage to me without such lease conditions because it would have devalued the property plus introduced a level of lending risk the Bank would almost not have accepted.

Perpetual rights of renewal in leases have the effect in practice of uninterrupted private rights to access. It is a well established plank in property law that leases are assets and have economic value and that perpetually renewable leases give rise to value equivalent to freehold title.

The Rateable Land valuation of 236 Pourerere Beach Road current – as of 2024 is [REDACTED]

The value of Improvements is [REDACTED] Total capital value is [REDACTED]. At the time of purchase in 2012 we paid [REDACTED]

Given the value of the lease was reflected in the purchase price, the potential loss of value of the lease renewal alone, directly attributable to the Department's initial error (2007/08) and subsequent lease transfer (2012) is therefore circa [REDACTED]. However, potential financial loss if the concession is not granted will be much greater. The only economic value remaining, should a concession not be granted, would be a small amount for a house to be removed off the site. However, the probability of someone purchasing would be extremely low given the remote nature of the area, very poor road access, and almost impossible terrain to transport a dwelling of any size. The potential cash loss to ourselves obviously lies in the value of the house.

Granting a 60 year concession would go some way to limiting the financial impacts on my family from DOC successive errors in administering and transferring the relevant Land Act lease in 2011. As a family,, we would be financially ruined if we were to be subjected to financial losses of this scale due to the Crown's mistake in administering its own legislation, in the event a 60y concession (lease) is not granted. The option for us and the crown is to potentially look at freeholding the land.

We are an established, responsible custodian or steward of this parcel of land.

Since 2021, DOC has worked to embody a contemporary way of working, named *Papatūānuku Thrives*, that specifies the roles, behaviours, principles and desired outcomes for a thriving DOC estate. Our case to DOC is that we Pourerere beach leaseholders have been responsible stewards since the 1930s and wish to be active partners with DOC for many generations to come in jointly achieving the desired outcomes of:

- Te ora a Papatūānuku - Healthy nature
- Te ora a Hapori - Thriving communities
- Te hunga a Atawhai - People who care

The following table describes what is effectively a Custodial Blueprint to preserve the integrity, beauty, quality, essence of Pourerere for us, the general public and future generations.

DOC Papatūānuku thrives	Pourerere beach leaseholders - examples of active stewardship and care
<p><i>DOC's Role is to:</i></p> <ul style="list-style-type: none">• Partner with iwi, hapū and whānau, and collaborate with others• Care for the land, the waters, our native species and our heritage• Advocate for nature, and be a regulator• Foster recreation in nature• Tell the stories of our nature and our history	<p>We lease holders share the environment with the general public but are fortunate to have leases that enable us to spend quality time there with our friends and families intermittently during the year. We recognise and have always believed that we have a responsibility to protect and preserve the integrity of this special piece of the Hawkes Bay coastline.</p> <p>The following examples are just some of the actions we have taken to care for the land, the waters, the native species and for the heritage of the area:</p> <p><i>Te Angiangi Marine Reserve</i></p> <p>This was a significant, environmental and ecological enhancement initiative. Mana whenua and Pourerere lease holders such as [REDACTED] worked tirelessly and determinedly with all the relevant agencies for years through a lengthy challenging process. It was a significant achievement to sell the vision and mobilise DOC to establish Te Angiangi marine reserve.</p> <p>A marine reserve committee was established with accessibility and educational infrastructure implemented for visitors to interact with.</p>

	<p>That remarkable regeneration of marine life not just within but around the reserve and along the local coastline. The Pourerere and Central Hawkes Bay communities have benefited enormously from both the educational and recreational pleasures of that reserve since its inception.</p> <p>Since the storm of 2011, access to and care for Te Angiangi has been challenging. We have been supportive of Ngāti Kere and our beach neighbours at Aramoana and Blackhead in efforts to improve the care for the marine reserve.</p> <p><i>The Freedom Camping Project</i></p> <ul style="list-style-type: none"> ● The Pourerere Freedom Camping Project was another Pourerere Beach Community supported initiative. In the period preceding the now collaboratively managed Freedom Camping, the area had become increasingly untidy, unsafe and lacked management. Each year, for extended summer periods, this area represented a gathering ground for some disenfranchised parts of the wider community, including local gang members. ● The behaviour was at times intimidating; the environment abused. This included poor sanitation, the dumping and abandonment of litter and bottles, the flouting of rules relating to the size and designation of sites, and the time allocations for them. ● Our community led the process to reconcile the tensions between regular campers in the zone, and Council. It was agreed that change and some form of Management were required and in everyone's best interests. ● This set in motion the formation of a Committee comprising the Council, influential regular freedom campers, and Pourerere Beach residents who jointly established a new set of rules and management structure for Freedom Camping. ● This initiative had the immediate effect of creating a controlled, orderly Freedom Camping environment that still exists today. In the ensuing period this has become increasingly more orderly, tidy and better managed.
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	<p><i>Reef and Beach Security</i></p> <ul style="list-style-type: none"> ● Prompted by Pourerere beach residents, a Council bylaw was implemented preventing any driving on reef platforms. Locals had noted the detrimental impact that vehicles were having on the reef and lobbied for the regulatory support. ● The positive impact on reef health has made us all big supporters of the bylaw. Numbers of us now regularly 'police' the reefs by interacting with day trippers (mostly divers) to inform them of the ecosystem threat of driving or parking on the reefs. ● On occasion we also intervene where people drive on the beach recklessly ● Our approach is always conciliatory and informative rather than authoritative. <p><i>Woolpress story in signage</i></p> <ul style="list-style-type: none"> ● Actively promoted to Council for the protection of Historic Heritage of the circa 1878 Old Wool Dumping Press. ● [REDACTED] commissioned the paintings of the old wool press and moving of wool ● These signs were blessed and unveiled in a ceremony in October 2009 <p><i>Bach history</i></p> <ul style="list-style-type: none"> ● In the 80s, Pourerere leaseholder [REDACTED], started researching the history of each bach, interviewing current and past owners and recording the information. Her vision was to write a book one day - an historical journey through time of the Pourerere Community, its habitations, activities and ideas. The project became too much for her as she aged but we still have her suitcase of notes - ready for someone to pick up the baton. ● Many of the baches have made it into publications being considered iconic of the NZ bach. eg. "The Bach" and "Baches and Cribbs"
<p><i>DOC Principles:</i></p> <ul style="list-style-type: none"> ● elevating principles of the Treaty and fulfilling our Treaty Partner relationships 	<p><i>Community safety</i></p> <ul style="list-style-type: none"> ● This area of coast is extensively used by day trippers, fishers, whanau groups, and tourists. ● The community monitors personal and craft safety ● Individual investment in community assets such as defibrillators (x3).

<ul style="list-style-type: none"> ● Holding wellbeing and safety at our heart ● Working together with others ● Leaving the world a better place 	<ul style="list-style-type: none"> ● Locals provide first response to safety and health incidents, which frequently occur, both onshore and offshore. Search and rescue equipment is provided free of charge, homes are opened up to provide bases for search and rescue operations, personal vehicles and craft are used in direct response to incidents
<p><i>Behaviours:</i></p> <ul style="list-style-type: none"> ● Whakatānanatia - We deliver ● Atawhaitia a Papatūānuku - we love nature ● Whakawhānaungatanga - we build relationships ● Whakaauaha - we innovate 	<p>The following are some examples of an active community who loves nature, builds relationships, innovates and delivers on our care for Pōrerere beach.</p> <p><i>2011 Slip Rectification Program</i></p> <ul style="list-style-type: none"> ● At Easter in 2011 our region got hit with serious slip damage to most of our properties. ● Residents resolutely, in some cases as individuals and others in groups according to their respective designations, set about recovering properties, restoring them from the environmental wrath of the flood, slips, and earthquake 1,2,3 combo that wrecked so much havoc over a freak 48 hours of climactic devastation. ● Council red Stickered this parcel of land and we were forced to abandon our properties, belongings and beloved beach ● We embarked on a dogged recovery program, starting with a statutory Determination from the (then) Department of Building and Housing. This overturned the CHBDC decision and categorisation of the properties and opened the possibility of an investment and recovery programme. ● Contributed significant personal monies and hundreds of hours of time in consultation with council and Geotechnical Cos to lead what became not just a restoration but an improvement and future risk mitigation project ● That contribution included significant Geotechnical consultancy fees and restoration costs. The bulk of this cost and work was on the land behind our properties. ● As such we willingly contributed to the future stability and thus accessibility to Pōrerere.

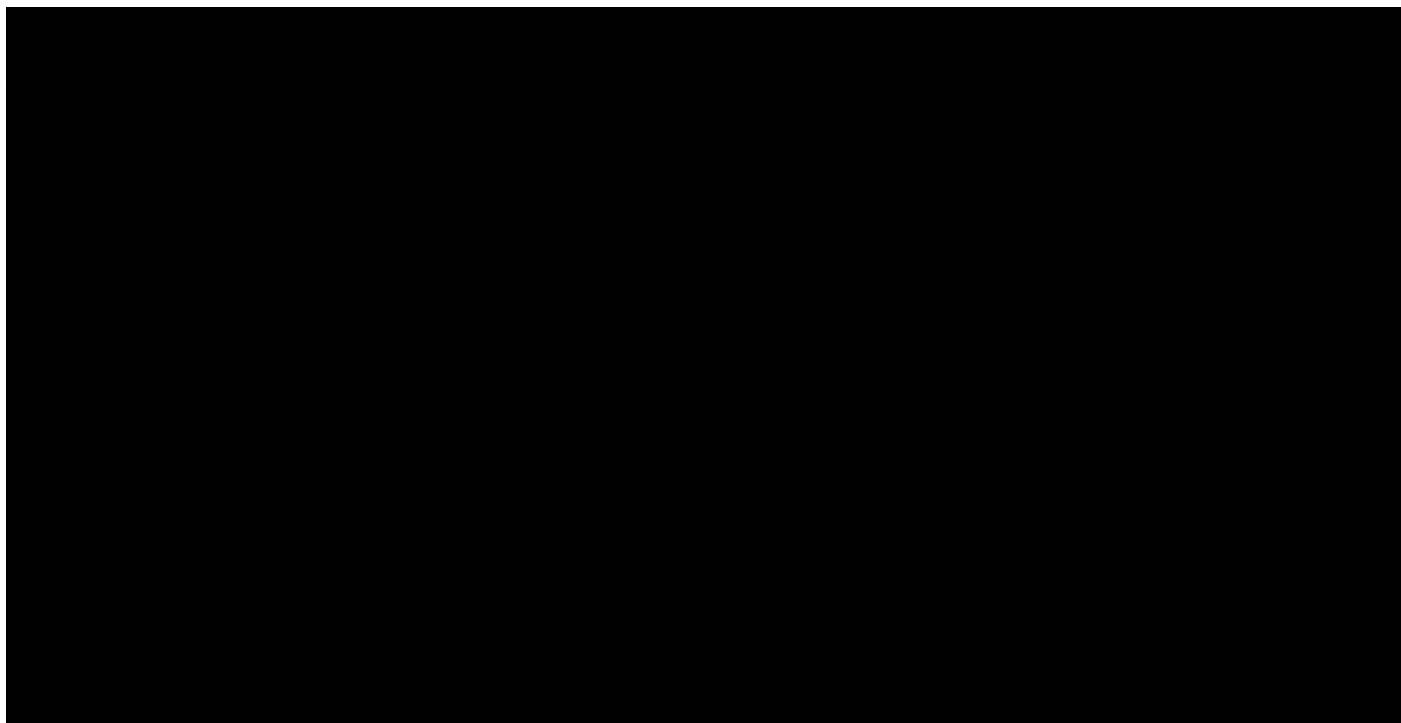
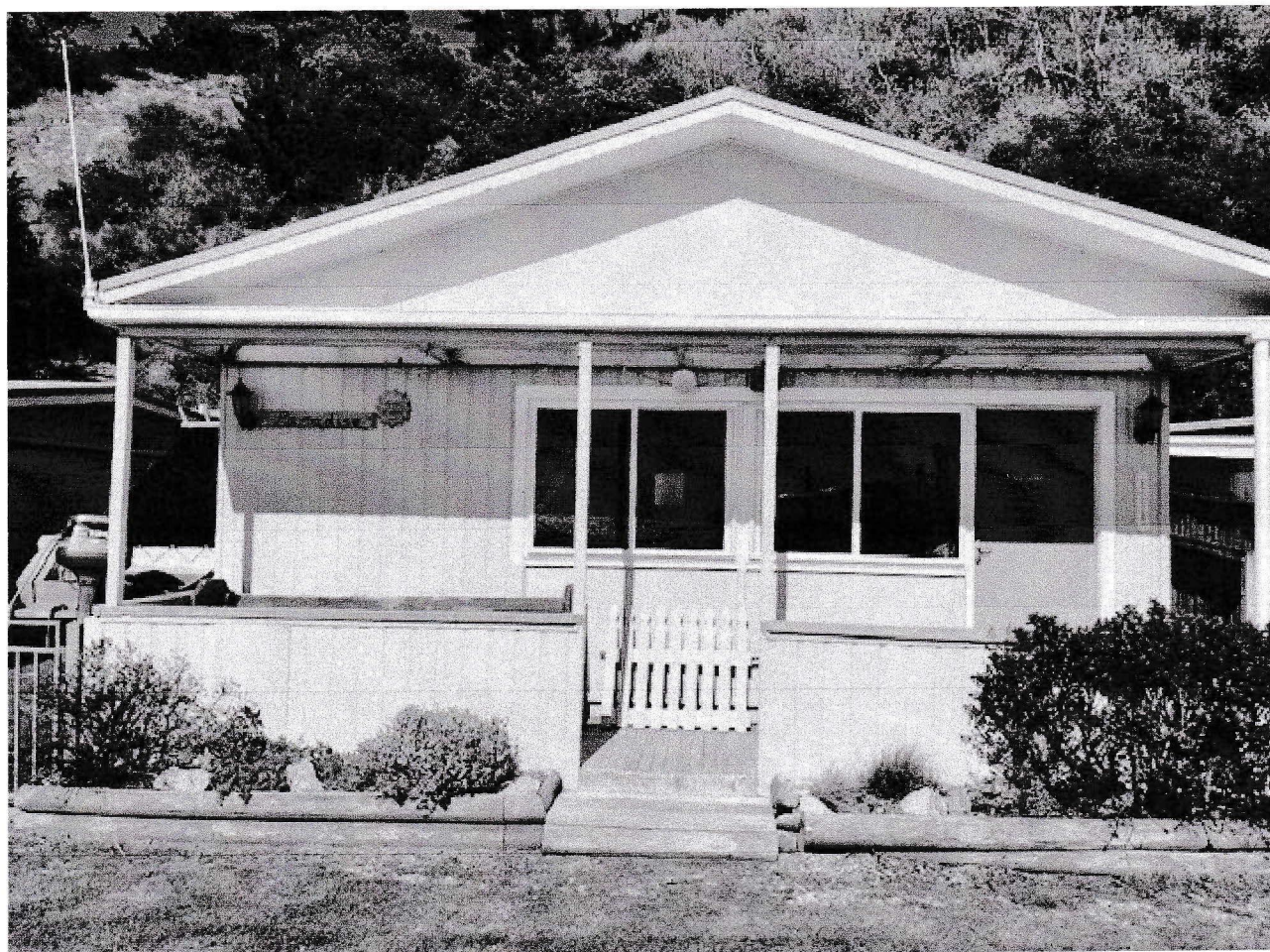
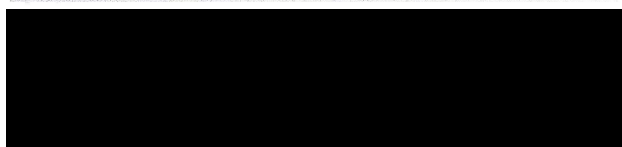
	<p>Coastal Erosion and Environmental Protection Initiatives</p> <ul style="list-style-type: none"> • This is a major issue for all NZ and Pourerere situated on the rugged highly exposed East Coast is very vulnerable. Our community has been actively committed to the preservation of our foreshore for many generations. To date our initiatives include regular three monthly measuring of foreshore line from a datum point. • All of us in varying degrees take responsibility for maintaining the environmental integrity of Pourerere. • All Pourerere residents continually work in small ways to stave off the ravages of erosion. • People do this in different ways ranging from deposits of greenery on the tideline, to the deposit of rocks and other materials. • These are all temporary measures but in the most part they have helped. • There is widespread agreement that the ‘fix’ or solution needs to be comprehensive and coordinated. <p>Planting</p> <ul style="list-style-type: none"> • As one measure of protection of the foreshore against erosion we have in conjunction with other parts of the Pourerere community, in partnership with the Regional and District Council, partaken in foreshore planting initiatives. These have happened on a number of occasions. • Regular Ongoing weeding is undertaken to maintain the integrity of this planting • Numbers of us have collectively spent thousands of hours planting and maintaining the Doc and farmland behind our properties as part of an ongoing stability measure. <p>Rubbish and Flotsam</p> <ul style="list-style-type: none"> • People take regular walks along the beach to remove daytripper and general seaborne flotsam off the beach • Permanent residents, as a part of their daily routine, walk along this beach with a plastic bag picking up rubbish • All of us in holiday periods pick up “rubbish left behind” as we see it by day trippers • Some engage their whanau to walk further afield as a commitment to “community work” and the protection of our community and environment.
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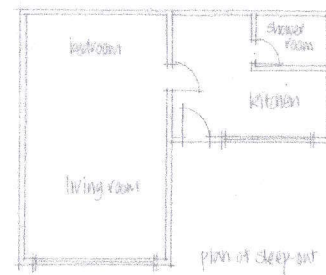
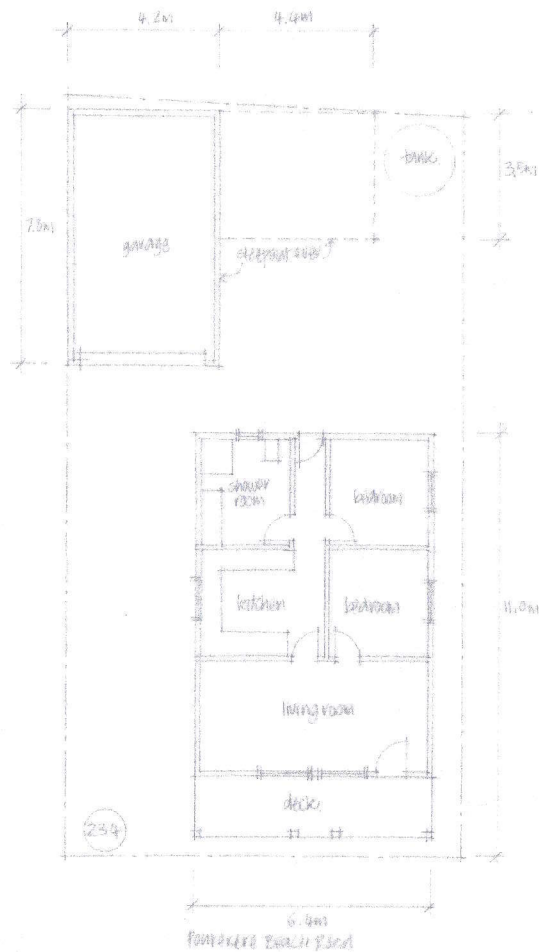
	<ul style="list-style-type: none"> • The combined effect of the above is a commitment from this community to keep Pourerere Beach clean. ... it works, and we all win. <p>Ramp Maintenance</p> <ul style="list-style-type: none"> • Many many hours of work using manpower and machinery are put in every year to maintain the four vehicle access points onto Pourerere Beach. • These are regularly compromised by the ravages of the ocean and rendered unusable and/or unsafe.
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Outlook

photo





234 Pouterere Beach
Rural, Pouterere

Land description:
Section 15 Block XII
Pouterere SD

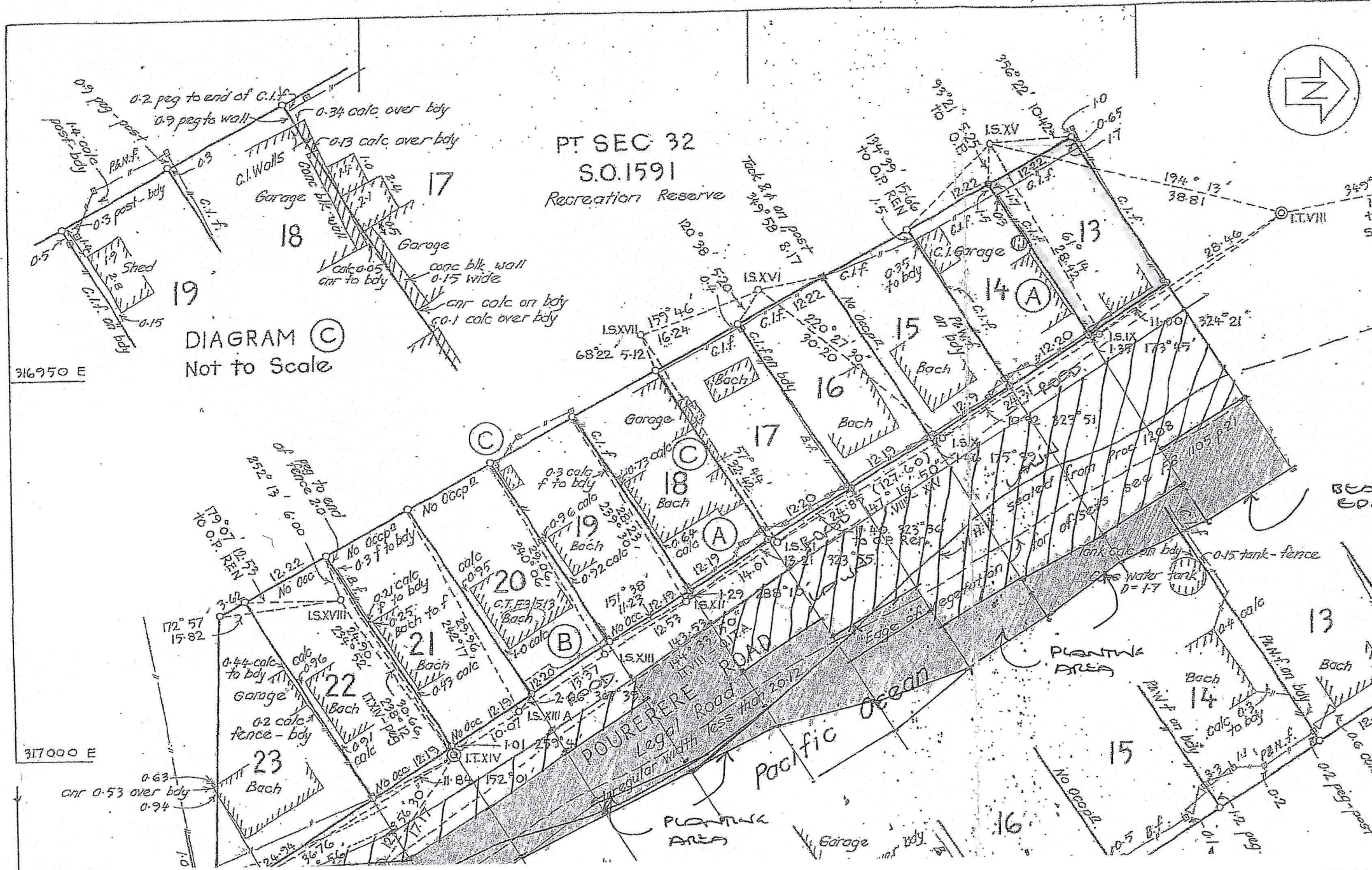
Site area: 28/m²

Each floor area: 70.4m²*

Floor/site plan based on
information supplied by
each owner's title plan
County Council 506 751
of sections 15-25 attached,
dated 1975.

*approx measurements,
not site measured.



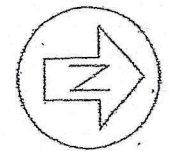


PT SEC 32
S.O.1591
Recreation Reserve

DIAGRAM (C)
Not to Scale

316950 E

317000 E



Applicant Information Form 1a Notified or Non-notified Process



Department of
Conservation
Te Papa Atawhai

New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenancing and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- 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 information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

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

- Check the [DOC webpage for the activity you are applying](#)¹ for.

¹ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the [Department of Conservation Office](#)² closest to where the activity is proposed. You can use [DOC maps](#)³ to identify which District Office you should contact. Or arrange a meeting with any of our [four offices that process concessions](#)⁴ – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are 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 for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine 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](#)⁵.
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the [DOC webpage for the activity you are applying](#)⁶ for.

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.

² www.doc.govt.nz/footer-links/contact-us/office-by-name/

³ <http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/contacts>

⁵ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

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.

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 of 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 actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the [Safety Plan](#)⁷ information on the DOC website for further information.

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/managing-your-concession/safety-plans/>

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 e.g. Educational institutes (Go to ②)

①	Applicant name (individual)	Richard and Anne Loan		
	Phone		Mobile phone	
	Email			
	Physical address		Postcode	
	Postal address (if different from above)		Postcode	

②	Applicant name (full name of registered company, trust, incorporated society or other)			
	Trading 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. Pre-application meeting

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

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

- If yes record the:

Date of DOC pre-application meeting	Various
Name of DOC staff member	Rachael Mora, Alice Heather
Name of person who had the pre-application meeting with DOC	

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	<input type="checkbox"/>
Land use: Tenanted and/or using existing DOC facility/structure	3a	<input type="checkbox"/>
Land use: Use of public conservation land for private/commercial facility/structure	3b	<input checked="" type="checkbox"/>
Guiding/Tourism/Recreation: Watercraft activities	4b	<input type="checkbox"/>
Filming	5a	<input type="checkbox"/>
Sporting Events	6a	<input type="checkbox"/>
Marine reserves application form: Structure in a marine reserve	11a	<input type="checkbox"/>
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	<input type="checkbox"/>

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](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/)⁸
- [Easements](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/)⁹
- [Land based guiding](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/land-based-guided-activities/)¹⁰

⁸ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

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

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

No



Yes



- If yes, state which application forms:

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

This application relates to the continued access and use of our bach on a currently leased site at Pourerere Beach. The original leases were granted as Land Act leases. Further information is provided in the relevant application form (3b).

Our history demonstrates that we have the necessary experience to be a responsible leaseholder and to manage the terms and conditions of the concession. Our family has owned a bach at Pourerere Beach since the 1920s, and we purchased this property outright in 2011. We have always complied with our lease conditions and obligations to the Department.

We are the current leaseholders for this site, with the lease having legal effect until 31 December 2039, unless it is superseded by a concession. DOC's decision on this concession application and the nature of any conditions it applies could fundamentally alter how we can utilise our bach. DOC has previously advised us that it will be transparent through this concession application process and that it will share its thinking and proposed conditions. We therefore submit this application on the understanding that DOC will share its draft concession conditions with us prior to making any final decisions – and that we should have the opportunity to withdraw our concession application if necessary.

Note on ownership

We purchased this lease and bach outright from family members in 2011. The purchase was made by our family trust (the Loan Family Trust), which was wound up in 2023 at which point the lease was assigned to us as individuals. We have had difficulties in the past correcting DOC's records, with DOC continuing to contact the previous owners – please let us know if you need any further proof of the sale and purchase agreement or our efforts to correct DOC's records for the lease.

F. Attachments

Attachments should *only* be used if 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

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	<input checked="" type="checkbox"/>
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	<input checked="" type="checkbox"/>
I have completed the activity application form .	<input checked="" type="checkbox"/>
I have appropriately labelled all attachments and completed section F Attachments .	<input checked="" type="checkbox"/>
I will email permissions@doc.govt.nz my: <ul style="list-style-type: none">• Completed applicant information form• Completed activity application form/s• Any other attachments.	<input checked="" type="checkbox"/>

H. 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	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>
If 'yes' under what name	
Does your organisation require a purchase order number for invoicing purposes?	<input type="checkbox"/>
If yes, please provide the number here:	

All invoices related to this Permission will be coded to this purchase order number unless otherwise advised. It is the applicant's responsibility to advise the Department if the purchase order needs to change through the lifetime of the Permission.

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

Terms and conditions	Tick
I/We agree that the Department of Conservation can provide my/our details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
Typed applicant name/s	Richard Loan, Anne Loan
Date	11 June 2025

For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	



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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

If you require extra space for answering please attach and label according to the relevant section.

