

Application for a concession – Willows Management

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 4.3.4, pgs 13-14) of the application, states:

“A concession (permit) for activities occurring on public conservation land within the Bendigo Historic Reserve as follows

- The management of crack willows along the Bendigo and Clearwater Creeks, which will include (with agreement of the Department of Conservation) the spraying of herbicide to kill willow trees, the progressive and / or partial removal of willow trees, and the partial replacement of cover with native vegetation;*
- All necessary associated vegetation clearance and land disturbance activities (including the formation of access tracks) and replacement of cover with native vegetation;*
- Monitoring activities within the first four years of spraying crack willows to monitor any regrowth of crack willow and native scrub along riparian zone”.*

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 1.5 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 concession must include the following information:				
Willow Removal Concession				
(a) a description of the proposed activity:	Yes	A.10 (pgs 88-89) A.11 (pgs 13-14)	Yes	Information present and sufficient

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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
		A.15 (pgs 116-117) D.09 (pg 1)		
(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.15 (pgs 116-117,120) C.31 C.32 D.09 (pg 5)	Yes	Information present and sufficient
(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 (pg 123)	Yes	Information present and sufficient
(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 120-136)	No	Information present Although a general assessment is provided. DOC was unable to identify where specifically the application assesses willow removal against 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	A15 (p125)	Yes	Information present and sufficient
(g) a description of—				
(i) the potential effects (positive and negative) of the proposed activity:	Yes	A.15 (pg 126) A.13 (pg 7) G.11 (pg 20)	Undetermined	<p>Information present</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 of other activities.</p> <p>However, DOC has not identified a specific assessment of effects in relation to this concession proposal. An effects assessment for the management of crack willows within a historical reserve would typically reflect on conservation values</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
				including potential heritage, recreation wildlife and biodiversity effects.
(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	G.11(pgs 57 and 68) D.09 (pgs 3-4)	Undetermined	Information present Some effects management may be captured as part of broader management plans and conditions additionally the applicant has stated that a plan and proposed methodology for willow management is certified by DOC for certification prior to removal. DOC notes that a wildlife approval has not been sought in relation to any mitigation activities on PCL.
(iii) details of the type of concession for which the applicant is applying:	Yes	A.15 (pgs 116-117,126)	Yes	Information present and sufficient
(h) a statement of—				
(i) the proposed duration of the concession; and	Yes	A.15 (pg 127) D.09 (pg 1)	Yes	Information present and sufficient
(ii) the reasons for the proposed duration:	Yes	A.15 (pg 127)	Yes	Information present and sufficient
(i) relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity	Yes	A.08 (pg 17) A.15 (pgs 6-7)	Yes	Information present and sufficient

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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
(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):				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	N/A	N/A	N/A	
(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):	N/A	N/A	N/A	
(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	Information present 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.
(l) information about financial and legal liabilities and obligations associated with the land:	Yes	A.15 (pgs 128-129)	Undetermined	Information present DOC was unable to identify in the application if the applicant had considered any existing concessionaries that may be considered to have an interest in the land or if there are none. DOC can

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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
				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— (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.	N/A	N/A	N/A	