

Out of scope

From: S9(2)(a)  
Sent: Wednesday, 15 March 2023 2:24 pm  
To: S9(2)(a); S9(2)(a); S9(2)(a)  
Cc: Melina Goddard  
Subject: RE: Cape Brett walk

They have asked a follow up question: *How does it work with the track crossing private land? Does that give the property owner the right to refuse access or to charge for access?*

From my understanding it does give the landowner right to refuse access. Think I'll just send them a link to this <https://www.herengaanuku.govt.nz/assets/Publication/Files/46ada4c14e/FAQ-1-Public-Access-in-the-outdoors-WEB.pdf> unless anyone has anything else they want to add here. I'm sure this is a question for a statutory land manager but not sure who to approach.

S9(2)

From: S9(2)(a)  
Sent: Wednesday, 15 March 2023 11:40 am  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: RE: Cape Brett walk

Yes saw the maps contained private info including names - I won't supply any maps unless they request them.

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Wednesday, 15 March 2023 11:36 am  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: RE: Cape Brett walk

I would be careful around supplying the survey from S9(2)(a) if that's the intention, that is the adjoining landowners private document and given to DOC in faith. Maybe just supply a map off DOC GIS as surveys confirm the boundaries that are on the mapping system.

I don't understand the alternative access bit? I don't think we should be suggesting an alternative to gain access to a privately managed walkway.

Leave it with you's

Cheers

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Wednesday, 15 March 2023 11:23 am  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Cc: S9(2)(a) <[redacted]> <[redacted]> doc.govt.nz>

Subject: RE: Cape Brett walk

Here is a draft response, please let me know ASAP if you're happy or have any amendments. Sorry again for the rush on this one.

I would like to know:

- Is DoC aware a neighbour has been seeking payment from hikers?

Yes, this was brought to our attention soon after it started happening by both hapū members and visitors. The Cape Brett Walkway does cross a small section of private land at the start of the walk, as indicated in land surveys.

- Is DoC going to survey the land and establish firm boundaries?

Two surveys have been completed. The first was carried out by the adjoining landowner by a survey company based in Auckland and the survey information was provided to DOC. DOC has carried out a second survey in 2020 by a local survey company to confirm land boundaries of the PCL. This indicated that the survey by the adjoining landowner was correct. The staircase that connects the road with the top of the ridge is public conservation land.

- Has DoC put in place steps to protect passage to urupa and other wahi tapu areas where passage crosses land it is responsible for managing?

The passage to the urupa, once it leaves the northern Okay Bay Scenic Reserve Boundary, is on the adjoining landowner's private property. Access to both the urupa and the Cape Brett Walkway crosses the adjoining landowner's private property as indicated in the above surveys.

The Conservation act and Heritage NZ act protect all heritage sites on PCL including urupa and wahi tapu. However, we do not have a legal responsibility to provide access to all these places.

- Has DoC received complaints about or from Mr Batchelor?

Yes, our understanding is there has been some discussion with representatives of 3B2 Trust around access. 3B2 Trust administer the lands that the walk traverses through and manages the land on behalf of the hapū. Both 3B2 Trust and the Cape Brett Walkways Trust (which manages the walkway on their behalf) have been in discussions with the adjoining landowner.

There is public access to Oke Bay through Oke Bay Scenic Reserve (which is administered by DOC) and this is a viable alternative access point for people to the rest of the Cape Brett Track without crossing private land. Access issues on the track itself are largely a matter for the Trust which administers much of the walkway.

S9(2)

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From: S9(2)(a) <[redacted]> <[redacted]> doc.govt.nz>

Sent: Wednesday, 15 March 2023 10:41 am

To: S9(2)(a) <[redacted]> <[redacted]> doc.govt.nz>; S9(2)(a) <[redacted]> <[redacted]> doc.govt.nz>; S9(2)(a) <[redacted]>

<[redacted]> <[redacted]> doc.govt.nz>

Cc: S9(2)(a) <[redacted]> <[redacted]> doc.govt.nz>

Subject: RE: Cape Brett walk

Kia ora koutou

Sorry for the late reading of this.

From a heritage point of view:

The Conservation act and Heritage NZ act protect all heritage sites on PCLW.

However, we do not have a legal responsibility to provide access to all of these places.

I am unsure if, in this instance, local controls have been implemented to ensure ongoing access to the urupa.

I hope this clarifies the heritage position. Please feel free to give me a ring.

Mauri ora

S9(2)(a)  
2)

S9(2)(a)  
S9(2)(a)  
Department of Conservation - Te Papa Atawhai  
9(2)a

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Conservation leadership for our nature *Tākina te hī, tiakina te hā, o te ao tūroa*

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From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Wednesday, 15 March 2023 10:31 am  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: RE: Cape Brett walk

Kia ora Ano S9(2)(a)

Have whipped through the legal findings re access to you. Meanwhile Ive sent a text to S9(2)(a) to check S9(2)(a) emails. Also, prob better to take the 15% out and replace with something more generic .