A. Description of Activity

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

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

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

Proposal to lease 220 Pourerere Beach Road, Aramoana 4271. Legal description: Section 8 Block XII Pourerere Survey District

We are seeking a 60-year concession (lease) to be granted under the exceptional circumstances detailed in this application, supported by detailed commitment to the Department of Conservation priorities.

The subject lease is a small parcel of land of approximately 385 square metres and has several existing structures. It is located at Pourerere Beach, where baches have been in place for a century, with the first leases being issued in the 1920s. This lease is part of a group of 23 leasehold sections, within a cluster of different ownership models at Pourerere Beach, including freehold tenure, a Recreation Reserve and a soil conservation area. The map attached to this application shows the subject site marked.

The lease for this property was initially issued by the Department of Lands and Survey under the Land Act 1948 and included a perpetual right of renewal. In 1987 the land became a conservation area and subject to administration by DOC under the new Conservation Act 1987. It is currently classified as 'stewardship land'.

We are not proposing any change to the activities that have always been undertaken at the site: the site would continue to be used as a family bach. Granting a 60-year concession would be consistent with the Hawke's Bay Conservation Management Strategy, which highlights the long-term existence of the baches in the area and the 23 leases on conservation land.

Our family has continuously owned a bach at Pourerere Beach since the 1920s, with five generations having grown up enjoying the lifestyle and community relationships available at Pourerere.

This particular bach was purchased in 1957 by [REDACTED], who transferred ownership to their three sons [REDACTED]'s parents had owned a nearby bach at Pourerere from the 1920s). We bought the property from [REDACTED] two brothers in 2011, at a time when the future of the property was uncertain after being red-stickered by the Central Hawkes Bay District Council, under section 124 of the Building Act 2004. At the time of purchase DOC transferred the lease to us without variation, including the right to renew the lease for 33-year terms in perpetuity. DOC's recent advice that it made a mistake in transferring this lease (and that we should have applied for a concession) means that there is a compelling case for being granted a 60-year concession under section 17Z(1) of the Conservation Act 1987.

We are part of a community that has made deep connections to the area through local planting, erosion control and coastal protection, community safety, first responders to beach visitors when they strike difficulty, and fishery monitoring. We have done this without hesitation, to reflect our deep commitment to the coast and all who visit there.

We believe our case for a 60-year concession is strong: there is very limited alternative use of the land, the land on which the bach is sited is of low conservation value, we have had a historic and long-term connection to Pourerere Beach, we are not proposing any change to the activities undertaken at Pourerere, we are committed to environmental protection measures (e.g. planting and erosion control), and our presence at the beach contributes to the ability of the wider public to safely enjoy Pourerere Beach (e.g. we have contributed to funding a defibrillator for public use). Importantly, we have suffered economic loss due to DOC's mistake in 2011 which led us to believe at the time that we were purchasing a lease with a perpetual right of renewal.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

The application is only for the lease to enable us to utilise our family bach. We are not proposing to build any new structures.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility

NO

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

Is this necessary for safety or security purposes?

NO

Is this necessary as an integral part of the activity?

NO

Is this essential to carrying on the activity?

NO

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **No, but access needs to be managed by concession holders**

(Exclusive occupation requires a lease which requires public notification of the application)

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

Is exclusive possession necessary to protect public safety?

Is exclusive possession necessary to protect physical security of the activity?

Is exclusive possession necessary for the competent operation of the activity?

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

The land on which our bach is sited is a small parcel of conservation land and we would not seek to exclude people from it. We are applying for a concession that would give us the right to exclusively occupy our bach on this land while we are present and, when we are not present, to control who can access the bach and the terms on which they can do so.

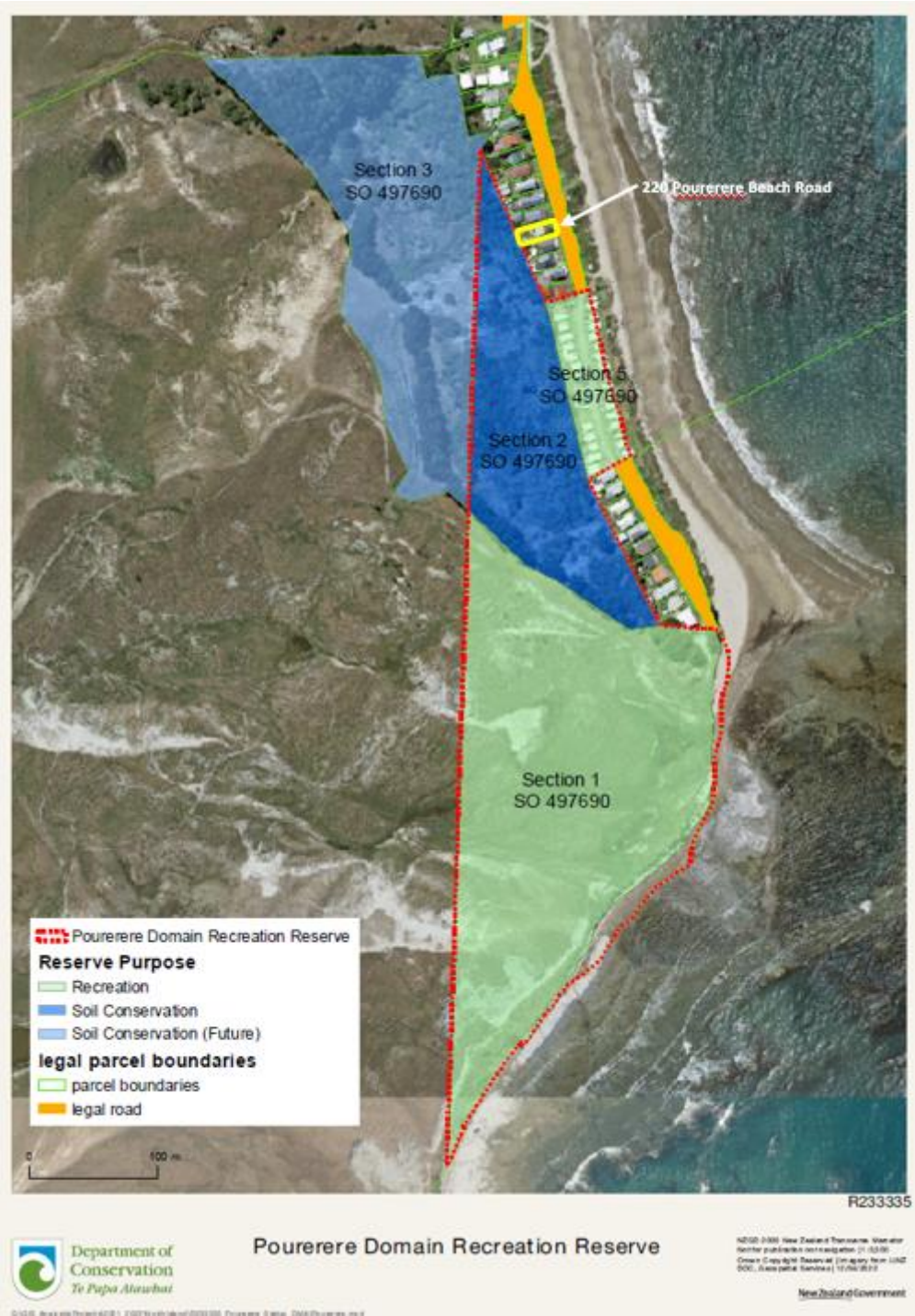
We have allowed others to use our bach in the past and are happy to make the bach available to rent through a website such as Airbnb or bookabach.

Our ability to exercise control over the volume and terms on which the wider public can utilise our bach is essential for both public safety and the ability for the bach to operate as a holiday house ('the competent operation of the activity'). The bach is extremely 'basic' by modern standards and simply could not handle large volumes of visitors if the public was to have unimpeded access. For example, rainwater is used for drinking and washing and in drought-prone Central Hawke's Bay we regularly need to ration our water use to ensure there is sufficient water to last through the summer period – with family members being regularly reminded not to unnecessarily use water. Similarly, the site has a limited-capacity septic tank that simply cannot handle large numbers of visitors, while the sump is prone to blockages. As an old house the maintenance costs are increasing and it is easily foreseeable that large costs could quite easily arise, or that a large number of visitors could create issues that prevent anyone from being able to use the bach for a lengthy period.

As leaseholders we would have health and safety obligations under the Health and Safety at Work Act 1974 when making the bach available to the public. If the concession is granted it is important that the Crown does not impose a wide and unmanageable duty of care on the leaseholder – for example, by requiring equal public access to the bach at all times without the leaseholder having any control on the extent of that access. This would create public safety risks and the leaseholder would have personal liability under the Act for all potential hazards, risks and their management. It is important that leaseholders can manage risks associated with the bach and control matters that may give rise to personal liability.

Finally, we note that granting a degree of exclusive access to the bach through this concession will in no way impact the conservation amenity of the area nor the ability of the wider community to enjoy the beach. This section is a small parcel of land that is set back from the beach. It abuts a nearby hill and is sandwiched between two other leasehold baches. The site does not impede or restrict coast access, road access and the land is not necessary for coast access or use in any other way. The coastal area has extensive access including a public carpark immediately to the south, a public boat ramp for beach access to vehicles, a road reserve that the public use continuously, etc.

The assets and infrastructure situated on this public conservation land are privately owned and have been since the 1930s. These assets are sympathetic to the local area. They include water infrastructure (such as limited supply freshwater tanks), secure sheds, private home, and all related household appliances associated with a private home. The bach in question is a very typical New Zealand bach and was featured in Jeff Grigor's 2008 book 'Baches and Cribs',



E. Technical Specifications (for telecommunications sites only)

Frequencies on which the equipment is to operate

N/A

Power to be used (transmitter output)

N/A

Polarisation of the signal

N/A

Type of antennae

N/A

The likely portion of a 24 hour period that transmitting will occur

N/A

Heaviest period of use

N/A

F. Term

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

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

We are seeking a concession of 60 years under exceptional circumstances, as detailed in this application.

G. Bulk fuel storage

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

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

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

NO

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

N/A

H. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 3b:H.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
220 Pourerere Beach Road (Stewardship land)	Nil. This is not an area of high conservation value. There are no at risk or threatened species on the site. The lease is a small parcel (385m ²) of land (akin to a small residential section) sandwiched between a public sealed road, a hill and two adjoining leased site.	<p>We take nothing from the area, nor do we engage in any activity that has adverse effects on the land. There is a small house on the site.</p> <p>Our presence here has a positive impact on the environment. We take an active stewardship role at Pourerere Beach. We have planted in excess of 200 trees and bushes on the adjacent hillside that was recently retired from farming and have contributed to some permanent erosion control measures.</p> <p>This is a remote and isolated community. The leaseholders along this entire community undertake planting, beach and dune maintenance, monitor the use of the local fishery and adherence to legal take limits, and are first responders to local emergencies on the beach and out to sea. The intensity of the use of this beach/coastal area has increased in recent years with Rahui placed on Waimarama and Ocean Beach Pāua, which has seen an exponential rise in visitors, divers, fishers, etc to Pourerere Beach. Our small community has ramped up its efforts on behalf of iwi, Fisheries (MPI), Police, FENZ, Coastguard and DOC, to protect this area and the safety of those who visit.</p> <p>Please see the final pages of this application, which set out in more detail the positive impact our community of leaseholders has on the environment at Pourerere Beach.</p>	<p>There are no discernible adverse effects.</p> <p>Our commitment to Te ora a Papatūānuku - Healthy nature, Te ora a Hapori - Thriving communities, and Te hunga a Atawhai - People who care are described in the attached table.</p> <p>The final pages of this application list some of the means by which our community of bach-owners at Pourerere have contributed to environmental protection and the ability of the wider public to safely enjoy Pourerere Beach.</p>

I. Other

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

In addition to the reasons set out above for why we believe there is a compelling case to be issued with a 60-year concession, we wish to set out how DOC's actions have caused us financial loss. We believe this loss can only be remedied, at this point in time, by a 60-year concession.

The key points of context to note are:

- The leases at Pourerere were initially issued under the Public Reserves, Domains, and National Parks Act 1928 and then by the Department of Lands and Survey under the Land Act 1948 and included 33-year leases, with a perpetual right of renewal. Richard Loan's parents purchased the lease and the bach in question in 1957.
- In 1987 the relevant land became a conservation area and subject to administration by DOC. Section 64(2) of the Conservation Act 1987 was enacted at the same time and states that any land subject to an existing lease under the Land Act 1948 would continue to be subject to the relevant terms of that lease upon becoming part of a conservation area (with the leases being subject to DOC administration).
- In 1996 an amendment to the Conservation Act introduced a new concession regime: from this date no activity could be undertaken on conservation land without first receiving a concession from the Minister of Conservation. Section 47 of the Amendment Act states that, with respect to leases, the requirement to get a concession only applied when leases come up for renewal.
- In 2008 the Pourerere leases came up for renewal and DOC reissued the leases at Pourerere for a further 33-year term with unchanged terms and conditions.
- In 2011 following a storm and earthquake many properties at Pourerere Beach, including this bach, were red-stickered under the Building Act 2004. We purchased the bach outright from family members while it was red-stickered.
- To enable the 2011 purchase DOC transferred the lease to us, with unchanged terms and conditions (including the perpetual right of renewal).
- In 2021 DOC advised Pourerere leaseholders it had erred when it renewed the leases at Pourerere in 2007. DOC advised current leases will be honoured until 2040, but it will not honour any further rights of renewal. All leaseholders are advised they will be required to obtain a concession in the future.

DOC has made two significant mistakes that it has acknowledged: it erred in renewing the leases in 2008 (rather than moving to the concession regime) and it erred again in 2011 when it transferred the defective leases to us as part of our purchase agreement. The financial loss we incurred from this 2011 purchase and some costs incurred in the period to 2021 can be attributed to DOC's error when we purchased this lease.

There are three categories of financial loss we have suffered from DOC's decision to transfer the defective lease to us as part of our purchase of this lease in 2011, which we set out in more detail below: loss attributable to the purchase price; loss from large-scale costs during the period to 2021; and future losses if no concession is granted. Our best estimate is that DOC's actions in transferring the defective lease to us has caused us economic loss of up to [REDACTED]. This loss will increase by a further [REDACTED] if no concession is granted and the bach is effectively written off.

1. Loss that can be attributed to the purchase price

DOC's actions when we were purchasing the property led us to reasonably believe we would have valid title and a perpetually renewable lease, which would provide us with some certainty that our family could remain at Pourerere Beach for generations to come. In 2011 both buyers and sellers for 220

Pourerere Beach Road believed themselves to be setting a price for a lease that was perpetually renewable; but, in reality, they should have been setting a price for a lease that had only 29 years left to run.

It is difficult to quantify the loss we have incurred; however, we would certainly not have paid what we did for the bach in 2011 if we were aware we were not purchasing a perpetual right of renewal. We have not engaged a registered valuer to quantify this loss. However, we support the analysis done by [REDACTED]'s valuer, who estimated the loss of a renewable lease at Pourerere Beach from 2040 would be the equivalent of 35% of the land value of the properties at Pourerere Beach. For 220 Pourerere Beach Road, we have used two methods to provide an estimate of economic loss from over-paying the 2011 purchase price of between [REDACTED] and [REDACTED]:

- Applying the 35% loss to the most recent land values (using Central Hawke's Bay District Council) equates to us having incurred a loss of [REDACTED]
- Applying the 35% loss to the sale price from 2011 and assuming the bach had zero economic value at the time (it was red-stickered and, as set out below, could not be practically transported elsewhere), provides an estimate of loss of [REDACTED] in today's dollars (using the Reserve Bank's inflation calculator).

2. Loss from large-scale costs incurred during the period to 2021

During the period from 2011 to 2021 we made financial decisions with respect to the bach on the basis that we had a perpetually renewable lease.

We have gone through our accounts for that ten-year period and have assessed that we spent [REDACTED] on upgrading and maintaining the bach and a further [REDACTED] on stabilising the nearby hill and undertaking planting to minimise the long-term risks of erosion and slips. Much of this work was a direct response to the bach having been red-stickered – as the purchase price we paid didn't reflect the true risks and costs of ensuing the bach was habitable in the long-term. Other costs were incurred in the belief we were creating a bach that we would have for generations – such as our refurbishment of a 'bunk house'. If we had known we did not have a lease beyond 2040 we would certainly have scaled back this [REDACTED] of expenses.

3. Possible future loss if no concession is granted

Should DOC not grant a concession it is likely that our losses would be much greater. The only economic value remaining, should a concession not be granted, would be the value that could be generated from selling the bach to be removed off the site. However, the probability of someone purchasing would be extremely low given the remote nature of the area, very poor road access, and almost impossible terrain to transport a dwelling of any size. The loss of value of the bach would be total – and it is currently valued by the Central Hawke's Bay at [REDACTED].

Conclusion

Our family has had a bach at Pourerere Beach for 100 years and we made our investments there under the belief our family might be there for 100 more years. This has been an extremely difficult issue for us all to work through and to accept the loss of our renewable lease.

Granting a 60-year concession would go some way to limiting the financial impacts on our family from DOC successive errors in administering and transferring the relevant Land Act lease in 2011.

Environmental impact assessment continued: along with other Pourerere leaseholders we are established, responsible custodians or stewards of this parcel of land.

Since 2021, DOC has worked to embody a contemporary way of working, named *Papatūānuku Thrives*, that specifies the roles, behaviours, principles and desired outcomes for a thriving DOC estate. Our case to DOC is that we Pourerere beach leaseholders have been responsible stewards since the 1930s and wish to be active partners with DOC for many generations to come in jointly achieving the desired outcomes of:

- Te ora a Papatūānuku - Healthy nature
- Te ora a Hapori - Thriving communities
- Te hunga a Atawhai - People who care

The following table describes what is effectively a Custodial Blueprint to preserve the integrity, beauty, quality, essence of Pourerere for us, the general public and future generations.

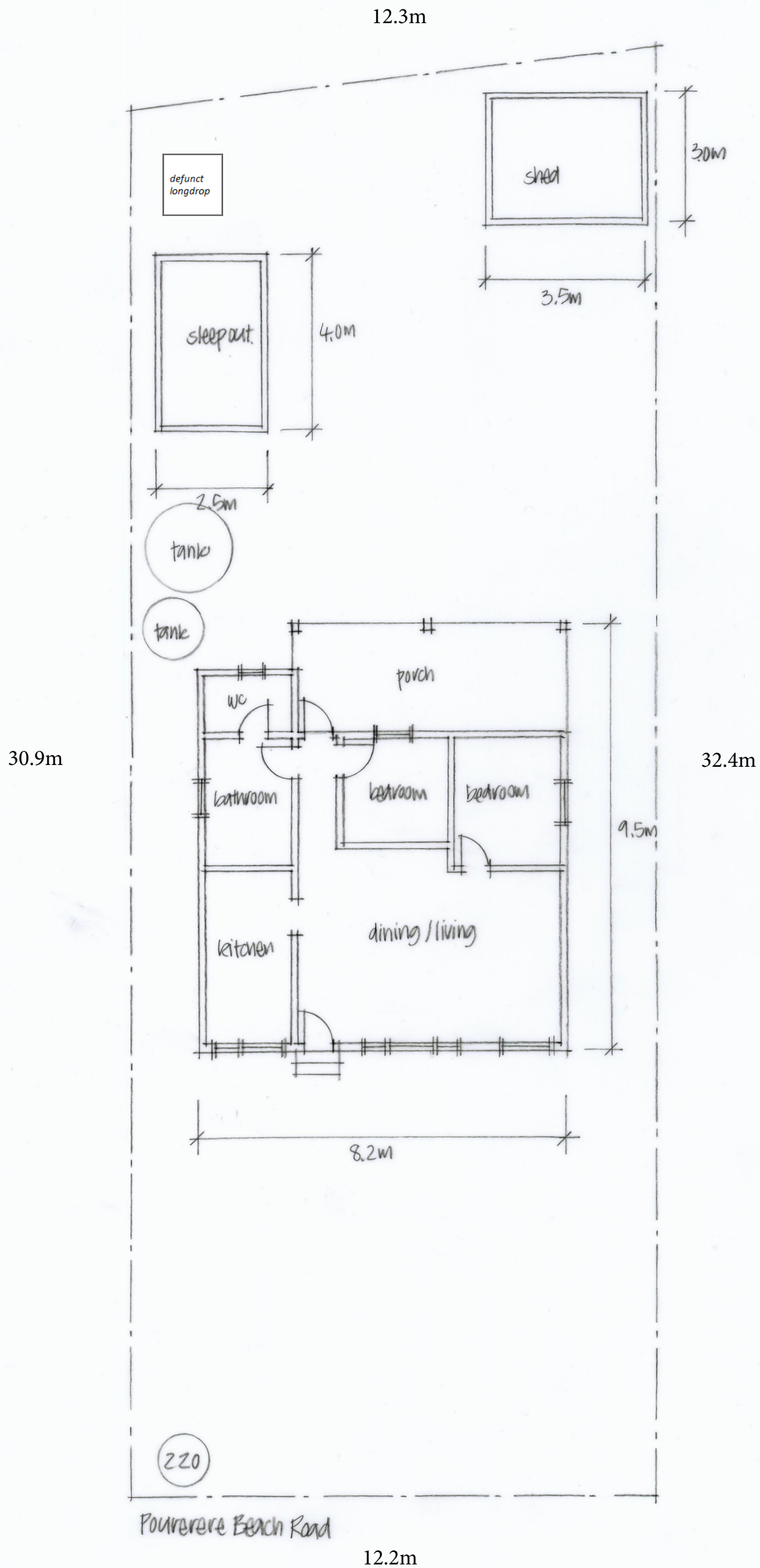
DOC Papatūānuku thrives	Pourerere beach leaseholders - examples of active stewardship and care
<p><i>DOC's Role is to:</i></p> <ul style="list-style-type: none"> ● Partner with iwi, hapū and whānau, and collaborate with others ● Care for the land, the waters, our native species and our heritage ● Advocate for nature, and be a regulator ● Foster recreation in nature ● Tell the stories of our nature and our history 	<p>We lease holders share the environment with the general public but are fortunate to have leases that enable us to spend quality time there with our friends and families intermittently during the year. We recognise and have always believed that we have a responsibility to protect and preserve the integrity of this special piece of the Hawkes Bay coastline.</p> <p>The following examples are just some of the actions we have taken to care for the land, the waters, the native species and for the heritage of the area:</p> <p><i>Te Angiangi Marine Reserve</i></p> <p>This was a significant, environmental and ecological enhancement initiative. Mana whenua and Pourerere lease holders such as [REDACTED] worked tirelessly and determinedly with all the relevant agencies for years through a lengthy challenging process. It was a significant achievement to sell the vision and mobilise DOC to establish Te Angiangi marine reserve.</p> <p>A marine reserve committee was established with accessibility and educational infrastructure implemented for visitors to interact with. That remarkable regeneration of marine life not just within but around the</p>

	<p>reserve and along the local coastline. The Pourerere and Central Hawkes Bay communities have benefited enormously from both the educational and recreational pleasures of that reserve since its inception.</p> <p>Since the storm of 2011, access to and care for Te Angiangi has been challenging. We have been supportive of Ngāti Kere and our beach neighbours at Aramoana and Blackhead in efforts to improve the care for the marine reserve.</p> <p><i>The Freedom Camping Project</i></p> <ul style="list-style-type: none"> ● The Pourerere Freedom Camping Project was another Pourerere Beach Community supported initiative. In the period preceding the now collaboratively managed Freedom Camping, the area had become increasingly untidy, unsafe and lacked management. Each year, for extended summer periods, this area represented a gathering ground for some disenfranchised parts of the wider community, including local gang members. ● The behaviour was at times intimidating; the environment abused. This included poor sanitation, the dumping and abandonment of litter and bottles, the flouting of rules relating to the size and designation of sites, and the time allocations for them. ● Our community led the process to reconcile the tensions between regular campers in the zone, and Council. It was agreed that change and some form of Management were required and in everyone's best interests. ● This set in motion the formation of a Committee comprising the Council, influential regular freedom campers, and Pourerere Beach residents who jointly established a new set of rules and management structure for Freedom Camping. ● This initiative had the immediate effect of creating a controlled, orderly Freedom Camping environment that still exists today. In the ensuing period this has become increasingly more orderly, tidy and better managed. <p><i>Reef and Beach Security</i></p> <ul style="list-style-type: none"> ● Prompted by Pourerere beach residents, a Council bylaw was implemented preventing any driving on reef platforms. Locals had noted the detrimental impact that vehicles were having on the reef and lobbied for the regulatory support.
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	<ul style="list-style-type: none"> • The positive impact on reef health has made us all big supporters of the bylaw. Numbers of us now regularly 'police' the reefs by interacting with day trippers (mostly divers) to inform them of the ecosystem threat of driving or parking on the reefs. • On occasion we also intervene where people drive on the beach recklessly • Our approach is always conciliatory and informative rather than authoritative. <p><i>Woolpress story in signage</i></p> <ul style="list-style-type: none"> • Actively promoted to Council for the protection of Historic Heritage of the circa 1878 Old Wool Dumping Press. • [REDACTED] commissioned the paintings of the old wool press and moving of wool • These signs were blessed and unveiled in a ceremony in October 2009 <p><i>Bach history</i></p> <ul style="list-style-type: none"> • In the 80s, Pourerere leaseholder [REDACTED], started researching the history of each bach, interviewing current and past owners and recording the information. Her vision was to write a book one day - an historical journey through time of the Pourerere Community, its habitations, activities and ideas. The project became too much for her as she aged but we still have her suitcase of notes - ready for someone to pick up the baton. • Many of the baches have made it into publications being considered iconic of the NZ bach. eg. "The Bach" and "Baches and Cribs"
<p><i>DOC Principles:</i></p> <ul style="list-style-type: none"> • elevating principles of the Treaty and fulfilling our Treaty Partner relationships • Holding wellbeing and safety at our heart • Working together with others • Leaving the world a better place 	<p><i>Community safety</i></p> <ul style="list-style-type: none"> • This area of coast is extensively used by day trippers, fishers, whanau groups, and tourists. • The community monitors personal and craft safety • Individual investment in community assets such as defibrillators (x3). • Locals provide first response to safety and health incidents, which frequently occur, both onshore and offshore. Search and rescue equipment is provided free of charge, homes are opened up to provide bases for search and rescue operations, personal vehicles and craft are used in direct response to incidents

<p><i>Behaviours:</i></p> <ul style="list-style-type: none"> ● Whakatānanatia - We deliver ● Atawhaitia a Papatūānuku - we love nature ● Whakawhānaungatanga - we build relationships ● Whakaauaha - we innovate 	<p>The following are some examples of an active community who loves nature, builds relationships, innovates and delivers on our care for Pōrerere beach.</p> <p><i>2011 Slip Rectification Program</i></p> <ul style="list-style-type: none"> ● At Easter in 2011 our region got hit with serious slip damage to most of our properties. ● Residents resolutely, in some cases as individuals and others in groups according to their respective designations, set about recovering properties, restoring them from the environmental wrath of the flood, slips, and earthquake 1,2,3 combo that wrecked so much havoc over a freak 48 hours of climactic devastation. ● Council red Stickered this parcel of land and we were forced to abandon our properties, belongings and beloved beach ● We embarked on a dogged recovery program, starting with a statutory Determination from the (then) Department of Building and Housing. This overturned the CHBDC decision and categorisation of the properties and opened the possibility of an investment and recovery programme. ● Contributed significant personal monies and hundreds of hours of time in consultation with council and Geotechnical Cos to lead what became not just a restoration but an improvement and future risk mitigation project ● That contribution included significant Geotechnical consultancy fees and restoration costs. The bulk of this cost and work was on the land behind our properties. ● As such we willingly contributed to the future stability and thus accessibility to Pōrerere. <p>Coastal Erosion and Environmental Protection Initiatives</p> <ul style="list-style-type: none"> ● This is a major issue for all NZ and Pōrerere situated on the rugged highly exposed East Coast is very vulnerable. Our community has been actively committed to the preservation of our foreshore for many generations. To date our initiatives include regular three monthly measuring of foreshore line from a datum point. ● All of us in varying degrees take responsibility for maintaining the environmental integrity of Pōrerere. ● All Pōrerere residents continually work in small ways to stave off the ravages of erosion. ● People do this in different ways ranging from deposits of greenery on the tideline, to the deposit of rocks and other materials.
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	<ul style="list-style-type: none"> ● These are all temporary measures but in the most part they have helped. ● There is widespread agreement that the 'fix' or solution needs to be comprehensive and coordinated. <p>Planting</p> <ul style="list-style-type: none"> ● As one measure of protection of the foreshore against erosion we have in conjunction with other parts of the Pourerere community, in partnership with the Regional and District Council, partaken in foreshore planting initiatives. These have happened on a number of occasions. ● Regular ongoing weeding is undertaken to maintain the integrity of this planting ● Numbers of us have collectively spent thousands of hours planting and maintaining the Doc and farmland behind our properties as part of an ongoing stability measure. <p>Rubbish and Flotsam</p> <ul style="list-style-type: none"> ● People take regular walks along the beach to remove daytripper and general seaborne flotsam off the beach ● Permanent residents, as a part of their daily routine, walk along this beach with a plastic bag picking up rubbish ● All of us in holiday periods pick up "rubbish left behind" as we see it by day trippers ● Some engage their whanau to walk further afield as a commitment to "community work" and the protection of our community and environment. ● The combined effect of the above is a commitment from this community to keep Pourerere Beach clean. ... it works, and we all win. <p>Ramp Maintenance</p> <ul style="list-style-type: none"> ● Many many hours of work using manpower and machinery are put in every year to maintain the four vehicle access points onto Pourerere Beach. ● These are regularly compromised by the ravages of the ocean and rendered unusable and/or unsafe.
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220 Pouterere Beach
Road, Pouterere

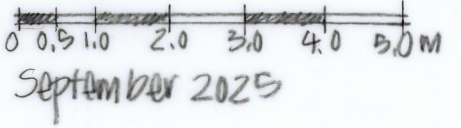
Legal Description:
Section 8 Block XII
Pouterere SD

site area: 385 m²

bach floor area: 78 m² *

Floor/site plan based on
information supplied by
bach owners.

