



DOC authorisations for private use of the Sounds Foreshore Reserve

Changes are being made to the way in which the Department of Conservation authorises private structures and use of the Sounds Foreshore Reserve.

Sounds Foreshore Reserve authorisation changes

DOC staff have been working with neighbouring property owners to renew authorisations for their private structures or activities on the Sounds Foreshore Reserve that expired at the end of 2020.

DOC has been authorising private structures and activities through the granting of licences under the Reserves and Other Lands Disposal Act (ROLD) 1982. This Act contains specific legislation governing the Sounds Foreshore Reserve, including on the issuing of licences for private use of the foreshore reserve.

During the processing of licence renewal applications in 2021, we reviewed our process for authorising private use of the foreshore reserve under the ROLD Act 1982. Our review identified Sounds Foreshore Reserve authorisations are required to be processed as concessions following 1996 amendments to the Conservation Act 1987. These included a Part 3B requirement for activity on public conservation land to be authorised by a concession.

This means authorisations under the ROLD Act are no longer valid for private use of the foreshore reserve and concessions are now required.

Foreshore reserve licences should have been converted to concessions when they came up for renewal in 2000.

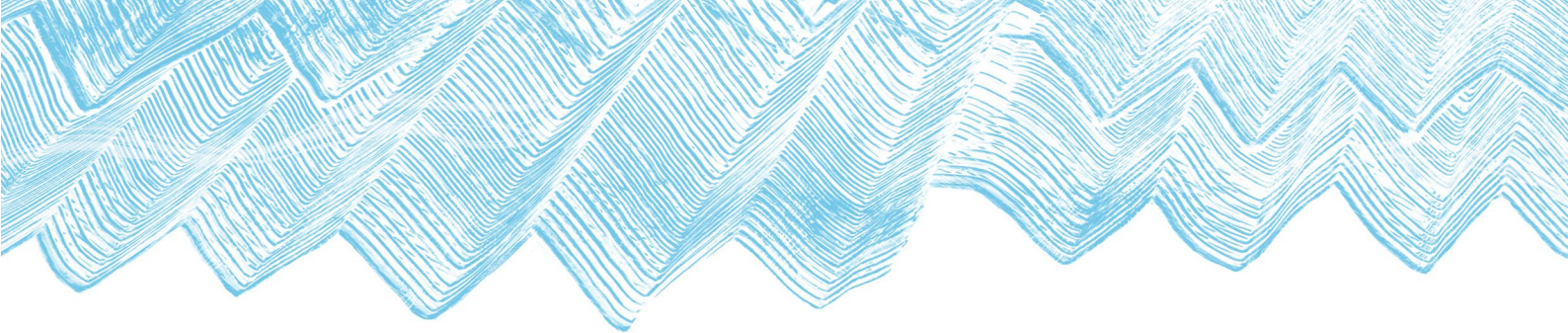
What this means for your licence

Licences renewed up until August 2021 and that are current, will remain in effect until they expire in 2030, when authorisation by concession will then be required. Accordingly, no action is required by those who already have their Deed of Renewal.

Those whose applications for renewal are still to be processed will now transition from ROLD licences to concessions. DOC will contact these applicants to seek confirmation they wish to obtain a concession to authorise their continued use of the reserve.

If applicants don't agree to their application being processed as a concession application under the Conservation Act, their structure or activity will no longer be authorised. In this instance, DOC will have a legal obligation to take steps seeking removal of structures and remediation of the land.

All new applications for authorisation of private use of the foreshore reserve will be required to be applications for concessions under the Conservation Act.



At this time, 175 authorisations have been granted as ROLD licences since 2020. We have another 85 applications for licence renewals that have yet to be processed and are now required to be processed as concession applications, with the agreement of applicants.

Concession applications and fees

Those with applications submitted for renewal of their existing licence will not need to submit a new application. These applicants will be sent an email seeking confirmation they agree to their application being processed for a concession under the Conservation Act, along with information about the process. Confirmation can be sent by email and following this, the application will be processed as soon as possible.

For new applications, a different application form must be filled in and submitted and it will be processed as soon as possible.

If your private structure or activity is used for a commercial operation, please contact us to discuss. There is a separate application form and requirements for concessions for commercial activity.

The DOC minimum fee for processing of current foreshore reserve applications as concessions will be \$2,022.00 plus GST, the same as the minimum fee for processing applications for renewal of ROLD Act licences that expired in 2020.

The processing fee may be higher where additional work is required – for example, significant additional communication with the applicant is needed, or there are additional site-specific issues to work through.

In addition to a processing fee, concessions have an annual activity fee. This will equate to the rental fee under ROLD licences and it will be based on the same rental fee calculation used for the recent licence renewals. This fee will be backdated to apply from 1 January 2021.

Management fees to cover the costs of additional DOC staff time can be applied to both ROLD licences and concessions. A management fee is not being applied at

this time but can be required during the terms of licences and concessions, for example, with the legally required three-yearly rent review.

Concession terms

Sounds Foreshore Reserve concessions are usually granted for a term of 10 years but may be granted for longer or shorter periods.

Longer concession terms can be applied for and will be considered on a case-by-case basis depending on the specific circumstances. An example of when a concession might be granted for a longer term is when it is for a structure that has community or general public use, such as a jetty.

When a concession is expiring, a new concession application needs to be submitted for the private structure or activity to continue. Concessions under the Conservation Act do not have the same right of renewal that applied with licences issued under the ROLD Act. Decisions on whether to approve a concession are made on a case-by-case basis at the time of the application.

The criteria for what new structures are allowed on the Sounds Foreshore Reserve would be a consideration in our decision-making.

Further information

The change to authorisation by concession in many respects will be similar to the authorisations by ROLD Act licences, but we appreciate there are some differences that it will be important for you to understand.

You can find more information about the Sounds Foreshore Reserve on our website:

www.doc.govt.nz/sfr-renewals
www.doc.govt.nz/sfr-structures
www.doc.govt.nz/sfr-apply

You can also contact us by email
SFRrenewals@doc.govt.nz.