Hope this is helpfull

Nga mihi

S9(2)(a)  
2)

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From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Wednesday, March 15, 2023 9:34 AM  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: RE: Cape Brett walk

Thanks again S9(2)(a)

Noting that he's given a deadline of midday today. If it's not possible to get that information I would suggest we send through what we have (final edit of course) and saying we can find more information on surveys and boundaries but not in the time we were given.

S9(2)

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From: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Sent: Tuesday, 14 March 2023 7:06 pm

To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>

Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: RE: Cape Brett walk

Kia ora S9(2)(a)

Have included S9(2)(a) into this email. Will also a dive into the records we have re the surveys.

Nga mihi mahana

S9(2)

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From: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Sent: Tuesday, March 14, 2023 5:53 PM

To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>

Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: RE: Cape Brett walk

Importance: High

Thanks all, I think this needs a bit of work to fully answer the questions posed by the journalist. Would also probably be good to outline what our responsibilities are in a situation like this.

Some highlighted questions below:

I would like to know:

- Is DoC aware a neighbour has been seeking payment from hikers?

Yes, this was brought to our attention soon after it started happening by both hapū members and visitors. The Cape Brett Walkway does cross a small section of private land at the start of the walk, as indicated in land surveys.

- Is DoC going to survey the land and establish firm boundaries?

Two surveys have been completed. The first was carried out by the adjoining landowner by a survey company based in Auckland and the survey information was provided to DOC. DOC has carried out a second survey in 2020 by a local survey company to confirm land boundaries of the PCL. This indicated that the survey by the adjoining landowner was correct. The staircase that connects the road with the top of the ridge is public conservation land [but the rest is private? Please elaborate what the results of the survey were]

This point was in the fourth question but I believe belongs up here if it belongs at all: I believe only 15% of the walk is PCL. There is public access to Oke Bay through Oke Bay Scenic Reserve. (Manawahuna Scenic Reserve at the far end of the peninsula where the visitor hut and Lighthouse is, maybe supply a map showing land tenure would help with a lot of the questions) <is this relevant?

- Has DoC put in place steps to protect passage to urupa and other wahi tapu areas where passage crosses land it is responsible for managing?

The passage to the urupa, once it leaves the northern Okay Bay Scenic Reserve Boundary, is on the adjoining landowner's private property. Access to both the urupa and the Cape Brett Walkway crosses the adjoining landowner's private property as indicated in the above surveys.

DOC has a comprehensive Heritage strategy to protect Heritage on PCL including urupa and wahi tapu (S9(2)(a) might want to say something here) can someone please tag in S9(2)(a) if this is the case – can we provide local examples or any other way to bolster this point?

- Has DoC received complaints about or from Mr Batchelor?

Yes, our understanding is there has been some discussion with representatives of 3B2 Trust around access. 3B2 Trust administer the lands that the walk traverses through and manages the land on behalf of the hapū. Both 3B2 Trust and the Cape Brett Walkways Trust (which manages the walkway on their behalf) have been in discussions with the adjoining landowner.

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From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Tuesday, 14 March 2023 1:37 pm  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: RE: Cape Brett walk

Comments in red below,

Cheers,

S9(2)(a)

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From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Tuesday, 14 March 2023 12:26 pm  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: Media <Media@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: RE: Cape Brett walk

Kia ora S9(2)(a)

Have included S9(2)(a) into this email as he was still in place as SR V & H S9(2)(a) (JUST IN CASE I GET THIS WRONG!)

I would like to know:

- Is DoC aware a neighbour has been seeking payment from hikers?

Yes this was brought to our attention as soon as it started happening by both Hapu members and visitors. **The Cape Brett Walkway does cross a small section of Private land at the start of the walk as indicated in land surveys**

- Is DoC going to survey the land and establish firm boundaries?

A survey has been undertaken, completed in 2020. PCL is the staircase only that connects the road with the top of the ridge before heading down to Oke Bay. **Two surveys have been completed, one was carried out by**

the adjoining landowner by a survey company based in Auckland and survey information given to DOC, DOC has carried out a second survey by a local survey company to confirm land boundaries of the PCL, this indicated that the survey by the adjoining landowner was correct.

- Has DoC put in place steps to protect passage to urupa and other wahi tapu areas where passage crosses land it is responsible for managing? The access to Urupa is on the adjoining landowners private property once it leaves the northern Oke bay reserve boundary, DOC has a comprehensive Heritage strategy to protect Heritage on PCL (Andi might want to say something here).