* approx. measurements,
not site measured.









Applicant Information Form 1a Notified or Non-notified Process



Department of
Conservation
Te Papa Atawhai

New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenancing and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- 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 information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

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

- Check the [DOC webpage for the activity you are applying](https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/)¹ for.

¹ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the [Department of Conservation Office](#)² closest to where the activity is proposed. You can use [DOC maps](#)³ to identify which District Office you should contact. Or arrange a meeting with any of our [four offices that process concessions](#)⁴ – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are 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 for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine 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](#)⁵.
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the [DOC webpage for the activity you are applying](#)⁶ for.

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.

² www.doc.govt.nz/footer-links/contact-us/office-by-name/

³ <http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/contacts>

⁵ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

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.

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 of 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 actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the [Safety Plan](#)⁷ information on the DOC website for further information.

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/managing-your-concession/safety-plans/>

A. Applicant details

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

B.

①	Applicant name (individual)	[REDACTED]		
	Phone		Mobile phone	[REDACTED]
	Email	[REDACTED]		
	Physical address	[REDACTED]	Postcode	[REDACTED]
	Postal address (if different from above)		Postcode	

②	Applicant name (full name of registered company, trust, incorporated society or other)	Hewitt Family Trust		
	Trading name (if different from applicant name)			
	NZBN if applicable (to apply go to: https://www.nzbn.govt.nz)	[REDACTED]	Company, trust or incorporated society registration number	
	Registered office of company or incorporated society (if applicable)			
	Company phone		Company website	
	Contact person and role	[REDACTED] (Trustee)		

Phone		Mobile phone	
Email			
Postal address		Postcode	
Street address (if different from postal address)		Postcode	

B. Pre-application meeting

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

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

- If yes record the:

Date of DOC pre-application meeting	Various
Name of DOC staff member	Rachael Mora, Alice Heather
Name of person who had the pre-application meeting with DOC	

-

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	<input type="checkbox"/>
Land use: Tenanting and/or using existing DOC facility/structure	3a	<input type="checkbox"/>
Land use: Use of public conservation land for private/commercial facility/structure	3b	<input checked="" type="checkbox"/>
Guiding/Tourism/Recreation: Watercraft activities	4b	<input type="checkbox"/>

Filming	5a	<input type="checkbox"/>
Sporting Events	6a	<input type="checkbox"/>
Marine reserves application form: Structure in a marine reserve	11a	<input type="checkbox"/>
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	<input type="checkbox"/>

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](#)⁸
- [Easements](#)⁹
- [Land based guiding](#)¹⁰

⁸ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

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

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

No



Yes



- If yes, state which application forms:

-

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

This application relates to the continued access and use of a currently leased site at Pourerere Beach. The original leases were granted as Land Act leases. Further information is provided in the relevant application form (3b). I have owned the property on the site since 2012 and at all times complied with and honoured lease conditions and obligations to the Department under the Terms and Conditions of my lease.

F. Attachments

Attachments should *only* be used if 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>Correct example ✓</u> <i>D</i>	<i>Locations</i>	<i>PDF</i>	<i>Trust Deed.</i>
<u>Incorrect example X</u> <u>Table</u>	<i>Doc1</i>	<i>Word</i>	<i>Table</i>

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	<input checked="" type="checkbox"/>
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	<input checked="" type="checkbox"/>
I have completed the activity application form .	<input checked="" type="checkbox"/>
I have appropriately labelled all attachments and completed section F Attachments .	<input checked="" type="checkbox"/>

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

- Completed applicant information form
- Completed activity application form/s
- Any other attachments.



H.

H. 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

Hewitt Family Trust

Does your organisation require a purchase order number for invoicing purposes?

☐

If yes, please provide the number here:

All invoices related to this Permission will be coded to this purchase order number unless otherwise advised. It is the applicant's responsibility to advise the Department if the purchase order needs to change through the lifetime of the Permission.

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

Terms and conditions

Tick

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



I/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.



I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
Typed applicant name/s	<div>██████████</div>
Date	10 June 2025

For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	



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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

If you require extra space for answering please attach and label according to the relevant section.

A. Description of Activity

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

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

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

Proposal to lease 238 Pourerere Beach Road, Aramoana 4271. Legal description: S 104 SEC 15 BLK XII POURERERE SD,

I am seeking a 60 year concession (lease) to be granted under the exceptional circumstances detailed in this application, supported by detailed commitment to the Department of Conservation priorities.

The subject lease is a small parcel of land, within a group of 23 leasehold sections, within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram. The subject of this application is the southern most section in the entire settlement. The map attached to this application shows the subject site marked.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Leaseholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose.

DOC's purchase was completed in 2021.

The lease site is a base for a small family bach that we purchased in 2012, approximately 20 months post the cyclonic storm affecting the local area. At the time of purchase, the original Land Act Lease was transferred to us "without variation", including the perpetual rights of renewal at 33 year intervals. In the intervening 13 years, we have restored our property from post cyclone Red sticker status, inundated with mud and slip debris that had become a community hazard risk, to a family home we are deeply proud of. We have enjoyed simple family gatherings and established deep ties to the community and the local area. We have made deep connections to the area through local planting, erosion control and coastal protection, community safety, first responders to beach visitors when they strike difficulty, and fishery monitoring. We have done this without hesitation, to reflect our deep commitment to the coast and all who visit there. During this period, Pourerere Beach has also claimed the life of my beloved husband, who tragically drowned while diving in front of our family bach in February 2023.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.

- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

The application is only for the lease.

•

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility

NO

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

Is this necessary for safety or security purposes?

NO

Is this necessary as an integral part of the activity?

NO

Is this essential to carrying on the activity?

NO

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **No, but needs to be managed**

(Exclusive occupation requires a lease which requires public notification of the application)

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

Is exclusive possession necessary to protect public safety?

Is exclusive possession necessary to protect physical security of the activity?

Is exclusive possession necessary for the competent operation of the activity?

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

This section is a small parcel of land that does not impede or restrict coast access, road access or is necessary for coast access and use in any other way. The site is neighboured between a rural farm, two other DOC lease properties and a public road, which borders a wide coastal area with extensive access including a public carpark immediately to the south, a public boat ramp for beach access to vehicles, a road reserve that the public use continuously, etc.

The assets and infrastructure situated on this public conservation land are privately owned and have been since the 1930s. These assets are sympathetic to the local area. They include water infrastructure (such as limited supply fresh water tanks), secure sheds, private home, motor vehicles, firewood, and all related household appliances associate with a private home.

Private owners have health and safety obligations under the Health and Safety at Work Act. A property owner is a PCBU (Person Conducting a Business or Undertaking) in circumstances where they are a private landowner leasing land. As such, access has to be managed to ensure the Crown does not impose a wide and unmanageable duty of care on the leaseholder to all visitors at any time, to:

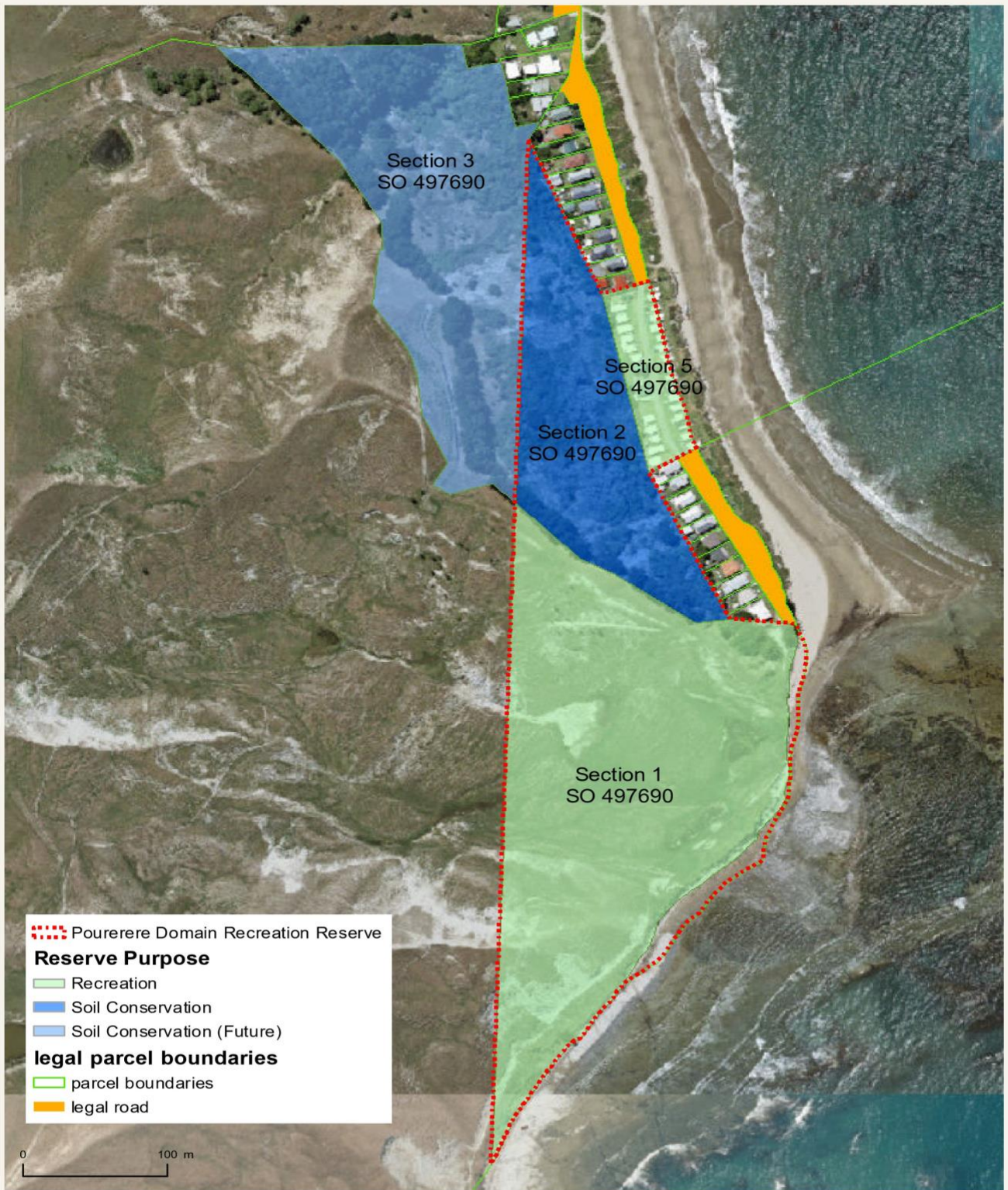
1. Identify risks to any visitors and any time
2. Manage or eliminate those risks
3. Inform visitors about any hazards they may encounter
4. Take steps to keep anyone accessing the property safe....

...in instances where others may be entitled to access and use the land this application relates to.

Without possession being managed by or through the property owner, the Crown would effectively be creating an open invitation to any visitors on to the leased land without the leaseholder having any control on the extent of that access, when, how often, with what effects, with the consequence that the leaseholder would have personal liability under the HSE Act for all potential hazards, risks and their management.

Similarly, the leaseholders currently pay annual lease costs, all CHBDC and HBRC rates, insurance, maintenance and repairs, and other costs associated with the use of that land. It would be unreasonable to expect private leaseholders to effectively fund public use of the leased land.

However, controlled access via Public accommodation booking platforms (like Airbnb, etc) does enable risk to be managed effectively. I am happy to make our property available for a member of the public to book through an appropriate booking site (such as Airbnb etc) once the concession is granted.



E. Technical Specifications (for telecommunications sites only)

Frequencies on which the equipment is to operate

N/A

Power to be used (transmitter output)

N/A

Polarisation of the signal

N/A

Type of antennae

N/A

The likely portion of a 24 hour period that transmitting will occur

N/A

Heaviest period of use

N/A

F. Term

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

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

I am seeking a concession of 60 years under exceptional circumstances, as detailed in this application.

G. Bulk fuel storage

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

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

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

NO

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

N/A

H. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 3b:H.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
	Nil. This is not an area of high conservation value. There are no at risk or threatened species on the site. The lease is a small parcel (487m ²) of land (akin to a small residential section) sandwiched between a public sealed road, a farm and an adjoining leased site.	<p>We take nothing from the area, nor do we engage in any activity that has adverse effects on the land. There is a small house on the site.</p> <p>This is a remote and isolated community. The leaseholders along this entire community undertake planting, beach and dune maintenance, monitor the use of the local fishery and adherence to legal take limits, and are first responders to local emergencies on the beach and out to sea. The intensity of the use of this beach/coastal area has increased in recent years with Rahui placed on Waimarama and Ocean Beach Pāua, which has seen an exponential rise in visitors, divers, fishers, etc to Pourerere Beach. Our small community has ramped up its efforts on behalf of iwi, Fisheries (MPI), Police, FENZ, Coastguard and DOC, to protect this area and the safety of those who visit.</p>	<p>There are no discernible adverse effects.</p> <p>Our commitment to Te ora a Papatūānuku – Healthy nature, Te ora a Hapori – Thriving Communities, and Te hunga a Atawhai – People who care are described in the attached table.</p>

Other

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

The subject lease is a small parcel of land and is not an area of high conservation value. It is one of 23 sites that sit within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Several leasholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose. DOC's purchase was completed in 2021. We have to assume this purchase reflected the intention that the properties below continued to be occupied.

In late 2021, without any forewarning, I was advised by Dave Johnstone, National Transaction Centre Manager), that the Department had made an error in renewing the leases in 2008 because that took place after the s47(2) of the Conservation Amendment Act 1996 came into force.

However, the Department went on to say:

"The Department...acknowledges that this situation is undesirable for all concerned. In order to be fair and reasonable, the Department will continue to administer your lease as though the renewal granted in 2008 occurred lawfully. The Terms and Conditions of your lease (including matters such as rent reviews) will be honoured by the Department until its expiry unless your lease is terminated earlier or deemed by a Court to be invalid....when the current term expires on 31 December 2040, you will need to ensure you have obtained a concession from the Minister....if you wish to continue occupying and using the land beyond that date."

In summary, the applicable lease was renewed and confirmed by the Conservator for the Wellington Hawkes Bay Conservancy of the Department, acting under delegation from the Director General of Conservation, in 2008 (with effect from 1 January 2007).

I purchased the property via an open market sale and purchase in 2011. As part of that sale and purchase, the relevant lease was transferred to me without variation by the Department. This process involved my lawyer and relevant Department officials.

I would not have progressed with the purchase if the Department had acted correctly and applied its own legislation to the subject lease for our property. The single most important consideration during our sale and purchase was the lease conditions and the transfer of the lease without variation to the terms, specifically perpetual renewal rights.

The lease was an asset which I effectively purchased. This inflated the purchase price well beyond what it would have been had no rights of renewal existed.

Westpac (mortgage lender, with an existing interest in my property) also reviewed the lease conditions prior to granting a private mortgage. The lease it reviewed was the lease the Department confirmed it would transfer to me without variation. Westpac would not have granted a mortgage to me without such lease conditions because it would have devalued the property plus introduced a level of lending risk the Bank would almost not have accepted. Westpac has a financial interest in the actions of the Department from this point.

Perpetual rights of renewal in leases have the effect in practice of uninterrupted private rights to access. It is a well established plank in property law that leases are assets and have economic value and that perpetually renewable leases give rise to value equivalent to freehold title.

Between 2011 and 2021, I invested tens of thousands of dollars in upgrading the property – fully insulating it, rewiring, new septic drainage field, strengthening decks, internal modernisation, and infrastructure upgrades. The property has been used as a base of search and rescue operations and we have installed external power etc to support emergency services and others who may need to use facilities if we are not there.

In my own case, a recent registered valuation for 256 Pourerere Beach Road concluded the following:

- a. Freehold value [REDACTED]; and
- b. Leasehold value [REDACTED].

The registered valuation (March 2024) values the right of renewal of the lease at \$[REDACTED].

This is made up of \$[REDACTED] benefit to run of the current lease, plus \$[REDACTED] value of the rights of renewal (being 35% of the land value, \$[REDACTED]).

Given the value of the lease was reflected in the purchase price, the potential loss of value of the lease renewal alone, directly attributable to the Department's initial error (2007/08) and subsequent lease transfer (2011) is therefore circa \$[REDACTED]. However, potential financial loss if the concession is not granted will be much greater. The only economic value remaining, should a concession not be granted, would be a small amount for a house to be removed off the site. However, the probability of someone purchasing would be extremely low given the remote nature of the area, very poor road access, and almost impossible terrain to transport a dwelling of any size. The potential cash loss to my family (myself and my two sons) would be total loss of the registered value outlined above.

Granting a 60 year concession would go some way to limiting the financial impacts on my family from DOC successive errors in administering and transferring the relevant Land Act lease in 2011. As a family,, we would be financially ruined if we were to be subjected to financial losses of this scale due to the Crown's mistake in administering its own legislation, in the event a 60y oncession (lease) is not granted.

We are an established, responsible custodian or steward of this parcel of land.

Since 2021, DOC has worked to embody a contemporary way of working, named *Papatūānuku Thrives*, that specifies the roles, behaviours, principles and desired outcomes for a thriving DOC estate. Our case to DOC is that we Pourerere beach leaseholders have been responsible stewards since the 1930s and wish to be active partners with DOC for many generations to come in jointly achieving the desired outcomes of:

- Te ora a Papatūānuku - Healthy nature
- Te ora a Hapori - Thriving communities
- Te hunga a Atawhai - People who care

The following table describes what is effectively a Custodial Blueprint to preserve the integrity, beauty, quality, essence of Pourerere for us, the general public and future generations.

DOC Papatūānuku thrives	Pourerere beach leaseholders - examples of active stewardship and care
<p><i>DOC's Role is to:</i></p> <ul style="list-style-type: none">• Partner with iwi, hapū and whānau, and collaborate with others• Care for the land, the waters, our native species and our heritage• Advocate for nature, and be a regulator• Foster recreation in nature• Tell the stories of our nature and our history	<p>We lease holders share the environment with the general public but are fortunate to have leases that enable us to spend quality time there with our friends and families intermittently during the year. We recognise and have always believed that we have a responsibility to protect and preserve the integrity of this special piece of the Hawkes Bay coastline.</p> <p>The following examples are just some of the actions we have taken to care for the land, the waters, the native species and for the heritage of the area:</p> <p><i>Te Angiangi Marine Reserve</i></p> <p>This was a significant, environmental and ecological enhancement initiative. Mana whenua and Pourerere lease holders such as [REDACTED] worked tirelessly and determinedly with all the relevant agencies for years through a lengthy challenging process. It was a significant achievement to sell the vision and mobilise DOC to establish Te Angiangi marine reserve.</p> <p>A marine reserve committee was established with accessibility and educational infrastructure implemented for visitors to interact with.</p>

That remarkable regeneration of marine life not just within but around the reserve and along the local coastline. The Pourerere and Central Hawkes Bay communities have benefited enormously from both the educational and recreational pleasures of that reserve since its inception.

Since the storm of 2011, access to and care for Te Angiangi has been challenging. We have been supportive of Ngāti Kere and our beach neighbours at Aramoana and Blackhead in efforts to improve the care for the marine reserve.

The Freedom Camping Project

- The Pourerere Freedom Camping Project was another Pourerere Beach Community supported initiative. In the period preceding the now collaboratively managed Freedom Camping, the area had become increasingly untidy, unsafe and lacked management. Each year, for extended summer periods, this area represented a gathering ground for some disenfranchised parts of the wider community, including local gang members.
- The behaviour was at times intimidating; the environment abused. This included poor sanitation, the dumping and abandonment of litter and bottles, the flouting of rules relating to the size and designation of sites, and the time allocations for them.
- Our community led the process to reconcile the tensions between regular campers in the zone, and Council. It was agreed that change and some form of Management were required and in everyone's best interests.
- This set in motion the formation of a Committee comprising the Council, influential regular freedom campers, and Pourerere Beach residents who jointly established a new set of rules and management structure for Freedom Camping.
- This initiative had the immediate effect of creating a controlled, orderly Freedom Camping environment that still exists today. In the ensuing period this has become increasingly more orderly, tidy and better managed.

Reef and Beach Security

	<ul style="list-style-type: none"> ● Prompted by Pourerere beach residents, a Council bylaw was implemented preventing any driving on reef platforms. Locals had noted the detrimental impact that vehicles were having on the reef and lobbied for the regulatory support. ● The positive impact on reef health has made us all big supporters of the bylaw. Numbers of us now regularly 'police' the reefs by interacting with day trippers (mostly divers) to inform them of the ecosystem threat of driving or parking on the reefs. ● On occasion we also intervene where people drive on the beach recklessly ● Our approach is always conciliatory and informative rather than authoritative. <p><i>Woolpress story in signage</i></p> <ul style="list-style-type: none"> ● Actively promoted to Council for the protection of Historic Heritage of the circa 1878 Old Wool Dumping Press. ● [REDACTED] commissioned the paintings of the old wool press and moving of wool ● These signs were blessed and unveiled in a ceremony in October 2009 <p><i>Bach history</i></p> <ul style="list-style-type: none"> ● In the 80s, Pourerere leaseholder [REDACTED], started researching the history of each bach, interviewing current and past owners and recording the information. Her vision was to write a book one day - an historical journey through time of the Pourerere Community, its habitations, activities and ideas. The project became too much for her as she aged but we still have her suitcase of notes - ready for someone to pick up the baton. ● Many of the baches have made it into publications being considered iconic of the NZ bach. eg. "The Bach" and "Baches and Cribs"
<p><i>DOC Principles:</i></p> <ul style="list-style-type: none"> ● elevating principles of the Treaty and fulfilling our Treaty Partner relationships ● Holding wellbeing and safety at our heart 	<p><i>Community safety</i></p> <ul style="list-style-type: none"> ● This area of coast is extensively used by day trippers, fishers, whanau groups, and tourists. ● The community monitors personal and craft safety ● Individual investment in community assets such as defibrillators (x3).

<ul style="list-style-type: none"> ● Working together with others ● Leaving the world a better place 	<ul style="list-style-type: none"> ● Locals provide first response to safety and health incidents, which frequently occur, both onshore and offshore. Search and rescue equipment is provided free of charge, homes are opened up to provide bases for search and rescue operations, personal vehicles and craft are used in direct response to incidents
<p><i>Behaviours:</i></p> <ul style="list-style-type: none"> ● Whakatānanatia - We deliver ● Atawhaitia a Papatūānuku - we love nature ● Whakawhānaungatanga - we build relationships ● Whakaauaha - we innovate 	<p>The following are some examples of an active community who loves nature, builds relationships, innovates and delivers on our care for Pōrerere beach.</p> <p><i>2011 Slip Rectification Program</i></p> <ul style="list-style-type: none"> ● At Easter in 2011 our region got hit with serious slip damage to most of our properties. ● Residents resolutely, in some cases as individuals and others in groups according to their respective designations, set about recovering properties, restoring them from the environmental wrath of the flood, slips, and earthquake 1,2,3 combo that wrecked so much havoc over a freak 48 hours of climactic devastation. ● Council red Stickered this parcel of land and we were forced to abandon our properties, belongings and beloved beach ● We embarked on a dogged recovery program, starting with a statutory Determination from the (then) Department of Building and Housing. This overturned the CHBDC decision and categorisation of the properties and opened the possibility of an investment and recovery programme. ● Contributed significant personal monies and hundreds of hours of time in consultation with council and Geotechnical Cos to lead what became not just a restoration but an improvement and future risk mitigation project ● That contribution included significant Geotechnical consultancy fees and restoration costs. The bulk of this cost and work was on the land behind our properties. ● As such we willingly contributed to the future stability and thus accessibility to Pōrerere.

