

## Application for a concession – Ardgour Rise

Clause 3 of Schedule 6 outlines the information required in an application for a concession.

The activity applied for, as set out in A.11 (Section 4.3.1, pgs 10-11) of the application, states:

*“A concession (easement in favour of CODC as a public right of way) for activities occurring on public conservation land within the Ardgour Conservation Area as follows:*

- The establishment and maintenance of a portion of the realigned Thomson Gorge Road (i.e. Ardgour Rise) (largely within an existing easement providing for access) which consists of an approximately 4 m wide 4WD gravel track and any associated vegetation clearance, earthworks and construction activities (including erosion and sediment control measures). Included within the ambit of this concession is the realignment of the Chorus fibre optic cable (currently located within Thomson Gorge Road) within the Ardgour Rise alignment”.*

This assessment provides commentary set out in the table below. The assessment comments on whether the information requirements are considered to be met in relation to the concession sought.

**Table 1.1 Assessment of Information Requirements Schedule 6 Clause 3**

Relevant section	Is the information present? Y/N	Application document reference	Is the information provided in sufficient detail? Y/N	Comments
Clause 3(1) Schedule 6 - For the purposes of section 43(3)(e), an application for a <b>concession</b> must include the following information:				
(a) a description of the proposed activity:	Yes	A.10 (pgs 78-79) A.11 (pgs 10-11) A.15 pg 114	Yes	<b>Information present and sufficient</b>

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Relevant section	Is the information present? Y/N	Application document reference	Is the information provided in sufficient detail? Y/N	Comments
(b) a description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership and management arrangements, and, if applicable, the name, of the places):	Yes	A.10 (pg 79) A.15 (pg 114, 119) C.22 C.24 C.25 C.26 D.06 (pg 5)	Yes	<b>Information present and sufficient</b> The location of the additional Chorus fibre cable alignment and future management is unclear and will require clarification.
(c) information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects would be significantly less:	Yes	A.15 (pgs 121-122)	Yes	<b>Information present and sufficient</b>
(d) in the case of an application for an approval within paragraph (a) of the definition of concession or paragraph (a) of the definition of Reserves Act approval, information about the extent to which the project is consistent with—				
(i) the relevant conservation management strategy and conservation management plan:	Yes	A.15 (pgs 129-136) B.39 (pgs 13-16)	Yes	<b>Information present</b> Although a general assessment is provided. DOC was unable to identify where specifically the application assesses the upgrade of roads/roading infrastructure against consistency with the CMS.
(ii) any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity:	N/A	N/A	N/A	

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(e) in the case of an application for an approval within paragraph (b) of the definition of Reserves Act approval, information about the extent to which the project is consistent with any management plan approved under section 41 of the Reserves Act 1977:	N/A	N/A	N/A	
(f) information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration:	Yes	A.15 (pg 124)	Yes	<b>Information present and sufficient</b>
(g) a description of —				
(i) the potential effects (positive and negative) of the proposed activity:	Yes	A.15 (pg 126) B.39 (pgs 28-32) A.13 (pgs 84-85)	No	<p><b>Information present</b></p> <p>The applicant has provided high level commentary on the broader effects of the overall proposal and has focused on the concession itself as an effects management strategy.</p> <p>DOC has not identified a specific assessment of effects in relation to the concession proposal. An effects assessment for the widening of an existing (low use) easement proposed to transition to a public road would typically cover the</p>

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Relevant section	Is the information present? Y/N	Application document reference	Is the information provided in sufficient detail? Y/N	Comments
				effects of vegetation clearance, earthworks, increased traffic volumes on conservation values such as biodiversity, recreation, heritage.
(ii) any actions that the applicant proposes to take to avoid, remedy, mitigate, offset, or compensate for any adverse effects of the proposed activity:	Yes	A.15 (pg 126) B.39 (pg 29-32) D.06 (pgs 3-4)	No	<b>Information present</b> Whilst some effects management may be captured as part of broader management plans and conditions e.g. earthworks management, DOC has been unable to identify sufficient information around the management of effects in relation to the specific concession proposed (noting as above commentary on the effects of the proposed concession are also limited). DOC also notes that a wildlife approval has not been sought in relation to any activities on PCL.
(iii) details of the type of concession for which the applicant is applying:	Yes	A.15 (pgs 114, 126) D.06	Yes	<b>Information present and sufficient</b>
(h) a statement of —				
(i) the proposed duration of the concession; and	Yes	A.15 (pg 127) D.06 (pg 1)	Yes	<b>Information present and sufficient</b>

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Relevant section	Is the information present? Y/N	Application document reference	Is the information provided in sufficient detail? Y/N	Comments
(ii) the reasons for the proposed duration:	Yes	A.15 (pg 127)	Yes	<b>Information present and sufficient</b>
(i) relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court):	Yes	A.08 (p17) A.15 (pgs 6-7)	Yes	<b>Information present and sufficient</b> DOC has not identified any issues in relation to the applicant's compliance with previous conservation approvals.
(j) if the applicant applies for a lease, a licence granting an interest in land, or an easement, —				
(i) reasons for the request; and	Yes	A.15 (pgs 127-128)	Yes	<b>Information present and sufficient</b>
(ii) sufficient information to satisfy the panel that, in terms of clause 7, it is appropriate under section 81 to grant the lease, licence, or easement (as the case may be):	Yes	A.10 (pg 78) A.15 (pgs 28-29) B.39 (pg 13)	Undetermined	<b>Information present</b> DOC has been unable to identify information which assesses the specific effects and management of those effects related to this concession activity.
(k) full details of any consultation undertaken with relevant iwi and with reserve owners and managers:	Yes	A.12 (pgs 4-5, 7-10)	Undetermined	<b>Information present</b> The Applicant advises they have consulted generally with relevant iwi; DOC is unable to determine the sufficiency of engagement with iwi re consultation in relation to the proposed concession.

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Relevant section	Is the information present? Y/N	Application document reference	Is the information provided in sufficient detail? Y/N	Comments
(l) information about financial and legal liabilities and obligations associated with the land:	Yes	A.15 (pgs 128-129) F.03	Undetermined	<b>Information present</b> The existing easement holder has consented to this as part of their general approval for the project. However, DOC was unable to identify information which clarified whether CODC and Chorus supported the proposal. DOC was unable to identify in the application if the applicant had considered any other existing concessionaries that may be considered to have an interest in the land or if there are none. DOC can comment further on this as part of the process.
(m) in the case of an application for an approval referred to in paragraph (b) of the definition of Reserves Act approval where the reserve is owned or managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve:	N/A	N/A	N/A	
(n) confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that right for the purposes of any lease proposed in the application if—	N/A	N/A	N/A	

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Relevant section	Is the information present? Y/N	Application document reference	Is the information provided in sufficient detail? Y/N	Comments
(i) the proposed lease would be for a term (including any renewals) that will, or is likely to, be more than 50 years; and  (ii) the granting of the lease would trigger the right of first refusal or right of offer or return.				