The passage to the urupa is owned by the adjacent landowner Mr Batchelor(not sure I would mention names), the marginal strip (Oke bay Scenic reserve, not marginal strip) after the survey confirmed most of it has disappeared over time ( cliff face) Access to both the urupa and the Cape Brett Walkway crosses the adjoining landowners private property as indicated in surveys (I wouldn't say the cliff face has eroded or disappeared, that is just an assumption)

- Has DoC received complaints about or from Mr Batchelor?

Yes, our understanding is there has been some discussion with representatives of 3b2Trust around access. 3B2 Trust administer the lands that the walk traverses through. 3B2 trust manages the land on behalf of the hapu's , Both 3B2 trust and the Cape Brett walkways trust that manages the walkway on their behalf have been in discussions with the adjoining landowner, I believe only 15% of the walk is PCL. (Not sure about 15%, probably close but I would say there is public access to Oke bay through Oke bay scenic reserve and a piece of PCL being Manawahuna Scenic reserve at the far end of the peninsula where the visitor hut and Lighthouse is, maybe supply a map showing land tenure would help with a lot of the questions)

Nga mihi

S9(2)  
( )

Thanks for responding S9(2)  
( )

How is your team placed for responding given that you're in a cyclone impacted area? As noted below it's likely that S9(2)a will proceed with the story regardless, but I can push back or see if he will delay if you're unable to respond.

S9(2)  
( )

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**From:** S9(2)(a) S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Tuesday, 14 March 2023 12:04 pm  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Cc:** Bay Of Islands Mailbox <xxxxxxxxxxxx@xxx.xxxx.xx>  
**Subject:** FW: Cape Brett walk

Kia Ora S9(2) one for you.  
(a)

Sent from Workspace ONE Boxer

On 14/03/2023 9:49 am, S9(2)(a) <S9(2)(a)@doc.govt.nz> wrote:  
Kia ora S9(2)  
(a)

Hope you're the right person to contact but apologies if not – I'm fishing around for the right contact in S9(2)a absence. We've had this enquiry from S9(2)a, below.

I understand you're prioritising cyclone response at the moment so if you and your team (or whichever district this falls in) are unable to respond we can push back. Just noting that 9(2)a is a senior investigative reporter and unlikely to wait for our story to publish.

9(2)  
( )

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**From:** 9(2)a >  
**Sent:** Tuesday, 14 March 2023 9:08 am  
**To:** Media <[Media@doc.govt.nz](mailto:Media@doc.govt.nz)>  
**Subject:** Cape Brett walk

Hi there,

I'm writing about disputes between long-time Rawhiti residents and a relatively new arrival, Julian Batchelor of 147 Rawhiti Road, Rawhiti.

The Cape Brett track from Rawhiti runs alongside Mr Batchelor's property and there appears to be some dispute over where his boundary ends and DoC's begins. This has resulted in instances in which Mr Batchelor has - according to walkers - asked for \$5 from people on the track because they are walking on "his" land.

Kaumatua of Ngati Kuta have told me of the boundary dispute and the need for DoC to survey the area to work out exactly where Mr Batchelor's boundary is. This is seen as a pressing matter given complaints about Mr Batchelor to Far North District Council and Heritage NZ after earthworks were said to have exceeded consents and caused damage or risked damage to wahi tapu sites neighbouring his property.

I would like to know:

- Is DoC aware a neighbour has been seeking payment from hikers?
- Is DoC going to survey the land and establish firm boundaries?
- Has DoC put in place steps to protect passage to urupa and other wahi tapu areas where passage crosses land it is responsible for managing?
- Has DoC received complaints about or from Mr Batchelor?

Could you please come back to me by midday tomorrow?

9(2)a  
NZ Herald  
9(2)a

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Out of scope

From: S9(2)(a)  
Sent: Thursday, 2 December 2021 11:04 am  
To: S9(2)(a) S9(2)(a)  
Cc: Kipa Munro  
Subject: RE: Compensation

Assyst request has been input, we will wait for a reply, I have asked a due date of mid Jan.

S9(2)

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Wednesday, 1 December 2021 4:37 pm  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) S9(2)(a)@doc.govt.nz  
Cc: Kipa Munro <kmunro@doc.govt.nz>  
Subject: RE: Compensation

Kia ora ano,

S9(2) S9(2) would you please seek legal advice on this? I think given the nature of the contact we need to ensure we respond knowing our boundaries etc.

Nga mihi

S9(2)

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Wednesday, 3 November 2021 4:30 pm  
To: S9(2)(a) S9(2)(a)@doc.govt.nz; S9(2)(a) S9(2)(a)@doc.govt.nz  
Cc: S9(2)(a) S9(2)(a)@doc.govt.nz  
Subject: RE: Compensation

Hi,

I have enquired with a few people in DOC if DOC pays landowners for access, it seems DOC does not do this, a good example is the Queen Charlotte track that traverses private property before PCL and the landowners(collective of landowners and not Hapu or Iwi) command a fee and collect it via their own mechanisms. 3B2 is different where its our treaty partner, all we do is collect the fee on 3B2's behalf, take out the administration cost and send what's left to Cape Brett walkways ltd(3B2's sub-contractor).