	<p>Coastal Erosion and Environmental Protection Initiatives</p> <ul style="list-style-type: none"> • This is a major issue for all NZ and Pourerere situated on the rugged highly exposed East Coast is very vulnerable. Our community has been actively committed to the preservation of our foreshore for many generations. To date our initiatives include regular three monthly measuring of foreshore line from a datum point. • All of us in varying degrees take responsibility for maintaining the environmental integrity of Pourerere. • All Pourerere residents continually work in small ways to stave off the ravages of erosion. • People do this in different ways ranging from deposits of greenery on the tideline, to the deposit of rocks and other materials. • These are all temporary measures but in the most part they have helped. • There is widespread agreement that the ‘fix’ or solution needs to be comprehensive and coordinated. <p>Planting</p> <ul style="list-style-type: none"> • As one measure of protection of the foreshore against erosion we have in conjunction with other parts of the Pourerere community, in partnership with the Regional and District Council, partaken in foreshore planting initiatives. These have happened on a number of occasions. • Regular Ongoing weeding is undertaken to maintain the integrity of this planting • Numbers of us have collectively spent thousands of hours planting and maintaining the Doc and farmland behind our properties as part of an ongoing stability measure. <p>Rubbish and Flotsam</p> <ul style="list-style-type: none"> • People take regular walks along the beach to remove daytripper and general seaborne flotsam off the beach • Permanent residents, as a part of their daily routine, walk along this beach with a plastic bag picking up rubbish • All of us in holiday periods pick up “rubbish left behind” as we see it by day trippers • Some engage their whanau to walk further afield as a commitment to “community work” and the protection of our community and environment. • The combined effect of the above is a commitment from this community to keep Pourerere Beach clean. ... it works, and we all win.
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	<p>Ramp Maintenance</p> <ul style="list-style-type: none">• Many many hours of work using manpower and machinery are put in every year to maintain the four vehicle access points onto Pourerere Beach.• These are regularly compromised by the ravages of the ocean and rendered unusable and/or unsafe.
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

238 Poutere Beach
Road, Poutere

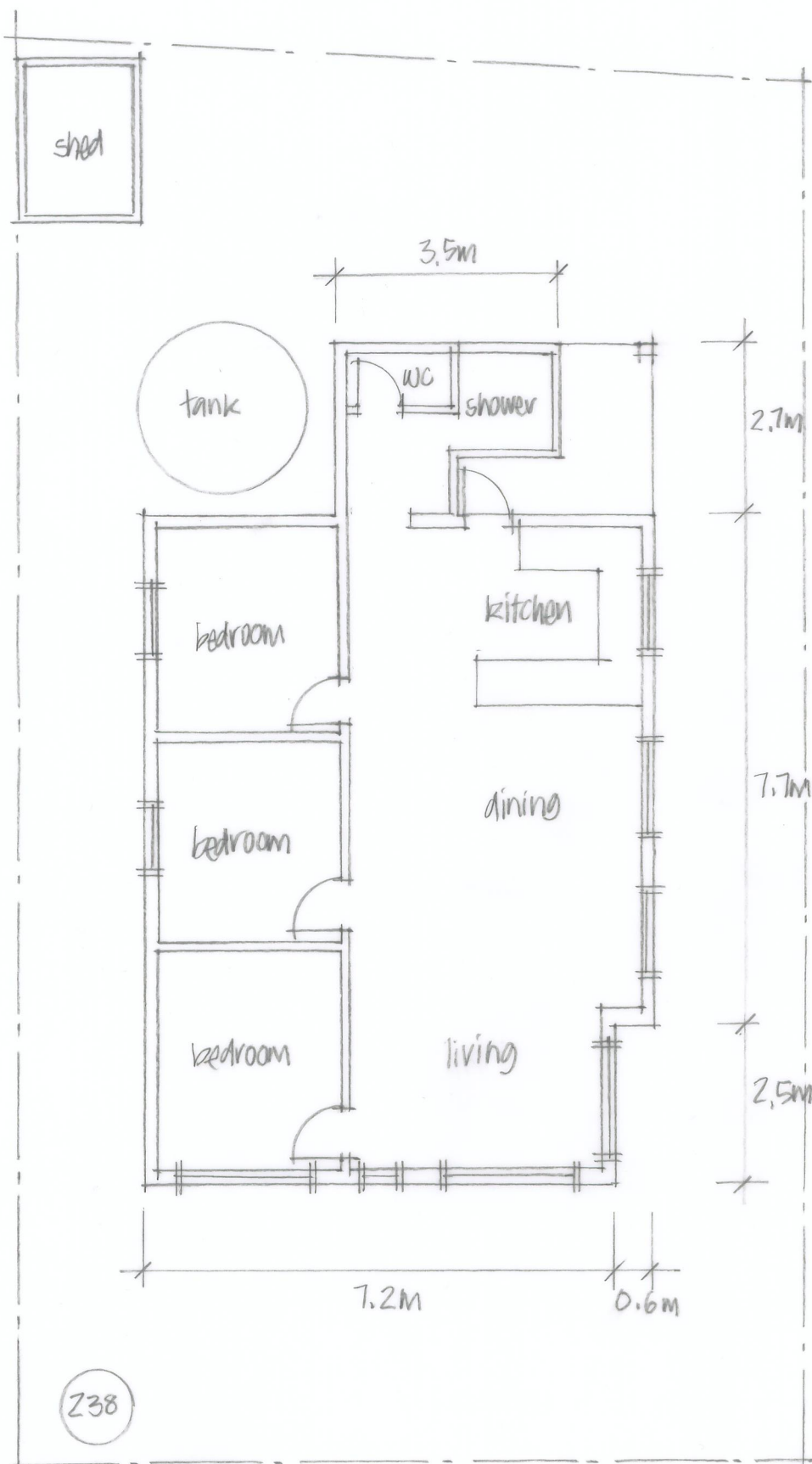
Legal Description ;
Section 15 Block X II
Poutere SD

site area : 300 m²

bach floor area : 87.6 m²*

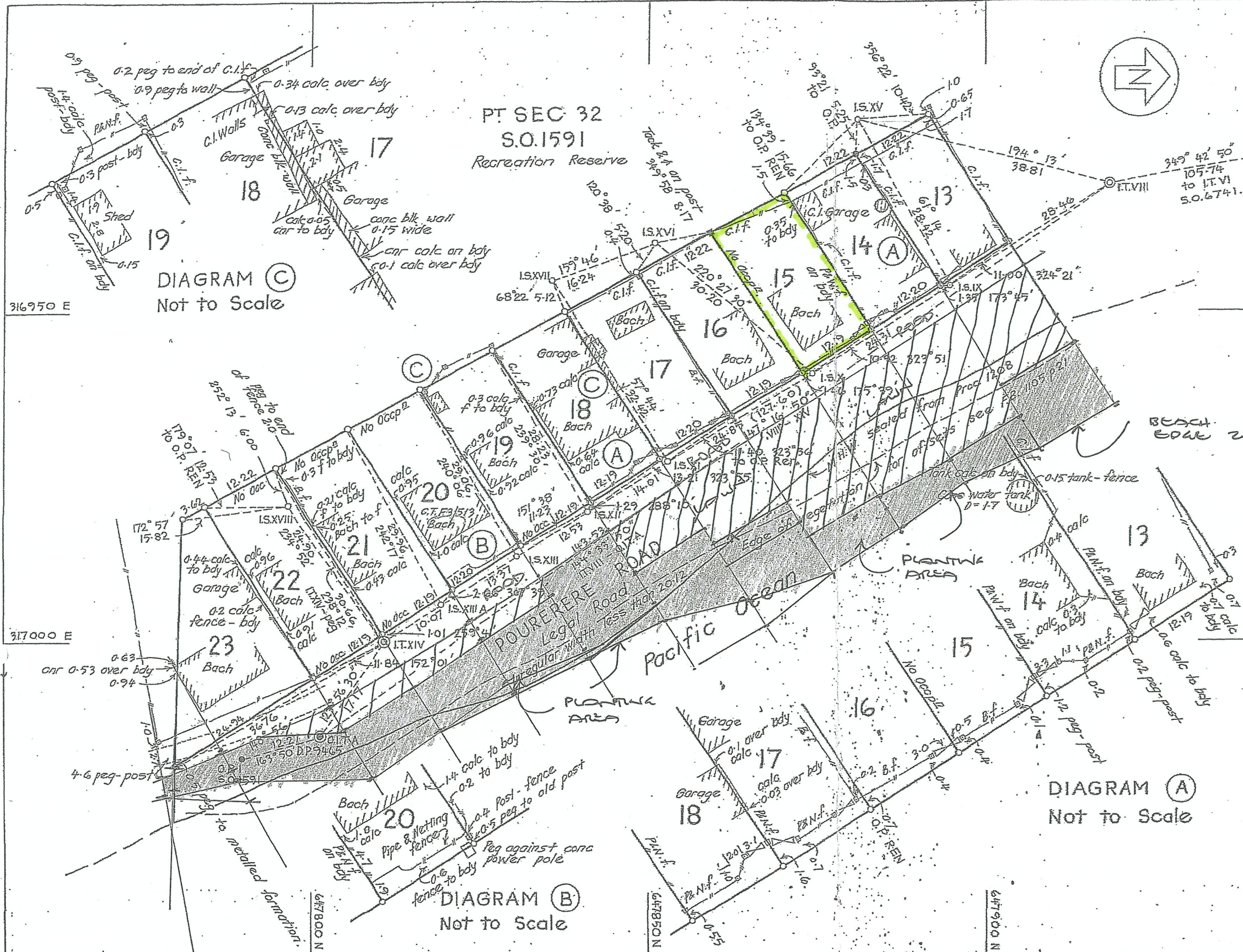
Floor/site plan based on
information supplied by
bach owners + Waipukuruan
County Survey 506751
of sections 13-23 attached
dated January 1975.

* = approx. measurements,
not site measured.



Poutere Beach Road.

0 0.5 1.0 2.0 3.0 4.0 5.0m
September 2025



Approvals

NOTE

1. For ties to buildings and other occupation see F.B. 1105 pp 10-21
2. All sections are occupied however generally only buildings closer than 1.5m to boundary have been shown.
3. O.P.s. from S.O. 1603 unless shown otherwise.
4. P.W.F. = Post and wire fence
B.F. = Board fence
P.N.F. = Post and netting fence
C.I.F. = Corrugated iron fence

For diagram of Origin see S.O. 6741

Datum : Geodetic 1949
Origin : Trig "A" Hawkes Bay
700 000 mN 300 000 mE

Total Area

Comprised in

1. Jeremy Woodhall of Napier
Registered Surveyor and holder of an annual practising certificate hereby certify that this plan has been made from Surveys executed by me or under my direction; that both plan and Survey are correct and have been made in accordance with the regulations under the Surveyors Act 1966
Dated at Napier this 5th day of March 1975 Signature J. Woodhall

Field Book 1105 p. 9-21 Traverse Book 78 p. 51-56
Reference Plans S.O.s 1591, 1603 D.P. 9465

Examined P. Hartness Correct J. Woodhall

Approved as to Survey J. Woodhall

28.1.75 Chief Surveyor

Deposited this 5th day of March 19 75

District Land Registrar

File 3/215

Received 5.3.75

Instructions 8/73

S06751

LAND DISTRICT HAWKES BAY
SURVEY BLK. & DIST. XII POURERERE
NZMS 177 SHEET NO. N146 Sheet 4

PLAN OF SECTIONS 13 - 23
BLOCK XII POURERERE S.D.

LOCAL AUTHORITY WAIPIKURAU COUNTY
Surveyed by J. WOODHALL
Scale 1:400 Date JAN 1975



Applicant Information Form 1a Notified or Non-notified Process



Department of
Conservation
Te Papa Atawhai

New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenancing and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- 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 information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

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

- Check the [DOC webpage for the activity you are applying](#)¹ for.

¹ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the [Department of Conservation Office](#)² closest to where the activity is proposed. You can use [DOC maps](#)³ to identify which District Office you should contact. Or arrange a meeting with any of our [four offices that process concessions](#)⁴ – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are 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 for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine 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](#)⁵.
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the [DOC webpage for the activity you are applying](#)⁶ for.

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.

² www.doc.govt.nz/footer-links/contact-us/office-by-name/

³ <http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/contacts>

⁵ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

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.

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 of 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 actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the [Safety Plan](#)⁷ information on the DOC website for further information.

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/managing-your-concession/safety-plans/>

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 checked="" type="checkbox"/> Trust (Go to ②)
	<input type="checkbox"/> Incorporated society (Go to ②)	<input type="checkbox"/> Other e.g. Educational institutes (Go to ②)

①	Applicant name (individual)	The Alvar and Aalto trusts		
	Phone		Mobile phone	
	Email			
	Physical address		Postcode	
	Postal address (if different from above)		Postcode	

②	Applicant name (full name of registered company, trust, incorporated society or other)	The Alvar and Aalto trusts		
	Trading 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	(Trustee)		
	Phone		Mobile phone	
	Email			
	Postal address		Postcode	
	Street address (if different from postal address)		Postcode	

B. Pre-application meeting

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

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

- If yes record the:

Date of DOC pre-application meeting	Various
Name of DOC staff member	Rachael Mora, Alice Heather
Name of person who had the pre-application meeting with DOC	

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	<input type="checkbox"/>
Land use: Tenanted and/or using existing DOC facility/structure	3a	<input type="checkbox"/>
Land use: Use of public conservation land for private/commercial facility/structure	3b	<input checked="" type="checkbox"/>
Guiding/Tourism/Recreation: Watercraft activities	4b	<input type="checkbox"/>
Filming	5a	<input type="checkbox"/>
Sporting Events	6a	<input type="checkbox"/>
Marine reserves application form: Structure in a marine reserve	11a	<input type="checkbox"/>
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	<input type="checkbox"/>

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](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/)⁸
- [Easements](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/)⁹
- [Land based guiding](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/land-based-guided-activities/)¹⁰

⁸ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

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

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

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

- If yes, state which application forms:

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

This application relates to the continued access and use of a currently leased site at Pourerere Beach. The original leases were granted as Land Act leases. Further information is provided in the relevant application form (3b). We have owned the property on the site since 2010 and at all times complied with and honoured lease conditions and obligations to the Department under the Terms and Conditions of my lease.

F. Attachments

Attachments should *only* be used if 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>Correct example ✓</u> <i>D</i>	<i>Locations</i>	<i>PDF</i>	<i>Trust Deed.</i>
<u>Incorrect example X</u> <i>Table</i>	<i>Doc1</i>	<i>Word</i>	<i>Table</i>

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	<input type="checkbox"/>
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	<input type="checkbox"/>
I have completed the activity application form .	<input type="checkbox"/>
I have appropriately labelled all attachments and completed section F Attachments .	<input type="checkbox"/>
I will email permissions@doc.govt.nz my: <ul style="list-style-type: none">• Completed applicant information form• Completed activity application form/s• Any other attachments.	<input type="checkbox"/>

H. 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	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>
If 'yes' under what name	██████████ and ██████████, Trustees of the Alvar and aalto Trust
Does your organisation require a purchase order number for invoicing purposes?	<input type="checkbox"/>
If yes, please provide the number here:	

All invoices related to this Permission will be coded to this purchase order number unless otherwise advised. It is the applicant's responsibility to advise the Department if the purchase order needs to change through the lifetime of the Permission.

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

Terms and conditions	Tick
I/We agree that the Department of Conservation can provide my/our details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>

Typed applicant name/s	██████████ ██████████	Date	16.6.25
------------------------	--------------------------	------	---------

For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	



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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

If you require extra space for answering please attach and label according to the relevant section.

A. Description of Activity

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

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

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

Proposal to lease 246 Pourerere Beach Road, Aramoana 4271. Legal description: SEC 18 BLK XII POURERERE SD,

I am seeking a 60-year concession (lease) to be granted under the exceptional circumstances detailed in this application, supported by detailed commitment to the Department of Conservation priorities.

The subject lease is a small parcel of land, within a group of 23 leasehold sections, within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram. The subject of this application is the southernmost section in the entire settlement. The map attached to this application shows the subject site marked.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hilltop on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Leaseholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose.

DOC's purchase was completed in 2021.

The lease site is a base for a small family bach that we purchased in 2010, immediately prior to the cyclonic storm affecting the local area. At the time of purchase, the original Land Act Lease was transferred to me "without variation", including the perpetual rights of renewal at 33 year intervals. In the intervening 15 years, we have enjoyed simple family gatherings and established deep ties to the community and the local area. We have made deep connections to the area through local planting, erosion control and coastal protection, community safety, first responders to beach visitors when they strike difficulty, and fishery monitoring. We have done this without hesitation, to reflect our deep commitment to the coast and all who visit there.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

The application is only for the lease.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility

NO

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

Is this necessary for safety or security purposes?

NO

Is this necessary as an integral part of the activity?

NO

Is this essential to carrying on the activity?

NO

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **No, but needs to be managed**

(Exclusive occupation requires a lease which requires public notification of the application)

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

Is exclusive possession necessary to protect public safety?

Is exclusive possession necessary to protect physical security of the activity?

Is exclusive possession necessary for the competent operation of the activity?

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

This section is a small parcel of land that does not impede or restrict coast access, road access or is necessary for coast access and use in any other way. The site is sandwiched between a rural farm and a public road, which borders a wide coastal area with extensive access including a public carpark immediately to the south, a public boat ramp for beach access to vehicles, a road reserve that the public use continuously, etc.

The assets and infrastructure situated on this public conservation land are privately owned and have been since the 1930s. These assets are sympathetic to the local area. They include water infrastructure (such as limited supply fresh water tanks), secure sheds, private home, motor vehicles, firewood, and all related household appliances associate with a private home.

Private owners have health and safety obligations under the Health and Safety at Work Act. A property owner is a PCBU (Person Conducting a Business or Undertaking) in circumstances where they are a private landowner leasing land. As such, access has to be managed to ensure the Crown does not impose a wide and unmanageable duty of care on the leaseholder to all visitors at any time, to:

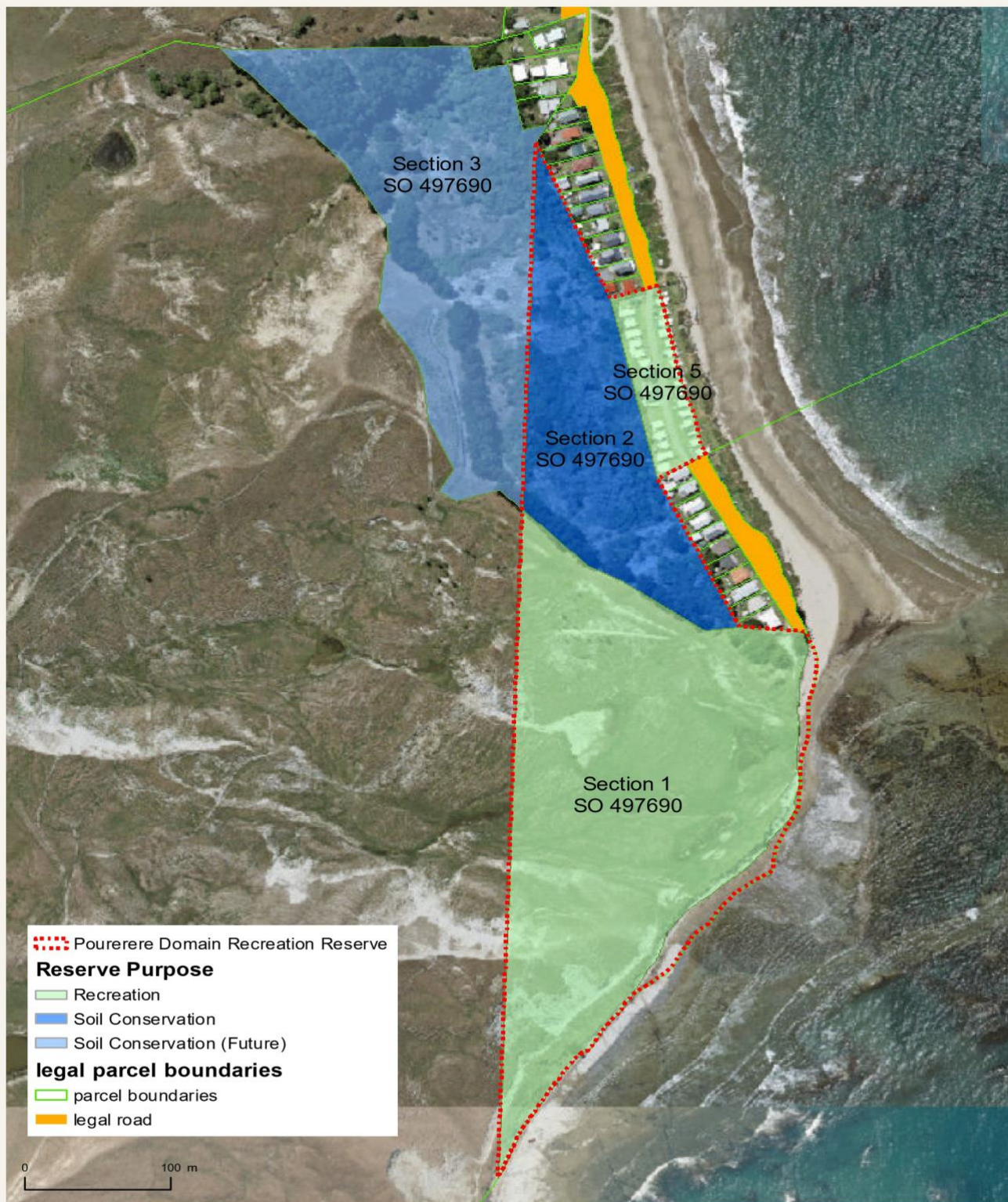
1. Identify risks to any visitors and any time
2. Manage or eliminate those risks
3. Inform visitors about any hazards they may encounter
4. Take steps to keep anyone accessing the property safe....

...in instances where others may be entitled to access and use the land this application relates to.

Without possession being managed by or through the property owner, the Crown would effectively be creating an open invitation to any visitors on to the leased land without the leaseholder having any control on the extent of that access, when, how often, with what effects, with the consequence that the leaseholder would have personal liability under the HSE Act for all potential hazards, risks and their management.

Similarly, the leaseholders currently pay annual lease costs, all CHBDC and HBRC rates, insurance, maintenance and repairs, and other costs associated with the use of that land. It would be unreasonable to expect private leaseholders to effectively fund public use of the leased land.

E. Technical Specifications (for telecommunications sites only)



R233335



Pourerere Domain Recreation Reserve

NZGD 2000 New Zealand Transverse Mercator
Not for publication nor navigation | 1:3,500
Crown Copyright Reserved | Imagery from LINZ
DOC, Geospatial Services | 12/04/2022

New Zealand Government

Frequencies on which the equipment is to operate

N/A

Power to be used (transmitter output)

N/A

Polarisation of the signal

N/A

Type of antennae

N/A

The likely portion of a 24 hour period that transmitting will occur

N/A

Heaviest period of use

N/A

F. Term

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

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

I am seeking a concession of 60 years under exceptional circumstances, as detailed in this application.

G. Bulk fuel storage

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

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

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

NO

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

N/A

H. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 3b:H.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
	<p>Nil. This is not an area of high conservation value. There are no at risk or threatened species on the site. The lease is a small parcel (487m²) of land (akin to a small residential section) sandwiched between a public sealed road, a farm and an adjoining leased site.</p>	<p>We take nothing from the area, nor do we engage in any activity that has adverse effects on the land. There is a small house on the site.</p> <p>This is a remote and isolated community. The leaseholders along this entire community undertake planting, beach and dune maintenance, monitor the use of the local fishery and adherence to legal take limits, and are first responders to local emergencies on the beach and out to sea. The intensity of the use of this beach/coastal area has increased in recent years with Rahui placed on Waimarama and Ocean Beach Pāua, which has seen an exponential rise in visitors, divers, fishers, etc to Pourerere Beach. Our small community has ramped up its efforts on behalf of iwi, Fisheries (MPI), Police, FENZ, Coastguard and DOC, to protect this area and the safety of those who visit.</p> <p>Please see the final pages of this application, which set out in more detail the positive impact our community of leaseholders has on the environment at Pourerere Beach</p>	<p>There are no discernible adverse effects.</p> <p>Our commitment to Te ora a Papatūānuku - Healthy nature, Te ora a Hapori - Thriving communities, and Te hunga a Atawhai - People who care are described in the attached table.</p>

I. Other

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

The subject lease is a small parcel of land and is not an area of high conservation value. It is one of 23 sites that sit within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Several leasholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose. DOC's purchase was completed in 2021. We have to assume this purchase reflected the intention that the properties below continued to be occupied.

In late 2021, without any forewarning, we were advised by Dave Johnstone, National Transaction Centre Manager), that the Department had made an error in renewing the leases in 2008 because that took place after the s47(2) of the Conservation Amendment Act 1996 came into force.

However, the Department went on to say:

"The Department...acknowledges that this situation is undesirable for all concerned. In order to be fair and reasonable, the Department will continue to administer your lease as though the renewal granted in 2008 occurred lawfully. The Terms and Conditions of your lease (including matters such as rent reviews) will be honoured by the Department until its expiry unless your lease is terminated earlier or deemed by a Court to be invalid....when the current term expires on 31 December 2040, you will need to ensure you have obtained a concession from the Minister....if you wish to continue occupying and using the land beyond that date."

In summary, the applicable lease was renewed and confirmed by the Conservator for the Wellington Hawkes Bay Conservancy of the Department, acting under delegation from the Director General of Conservation, in 2008 (with effect from 1 January 2007).

We purchased the property via an open market sale and purchase in 2010. As part of that sale and purchase, the relevant lease was transferred to me without variation by the Department. This process involved our lawyer and relevant Department officials.

We would not have progressed with the purchase if the Department had acted correctly and applied its own legislation to the subject lease for our property. The single most important consideration during our sale and purchase was the lease conditions and the transfer of the lease without variation to the terms, specifically perpetual renewal rights.

The lease was an asset which we effectively purchased. This inflated the purchase price well beyond what it would have been had no rights of renewal existed.

Westpac (mortgage lender, with an existing interest in our property) also reviewed the lease conditions prior to granting a private mortgage. The lease it reviewed was the lease the Department confirmed it would transfer to me without variation. Westpac would not have granted a mortgage to us without such lease conditions because it would have devalued the property plus introduced a level of lending risk the Bank would almost not have accepted. Westpac has a financial interest in the actions of the Department from this point.

Perpetual rights of renewal in leases have the effect in practice of uninterrupted private rights to access. It is a well-established plank in property law that leases are assets and have economic value and that perpetually renewable leases give rise to value equivalent to freehold title.

Given the value of the lease was reflected in the purchase price, the potential loss of value of the lease renewal alone, directly attributable to the Department's initial error (2007/08) and subsequent lease transfer (2010) would be circa [REDACTED]. We have also spent [REDACTED] on improvements to the property since our original purchase in 2010.

However, potential financial loss if the concession is not granted will be much greater. The only economic value remaining, should a concession not be granted, would be a small amount for a house to be removed off the site. However, the probability of someone purchasing would be extremely low given the remote nature of the area, very poor road access, and almost impossible terrain to transport a dwelling of any size. The potential cash loss to my family (myself, [REDACTED] and our two sons) would likely be over 95% of the registered value. This is likely the case for others who have recent valuations that can show this in more detail.

Granting a 60-year concession would go some way to limiting the financial impacts on our family from DOC successive errors in administering and transferring the relevant Land Act lease in 2010. As a family, we would be financially ruined if we were to be subjected to financial losses of this scale due to the Crown's mistake in administering its own legislation, in the event a 60y concession (lease) is not granted.

We are an established, responsible custodian or steward of this parcel of land.

Since 2021, DOC has worked to embody a contemporary way of working, named *Papatūānuku Thrives*, that specifies the roles, behaviours, principles and desired outcomes for a thriving DOC estate. Our case to DOC is that we Pourerere beach leaseholders have been responsible stewards since the 1930s and wish to be active partners with DOC for many generations to come in jointly achieving the desired outcomes of:

- Te ora a Papatūānuku - Healthy nature
- Te ora a Hapori - Thriving communities
- Te hunga a Atawhai - People who care

The following table describes what is effectively a Custodial Blueprint to preserve the integrity, beauty, quality, essence of Pourerere for us, the general public and future generations.

DOC Papatūānuku thrives	Pourerere beach leaseholders - examples of active stewardship and care
<p><i>DOC's Role is to:</i></p> <ul style="list-style-type: none"> • Partner with iwi, hapū and whānau, and collaborate with others • Care for the land, the waters, our native species and our heritage • Advocate for nature, and be a regulator • Foster recreation in nature • Tell the stories of our nature and our history 	<p>We lease holders share the environment with the general public but are fortunate to have leases that enable us to spend quality time there with our friends and families intermittently during the year. We recognise and have always believed that we have a responsibility to protect and preserve the integrity of this special piece of the Hawkes Bay coastline.</p> <p>The following examples are just some of the actions we have taken to care for the land, the waters, the native species and for the heritage of the area:</p> <p><i>Te Angiangi Marine Reserve</i></p> <p>This was a significant, environmental and ecological enhancement initiative. Mana whenua and Pourerere lease holders such as [REDACTED] worked tirelessly and determinedly with all the relevant agencies for years through a lengthy challenging process. It was a significant achievement to sell the vision and mobilise DOC to establish Te Angiangi marine reserve.</p> <p>A marine reserve committee was established with accessibility and educational infrastructure implemented for visitors to interact with.</p> <p>That remarkable regeneration of marine life not just within but around the reserve and along the local coastline. The Pourerere and Central Hawkes Bay communities have benefited enormously from both the educational and recreational pleasures of that reserve since its inception.</p>

Since the storm of 2011, access to and care for Te Angiangi has been challenging. We have been supportive of Ngāti Kere and our beach neighbours at Aramoana and Blackhead in efforts to improve the care for the marine reserve.

The Freedom Camping Project

- The Pourerere Freedom Camping Project was another Pourerere Beach Community supported initiative. In the period preceding the now collaboratively managed Freedom Camping, the area had become increasingly untidy, unsafe and lacked management. Each year, for extended summer periods, this area represented a gathering ground for some disenfranchised parts of the wider community, including local gang members.
- The behaviour was at times intimidating; the environment abused. This included poor sanitation, the dumping and abandonment of litter and bottles, the flouting of rules relating to the size and designation of sites, and the time allocations for them.
- Our community led the process to reconcile the tensions between regular campers in the zone, and Council. It was agreed that change and some forms of Management were required and in everyone's best interests.
- This set in motion the formation of a Committee comprising the Council, influential regular freedom campers, and Pourerere Beach residents who jointly established a new set of rules and management structure for Freedom Camping.
- This initiative had the immediate effect of creating a controlled, orderly Freedom Camping environment that still exists today. In the ensuing period this has become increasingly more orderly, tidy and better managed.

Reef and Beach Security

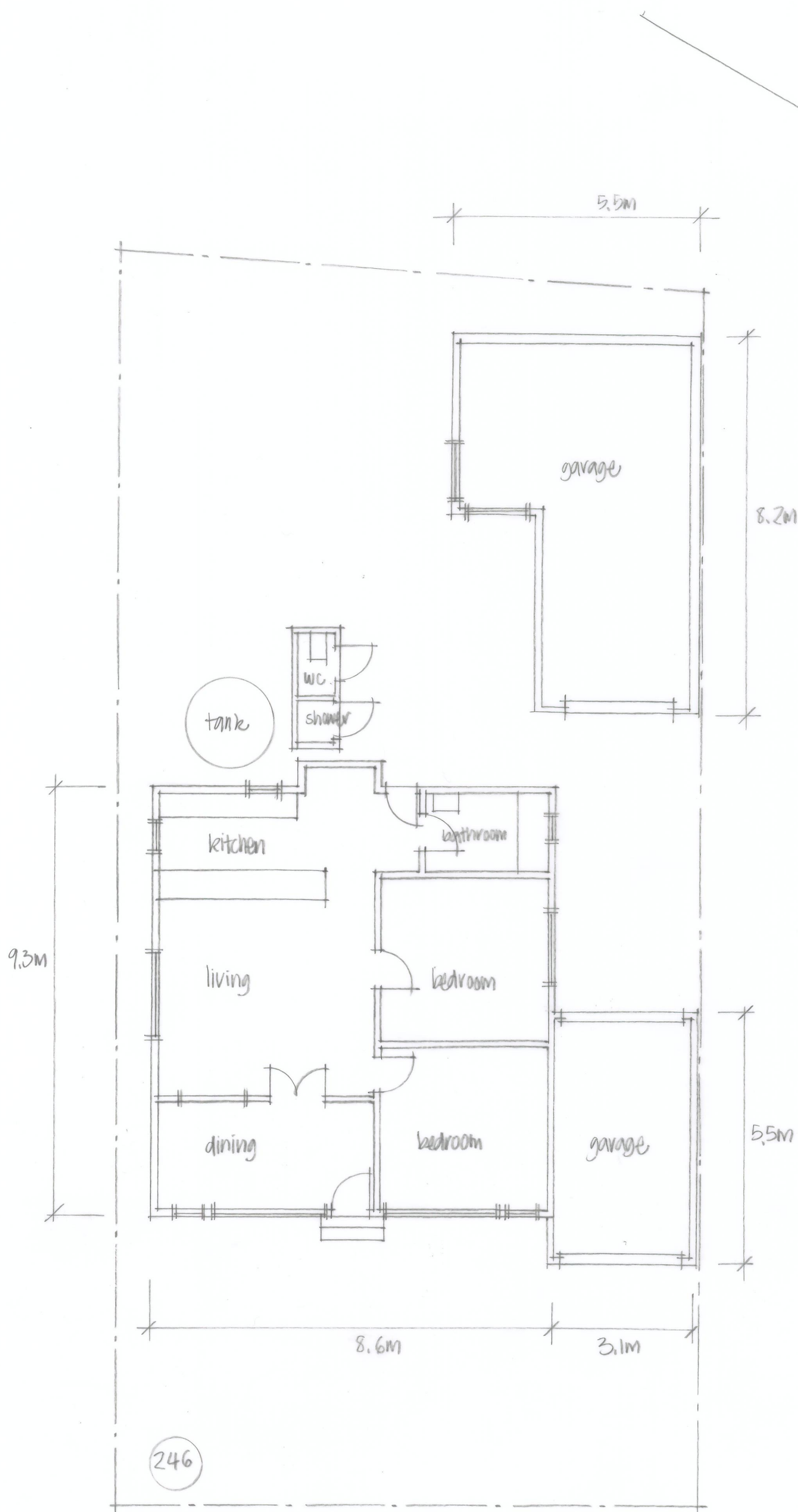
- Prompted by Pourerere beach residents, a Council bylaw was implemented preventing any driving on reef platforms. Locals had noted the detrimental impact that vehicles were having on the reef and lobbied for the regulatory support.

	<ul style="list-style-type: none"> • The positive impact on reef health has made us all big supporters of the bylaw. Numbers of us now regularly 'police' the reefs by interacting with day trippers (mostly divers) to inform them of the ecosystem threat of driving or parking on the reefs. • On occasion we also intervene where people drive on the beach recklessly • Our approach is always conciliatory and informative rather than authoritative. <p><i>Woolpress story in signage</i></p> <ul style="list-style-type: none"> • Actively promoted to Council for the protection of Historic Heritage of the circa 1878 Old Wool Dumping Press. • [REDACTED] commissioned the paintings of the old wool press and moving of wool • These signs were blessed and unveiled in a ceremony in October 2009 <p><i>Bach history</i></p> <ul style="list-style-type: none"> • In the 80s, Pourerere leaseholder [REDACTED], started researching the history of each bach, interviewing current and past owners and recording the information. Her vision was to write a book one day - an historical journey through time of the Pourerere Community, its habitations, activities and ideas. The project became too much for her as she aged but we still have her suitcase of notes - ready for someone to pick up the baton. • Many of the baches have made it into publications being considered iconic of the NZ bach. eg. "The Bach" and "Baches and Cribs"
<p><i>DOC Principles:</i></p> <ul style="list-style-type: none"> • elevating principles of the Treaty and fulfilling our Treaty Partner relationships • Holding wellbeing and safety at our heart • Working together with others • Leaving the world a better place 	<p><i>Community safety</i></p> <ul style="list-style-type: none"> • This area of coast is extensively used by day trippers, fishers, whanau groups, and tourists. • The community monitors personal and craft safety • Individual investment in community assets such as defibrillators (x3). • Locals provide first response to safety and health incidents, which frequently occur, both onshore and offshore. Search and rescue equipment is provided free of charge, homes are opened up to provide bases for search and rescue operations, personal vehicles and craft are used in direct response to incidents

<p><i>Behaviours:</i></p> <ul style="list-style-type: none"> ● Whakatānanatia - We deliver ● Atawhaitia a Papatūānuku - we love nature ● Whakawhānaungatanga - we build relationships ● Whakaauaha - we innovate 	<p>The following are some examples of an active community who loves nature, builds relationships, innovates and delivers on our care for Pourerere beach.</p> <p><i>2011 Slip Rectification Program</i></p> <ul style="list-style-type: none"> ● At Easter in 2011 our region got hit with serious slip damage to most of our properties. ● Residents resolutely, in some cases as individuals and others in groups according to their respective designations, set about recovering properties, restoring them from the environmental wrath of the flood, slips, and earthquake 1,2,3 combo that wrecked so much havoc over a freak 48 hours of climactic devastation. ● Council red Stickered this parcel of land and we were forced to abandon our properties, belongings and beloved beach ● We embarked on a dogged recovery program, starting with a statutory Determination from the (then) Department of Building and Housing. This overturned the CHBDC decision and categorisation of the properties and opened the possibility of an investment and recovery programme. ● Contributed significant personal monies and hundreds of hours of time in consultation with council and Geotechnical Cos to lead what became not just a restoration but an improvement and future risk mitigation project ● That contribution included significant Geotechnical consultancy fees and restoration costs. The bulk of this cost and work was on the land behind our properties. ● As such we willingly contributed to the future stability and thus accessibility to Pourerere. <p>Coastal Erosion and Environmental Protection Initiatives</p>
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	<ul style="list-style-type: none"> • This is a major issue for all NZ and Pourerere situated on the rugged highly exposed East Coast is very vulnerable. Our community has been actively committed to the preservation of our foreshore for many generations. To date our initiatives include regular three monthly measuring of foreshore line from a datum point. • All of us in varying degrees take responsibility for maintaining the environmental integrity of Pourerere. • All Pourerere residents continually work in small ways to stave off the ravages of erosion. • People do this in different ways ranging from deposits of greenery on the tideline, to the deposit of rocks and other materials. • These are all temporary measures but in the most part they have helped. • There is widespread agreement that the ‘fix’ or solution needs to be comprehensive and coordinated. <p>Planting</p> <ul style="list-style-type: none"> • As one measure of protection of the foreshore against erosion we have in conjunction with other parts of the Pourerere community, in partnership with the Regional and District Council, partaken in foreshore planting initiatives. These have happened on a number of occasions. • Regular Ongoing weeding is undertaken to maintain the integrity of this planting • Numbers of us have collectively spent thousands of hours planting and maintaining the Doc and farmland behind our properties as part of an ongoing stability measure. <p>Rubbish and Flotsam</p> <ul style="list-style-type: none"> • People take regular walks along the beach to remove daytripper and general seaborne flotsam off the beach • Permanent residents, as a part of their daily routine, walk along this beach with a plastic bag picking up rubbish • All of us in holiday periods pick up “rubbish left behind” as we see it by day trippers • Some engage their whanau to walk further afield as a commitment to “community work” and the protection of our community and environment. • The combined effect of the above is a commitment from this community to keep Pourerere Beach clean. ... it works, and we all win.
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	<p>Ramp Maintenance</p> <ul style="list-style-type: none">• Many many hours of work using manpower and machinery are put in every year to maintain the four vehicle access points onto Pourerere Beach.• These are regularly compromised by the ravages of the ocean and rendered unusable and/or unsafe.
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Pouterere Beach Road

246 Pouterere Beach
Road, Pouterere

Legal description:
section 18 Block X11
Pouterere SP

site area: 329 m²

bach floor area: 80 m²*

Floor/site plan based on
information supplied by
bach owners + Waipukurau
County Survey SO 6751
of Sections 13-23, attached,
dated January 1975.

* = approx measurements,
not site measured.

0 0.5 1.0 2.0 3.0 4.0 5.0m

September 2025.



Applicant Information Form 1a Notified or Non-notified Process



Department of
Conservation
Te Papa Atawhai

New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenancing and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- 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 information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

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

- Check the [DOC webpage for the activity you are applying](#)¹ for.

¹ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the [Department of Conservation Office](#)² closest to where the activity is proposed. You can use [DOC maps](#)³ to identify which District Office you should contact. Or arrange a meeting with any of our [four offices that process concessions](#)⁴ – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are 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 for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine 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](#)⁵.
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the [DOC webpage for the activity you are applying](#)⁶ for.

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.

² www.doc.govt.nz/footer-links/contact-us/office-by-name/

³ <http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/contacts>

⁵ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

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.

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 of 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 actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the [Safety Plan](#)⁷ information on the DOC website for further information.

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/managing-your-concession/safety-plans/>

A. Applicant details

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

①	Applicant name (individual)	[REDACTED]		
	Phone	[REDACTED]	Mobile phone	[REDACTED]
	Email	[REDACTED]		
	Physical address	[REDACTED]	Postcode	[REDACTED]
	Postal address (if different from above)	[REDACTED]	Postcode	[REDACTED]

②	Applicant name (full name of registered company, trust, incorporated society or other)	Robertson Trust		
	Trading name (if different from applicant name)	[REDACTED]		
	NZBN if applicable (to apply go to: https://www.nzbn.govt.nz)	[REDACTED]	Company, trust or incorporated society registration number	[REDACTED]
	Registered office of company or incorporated society (if applicable)	[REDACTED]		
	Company phone	[REDACTED]	Company website	[REDACTED]
	Contact person and role	[REDACTED] (Trustee)		
	Phone	[REDACTED]	Mobile phone	[REDACTED]
	Email	[REDACTED]		
	Postal address	[REDACTED]	Postcode	[REDACTED]
	Street address (if different from postal address)	[REDACTED]	Postcode	[REDACTED]

B. Pre-application meeting

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

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

- If yes record the:

Date of DOC pre-application meeting	Various
Name of DOC staff member	Rachael Mora, Alice Heather
Name of person who had the pre-application meeting with DOC	

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	<input type="checkbox"/>
Land use: Tenanted and/or using existing DOC facility/structure	3a	<input type="checkbox"/>
Land use: Use of public conservation land for private/commercial facility/structure	3b	<input checked="" type="checkbox"/>
Guiding/Tourism/Recreation: Watercraft activities	4b	<input type="checkbox"/>
Filming	5a	<input type="checkbox"/>
Sporting Events	6a	<input type="checkbox"/>
Marine reserves application form: Structure in a marine reserve	11a	<input type="checkbox"/>
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	<input type="checkbox"/>

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](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/)⁸
- [Easements](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/)⁹
- [Land based guiding](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/land-based-guided-activities/)¹⁰

⁸ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

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

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

No



Yes



- If yes, state which application forms:

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

This application relates to the continued access and use of a currently leased site at Pourerere Beach. The original leases were granted as Land Act leases. Further information is provided in the relevant application form (3b). I have owned the property on the site since 2011 and at all times complied with and honoured lease conditions and obligations to the Department under the Terms and Conditions of my lease.

F. Attachments

Attachments should *only* be used if 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>Correct example ✓</u> <i>D</i>	<i>Locations</i>	<i>PDF</i>	<i>Trust Deed.</i>
<u>Incorrect example X</u> <i>Table</i>	<i>Doc1</i>	<i>Word</i>	<i>Table</i>

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	<input type="checkbox"/>
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	<input type="checkbox"/>
I have completed the activity application form .	<input type="checkbox"/>
I have appropriately labelled all attachments and completed section F Attachments .	<input type="checkbox"/>
I will email permissions@doc.govt.nz my: <ul style="list-style-type: none">• Completed applicant information form• Completed activity application form/s• Any other attachments.	<input type="checkbox"/>

H. 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	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>
If 'yes' under what name	[REDACTED], Trustees of the Robertson Trust
Does your organisation require a purchase order number for invoicing purposes?	<input type="checkbox"/>
If yes, please provide the number here:	

All invoices related to this Permission will be coded to this purchase order number unless otherwise advised. It is the applicant's responsibility to advise the Department if the purchase order needs to change through the lifetime of the Permission.

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

Terms and conditions	Tick
I/We agree that the Department of Conservation can provide my/our details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
Typed applicant name/s	[REDACTED]
Date	18 June 2025

For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	



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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

If you require extra space for answering please attach and label according to the relevant section.

A. Description of Activity

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

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

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

Proposal to lease 256 Pourerere Beach Road, Aramoana 4271. Legal description: SEC 23 BLK XII POURERERE SD,

I am seeking a 60 year concession (lease) to be granted under the exceptional circumstances detailed in this application, supported by detailed commitment to the Department of Conservation priorities.

The subject lease is a small parcel of land, approximately 467 square metres. The bach is situated at Pourerere Beach where baches have been in place for a century, with the first leases being issued in the 1920s. The house at 256 Pourerere Beach Road (my property) was built on the site in 1934. The subject lease is part of a group of 23 leasehold sections, within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram. The subject of this application is the southern most section in the entire settlement. The map attached to this application shows the subject site marked.

The lease for this property was initially issued by the Department of Lands and Survey under the Land Act 1948 and included perpetual right of renewal.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area. The land is currently classified as 'stewardship land'.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Leasholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose.

DOC's purchase was completed in 2021.

The lease site is a base for a small family bach that we purchased in 2011, immediately prior to the cyclonic storm affecting the local area. At the time of purchase, the original Lease was transferred to me "without variation", including the perpetual rights of renewal at 33 year intervals. In the intervening 14 years, we have enjoyed simple family gatherings and established deep ties to the community and the local area. We have made deep connections to the area through local planting, erosion control and coastal protection, community safety, first responders to beach visitors when they strike difficulty, and fishery monitoring. We have done this without hesitation, to reflect our deep commitment to the coast and all who visit there.

We believe our case for a 60-year concession is strong: there is very limited conservation value of the land (if any), there is limited alternative use for the land, the community is historic and deeply connected, no changes are being proposed to activities undertaken, we are deeply committed to environmental protection measures (planting and erosion control, pest management, etc) and our presence at the beach and familiarity with it contributes directly to real time public safety of the thousands who visit the beach.

Importantly, we have suffered significant economic loss due to DOC's mistake in 2011 which led me to believe I was purchasing a lease with perpetual right of renewal.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

The application is only for the lease.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility

NO

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

Is this necessary for safety or security purposes?

NO

Is this necessary as an integral part of the activity?

NO

Is this essential to carrying on the activity?

NO

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **No, but needs to be managed**

(Exclusive occupation requires a lease which requires public notification of the application)

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

Is exclusive possession necessary to protect public safety?

Is exclusive possession necessary to protect physical security of the activity?

Is exclusive possession necessary for the competent operation of the activity?

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

This section is a small parcel of conservation land that we do not seek to exclude people from. The concession we are applying for would give us the right to exclusively occupy our privately owned bach on this land while we are present and, when we are not present, to manage access and the terms of any access.

The assets and infrastructure situated on this public conservation land are privately owned and have been since the 1930s. These assets are sympathetic to the local area. They include water infrastructure (such as limited supply fresh water tanks), secure sheds, private home, motor vehicles, firewood, and all related household appliances associated with a private home.

None of this impedes or restricts coast access, road access or is necessary for coast access and use in any other way. The site is sandwiched between a rural farm and a public road, which borders a wide coastal area with extensive access including a public carpark immediately to the south, a public boat ramp for beach access to vehicles, a road reserve that the public use continuously, etc.

As leaseholders we have health and safety obligations under the Health and Safety at Work Act 1974 when/if making the bach available to the public. . A property owner is a PCBU (Person Conducting a Business or Undertaking) in circumstances where they are a private landowner leasing land. As such, access has to be managed to ensure the Crown does not impose a wide and unmanageable duty of care on the leaseholder to all visitors at any time, to:

1. Identify risks to any visitors and any time
2. Manage or eliminate those risks
3. Inform visitors about any hazards they may encounter
4. Take steps to keep anyone accessing the property safe....

...in instances where others may be entitled to access and use the land this application relates to.

Without possession being managed by or through the property owner, the Crown could be creating an open invitation to any visitors on to the leased land without the leaseholder having any control on the extent of that access, when, how often, with what effects, with the consequence that the leaseholder would have personal liability under the HSE Act for all potential hazards, risks and their management. The facilities are not designed or equipped to cope with unrestricted access. For example, we regularly need to ration our water use (tank supply) and we rely on a limited capacity septic tank.

Similarly, the leaseholders currently pay annual lease costs, all CHBDC and HBRC rates, insurance, maintenance and repairs, and other costs associated with the use of that land. It would be unreasonable to expect private leaseholders to effectively fund public use of the leased land.

However, controlled access via Public accommodation booking platforms (like Airbnb, etc) does enable risk to be managed effectively. Our property is available for any member of the public to book through Airbnb. See listing here. <https://www.airbnb.com/l/76Z1oVJm>



Department of
Conservation
Te Papa Atawhai

Pourerere Domain Recreation Reserve

NZGD 2000 New Zealand Transverse Mercator
Not for publication nor navigation | 1:3,500
Crown Copyright Reserved | Imagery from LINZ
DOC, Geospatial Services | 12/04/2022

New Zealand Government

Q:\GIS_Analysts\Projects\2021_2022\NorthIsland\R233335_Pourerere_Status_DMA\Pourerere.mxd

E. Technical Specifications (for telecommunications sites only)

Frequencies on which the equipment is to operate

N/A

Power to be used (transmitter output)

N/A

Polarisation of the signal

N/A

Type of antennae

N/A

The likely portion of a 24 hour period that transmitting will occur

N/A

Heaviest period of use

N/A

F. Term

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

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

I am seeking a concession of 60 years under exceptional circumstances, as detailed in this application.

G. Bulk fuel storage

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

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

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

NO

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

N/A

H. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 3b:H.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
	<p>Nil. This is not an area of high conservation value. There are no at risk or threatened species on the site. The lease is a small parcel (487m2) of land (akin to a small residential section) sandwiched between a public sealed road, a farm and an adjoining leased site.</p>	<p>We take nothing from the area, nor do we engage in any activity that has adverse effects on the land. There is a small house on the site.</p> <p>Our presence has a net positive impact on the environment. We take an active stewardship role at Pourerere Beach.</p> <p>This is a remote and isolated community. The leaseholders along this entire community undertake planting, beach and dune maintenance, monitor the use of the local fishery and adherence to legal take limits, and are first responders to local emergencies on the beach and out to sea. The intensity of the use of this beach/coastal area has increased in recent years with Rahui placed on Waimarama and Ocean Beach Pāua, which has seen an exponential rise in visitors, divers, fishers, etc to Pourerere Beach. Our small community has ramped up its efforts on behalf of iwi, Fisheries (MPI), Police, FENZ, Coastguard and DOC, to protect this area and the safety of those who visit.</p> <p>Please see the final pages if this application, which describes in more detail the positive impact our community of leaseholders has on the environment at Pourerere Beach.</p>	<p>There are no discernible adverse effects.</p> <p>Our commitment to Te ora a Papatūānuku - Healthy nature, Te ora a Hapori - Thriving communities, and Te hunga a Atawhai - People who care are described in the attached table.</p>

I. Other

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

The subject lease is a small parcel of land and is not an area of high conservation value. It is one of 23 sites that sit within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Several leasholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose. DOC's purchase was completed in 2021. We have to assume this purchase reflected the intention that the properties below continued to be occupied.

In late 2021, without any forewarning, I was advised by Dave Johnstone, National Transaction Centre Manager), that the Department had made an error in renewing the leases in 2008 because that took place after the s47(2) of the Conservation Amendment Act 1996 came into force.

However, the Department went on to say:

"The Department...acknowledges that this situation is undesirable for all concerned. In order to be fair and reasonable, the Department will continue to administer your lease as though the renewal granted in 2008 occurred lawfully. The Terms and Conditions of your lease (including matters such as rent reviews) will be honoured by the Department until its expiry unless your lease is terminated earlier or deemed by a Court to be invalid....when the current term expires on 31 December 2040, you will need to ensure you have obtained a concession from the Minister....if you wish to continue occupying and using the land beyond that date."

In summary, the applicable lease was renewed and confirmed by the Conservator for the Wellington Hawkes Bay Conservancy of the Department, acting under delegation from the Director General of Conservation, in 2008 (with effect from 1 January 2007).

I purchased the property via an open market sale and purchase in 2011. As part of that sale and purchase, the relevant lease was transferred to me without variation by the Department. This process involved my lawyer and relevant Department officials.

I would not have progressed with the purchase if the Department had acted correctly and applied its own legislation to the subject lease for our property. The single most important consideration during our sale and purchase was the lease conditions and the transfer of the lease without variation to the terms, specifically perpetual renewal rights.

The lease was an asset which I effectively purchased. This inflated the purchase price well beyond what it would have been had no rights of renewal existed.

Westpac (mortgage lender, with an existing interest in my property) also reviewed the lease conditions prior to granting a private mortgage. The lease it reviewed was the lease the Department confirmed it would transfer to me without variation. Westpac would not have granted a mortgage to me without such lease conditions because it would have devalued the property plus introduced a level of lending risk the Bank would almost not have accepted. Westpac has a financial interest in the actions of the Department from this point.

Perpetual rights of renewal in leases have the effect in practice of uninterrupted private rights to access. It is a well established plank in property law that leases are assets and have economic value and that perpetually renewable leases give rise to value equivalent to freehold title.

Between 2011 and 2021, I invested tens of thousands of dollars in upgrading the property – fully insulating it, rewiring, new septic drainage field, strengthening decks, internal modernisation, and infrastructure upgrades. The property has been used as a base of search and rescue operations and we have installed external power etc to support emergency services and others who may need to use facilities if we are not there.

In my own case, a recent registered valuation for 256 Pourerere Beach Road concluded the following:

- a. Freehold value [REDACTED] and
- b. Leasehold value [REDACTED]

The registered valuation (March 2024) values the right of renewal of the lease at [REDACTED]

This is made up of [REDACTED] benefit to run of the current lease, plus [REDACTED] value of the rights of renewal (being 35% of the land value, [REDACTED]).

Given the value of the lease was reflected in the purchase price, the potential loss of value of the lease renewal alone, directly attributable to the Department's initial error (2007/08) and subsequent lease transfer (2011) is therefore circa [REDACTED]. However, potential financial loss if the concession is not granted will be much greater. The only economic value remaining, should a concession not be granted, would be a small amount for a house to be removed off the site. However, the probability of someone purchasing would be extremely low given the remote nature of the area, very poor road access, and almost impossible terrain to transport a dwelling of any size. The potential cash loss to my family (myself and my two sons) would be total loss of the registered value outlined above.

Granting a 60 year concession would go some way to limiting the financial impacts on my family from DOC successive errors in administering and transferring the relevant Land Act lease in 2011. As a family,, we would be financially ruined if we were to be subjected to financial losses of this scale due to the Crown's mistake in administering its own legislation, in the event a 60y oncession (lease) is not granted.

We are an established, responsible custodian or steward of this parcel of land.

Since 2021, DOC has worked to embody a contemporary way of working, named *Papatūānuku Thrives*, that specifies the roles, behaviours, principles and desired outcomes for a thriving DOC estate. Our case to DOC is that we Pourerere beach leaseholders have been responsible stewards since the 1930s and wish to be active partners with DOC for many generations to come in jointly achieving the desired outcomes of:

- Te ora a Papatūānuku - Healthy nature
- Te ora a Hapori - Thriving communities
- Te hunga a Atawhai - People who care

The following table describes what is effectively a Custodial Blueprint to preserve the integrity, beauty, quality, essence of Pourerere for us, the general public and future generations.

DOC Papatūānuku thrives	Pourerere beach leaseholders - examples of active stewardship and care
<p><i>DOC's Role is to:</i></p> <ul style="list-style-type: none">● Partner with iwi, hapū and whānau, and collaborate with others● Care for the land, the waters, our native species and our heritage● Advocate for nature, and be a regulator● Foster recreation in nature● Tell the stories of our nature and our history	<p>We lease holders share the environment with the general public but are fortunate to have leases that enable us to spend quality time there with our friends and families intermittently during the year. We recognise and have always believed that we have a responsibility to protect and preserve the integrity of this special piece of the Hawkes Bay coastline.</p> <p>The following examples are just some of the actions we have taken to care for the land, the waters, the native species and for the heritage of the area:</p> <p><i>Te Angiangi Marine Reserve</i></p> <p>This was a significant, environmental and ecological enhancement initiative. Mana whenua and Pourerere lease holders such as [REDACTED] worked tirelessly and determinedly with all the relevant agencies for years through a lengthy challenging process. It was a significant achievement to sell the vision and mobilise DOC to establish Te Angiangi marine reserve.</p> <p>A marine reserve committee was established with accessibility and educational infrastructure implemented for visitors to interact with.</p>

	<p>That remarkable regeneration of marine life not just within but around the reserve and along the local coastline. The Pourerere and Central Hawkes Bay communities have benefited enormously from both the educational and recreational pleasures of that reserve since its inception.</p> <p>Since the storm of 2011, access to and care for Te Angiangi has been challenging. We have been supportive of Ngāti Kere and our beach neighbours at Aramoana and Blackhead in efforts to improve the care for the marine reserve.</p> <p><i>The Freedom Camping Project</i></p> <ul style="list-style-type: none"> • The Pourerere Freedom Camping Project was another Pourerere Beach Community supported initiative. In the period preceding the now collaboratively managed Freedom Camping, the area had become increasingly untidy, unsafe and lacked management. Each year, for extended summer periods, this area represented a gathering ground for some disenfranchised parts of the wider community, including local gang members. • The behaviour was at times intimidating; the environment abused. This included poor sanitation, the dumping and abandonment of litter and bottles, the flouting of rules relating to the size and designation of sites, and the time allocations for them. • Our community led the process to reconcile the tensions between regular campers in the zone, and Council. It was agreed that change and some form of Management were required and in everyone's best interests. • This set in motion the formation of a Committee comprising the Council, influential regular freedom campers, and Pourerere Beach residents who jointly established a new set of rules and management structure for Freedom Camping. • This initiative had the immediate effect of creating a controlled, orderly Freedom Camping environment that still exists today. In the ensuing period this has become increasingly more orderly, tidy and better managed.
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	<p><i>Reef and Beach Security</i></p> <ul style="list-style-type: none"> ● Prompted by Pourerere beach residents, a Council bylaw was implemented preventing any driving on reef platforms. Locals had noted the detrimental impact that vehicles were having on the reef and lobbied for the regulatory support. ● The positive impact on reef health has made us all big supporters of the bylaw. Numbers of us now regularly 'police' the reefs by interacting with day trippers (mostly divers) to inform them of the ecosystem threat of driving or parking on the reefs. ● On occasion we also intervene where people drive on the beach recklessly ● Our approach is always conciliatory and informative rather than authoritative. <p><i>Woolpress story in signage</i></p> <ul style="list-style-type: none"> ● Actively promoted to Council for the protection of Historic Heritage of the circa 1878 Old Wool Dumping Press. ● [REDACTED] commissioned the paintings of the old wool press and moving of wool ● These signs were blessed and unveiled in a ceremony in October 2009 <p><i>Bach history</i></p> <ul style="list-style-type: none"> ● In the 80s, Pourerere leaseholder [REDACTED], started researching the history of each bach, interviewing current and past owners and recording the information. Her vision was to write a book one day - an historical journey through time of the Pourerere Community, its habitations, activities and ideas. The project became too much for her as she aged but we still have her suitcase of notes - ready for someone to pick up the baton. ● Many of the baches have made it into publications being considered iconic of the NZ bach. eg. "The Bach" and "Baches and Cribbs"
<p><i>DOC Principles:</i></p> <ul style="list-style-type: none"> ● elevating principles of the Treaty and fulfilling our Treaty Partner relationships 	<p><i>Community safety</i></p> <ul style="list-style-type: none"> ● This area of coast is extensively used by day trippers, fishers, whanau groups, and tourists. ● The community monitors personal and craft safety ● Individual investment in community assets such as defibrillators (x3).