I agree with S9(2) it would be good if the Hapu sorted out an entrance track on their land, but if Julian wants to collect a fee he is entitled to do that if he wants to, he would then need to monitor his track, ask people for payment, collect it, bank it etc.... all we would do is put a note on the website to say the landowner commands a fee for crossing his private land.

In saying that it would probably be counterproductive to 3B2 as it would probably limit the visitation use due to the high cost to walk it.

I think just note DOC needs to be very careful around being seen to sway people and be careful not to be caught out, up to you's.

S9(2)

From: S9(2)(a) S9(2)(a) doc.govt.nz>  
Sent: Wednesday, 3 November 2021 12:44 pm  
To: S9(2)(a) <S9(2)(a) doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a) doc.govt.nz>; S9(2)(a) S9(2)(a) @doc.govt.nz>  
Subject: FW: Compensation

Kia ora koutou katoa,

I believe we should take immediate action on the email below from Julian Batchelor.

In the first instance with 3B2 Trust and Ngati Kuta and Patukeha in the hope that it will prompt them to prioritise an alternative entrance to the Cape Brett track.

His control over the access to their urupa is concerning, and his attitude (of mana whenua entitlement) even more so.

S9(2) – if you are agreeable to this, should we contact 9(2)a and NKPH leaders? If so, will you be doing this or will you task this out?

Ngā mihi,

S9(2)

From: Julian 9(2)a  
Sent: Wednesday, 3 November 2021 12:24 pm  
To: S9(2)(a) <S9(2)(a) doc.govt.nz>  
Cc: S9(2)(a) S9(2)(a) @fndc.govt.nz>; S9(2)(a) S9(2)(a) doc.govt.nz>  
Subject: Compensation

Hi Bronwyn

Thank you for your follow up.

The land I own is in 3 lots for which I pay roughly \$2000 a year in rates.

### THE CAPE BRETT WALKING TRACK

I own the first 200m of the Cape Brett walking track. The land I own overlooks Oke Bay, arguably the prettiest beach in the Bay of Islands.

This 200m of the track sits on an estate in fee simple being all that parcel of land containing 1. 1331 hectares more or less being Lot 6 Deposited Plan 51670 and comprised in Certificate of Title Identifier NA7C/1440. The rates on this particular piece of land are \$2000 per annum.

I also own another lot of land which Maori use to get to their Urupa. No permission has ever given by me for them to use it, yet they do. They simply see it as their right. An entitlement. This lot is an estate in fee simple being all that parcel of land containing 3834m2 more or less being Lot 3 Deposited Plan 51670 and comprised in Certificate of Title Identifier NA7C/1439. The rates on this land are \$2000

Now here's an interesting twist. There is currently no alternative start to the Cape Brett walking track, if walkers want to start at Oke Bay. That is to say, legally, I could close this part of the track if I wanted to. There is no public statute which declares that the public can walk over / use private freehold land at the expense of the landowner, without the owners permission. In fact, the opposite is true. The Trespass Act 1980 clearly states that entering / walking on another person's property without permission is trespass. And trespass is a criminal offence.

Maori and DOC share the fees which are collected from trampers who walk the track. Yet I receive nothing. Not even the rates. Conclusion? I own land which the government and Maori are collecting money from, yet I pay all the expenses related to this land. This is akin to the Kaikohe pub owner working the business 7 days a week, but being forced to give the profits to Maori and the government. How is this fair / just/ right? You know the answer. It's not.

First, I propose that at the very least DOC increase their Cape Brett walker fees by \$10 per person, giving me the \$10.

It is only fair that this payment is retrospective, given that this situation has existed since 2008, which is when I purchased the land. DOC has been fully aware of this situation since 2008, yet it's done nothing.

Secondly, I propose that DOC repay the [REDACTED] per year for rates that I have been paying for 13 years, which equates to [REDACTED] in lost revenue.

The Labour government touts the ditty "Be Kind" but I see no kindness in their financial management of this track, in relation to what I have written above. On the contrary, I feel like I am being used and abused and Labour and DOC are quite happy to keep it going, knowing full well the situation.

I await your reply.

Kind regards

Julian Batchelor

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Out of scope

**From:** Julian [REDACTED] <[REDACTED]>  
**Sent:** Tuesday, 25 January 2022 5:09 pm  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Compensation

Good afternoon [REDACTED]

I note that the end of January is looming and to date no response from your department, as per your email below dated 1/12/2021.