<ul style="list-style-type: none"> ● Holding wellbeing and safety at our heart ● Working together with others ● Leaving the world a better place 	<ul style="list-style-type: none"> ● Locals provide first response to safety and health incidents, which frequently occur, both onshore and offshore. Search and rescue equipment is provided free of charge, homes are opened up to provide bases for search and rescue operations, personal vehicles and craft are used in direct response to incidents
<p><i>Behaviours:</i></p> <ul style="list-style-type: none"> ● Whakatīnanatia - We deliver ● Atawhaitia a Papatūānuku - we love nature ● Whakawhānaungatanga - we build relationships ● Whakaauaha - we innovate 	<p>The following are some examples of an active community who loves nature, builds relationships, innovates and delivers on our care for Pōrerere beach.</p> <p><i>2011 Slip Rectification Program</i></p> <ul style="list-style-type: none"> ● At Easter in 2011 our region got hit with serious slip damage to most of our properties. ● Residents resolutely, in some cases as individuals and others in groups according to their respective designations, set about recovering properties, restoring them from the environmental wrath of the flood, slips, and earthquake 1,2,3 combo that wrecked so much havoc over a freak 48 hours of climactic devastation. ● Council red Stickered this parcel of land and we were forced to abandon our properties, belongings and beloved beach ● We embarked on a dogged recovery program, starting with a statutory Determination from the (then) Department of Building and Housing. This overturned the CHBDC decision and categorisation of the properties and opened the possibility of an investment and recovery programme. ● Contributed significant personal monies and hundreds of hours of time in consultation with council and Geotechnical Cos to lead what became not just a restoration but an improvement and future risk mitigation project ● That contribution included significant Geotechnical consultancy fees and restoration costs. The bulk of this cost and work was on the land behind our properties. ● As such we willingly contributed to the future stability and thus accessibility to Pōrerere.

	<p>Coastal Erosion and Environmental Protection Initiatives</p> <ul style="list-style-type: none"> • This is a major issue for all NZ and Pourerere situated on the rugged highly exposed East Coast is very vulnerable. Our community has been actively committed to the preservation of our foreshore for many generations. To date our initiatives include regular three monthly measuring of foreshore line from a datum point. • All of us in varying degrees take responsibility for maintaining the environmental integrity of Pourerere. • All Pourerere residents continually work in small ways to stave off the ravages of erosion. • People do this in different ways ranging from deposits of greenery on the tideline, to the deposit of rocks and other materials. • These are all temporary measures but in the most part they have helped. • There is widespread agreement that the ‘fix’ or solution needs to be comprehensive and coordinated. <p>Planting</p> <ul style="list-style-type: none"> • As one measure of protection of the foreshore against erosion we have in conjunction with other parts of the Pourerere community, in partnership with the Regional and District Council, partaken in foreshore planting initiatives. These have happened on a number of occasions. • Regular Ongoing weeding is undertaken to maintain the integrity of this planting • Numbers of us have collectively spent thousands of hours planting and maintaining the Doc and farmland behind our properties as part of an ongoing stability measure. <p>Rubbish and Flotsam</p> <ul style="list-style-type: none"> • People take regular walks along the beach to remove daytripper and general seaborne flotsam off the beach • Permanent residents, as a part of their daily routine, walk along this beach with a plastic bag picking up rubbish • All of us in holiday periods pick up “rubbish left behind” as we see it by day trippers • Some engage their whanau to walk further afield as a commitment to “community work” and the protection of our community and environment.
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	<ul style="list-style-type: none"> • The combined effect of the above is a commitment from this community to keep Pourerere Beach clean. ... it works, and we all win. <p>Ramp Maintenance</p> <ul style="list-style-type: none"> • Many many hours of work using manpower and machinery are put in every year to maintain the four vehicle access points onto Pourerere Beach. • These are regularly compromised by the ravages of the ocean and rendered unusable and/or unsafe.
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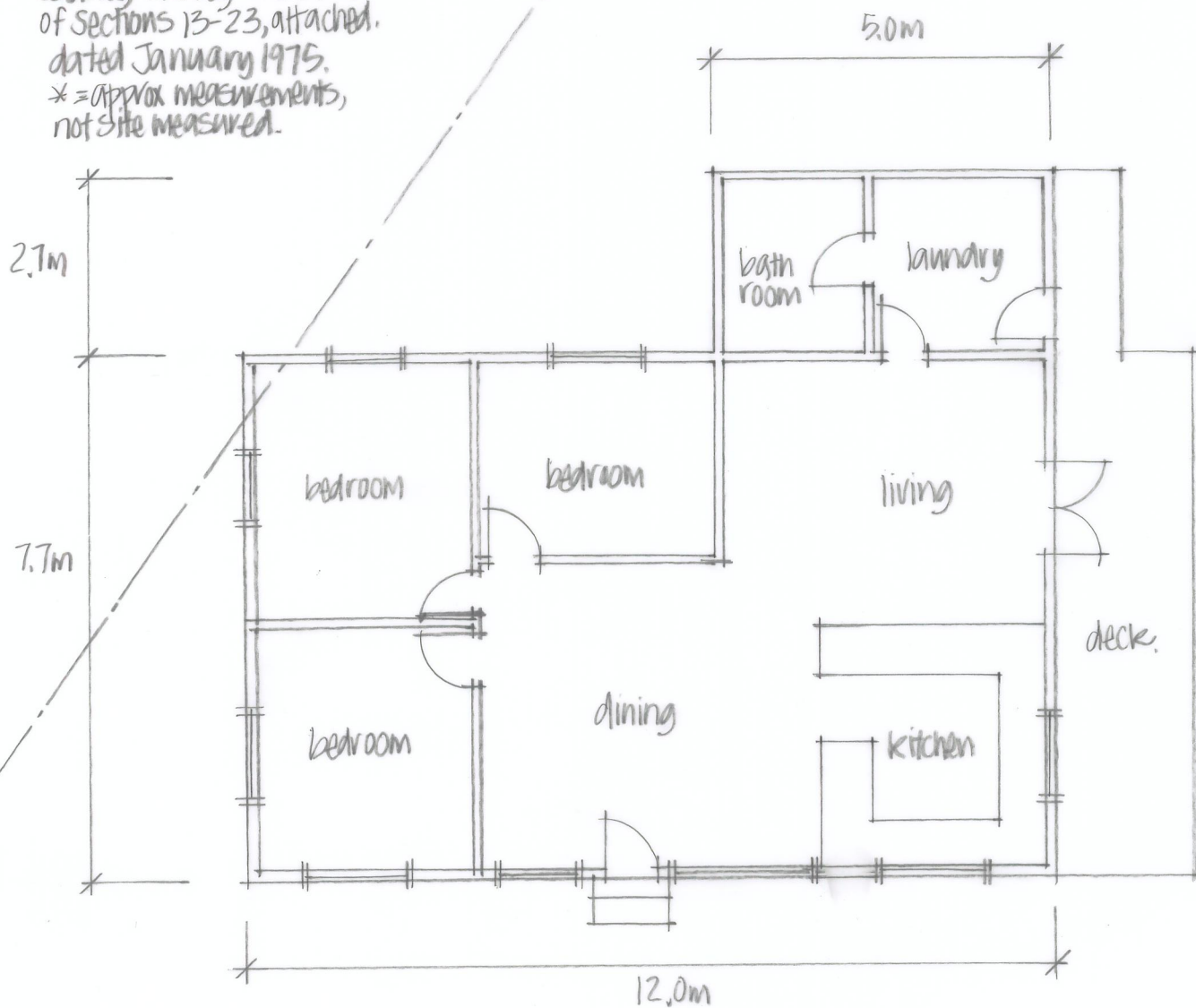
256 Pouterere Beach
Road, Pouterere.

Legal description:
Section 23 Block XII
Pouterere SD

Site area: 438 m²

bach floor area: 105.9 m²*

Floor/site plan based on
information supplied by
bach owner + Waipukurau
County Survey 506751
of Sections 13-23, attached,
dated January 1975.
* = approx measurements,
not site measured.

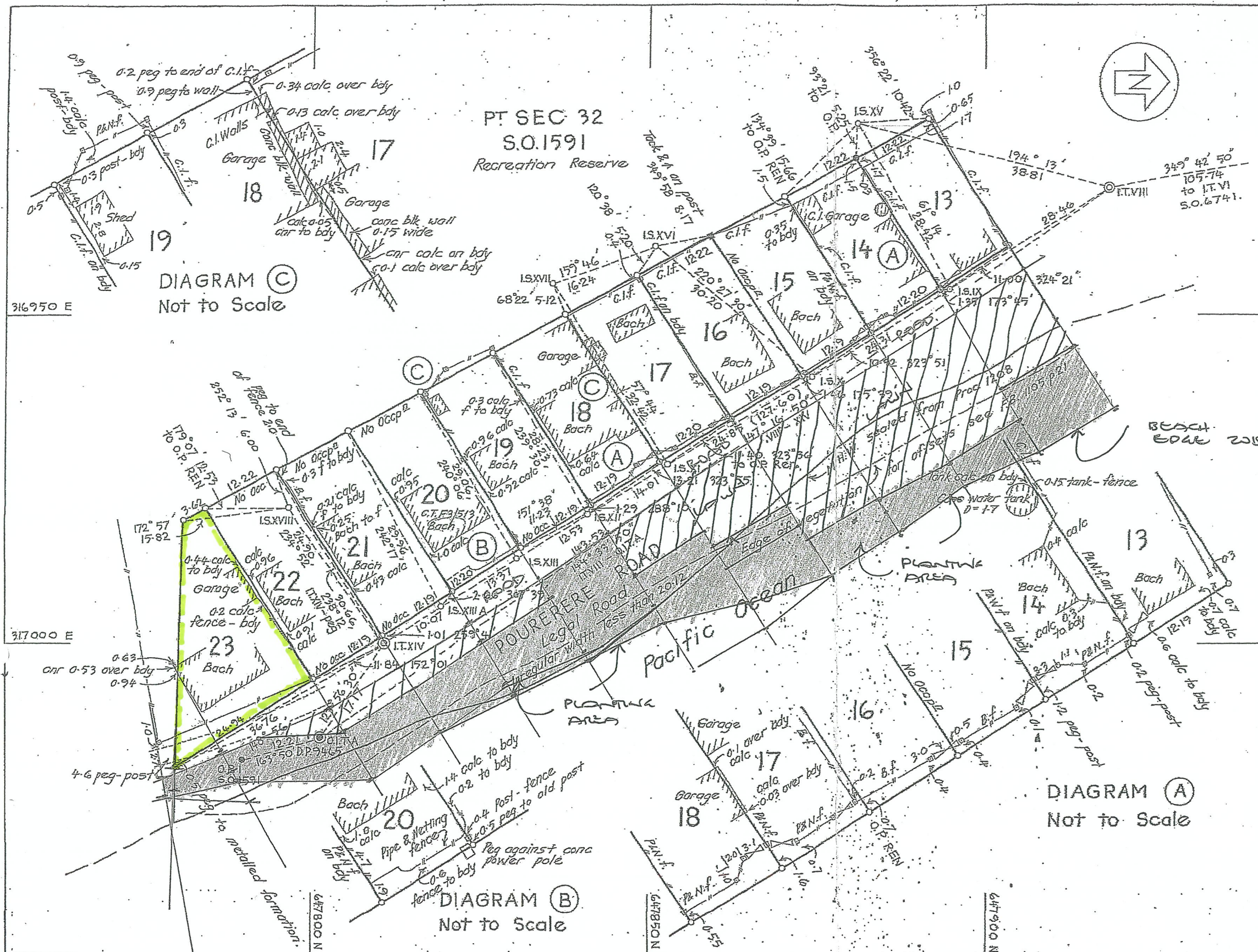


256

Pouterere Beach Road.

0 0.5 1.0 2.0 3.0 4.0 5.0m

September 2025.



Approvals

NOTE.

1. For ties to buildings and other occupation see F.B. 1105 pp 10-21
2. All sections are occupied however generally only buildings closer than 1.5m to boundary have been shown.
3. O.P.s from S.O. 1603 unless shown otherwise.
4. P.W.F. = Post and wire fence
B.F. = Board fence
P.N.F. = Post and netting fence
C.I.F. = Corrugated iron fence

For diagram of Origin see S.O. 6741

Datum : Geodetic 1949
Origin : Trig "A" Hawkes Bay
700 000mN 300 000mE

13. 10 x 12m
14. 4.5 x 12m
15. 4.5 x 12m
16. 6.0 x 12m
17. 10.0 x 12m
18. 10.0 x 12m
19. 14 x 12
20. 10.5 x 12
21. 10.5 x 12
22. 8.0 x 12
23. 7 x 18 + 9 x 3

Total Area

Comprised in

I, Jeremy Woodhall of Napier
Registered Surveyor and holder of an annual practising certificate
hereby certify that this plan has been made from Surveys executed
by me or under my direction; that both plan and Survey are correct
and have been made in accordance with the regulations under the
Surveyors Act 1966
Dated at Napier this 5th day
of March 1975 Signature Jeremy Woodhall

Field Book 1105 p. 2-21 Traverse Book 18 p. 51-56
Reference Plans S.O.s 1591, 1603 D.P. 9465

Examined by Correct Signature

Approved as to Survey Signature

28.1.75 Signature Chief Surveyor

Deposited this day of 19

District Land Registrar

File 3/215
Received 5.3.75
Instructions 8/73

S06751

LAND DISTRICT HAWKES BAY
SURVEY BLK. & DIST. XII POURERERE
NZMS 177 SHEET NO. N146 Sheet 4

PLAN OF SECTIONS 13 - 23
BLOCK XII POURERERE S.D.

LOCAL AUTHORITY WAIPIKURAU COUNTY
Surveyed by J. WOODHALL
Scale 1:400 Date JAN 1975



Applicant Information Form 1a Notified or Non-notified Process



Department of
Conservation
Te Papa Atawhai

New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenancing and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- 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 information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

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

- Check the [DOC webpage for the activity you are applying](#)¹ for.

¹ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the [Department of Conservation Office](#)² closest to where the activity is proposed. You can use [DOC maps](#)³ to identify which District Office you should contact. Or arrange a meeting with any of our [four offices that process concessions](#)⁴ – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are 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 for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine 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](#)⁵.
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the [DOC webpage for the activity you are applying](#)⁶ for.

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.

² www.doc.govt.nz/footer-links/contact-us/office-by-name/

³ <http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/contacts>

⁵ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

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.

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 of 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 actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the [Safety Plan](#)⁷ information on the DOC website for further information.

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/managing-your-concession/safety-plans/>

A. Applicant details

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

①	Applicant name (individual)			
	Phone		Mobile phone	
	Email			
	Physical address			Postcode
	Postal address (if different from above)			Postcode

②	Applicant name (full name of registered company, trust, incorporated society or other)		PH & LD Stewart family Trust	
	Trading 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		[REDACTED] (Trustee)	
	Phone	Mobile phone	[REDACTED]	
	Email		[REDACTED]	
	Postal address		Postcode	[REDACTED]

Street address (if different from postal address)

Postcode

B. Pre-application meeting

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

No

☐

Yes

☒

- If yes record the:

Date of DOC pre-application meeting

Various

Name of DOC staff member

Rachael Mora, Alice Heather

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

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	<input type="checkbox"/>
Land use: Tenanting and/or using existing DOC facility/structure	3a	<input type="checkbox"/>
Land use: Use of public conservation land for private/commercial facility/structure	3b	<input checked="" type="checkbox"/>
Guiding/Tourism/Recreation: Watercraft activities	4b	<input type="checkbox"/>
Filming	5a	<input type="checkbox"/>
Sporting Events	6a	<input type="checkbox"/>
Marine reserves application form: Structure in a marine reserve	11a	<input type="checkbox"/>
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	<input type="checkbox"/>

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](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/)⁸
- [Easements](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/)⁹

⁸ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

- [Land based guiding](#)¹⁰

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

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

No



Yes



- If yes, state which application forms:

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

This application relates to the continued access and use of a currently leased site at Pourerere Beach. The original leases were granted as Land Act leases. Further information is provided in the relevant application form (3b). I have owned the property on the site since 2008 and at all times complied with and honoured lease conditions and obligations to the Department under the Terms and Conditions of my lease.

F. Attachments

Attachments should *only* be used if 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>Correct example ✓</u> <i>D</i>	<i>Locations</i>	<i>PDF</i>	<i>Trust Deed.</i>
<u>Incorrect example X</u> <i>Table</i>	<i>Doc1</i>	<i>Word</i>	<i>Table</i>

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	<input type="checkbox"/>
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	<input type="checkbox"/>
I have completed the activity application form .	<input type="checkbox"/>
I have appropriately labelled all attachments and completed section F Attachments .	<input type="checkbox"/>
I will email permissions@doc.govt.nz my: <ul style="list-style-type: none">• Completed applicant information form• Completed activity application form/s• Any other attachments.	<input type="checkbox"/>

H. 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	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>
If 'yes' under what name	Stewart Family Trust
Does your organisation require a purchase order number for invoicing purposes?	<input type="checkbox"/>
If yes, please provide the number here:	

All invoices related to this Permission will be coded to this purchase order number unless otherwise advised. It is the applicant's responsibility to advise the Department if the purchase order needs to change through the lifetime of the Permission.

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

Terms and conditions	Tick
I/We agree that the Department of Conservation can provide my/our details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>

Typed applicant name/s	<div>██████████</div> <div>██████████</div>	Date	12/05/2025
------------------------	---------------------------------------------	------	------------

For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	



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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

If you require extra space for answering please attach and label according to the relevant section.

A. Description of Activity

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

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

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

Proposal to lease 226 Pourerere Beach Road, Aramoana 4271. Legal description: SEC 11 BLK XII POURERERE SD,

We are seeking a 60 year concession (lease) to be granted under the exceptional circumstances detailed in this application, supported by detailed commitment to the Department of Conservation priorities.

The subject lease is a small parcel of land, within a group of 23 leasehold sections, within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram. The subject of this application is the southern most section in the entire settlement. The map attached to this application shows the subject site marked.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Leaseholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose.

DOC's purchase was completed in 2021.

The lease site is a base for a family bach that we purchased in 2008, and built new after the cyclonic storm affecting the local area caused irreparable to the bach. At the time of purchase, the original Land Act Lease was transferred to us "without variation", including the perpetual rights of renewal at 33 year intervals. In the intervening 17 years, we have enjoyed family gatherings and established deep ties to the community and the local area. We have made deep connections to the area through local planting, erosion control and coastal protection, community safety, first responders to beach visitors when they strike difficulty, and fishery monitoring. We have done this without hesitation, to reflect our deep commitment to the coast and all who visit there. We also have three generations of our immediate family buried directly behind the bach.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

The application is only for the lease.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility

NO

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

N/A

Is this necessary for safety or security purposes?

NO

Is this necessary as an integral part of the activity?

NO

Is this essential to carrying on the activity?

NO

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **No, but needs to be managed**

(Exclusive occupation requires a lease which requires public notification of the application)

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

Is exclusive possession necessary to protect public safety?

Is exclusive possession necessary to protect physical security of the activity?

Is exclusive possession necessary for the competent operation of the activity?

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

This section is a small parcel of land that does not impede or restrict coast access, road access or is necessary for coast access and use in any other way. The site is sandwiched between a rural farm and a public road, which borders a wide coastal area with extensive access including a public carpark immediately to the south, a public boat ramp for beach access to vehicles, a road reserve that the public use continuously, etc.

The assets and infrastructure situated on this public conservation land are privately owned and have been since the 1930s. These assets are sympathetic to the local area. They include water infrastructure (such as limited supply fresh water tanks), secure sheds, private home, motor vehicles, firewood, and all related household appliances associate with a private home.

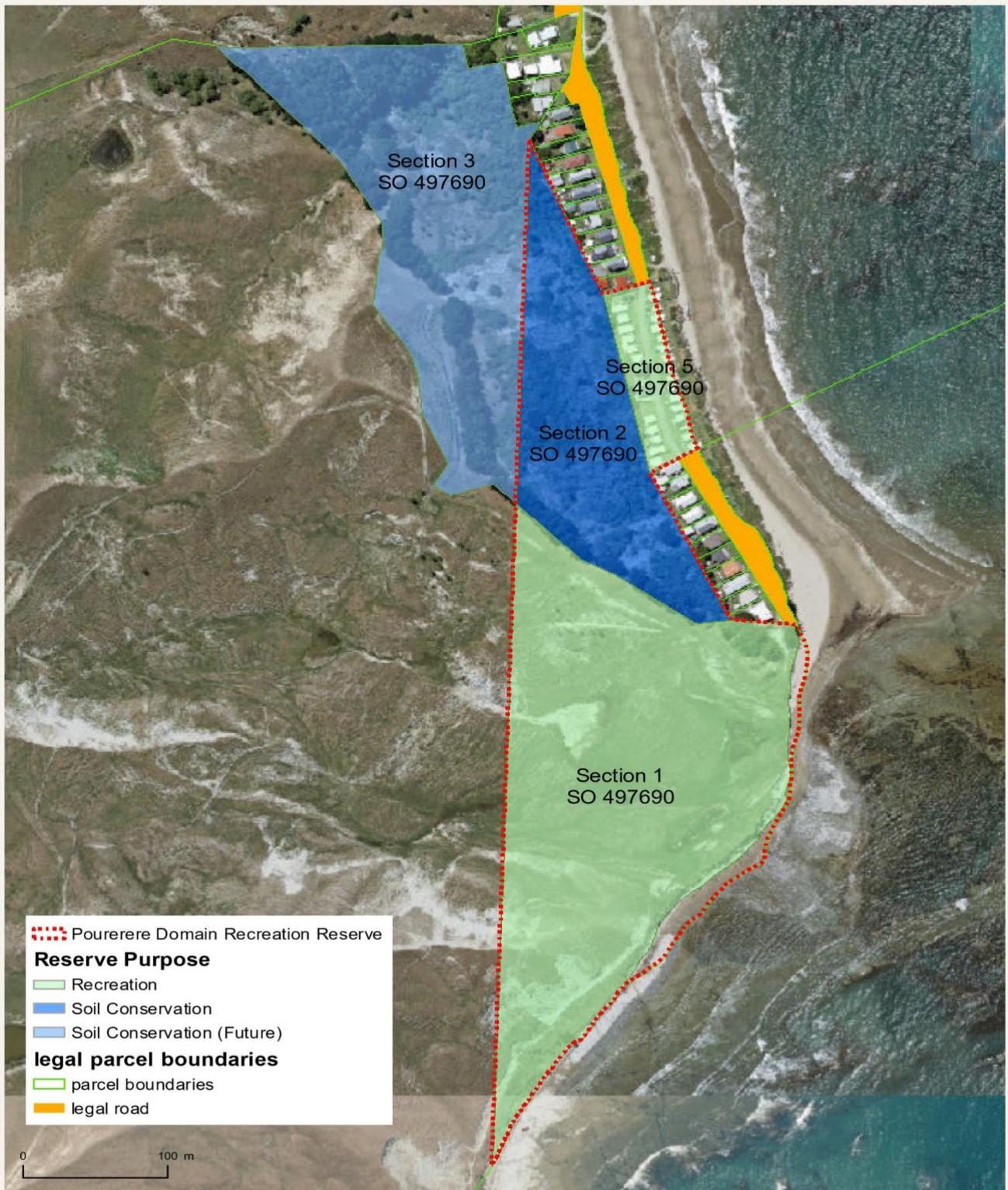
Private owners have health and safety obligations under the Health and Safety at Work Act. A property owner is a PCBU (Person Conducting a Business or Undertaking) in circumstances where they are a private landowner leasing land. As such, access has to be managed to ensure the Crown does not impose a wide and unmanageable duty of care on the leaseholder to all visitors at any time, to:

1. Identify risks to any visitors and any time
2. Manage or eliminate those risks
3. Inform visitors about any hazards they may encounter
4. Take steps to keep anyone accessing the property safe....

...in instances where others may be entitled to access and use the land this application relates to.

Without possession being managed by or through the property owner, the Crown would effectively be creating an open invitation to any visitors on to the leased land without the leaseholder having any control on the extent of that access, when, how often, with what effects, with the consequence that the leaseholder would have personal liability under the HSE Act for all potential hazards, risks and their management.

Similarly, the leaseholders currently pay annual lease costs, all CHBDC and HBRC rates, insurance, maintenance and repairs, and other costs associated with the use of that land. It would be unreasonable to expect private leaseholders to effectively fund public use of the leased land.



E. Technical Specifications (for telecommunications sites only)

Frequencies on which the equipment is to operate

N/A

Power to be used (transmitter output)

N/A

Polarisation of the signal

N/A

Type of antennae

N/A

The likely portion of a 24 hour period that transmitting will occur

N/A

Heaviest period of use

N/A

F. Term

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

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

I am seeking a concession of 60 years under exceptional circumstances, as detailed in this application.

G. Bulk fuel storage

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

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

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

NO

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

N/A

H. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 3b:H.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
GPS coordinates: -40. 1168188 176.8718640	Nil. This is not an area of high conservation value. There are no at risk or threatened species on the site. The lease is a small parcel (331m2) of land (akin to a small residential section) sandwiched between a public sealed road, a farm and an adjoining leased site.	<p>We take nothing from the area, nor do we engage in any activity that has adverse effects on the land. There is a house on the site.</p> <p>This is a remote and isolated community. The leaseholders along this entire community undertake planting, beach and dune maintenance, monitor the use of the local fishery and adherence to legal take limits, and are first responders to local emergencies on the beach and out to sea. The intensity of the use of this beach/coastal area has increased in recent years with Rahui placed on Waimarama and Ocean Beach Pāua, which has seen an exponential rise in visitors, divers, fishers, etc to Pourerere Beach. Our small community has ramped up its efforts on behalf of iwi, Fisheries (MPI), Police, FENZ, Coastguard and DOC, to protect this area and the safety of those who visit.</p> <p>Please see the final pages of this application, which set out in more detail the positive impact our community of leaseholders has on the environment at Pourerere Beach</p>	<p>There are no discernible adverse effects.</p> <p>Our commitment to Te ora a Papatūānuku - Healthy nature, Te ora a Hapori - Thriving communities, and Te hunga a Atawhai - People who care are described in the attached table.</p>

I. Other

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

The subject lease is a small parcel of land and is not an area of high conservation value. It is one of 23 sites that sit within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Several leaseholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose. DOC's purchase was completed in 2021. We have to assume this purchase reflected the intention that the properties below continued to be occupied.

In late 2021, without any forewarning, we were advised by DOC that the Department had made an error in renewing the leases in 2008 because that took place after the s47(2) of the Conservation Amendment Act 1996 came into force.

However, the Department went on to say:

"The Department...acknowledges that this situation is undesirable for all concerned. In order to be fair and reasonable, the Department will continue to administer your lease as though the renewal granted in 2008 occurred lawfully. The Terms and Conditions of your lease (including matters such as rent reviews) will be honoured by the Department until its expiry unless your lease is terminated earlier or deemed by a Court to be invalid....when the current term expires on 31 December 2040, you will need to ensure you have obtained a concession from the Minister....if you wish to continue occupying and using the land beyond that date."

In summary, the applicable lease was renewed and confirmed by the Conservator for the Wellington Hawkes Bay Conservancy of the Department, acting under delegation from the Director General of Conservation, in 2008 (with effect from 1 January 2007).

We purchased the property from the previous owner in 2008 and, as part of that sale and purchase, the relevant lease was transferred to me without variation by the Department. This process involved my lawyer and relevant Department officials.