I advise that plans to build a fence stopping people from accessing the Cape Brett track via my land will start if I don't hear from you with a proposal by the end of January.

There will be no change to allowing local Maori to access their Urupa i.e Local will still be able to access their Urupa.

Regards

On 1/12/2021, at 5:04 PM, [REDACTED] <[REDACTED]@doc.govt.nz> wrote:

Good afternoon Julian,

This email is providing an update to you on where I am with respect to your email.

Thank you for the details with respect to the land that visitors use to start their Cape Brett journey. I understand that an alternative entry point is being looked at by other parties locally. I offer no comment with respect to entry to the urupa, we did confirm by survey that what had originally existed as marginal strip has over the course of the years eroded. You will need to have a conversation with the families who access this.

Yes, as you point out as the landowner you are indeed entitled to fence off the boundary to reduce the risk of unwanted visitors traversing your land. If you wouldn't mind confirming when/if you intend to do this so that I can arrange suitable signage and update our database, including the ones we have access to. I do note your suggestion to increase the fees as an alternative. I also acknowledge your frustration since 2008 about this, having no idea of any earlier conversations with either hapu or the Department.

There is a process that we have to undertake to adjust fees. In terms of your request for retrospective payment, I am seeking advice on this from our legal advisors. There is usually a 23 day turnaround time on this, a response to you is likely to be in January.

Nga mihi

[REDACTED]

**From:** Julian [REDACTED] <[REDACTED]>  
**Sent:** Tuesday, 23 November 2021 10:31 am  
**To:** [REDACTED] <[REDACTED]@doc.govt.nz>  
**Subject:** Re: Compensation

Thank you. You were on my list of people to write to today :)

On 23/11/2021, at 8:59 AM, [REDACTED] <[REDACTED]@doc.govt.nz> wrote:

Morena Julian,

My apologies for the delay in responding to you, [REDACTED]

The purpose of this email is to acknowledge receipt of your email and to confirm I will seek advice on this matter and respond to you within 10 days.

Nga mihi

[REDACTED]

Out of scope

From: 9(2)a >  
Sent: Sunday, 26 April 2020 1:10 pm  
To: 9(2)a  
Cc: S9(2)(a); 9(2)a; 9(2)a; S9(2)(a)  
Subject: Re: Esplanade Reserve

s9(2)(ba)(i)

Regards

9(2)a

On Sun, 26 Apr 2020, 12:40 PM 9(2)a wrote:

This note is to highlight a discrepancy in the recent survey undertaken by Julian Batchelor 9(2)(a) surveyor. You can see the new survey has eliminated Sec 9 Esplanade Reserve. When looking at that survey the boundaries are all contain in Mr Batchelors favour. 9(2) can we seek the LINZ plan that has to be submitted before any surveys (in this case significant) can be carried out? This will give some clarity to the plan briefing and reconciliation of what that survey represents. Maori do not accept that erosion has eliminated the Esplanade Reerve or the status of access to the urupa along the Esplanade Reserve 9 accessway. This is what it looks like on the JB plan? 9(2)

Out of scope

**From:** 9(2)a  
**Sent:** Tuesday, 19 November 2019 2:37 pm  
**To:** S9(2)(a)  
**Subject:** Re: FW: Hauai No. 2G 3 Block-Seeking evidence of a tribal walkway  
**Attachments:** image001.png

s9(2)(ba)(i)

Regards, 9(2)a

On Tue, 19 Nov 2019, 2:29 PM S9(2)(a) <S9(2)(a)@doc.govt.nz> wrote:

Tena koe 9(2)a,

Would you be able supply any further information about the historical hearing as requested by S9(2)(a) below re dates, application etc, if you can, let me know so I can forward onto the Maori land court to assist with their research for the tribal walkway. Or any other advice?

Nga mihi

S9(2)(a) S9(2)  
( ) ( )

S9(2)(a)

Department of Conservation --Te Papa Atawhai

Bay of Islands Office

34 Landing Road, Kerikeri 0230

PH: 09 407 0300

Kia piki te oranga o te ao tūroa, i roto i te ngātahitanga, ki Aotearoa.

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---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Tuesday, 19 November 2019 12:25 p.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** FW: Hauai No. 2G 3 Block-Seeking evidence of a tribal walkway

Hi S9(2)

Is there any chance you can help S9(2) with the day/month/Court place for the 1968 Hearing?

Out of scope

From: 9(2)a  
Sent: Tuesday, 14 March 2023 3:38 pm  
To: 9(2)a  
Subject: Re: FYI: Cape Brett walk

Kia ora 9(2)a

Sheesh this is a mess aint it.

I have received further documentation from Hapu and this I would like to discuss with you.

I understand there is alot of tension that has been built up due to past inappropriate and unclear landownership morals. Needless to say this needs to be spoken on and a clear directive from us as to how we move forward legally in this space.

Nga mihi

9(2)a

Sent from my iPhone

On 14 Mar 2023, at 14:54, 9(2)a <9(2)a@doc.govt.nz> wrote:

Kia ora 9(2)a,

These have been the patai sent to us and our draft responses for the media team.

Hapu members have been dealing with this, our role has been minimal. It would be fair to say that there has been tension about this for over a year now, since the landowner started charging. 9(2)a, 9(2)a or 9(2)a are probably the best contacts in terms of the position of hapu over this.

Nga mihi

9(2)a

Questions asked of DOC:

1. Is DoC aware a neighbour has been seeking payment from hikers?

Yes this was brought to our attention as soon as it started happening by both Hapu members and visitors. The Cape Brett Walkway does cross a small section of Private land at the start of the walk as indicated in land surveys

2. Is DoC going to survey the land and establish firm boundaries?

Two surveys have been completed, one was carried out by the adjoining landowner by a survey company based in Auckland and survey information given to DOC, DOC has carried out a second survey by a local survey company to confirm land boundaries of the PCL, this indicated that the survey by the adjoining landowner was correct.

3. Has DoC put in place steps to protect passage to urupa and other wahi tapu areas where passage crosses land it is responsible for managing?

The access to Urupa is on the adjoining landowners private property once it leaves the northern Oke bay reserve boundary, DOC has a comprehensive Heritage strategy to protect Heritage on PCL 9(2)a might want to say something here).

The passage to the urupa is owned by the adjacent landowner the marginal strip (Oke bay Scenic reserve, not marginal strip) after the survey confirmed most of it has disappeared over time ( cliff face) Access to both the urupa and the Cape Brett Walkway crosses the adjoining landowners private property as indicated in surveys

Has DoC received complaints about or from Mr Batchelor?

Yes, our understanding is there has been some discussion with representatives of 3b2Trust around access. 3B2 Trust administer the lands that the walk traverses through. 3B2 trust manages the land on behalf of the hapu's , Both 3B2 trust and the Cape Brett walkways trust that manages the walkway on their behalf have been in discussions with the adjoining landowner, there is public access to Oke bay through Oke bay scenic reserve and a piece of PCL being Manawahuna Scenic reserve at the far end of the peninsula where the visitor hut and Lighthouse is, maybe supply a map showing land tenure would help with a lot of the questions)

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Out of scope

From: 9(2)a  
Sent: Friday, 6 December 2019 11:21 am  
To: s9(2)(a) s9(2)(a)  
Cc: 9(2)a 9(2)a 9(2)a 9(2)a  
Subject: Re: Investigation into hauai 2G3

s9(2)(ba)(i)

Regards,

9(2)a

From: s9(2)(a) <s9(2)(a)@doc.govt.nz>  
Date: Fri, 6 Dec 2019, 9:57 AM  
Subject: RE: Investigation into hauai 2G3  
To: s9(2)(a) <s9(2)(a)@justice.govt.nz>, 9(2)a  
Cc: s9(2)(a) <s9(2)(a)@doc.govt.nz>, 9(2)a 9(2)a

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Tena koe S9(2)  
(a)

My apologies for not reverting following your reply to mine.

S9(2)a

I appreciate very much this response, since it informs the parties of any next steps that could potentially be pursued.

It would appear that from 'common knowledge' the agreement of the former owner to a right of passage over the property (folio 31 dated 1936) was physically put into effect with such a walkway maintained by the users for pedestrian purposes accessing the urupa. It is unfortunate this walkway appears not to have been legally created.

Presentation of this Minute Book information to any resource consent hearing could enable the territorial authority to consider placing a consent notice that creates a legal instrument as I noted below [esplanade strip or access strip (an RMA instrument-section 232 Resource Management Act 1991)] to formally protect this intention.

Nga mihi

S9(2)(a)

S9(2)(a)

Department of Conservation

Otepoti/Dunedin Office

---

\_\_\_\_\_

\_\_\_\_\_

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Out of scope

**From:** 9(2)a >  
**Sent:** Tuesday, 23 November 2021 1:15 pm  
**To:** S9(2)(a)  
**Subject:** Re: Julian Bachelor

Nga mihi, thank you S9(2)(a) for your quick response and for offering a letter of support for the new entranceway at Kaingahoa Marae, that would be much appreciated. The 3B2 Trust have acknowledged it makes absolute sense as the monitoring can be so much better organised.

On the JB issue, he has continued to flout his way around everything and we have been fighting with Council for years over them allowing him to do the mahi on his property and pay the fine later, it's the way lots of people operate. In no uncertain terms he has proclaimed that we need him and we are the ones benefiting from his kind gesture of allowing the track to go through his property.