We would not have progressed with the purchase if the Department had acted correctly and applied its own legislation to the subject lease for our property. The single most important consideration during our sale and purchase was the lease conditions and the transfer of the lease without variation

to the terms, specifically perpetual renewal rights. We also would not have invested so much into the new build had we not had a guarantee of continuation from your department.

The lease was an asset which we effectively purchased. This inflated the purchase price well beyond what it would have been had no rights of renewal existed.

Perpetual rights of renewal in leases have the effect in practice of uninterrupted private rights to access. It is a well established plank in property law that leases are assets and have economic value and that perpetually renewable leases give rise to value equivalent to freehold title.

In our own case, a recent rateable valuation for 226 Pourerere Beach Road concluded the following:

- a. Freehold value [REDACTED]; and
- b. Leasehold land value [REDACTED]

.

We are an established, responsible custodian or steward of this parcel of land.

Since 2021, DOC has worked to embody a contemporary way of working, named *Papatūānuku Thrives*, that specifies the roles, behaviours, principles and desired outcomes for a thriving DOC estate. Our case to DOC is that we Pourerere beach leaseholders have been responsible stewards since the 1930s and wish to be active partners with DOC for many generations to come in jointly achieving the desired outcomes of:

- Te ora a Papatūānuku - Healthy nature
- Te ora a Hapori - Thriving communities
- Te hunga a Atawhai - People who care

The following table describes what is effectively a Custodial Blueprint to preserve the integrity, beauty, quality, essence of Pourerere for us, the general public and future generations.

DOC Papatūānuku thrives	Pourerere beach leaseholders - examples of active stewardship and care
<p><i>DOC's Role is to:</i></p> <ul style="list-style-type: none">• Partner with iwi, hapū and whānau, and collaborate with others• Care for the land, the waters, our native species and our heritage• Advocate for nature, and be a regulator• Foster recreation in nature• Tell the stories of our nature and our history	<p>We lease holders share the environment with the general public but are fortunate to have leases that enable us to spend quality time there with our friends and families intermittently during the year. We recognise and have always believed that we have a responsibility to protect and preserve the integrity of this special piece of the Hawkes Bay coastline.</p> <p>The following examples are just some of the actions we have taken to care for the land, the waters, the native species and for the heritage of the area:</p> <p><i>Te Angiangi Marine Reserve</i></p> <p>This was a significant, environmental and ecological enhancement initiative. Mana whenua and Pourerere lease holders such as [REDACTED] worked tirelessly and determinedly with all the relevant agencies for years through a lengthy challenging process. It was a significant achievement to sell the vision and mobilise DOC to establish Te Angiangi marine reserve.</p> <p>A marine reserve committee was established with accessibility and educational infrastructure implemented for visitors to interact with.</p>

	<p>That remarkable regeneration of marine life not just within but around the reserve and along the local coastline. The Pourerere and Central Hawkes Bay communities have benefited enormously from both the educational and recreational pleasures of that reserve since its inception.</p> <p>Since the storm of 2011, access to and care for Te Angiangi has been challenging. We have been supportive of Ngāti Kere and our beach neighbours at Aramoana and Blackhead in efforts to improve the care for the marine reserve.</p> <p><i>The Freedom Camping Project</i></p> <ul style="list-style-type: none"> • The Pourerere Freedom Camping Project was another Pourerere Beach Community supported initiative. In the period preceding the now collaboratively managed Freedom Camping, the area had become increasingly untidy, unsafe and lacked management. Each year, for extended summer periods, this area represented a gathering ground for some disenfranchised parts of the wider community, including local gang members. • The behaviour was at times intimidating; the environment abused. This included poor sanitation, the dumping and abandonment of litter and bottles, the flouting of rules relating to the size and designation of sites, and the time allocations for them. • Our community led the process to reconcile the tensions between regular campers in the zone, and Council. It was agreed that change and some form of Management were required and in everyone's best interests. • This set in motion the formation of a Committee comprising the Council, influential regular freedom campers, and Pourerere Beach residents who jointly established a new set of rules and management structure for Freedom Camping. • This initiative had the immediate effect of creating a controlled, orderly Freedom Camping environment that still exists today. In the ensuing period this has become increasingly more orderly, tidy and better managed.
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	<p><i>Reef and Beach Security</i></p> <ul style="list-style-type: none"> ● Prompted by Pourerere beach residents, a Council bylaw was implemented preventing any driving on reef platforms. Locals had noted the detrimental impact that vehicles were having on the reef and lobbied for the regulatory support. ● The positive impact on reef health has made us all big supporters of the bylaw. Numbers of us now regularly 'police' the reefs by interacting with day trippers (mostly divers) to inform them of the ecosystem threat of driving or parking on the reefs. ● On occasion we also intervene where people drive on the beach recklessly ● Our approach is always conciliatory and informative rather than authoritative. <p><i>Woolpress story in signage</i></p> <ul style="list-style-type: none"> ● Actively promoted to Council for the protection of Historic Heritage of the circa 1878 Old Wool Dumping Press. ● [REDACTED] commissioned the paintings of the old wool press and moving of wool ● These signs were blessed and unveiled in a ceremony in October 2009 <p><i>Bach history</i></p> <ul style="list-style-type: none"> ● In the 80s, Pourerere leaseholder [REDACTED], started researching the history of each bach, interviewing current and past owners and recording the information. Her vision was to write a book one day - an historical journey through time of the Pourerere Community, its habitations, activities and ideas. The project became too much for her as she aged but we still have her suitcase of notes - ready for someone to pick up the baton. ● Many of the baches have made it into publications being considered iconic of the NZ bach. eg. "The Bach" and "Baches and Cribbs"
<p><i>DOC Principles:</i></p> <ul style="list-style-type: none"> ● elevating principles of the Treaty and fulfilling our Treaty Partner relationships 	<p><i>Community safety</i></p> <ul style="list-style-type: none"> ● This area of coast is extensively used by day trippers, fishers, whanau groups, and tourists. ● The community monitors personal and craft safety ● Individual investment in community assets such as defibrillators (x3).

<ul style="list-style-type: none"> ● Holding wellbeing and safety at our heart ● Working together with others ● Leaving the world a better place 	<ul style="list-style-type: none"> ● Locals provide first response to safety and health incidents, which frequently occur, both onshore and offshore. Search and rescue equipment is provided free of charge, homes are opened up to provide bases for search and rescue operations, personal vehicles and craft are used in direct response to incidents
<p><i>Behaviours:</i></p> <ul style="list-style-type: none"> ● Whakatānanatia - We deliver ● Atawhaitia a Papatūānuku - we love nature ● Whakawhānaungatanga - we build relationships ● Whakaauaha - we innovate 	<p>The following are some examples of an active community who loves nature, builds relationships, innovates and delivers on our care for Pōrerere beach.</p> <p><i>2011 Slip Rectification Program</i></p> <ul style="list-style-type: none"> ● At Easter in 2011 our region got hit with serious slip damage to most of our properties. ● Residents resolutely, in some cases as individuals and others in groups according to their respective designations, set about recovering properties, restoring them from the environmental wrath of the flood, slips, and earthquake 1,2,3 combo that wrecked so much havoc over a freak 48 hours of climactic devastation. ● Council red Stickered this parcel of land and we were forced to abandon our properties, belongings and beloved beach ● We embarked on a dogged recovery program, starting with a statutory Determination from the (then) Department of Building and Housing. This overturned the CHBDC decision and categorisation of the properties and opened the possibility of an investment and recovery programme. ● Contributed significant personal monies and hundreds of hours of time in consultation with council and Geotechnical Cos to lead what became not just a restoration but an improvement and future risk mitigation project ● That contribution included significant Geotechnical consultancy fees and restoration costs. The bulk of this cost and work was on the land behind our properties. ● As such we willingly contributed to the future stability and thus accessibility to Pōrerere.

	<p>Coastal Erosion and Environmental Protection Initiatives</p> <ul style="list-style-type: none"> • This is a major issue for all NZ and Pourerere situated on the rugged highly exposed East Coast is very vulnerable. Our community has been actively committed to the preservation of our foreshore for many generations. To date our initiatives include regular three monthly measuring of foreshore line from a datum point. • All of us in varying degrees take responsibility for maintaining the environmental integrity of Pourerere. • All Pourerere residents continually work in small ways to stave off the ravages of erosion. • People do this in different ways ranging from deposits of greenery on the tideline, to the deposit of rocks and other materials. • These are all temporary measures but in the most part they have helped. • There is widespread agreement that the ‘fix’ or solution needs to be comprehensive and coordinated. <p>Planting</p> <ul style="list-style-type: none"> • As one measure of protection of the foreshore against erosion we have in conjunction with other parts of the Pourerere community, in partnership with the Regional and District Council, partaken in foreshore planting initiatives. These have happened on a number of occasions. • Regular Ongoing weeding is undertaken to maintain the integrity of this planting • Numbers of us have collectively spent thousands of hours planting and maintaining the Doc and farmland behind our properties as part of an ongoing stability measure. <p>Rubbish and Flotsam</p> <ul style="list-style-type: none"> • People take regular walks along the beach to remove daytripper and general seaborne flotsam off the beach • Permanent residents, as a part of their daily routine, walk along this beach with a plastic bag picking up rubbish • All of us in holiday periods pick up “rubbish left behind” as we see it by day trippers • Some engage their whanau to walk further afield as a commitment to “community work” and the protection of our community and environment.
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	<ul style="list-style-type: none"> • The combined effect of the above is a commitment from this community to keep Pourerere Beach clean. ... it works, and we all win. <p>Ramp Maintenance</p> <ul style="list-style-type: none"> • Many many hours of work using manpower and machinery are put in every year to maintain the four vehicle access points onto Pourerere Beach. • These are regularly compromised by the ravages of the ocean and rendered unusable and/or unsafe.
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STEWART

newbach
226 Plover Road Beach Road
Plover Road.

Sketch plan n°2 : first floor scale 1:100

UNIVERSITY
August 2013.



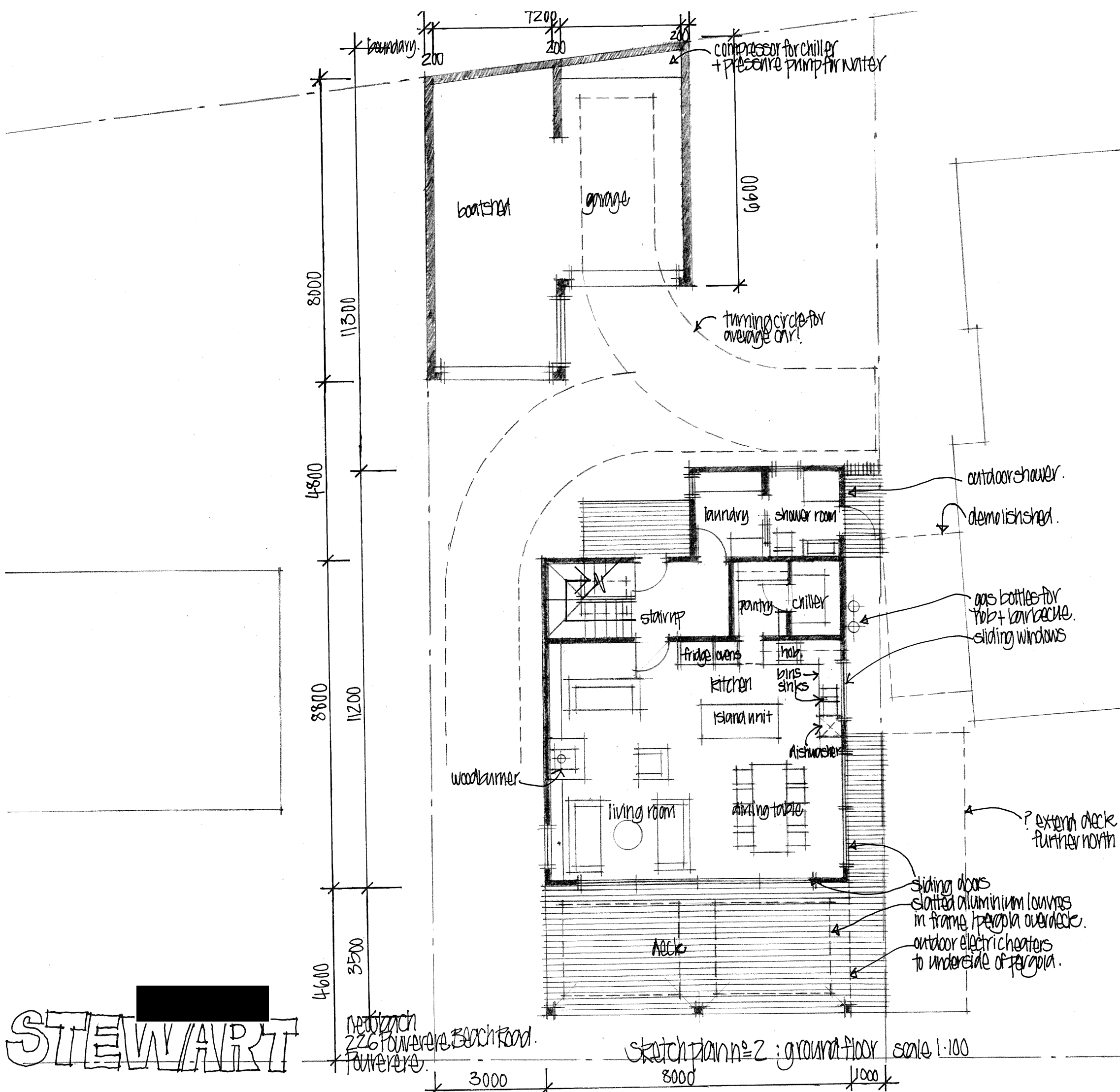
STEWART

new bench
226 Powerers Beach Road.
Powerers.

Sketch plan n°2 : ground floor scale 1:100

architect Ltd.

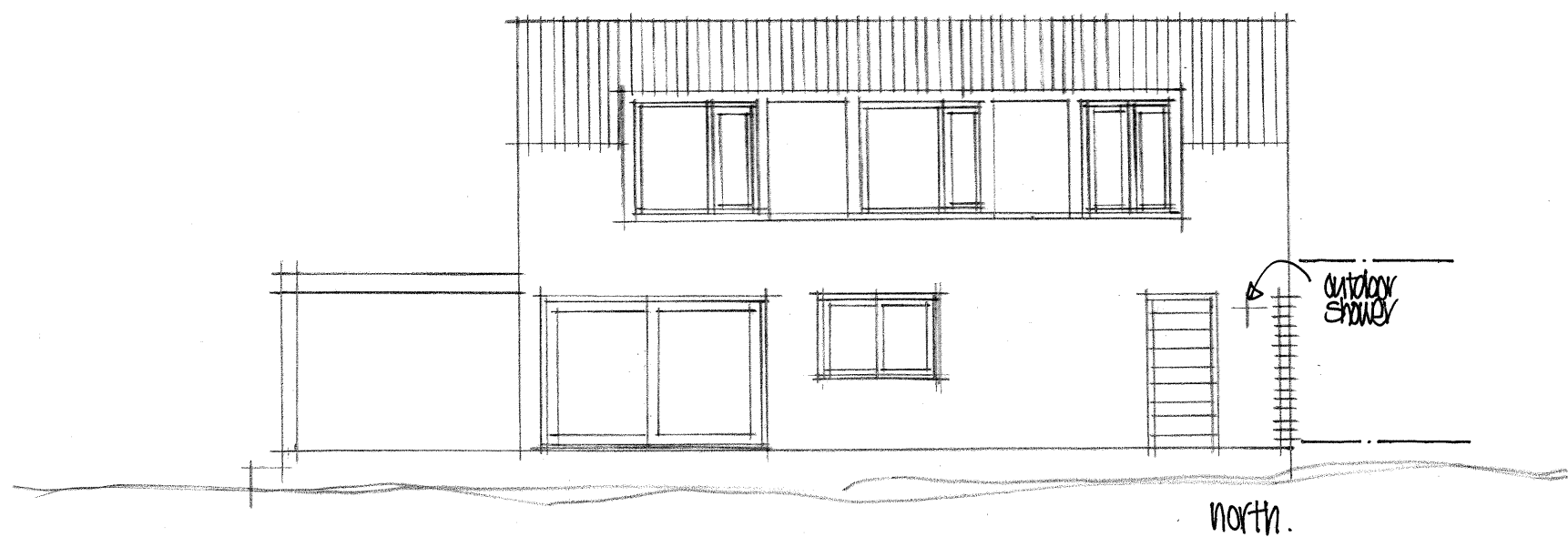
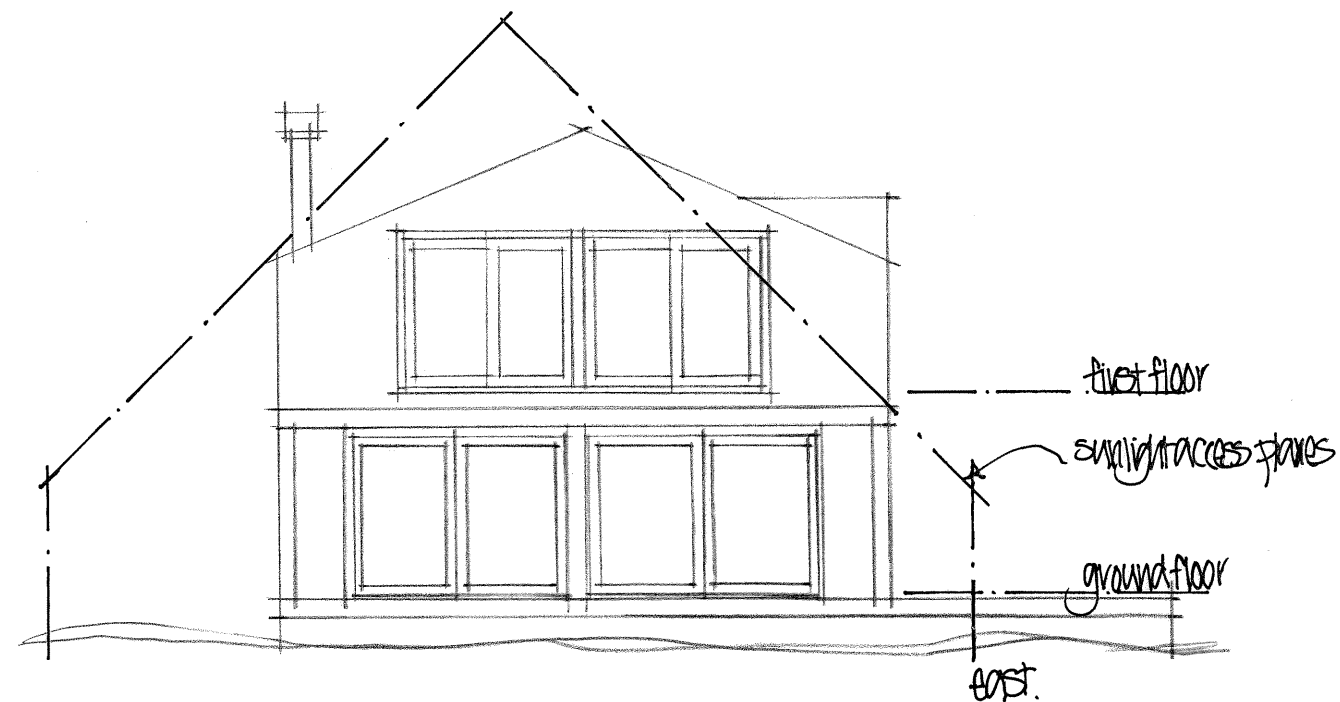
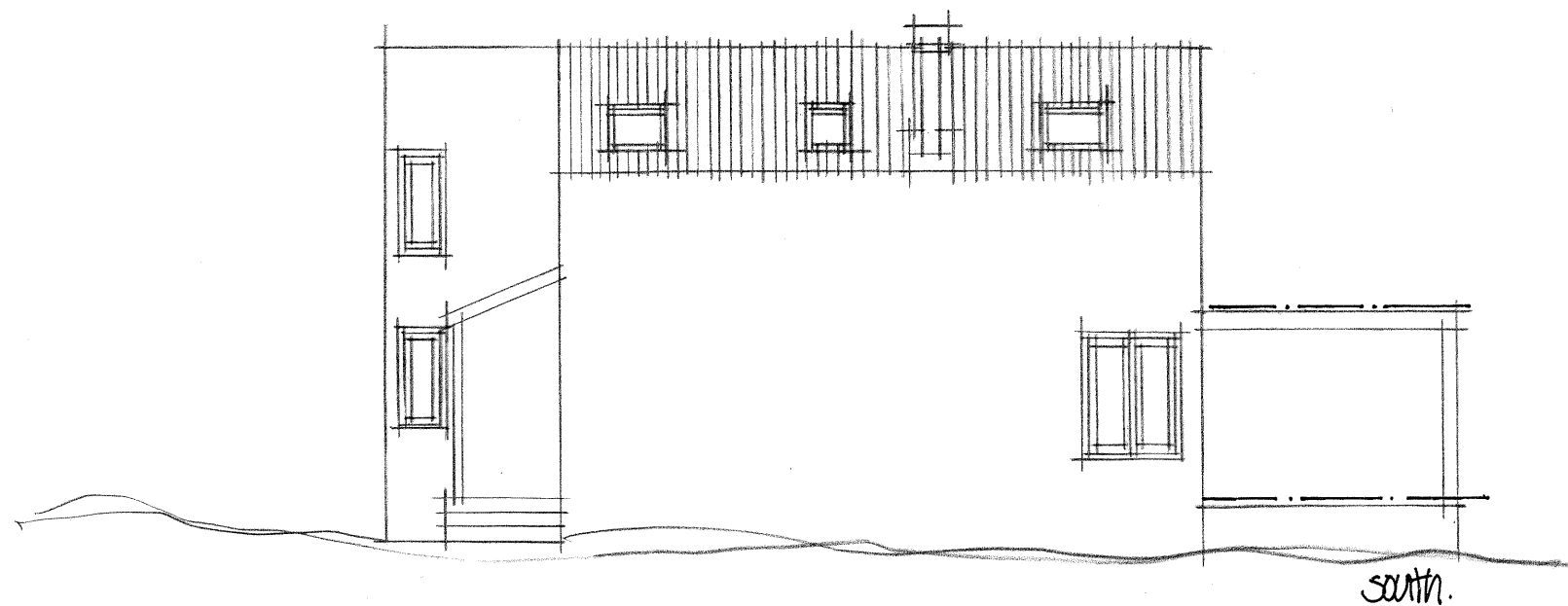
August 2013.



floor : wide American Oak
floorboards on ply
substrate
ply ceilings with Dulux
"driftwood" wash
island benchtop : Caesarstone
Cocoa Fudge or 'Wild Rice'
other benches : stainless steel
island unit : double sided
roof : Eucalypt, colour : Iron
sand.

aluminium windows : Duralloy
sandstone.

Aluminium louvre system :
possibly Louvretec 180
Linear opening roof (website:
www.louvretec.co.nz).



STEWART

newbach
226 Plover Road
Plover

Sketch Elevations No. 2 Scale 1:100

TRUTH AND JUSTICE
August 2013



Applicant Information Form 1a Notified or Non-notified Process



Department of
Conservation
Te Papa Atawhai

New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenancing and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- 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 information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

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

- Check the [DOC webpage for the activity you are applying](#)¹ for.

¹ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the [Department of Conservation Office](#)² closest to where the activity is proposed. You can use [DOC maps](#)³ to identify which District Office you should contact. Or arrange a meeting with any of our [four offices that process concessions](#)⁴ – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are 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 for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine 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](#)⁵.
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the [DOC webpage for the activity you are applying](#)⁶ for.

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.

² www.doc.govt.nz/footer-links/contact-us/office-by-name/

³ <http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/contacts>

⁵ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

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.

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 of 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 actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the [Safety Plan](#)⁷ information on the DOC website for further information.

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/managing-your-concession/safety-plans/>

A. Applicant details

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

①	Applicant name (individual)			
	Phone		Mobile phone	
	Email			
	Physical address			Postcode
	Postal address (if different from above)			Postcode

②	Applicant name (full name of registered company, trust, incorporated society or other)		[REDACTED] [REDACTED] (The Vondervoort Family Trust)	
	Trading 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		[REDACTED] (Owner, trustee proprietor)	
	Phone	Mobile phone	[REDACTED]	
	Email		[REDACTED]	
	Postal address		Postcode	[REDACTED]
	Street address (if different from postal address)		Postcode	

B. Pre-application meeting

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

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

- If yes record the:

Date of DOC pre-application meeting	Various
Name of DOC staff member	Rachael Mora, Alice Heather
Name of person who had the pre-application meeting with DOC	

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	<input type="checkbox"/>
Land use: Tenanting and/or using existing DOC facility/structure	3a	<input type="checkbox"/>
Land use: Use of public conservation land for private/commercial facility/structure	3b	<input checked="" type="checkbox"/>
Guiding/Tourism/Recreation: Watercraft activities	4b	<input type="checkbox"/>
Filming	5a	<input type="checkbox"/>
Sporting Events	6a	<input type="checkbox"/>
Marine reserves application form: Structure in a marine reserve	11a	<input type="checkbox"/>
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	<input type="checkbox"/>

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](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/)⁸
- [Easements](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/)⁹
- [Land based guiding](https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/land-based-guided-activities/)¹⁰

⁸ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

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

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

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

- If yes, state which application forms:

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

This application relates to the continued access and use of a currently leased site at Pourerere Beach. The original leases were granted as Land Act leases. Further information is provided in the relevant application form (3b).

My family have owned the house since 1950 and now have the 5th generation enjoying and respecting this taonga. The family have always honoured the lease, conditions, terms and conditions and all obligations for 75 years.

My husband and I have owned the property on the site since 2011 (purchasing it from the remainder of the family).

F. Attachments

Attachments should *only* be used if 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>Correct example ✓</u> <i>D</i>	<i>Locations</i>	<i>PDF</i>	<i>Trust Deed.</i>
<u>Incorrect example X</u> <i>Table</i>	<i>Doc1</i>	<i>Word</i>	<i>Table</i>

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	<input type="checkbox"/>
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	<input type="checkbox"/>
I have completed the activity application form .	<input type="checkbox"/>
I have appropriately labelled all attachments and completed section F Attachments .	<input type="checkbox"/>
I will email permissions@doc.govt.nz my: <ul style="list-style-type: none">• Completed applicant information form• Completed activity application form/s• Any other attachments.	<input type="checkbox"/>

H. 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	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>
If 'yes' under what name	
Does your organisation require a purchase order number for invoicing purposes?	<input type="checkbox"/>
If yes, please provide the number here:	

All invoices related to this Permission will be coded to this purchase order number unless otherwise advised. It is the applicant's responsibility to advise the Department if the purchase order needs to change through the lifetime of the Permission.

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

Terms and conditions	Tick
I/We agree that the Department of Conservation can provide my/our details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
I/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.	<input checked="" type="checkbox"/>
Typed applicant name/s	Vondervoort Family Trust
Date	18 June 2025

For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	



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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

If you require extra space for answering please attach and label according to the relevant section.

A. Description of Activity

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

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

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

Proposal to lease 224 Pourerere Beach Road, Aramoana 4271. Legal description: SEC 10 BLK XII POURERERE SD,

We are seeking a 60 year concession (lease) to be granted under the exceptional circumstances detailed in this application, supported by detailed commitment to the Department of Conservation priorities.

The subject lease is a small parcel of land, within a group of 23 leasehold sections, within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram. The subject of this application is the southern most section in the entire settlement. The map attached to this application shows the subject site marked.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Leaseholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose.

DOC's purchase was completed in 2021.

The lease site is a base for a small family bach that we purchased in 2011 immediately prior to the cyclonic storm affecting the local area. At the time of purchase, the original Land Act Lease was transferred to me "without variation", including the perpetual rights of renewal at 33 year intervals. In the intervening 14 years, we have enjoyed simple family gatherings and established deep ties to the community and the local area. We have made deep connections to the area through local planting, erosion control and coastal protection, community safety, first responders to beach visitors when they strike difficulty, and fishery monitoring. We have done this without hesitation, to reflect our deep commitment to the coast and all who visit there.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

The house is not transferable. The application is only for the lease.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility

NO

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

House area is 160 sq m. Land area is 349 sq m.

Is this necessary for safety or security purposes?

NO

Is this necessary as an integral part of the activity?

NO

Is this essential to carrying on the activity?

NO

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

House area is 160 sq m. Land area is 349 sq m.