If you do come out please don't hesitate to call in at our place we would love to have a catch up and this weather is so wonderful who wouldn't want to be by the beach

9(2)a

On Tue, 23 Nov 2021 at 08:07, S9(2)(a) <S9(2)(a)@doc.govt.nz> wrote:

Morena 9(2)a,

No invoice but a clear suggestion of one! Must admit was very surprised. Cant provide more detail at the moment re the request as I have not communicated with Mr Belcher re his email to me, that did cover a range of matters.

Really pleased to hear of the re-routing of the entranceway to the track, I'm sure walkers will be pleased to know that their vehicles are in a safe place.

Very happy to provide a letter of support for the alternative entranceway.

Trust you and 9(2)a are keeping well, looking forward to getting out there at some stage.

Nga mihi mahana

S9(2)(a)

---

**From:** 9(2)a >  
**Sent:** Monday, 22 November 2021 2:26 pm  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** Re: Julian Bachelor

Tena koe S9(2)(a)

I hope this email finds you well. I was speaking with 9(2)a on the weekend and S9(2)(a) mentioned that DOC have received an invoice from Julian Bachelor for the use of "his land" at Oke Bay for the start of the walk.

As you know Kaingahoa Marae have received permission from 3B2 to re-route the track starting from the Marae so that it can be properly regulated and monitored. At the moment we have not received official notice from them but it is recorded in their minutes together with the agreement that 9(2)a and 9(2)a seek funding for the project.

9(2)a will be attending 3B2's next hui to discuss the new track with them but would like to attend the hui armed with as much information as possible and would therefore ask for your confirmation of Julians request and even possibly a letter encouraging the re-routing.

Look forward to hearing from you

Nga mihi

9(2)a

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RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Out of scope

**From:** S9(2)(a)  
**Sent:** Tuesday, 21 May 2019 5:47 pm  
**To:** 9(2)a  
**Cc:** 9(2)a S9(2)(a)  
**Subject:** RE: Meeting request

Good evening 9(2)a,

I will be in the office Tuesday at this stage, so happy to meet you, I will put an appointment in my calendar, unfortunately Lizzie is off to do another job so will not be available.

See you on the 28<sup>th</sup> May,

Nga mihi

S9(2)(a)  
S9(2)(a)  
Bay of Islands district,  
Department of Conservation--*Te Papa Atawhai*

Bay of Islands Office  
34 Landing Road  
Kerikeri 0230

9(2)a

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[www.doc.govt.nz](http://www.doc.govt.nz)

**From:** 9(2)a  
**Sent:** Tuesday, 21 May 2019 8:57 a.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz> S9(2)(a) S9(2)(a)@doc.govt.nz  
**Cc:** 9(2)a  
**Subject:** Meeting request

Good morning. I was just wondering if you would both be free on Tuesday 28th May at approx 12:30 for an informal meeting/introduction. I would just like to meet you both and touch base in the kerikeri office if possible, as I will be in the area that day.

Regards, 9(2)a

From: S9(2)(a)  
To: S9(2)(a) S9(2)(a) S9(2)(a)  
Cc: 9(2)(a) 9(2)(a)  
Subject: RE: Photos of Oke lodge clearing and Taiwan cherry  
Date: Thursday, 14 May 2020 8:48:51 am

---

Thanks S9(2)  
( )

Yes, one of my staff has the request. Good to have the photos thanks.

Our usual approach with people who may be breaching the banned from sale/propagation type rules is similar to what is used with the NPPA nursery enforcement following MPI guidance - they receive advice and warnings first.

The relevant rule in our Regional Pest Management Plan is 6.4.1a being "Under Sections 52 and 53 of the Biosecurity Act 1993 no person can sell, propagate, breed, distribute or otherwise spread any pest in this Plan, or unwanted organism". This is not through the NPPA species list, but specific to the Northland region because we have added it to our plan.

Our plan would be to visit or call the potential offender to discuss and to make him aware of the rules, and follow that up with a Letter of Advice to ensure he is very clear on the rules. Depending on the outcome of the visit/phone call, we may then undertake a follow up visit. Site visits are a bit tricky to do at level 2 if he doesn't give us permission to enter (due to our own SOP rules) . We would also want to determine where he has sourced his plants from - some in the photo look like nursery stock

Would be good to better understand any other issues at the site so we don't cause confusion or provide contradictory advice.

Regards

S  
u

S9(2)(a)  
S9(2)(a)

Northland Regional Council » Te Kaunihira ā rohe o Te Taitokerau

9(2)(a)

S9(2)(a)



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Out of scope

**From:** Julian Batchelor [9(2)a]  
**Sent:** Friday, 21 June 2019 9:38 pm  
**To:** [S9(2)(a)]  
**Subject:** Re: Progress

**Follow Up Flag:** Follow Up  
**Due By:** Saturday, 22 June 2019 9:16 am  
**Flag Status:** Flagged

Hi [S9(2)] the council wanted to know if we are making progress with local Maori and issues around access to their Urupa.