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **No, but needs to be managed**

(Exclusive occupation requires a lease which requires public notification of the application)

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

Is exclusive possession necessary to protect public safety?

Is exclusive possession necessary to protect physical security of the activity?

Is exclusive possession necessary for the competent operation of the activity?

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

This section is a small parcel of land that does not impede or restrict coast access, road access or is necessary for coast access and use in any other way. The site is sandwiched between a rural farm and a public road, which borders a wide coastal area with extensive access including a public carpark to the south, a public boat ramp for beach access to vehicles, a road reserve that the public use continuously, etc.

The assets and infrastructure situated on this public conservation land are privately owned and have been since the 1930s. These assets are sympathetic to the local area. They include water infrastructure (such as limited supply fresh water tanks), secure sheds, private home, motor vehicles, firewood, and all related household appliances associate with a private home.

Private owners have health and safety obligations under the Health and Safety at Work Act. A property owner is a PCBU (Person Conducting a Business or Undertaking) in circumstances where they are a private landowner leasing land. As such, access has to be managed to ensure the Crown does not impose a wide and unmanageable duty of care on the leaseholder to all visitors at any time, to:

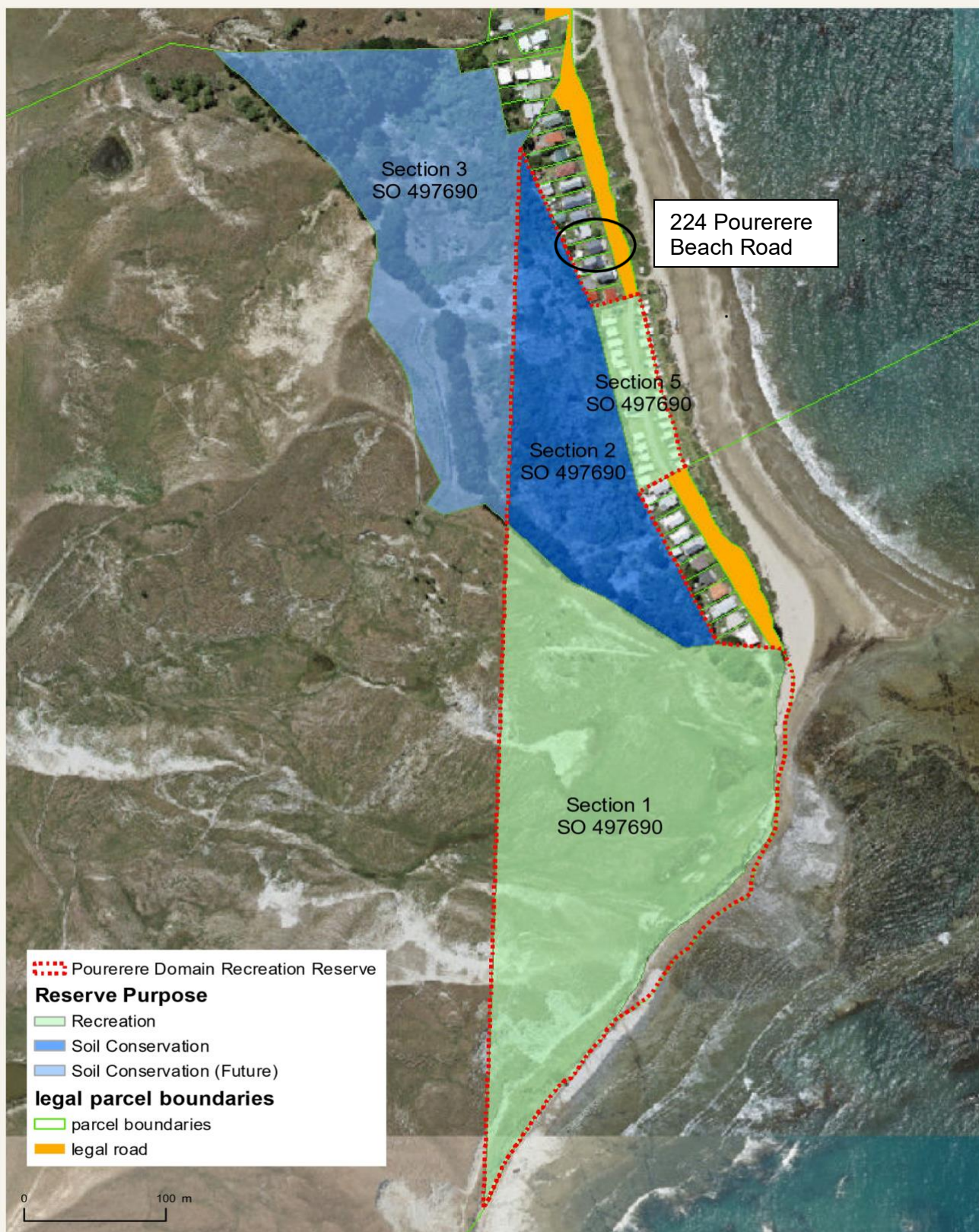
1. Identify risks to any visitors and any time
2. Manage or eliminate those risks
3. Inform visitors about any hazards they may encounter
4. Take steps to keep anyone accessing the property safe....

...in instances where others may be entitled to access and use the land this application relates to.

Without possession being managed by or through the property owner, the Crown would effectively be creating an open invitation to any visitors on to the leased land without the leaseholder having any control on the extent of that access, when, how often, with what effects, with the consequence that the leaseholder would have personal liability under the HSE Act for all potential hazards, risks and their management.

Similarly, the leaseholders currently pay annual lease costs, all CHBDC and HBRC rates, insurance, maintenance and repairs, and other costs associated with the use of that land. It would be unreasonable to expect private leaseholders to effectively fund public use of the leased land.

However, controlled access via public accommodation booking platforms (like Airbnb, etc) does enable risk to be managed effectively.



R233335



Pourerere Domain Recreation Reserve

NZGD 2000 New Zealand Transverse Mercator
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DOC, Geospatial Services | 12/04/2022

New Zealand Government

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E. Technical Specifications (for telecommunications sites only)

Frequencies on which the equipment is to operate

N/A

Power to be used (transmitter output)

N/A

Polarisation of the signal

N/A

Type of antennae

N/A

The likely portion of a 24 hour period that transmitting will occur

N/A

Heaviest period of use

N/A

F. Term

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

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

I am seeking a concession of 60 years under exceptional circumstances, as detailed in this application.

G. Bulk fuel storage

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

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

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

NO

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

N/A

H. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 3b:H.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
-40.1168188, 176.8718640	Nil. This is not an area of high conservation value. There are no at risk or threatened species on the site. The lease is a small parcel (349m ²) of land (akin to a small residential section) sandwiched between a public sealed road, a farm and an adjoining leased site.	<p>We take nothing from the area, nor do we engage in any activity that has adverse effects on the land. There is a small house on the site.</p> <p>This is a remote and isolated community. The leaseholders along this entire community undertake planting, beach and dune maintenance, monitor the use of the local fishery and adherence to legal take limits, and are first responders to local emergencies on the beach and out to sea. The intensity of the use of this beach/coastal area has increased in recent years with Rahui placed on Waimarama and Ocean Beach Pāua, which has seen an exponential rise in visitors, divers, fishers, etc to Pourerere Beach. Our small community has ramped up its efforts on behalf of iwi, Fisheries (MPI), Police, FENZ, Coastguard and DOC, to protect this area and the safety of those who visit.</p> <p>Please see the final pages of this application, which set out in more detail the positive impact our community of leaseholders has on the environment at Pourerere Beach</p>	<p>There are no discernible adverse effects.</p> <p>Our commitment to Te ora a Papatūānuku - Healthy nature, Te ora a Hapori - Thriving communities, and Te hunga a Atawhai - People who care are described in the attached table.</p>

I. Other

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

The subject lease is a small parcel of land and is not an area of high conservation value. It is one of 23 sites that sit within a cluster of freehold tenure, Recreation Reserve, and a soil conservation area. This is shown on the attached diagram.

In 1987, the 23 crown land sections on SO 1603 were allocated by s62 of the Conservation Act 1987, to the Department of Conservation, subject to the perpetually renewable leases. The 23 sections as portrayed on SO 1603 were named Pourerere Conservation Area.

In 2011, the cyclonic storm impacted on both the Domain and the Pourerere Conservation Area including the baches. DOC and Council with technical advice from Opus International Consultants, in conjunction with Ouepoto Station, installed a contour drain and storm water interception system near hill top on extra land set apart by Ouepoto. This 0.3 ha area was boundary fenced on the farm side with native shrub plantings. Several leaseholders directed their EQC payments arising from the storm damage to their properties into the investment in this infrastructure, working alongside Council, DOC and the station owners.

DOC in 2016 negotiated with Ouepoto Station to purchase the 3.6 ha retired land (3.3 ha +0.3 ha) to be added to the Domain. The Domain has had its steep hill part behind the baches reclassified as local purpose (soil conservation) reserve, while the new addition from Ouepoto was classified and managed for the same purpose. DOC's purchase was completed in 2021. We have to assume this purchase reflected the intention that the properties below continued to be occupied.

In late 2021, without any forewarning, we were advised by Dave Johnstone, National Transaction Centre Manager), that the Department had made an error in renewing the leases in 2008 because that took place after the s47(2) of the Conservation Amendment Act 1996 came into force.

However, the Department went on to say:

"The Department...acknowledges that this situation is undesirable for all concerned. In order to be fair and reasonable, the Department will continue to administer your lease as though the renewal granted in 2008 occurred lawfully. The Terms and Conditions of your lease (including matters such as rent reviews) will be honoured by the Department until its expiry unless your lease is terminated earlier or deemed by a Court to be invalid....when the current term expires on 31 December 2040, you will need to ensure you have obtained a concession from the Minister....if you wish to continue occupying and using the land beyond that date."

In summary, the applicable lease was renewed and confirmed by the Conservator for the Wellington Hawkes Bay Conservancy of the Department, acting under delegation from the Director General of Conservation, in 2008 (with effect from 1 January 2007).

We, [REDACTED], purchased the property in 2011. As part of that sale and purchase, the relevant lease was transferred to us without variation by the Department. This process involved our lawyer and relevant Department officials.

We would not have progressed with the purchase if the Department had acted correctly and applied its own legislation to the subject lease for our property. The single most important consideration during our sale and purchase was the lease conditions and the transfer of the lease without variation to the terms, specifically perpetual renewal rights.

The lease was an asset which we effectively purchased. This inflated the purchase price well beyond what it would have been had no rights of renewal existed.

Our lawyer () and accountant, () also reviewed the lease conditions prior to purchase. The lease was reviewed the Department confirmed it would transfer without variation. The lawyer and accountant would not have advised purchase without such lease conditions because it would have devalued the property plus.

Perpetual rights of renewal in leases have the effect in practice of uninterrupted private rights to access. It is a well-established plank in property law that leases are assets and have economic value and that perpetually renewable leases give rise to value equivalent to freehold title.

In our own case, the registered capital valuation for 224 Pourerere Beach Road according to Hawkes Bay regional Council is () and land value ().

The standard lease valuation is () (being 35% of the land value, ()).

Given the value of the lease was reflected in the purchase price, the potential loss of value of the lease renewal alone, directly attributable to the Department's initial error (2007/08) and subsequent lease transfer (2011). However, potential financial loss if the concession is not granted will be much greater. The only economic value remaining, should a concession not be granted, would be a small amount for a house to be removed off the site. However, the probability of someone purchasing would be extremely low given the remote nature of the area, very poor road access, and almost impossible terrain to transport a dwelling of any size.

Our family have been on the property for 75 years and now have the 5th generation enjoying and respecting this taonga. Granting a 60 year concession would go some way to limiting the financial impacts on our family from DOC successive errors in administering and transferring the relevant Land Act lease in 2011. As a family, we would be financially ruined if we were to be subjected to financial losses due to the Crown's mistake in administering its own legislation, in the event a 60y concession (lease) is not granted.

We are an established, responsible custodian or steward of this parcel of land.

Since 2021, DOC has worked to embody a contemporary way of working, named *Papatūānuku Thrives*, that specifies the roles, behaviours, principles and desired outcomes for a thriving DOC estate. Our case to DOC is that we Pourerere beach leaseholders have been responsible stewards since the 1930s and wish to be active partners with DOC for many generations to come in jointly achieving the desired outcomes of:

- Te ora a Papatūānuku - Healthy nature
- Te ora a Hapori - Thriving communities
- Te hunga a Atawhai - People who care

The following table describes what is effectively a Custodial Blueprint to preserve the integrity, beauty, quality, essence of Pourerere for us, the general public and future generations.

DOC Papatūānuku thrives	Pourerere beach leaseholders - examples of active stewardship and care
<p><i>DOC's Role is to:</i></p> <ul style="list-style-type: none"> • Partner with iwi, hapū and whānau, and collaborate with others • Care for the land, the waters, our native species and our heritage • Advocate for nature, and be a regulator • Foster recreation in nature • Tell the stories of our nature and our history 	<p>We lease holders share the environment with the general public but are fortunate to have leases that enable us to spend quality time there with our friends and families intermittently during the year. We recognise and have always believed that we have a responsibility to protect and preserve the integrity of this special piece of the Hawkes Bay coastline.</p> <p>The following examples are just some of the actions we have taken to care for the land, the waters, the native species and for the heritage of the area:</p> <p><i>Te Angiangi Marine Reserve</i></p> <p>This was a significant, environmental and ecological enhancement initiative. Mana whenua and Pourerere lease holders such as [REDACTED] worked tirelessly and determinedly with all the relevant agencies for years through a lengthy challenging process. It was a significant achievement to sell the vision and mobilise DOC to establish Te Angiangi marine reserve.</p> <p>A marine reserve committee was established with accessibility and educational infrastructure implemented for visitors to interact with.</p>

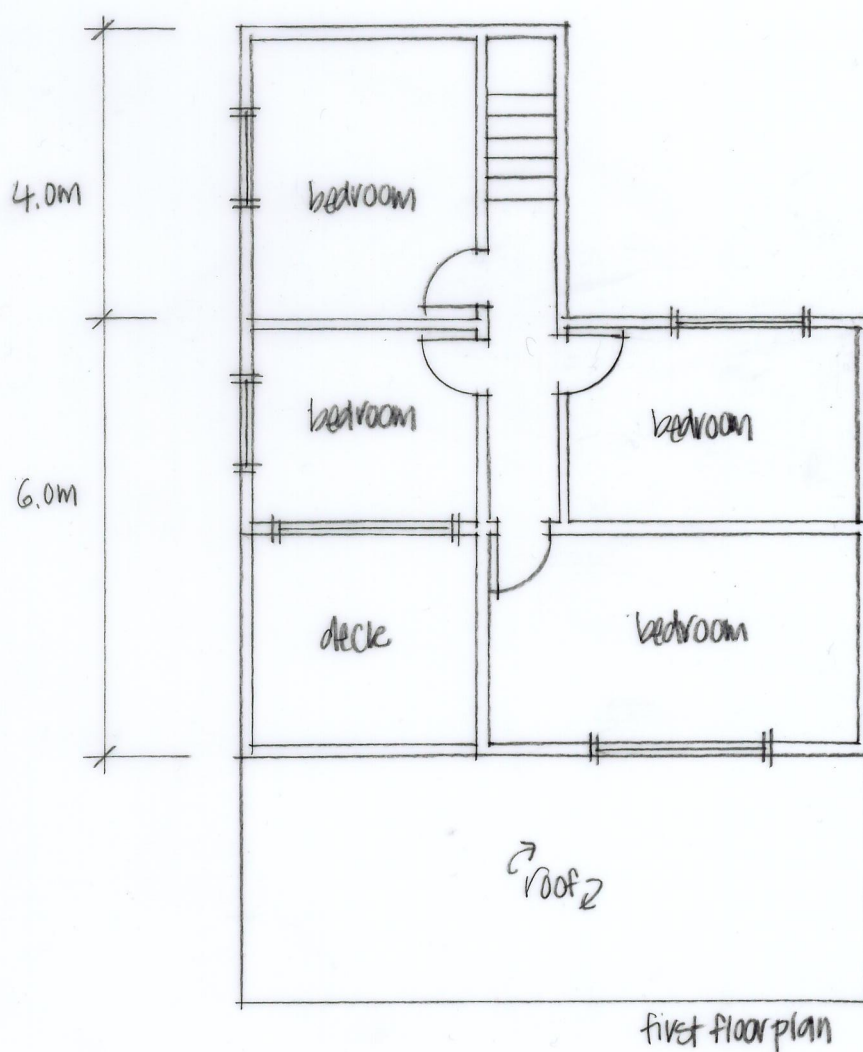
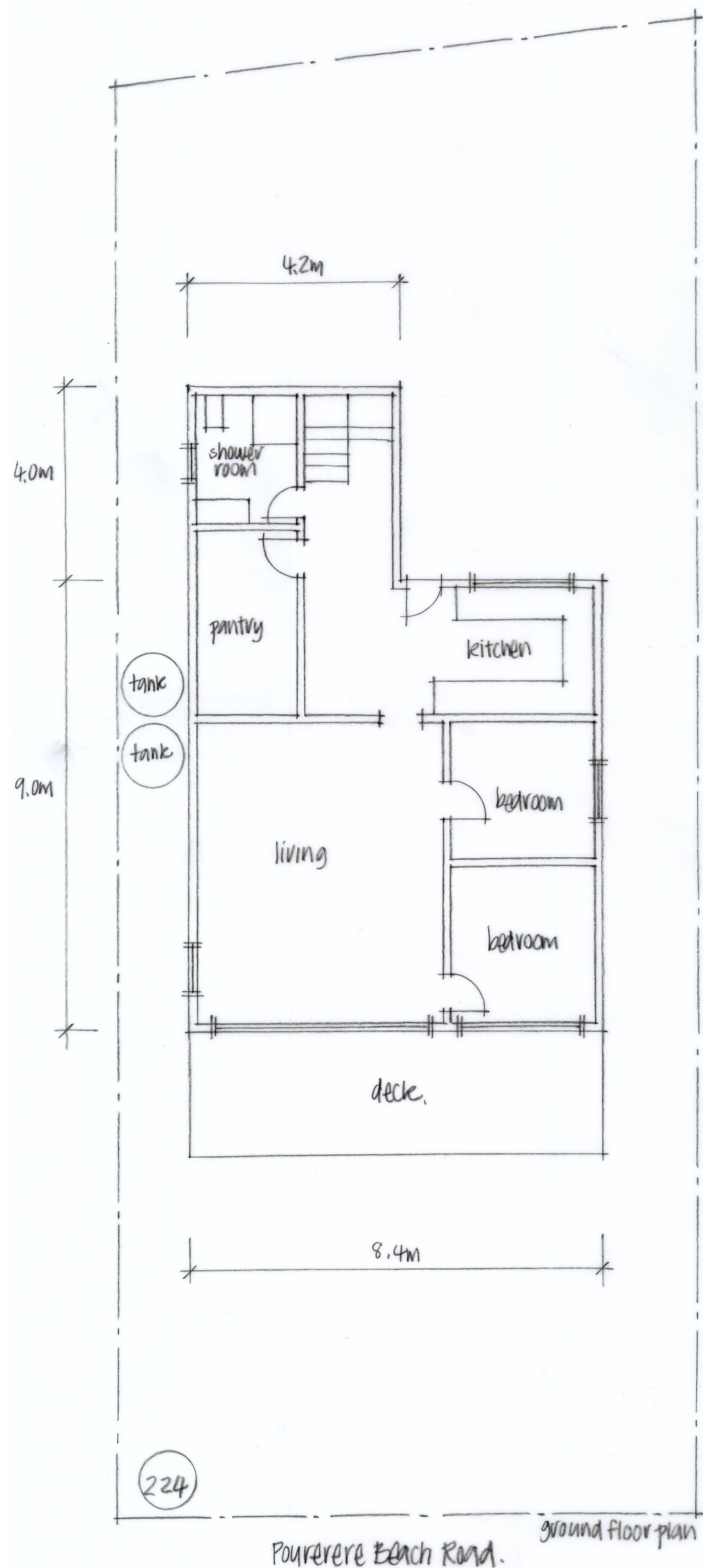
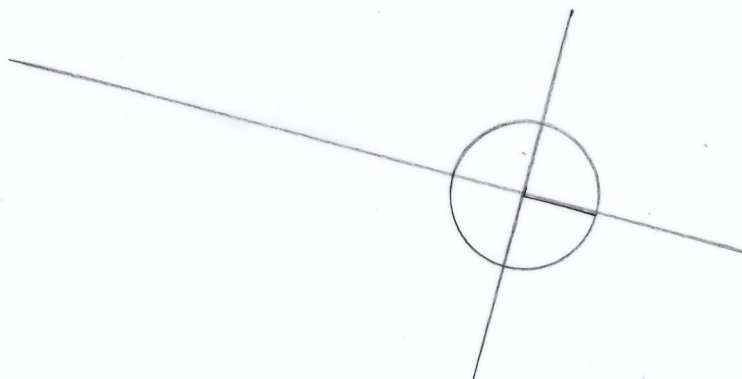
	<p>That remarkable regeneration of marine life not just within but around the reserve and along the local coastline. The Pourerere and Central Hawkes Bay communities have benefited enormously from both the educational and recreational pleasures of that reserve since its inception.</p> <p>Since the storm of 2011, access to and care for Te Angiangi has been challenging. We have been supportive of Ngāti Kere and our beach neighbours at Aramoana and Blackhead in efforts to improve the care for the marine reserve.</p> <p><i>The Freedom Camping Project</i></p> <ul style="list-style-type: none"> • The Pourerere Freedom Camping Project was another Pourerere Beach Community supported initiative. In the period preceding the now collaboratively managed Freedom Camping, the area had become increasingly untidy, unsafe and lacked management. Each year, for extended summer periods, this area represented a gathering ground for some disenfranchised parts of the wider community, including local gang members. • The behaviour was at times intimidating; the environment abused. This included poor sanitation, the dumping and abandonment of litter and bottles, the flouting of rules relating to the size and designation of sites, and the time allocations for them. • Our community led the process to reconcile the tensions between regular campers in the zone, and Council. It was agreed that change and some form of Management were required and in everyone's best interests. • This set in motion the formation of a Committee comprising the Council, influential regular freedom campers, and Pourerere Beach residents who jointly established a new set of rules and management structure for Freedom Camping. • This initiative had the immediate effect of creating a controlled, orderly Freedom Camping environment that still exists today. In the ensuing period this has become increasingly more orderly, tidy and better managed.
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	<p><i>Reef and Beach Security</i></p> <ul style="list-style-type: none"> ● Prompted by Pourerere beach residents, a Council bylaw was implemented preventing any driving on reef platforms. Locals had noted the detrimental impact that vehicles were having on the reef and lobbied for the regulatory support. ● The positive impact on reef health has made us all big supporters of the bylaw. Numbers of us now regularly 'police' the reefs by interacting with day trippers (mostly divers) to inform them of the ecosystem threat of driving or parking on the reefs. ● On occasion we also intervene where people drive on the beach recklessly ● Our approach is always conciliatory and informative rather than authoritative. <p><i>Woolpress story in signage</i></p> <ul style="list-style-type: none"> ● Actively promoted to Council for the protection of Historic Heritage of the circa 1878 Old Wool Dumping Press. ● [REDACTED] commissioned the paintings of the old wool press and moving of wool ● These signs were blessed and unveiled in a ceremony in October 2009 <p><i>Bach history</i></p> <ul style="list-style-type: none"> ● In the 80s, Pourerere leaseholder [REDACTED], started researching the history of each bach, interviewing current and past owners and recording the information. Her vision was to write a book one day - an historical journey through time of the Pourerere Community, its habitations, activities and ideas. The project became too much for her as she aged but we still have her suitcase of notes - ready for someone to pick up the baton. ● Many of the baches have made it into publications being considered iconic of the NZ bach. eg. "The Bach" and "Baches and Cribbs"
<p><i>DOC Principles:</i></p> <ul style="list-style-type: none"> ● elevating principles of the Treaty and fulfilling our Treaty Partner relationships 	<p><i>Community safety</i></p> <ul style="list-style-type: none"> ● This area of coast is extensively used by day trippers, fishers, whanau groups, and tourists. ● The community monitors personal and craft safety ● Individual investment in community assets such as defibrillators (x3).

<ul style="list-style-type: none"> ● Holding wellbeing and safety at our heart ● Working together with others ● Leaving the world a better place 	<ul style="list-style-type: none"> ● Locals provide first response to safety and health incidents, which frequently occur, both onshore and offshore. Search and rescue equipment is provided free of charge, homes are opened up to provide bases for search and rescue operations, personal vehicles and craft are used in direct response to incidents
<p><i>Behaviours:</i></p> <ul style="list-style-type: none"> ● Whakatānanatia - We deliver ● Atawhaitia a Papatūānuku - we love nature ● Whakawhānaungatanga - we build relationships ● Whakaauaha - we innovate 	<p>The following are some examples of an active community who loves nature, builds relationships, innovates and delivers on our care for Pōrerere beach.</p> <p><i>2011 Slip Rectification Program</i></p> <ul style="list-style-type: none"> ● At Easter in 2011 our region got hit with serious slip damage to most of our properties. ● Residents resolutely, in some cases as individuals and others in groups according to their respective designations, set about recovering properties, restoring them from the environmental wrath of the flood, slips, and earthquake 1,2,3 combo that wrecked so much havoc over a freak 48 hours of climactic devastation. ● Council red Stickered this parcel of land and we were forced to abandon our properties, belongings and beloved beach ● We embarked on a dogged recovery program, starting with a statutory Determination from the (then) Department of Building and Housing. This overturned the CHBDC decision and categorisation of the properties and opened the possibility of an investment and recovery programme. ● Contributed significant personal monies and hundreds of hours of time in consultation with council and Geotechnical Cos to lead what became not just a restoration but an improvement and future risk mitigation project ● That contribution included significant Geotechnical consultancy fees and restoration costs. The bulk of this cost and work was on the land behind our properties. ● As such we willingly contributed to the future stability and thus accessibility to Pōrerere.

	<p>Coastal Erosion and Environmental Protection Initiatives</p> <ul style="list-style-type: none"> • This is a major issue for all NZ and Pourerere situated on the rugged highly exposed East Coast is very vulnerable. Our community has been actively committed to the preservation of our foreshore for many generations. To date our initiatives include regular three monthly measuring of foreshore line from a datum point. • All of us in varying degrees take responsibility for maintaining the environmental integrity of Pourerere. • All Pourerere residents continually work in small ways to stave off the ravages of erosion. • People do this in different ways ranging from deposits of greenery on the tideline, to the deposit of rocks and other materials. • These are all temporary measures but in the most part they have helped. • There is widespread agreement that the ‘fix’ or solution needs to be comprehensive and coordinated. <p>Planting</p> <ul style="list-style-type: none"> • As one measure of protection of the foreshore against erosion we have in conjunction with other parts of the Pourerere community, in partnership with the Regional and District Council, partaken in foreshore planting initiatives. These have happened on a number of occasions. • Regular Ongoing weeding is undertaken to maintain the integrity of this planting • Numbers of us have collectively spent thousands of hours planting and maintaining the Doc and farmland behind our properties as part of an ongoing stability measure. <p>Rubbish and Flotsam</p> <ul style="list-style-type: none"> • People take regular walks along the beach to remove daytripper and general seaborne flotsam off the beach • Permanent residents, as a part of their daily routine, walk along this beach with a plastic bag picking up rubbish • All of us in holiday periods pick up “rubbish left behind” as we see it by day trippers • Some engage their whanau to walk further afield as a commitment to “community work” and the protection of our community and environment.
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	<ul style="list-style-type: none"> • The combined effect of the above is a commitment from this community to keep Pourerere Beach clean. ... it works, and we all win. <p>Ramp Maintenance</p> <ul style="list-style-type: none"> • Many many hours of work using manpower and machinery are put in every year to maintain the four vehicle access points onto Pourerere Beach. • These are regularly compromised by the ravages of the ocean and rendered unusable and/or unsafe.
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224 Pourerere Beach Road, Pourerere

Legal description:
Section 10 Block XII
Pourerere SD.

site area: 349 m²

bach floor area:
ground floor: 92.6 m²*
first floor: 67.4 m²*

Floor/site plan based on
information supplied by
bach owners.

*approx. measurements,
not site measured.

0 0.5 1.0 2.0 3.0 4.0 5.0m
September 2025