Hmj jwcl  
Ozqfs

http://www.doc.govt.nz/ | fytm xmtw (rijt yjxnr tsrfq tkujtugj ktw | mtr Ozqfs mfx xtdj uwujwrijx3

**Julian Batchelor**

[S9(2)(a)]  
[S9(2)(a)]

[S9(2)(a)]

On Fri, 21 Jun 2019 at 21:35, [S9(2)(a)] <[S9(2)(a)]@doc.govt.nz> wrote:

Sorry Julian,

I still need to get you that letter, sorry i cant recall the reason why you needed it for the council, if you could let me know ill will try and fit that in next week.

Regards

Sent from my Samsung device

----- Original message -----

**From:** Julian Batchelor [9(2)a]  
**Date:** 21/06/19 9:25 PM (GMT+12:00)  
**To:** [S9(2)(a)] <[S9(2)(a)]@doc.govt.nz>  
**Subject:** Re: Progress

Hi [S9(2)] thanks. Much appreciated.

On 21/06/2019, at 9:23 PM, [S9(2)(a)] <[S9(2)(a)]@doc.govt.nz> wrote:

Good evening Julian,

Just letting you know I have read your book, I will sum up some observations and indicate a couple of corrections with an email to you as soon as I can, I am fully committed next week so will endeavour to give you that email the following week.

Kind regards

Sent from my Samsung device

----- Original message -----

From: Julian Batchelor [9\(2\)a](#)  
Date: 17/06/19 9:16 AM (GMT+12:00)  
To: [S9\(2\)\(a\)](#) <[S9\(2\)\(a\)](#) [doc.govt.nz](mailto:doc.govt.nz)>  
Subject: Progress

Hi [S9\(2\)](#)  
Did you make any progress with my book?

It's imperative that we don't meet with local Maori until you've read that. We need to go into that meeting really schooled up.

Anyway, please let me know if you've made any progress.

Thanks

Julian

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Out of scope

**From:** S9(2)(a)  
**Sent:** Monday, 20 May 2019 3:08 pm  
**To:** 9(2)a  
**Cc:** 9(2)a; 9(2)a; S9(2)(a)  
**Subject:** RE: Survey of esplanade reserve in rawhiti

Tena koe 9(2)a,

I would just like to respond on S9(2) behalf as she is busy on another task for me,

We have requested from Mr Julian Bachelor if he would like to share the land survey he commissioned so we can determine how formal it was and its accuracy in conjunction with the historical information, once we determine the survey results in conjunction with the legal team and the historical data we will know if we need to fund another survey on top of what Mr Bachelor has done, it doesn't make sense to fund another survey if it's not required.

9(2)a has pointed out we all should be dealing with this issue with the wider Hapu, we will keep the Hapu in the loop with progress on this moving forward.

This process could take a little while, in particular Legal having a look at the survey if supplied and getting back to us, so I can't confirm at this stage if a survey if required would be funded in this financial year or next.

We will need to re asses the way forward if we are unable to look at the survey Mr Bachelor commissioned.

Nga mihi,

S9(2)(a)  
S9(2)(a)  
Bay of Islands district,  
Department of Conservation--Te Papa Atawhai

Bay of Islands Office  
34 Landing Road  
Kerikeri 0230  
9(2)a

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----- Original message -----

**From:** 9(2)a  
**Date:** 19/05/19 8:41 PM (GMT+12:00)  
**To:** 9(2)(a); S9(2)(a) @doc.govt.nz>  
**Cc:** 9(2)a  
**Subject:** Survey of esplanade reserve in rawhiti

Kia ora S9(2) As per phone call can you please confirm that DOC are funding the survey to be undertaken to establish the correct boundary of lot 4 & 9 please. Also that it will be undertaken this financial year & you are currently arranging. I was invited for our hapu reps to be in attendance when survey is taking place. Can you also please confirm this.

Thank you.

Regards, 9(2)a

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Out of scope

**From:** 9(2)a  
**Sent:** Thursday, 14 May 2020 6:57 pm  
**To:** S9(2)(a)  
**Subject:** Re: 147 Rawhiti Rd

Thanks S9(2) i have to push this on behalf of Ngati Kuta. This was an old tribal walkway. This is where Hongi brought his dead warriors back and laid them down. After karakia's they were carried up to the burial caves located at the end of the trail overlooking Te Araka. Te Araka is the name of the vines they used to pull the deceased warriors up the cliff and lay them out on the flat at Hauai Bay. The caves are there overgrown and tapu overlooking Te Araka also known as OKE Bay. The urupa was built along that same tribal pathway connecting the spirits of those tupuna warriors. That is why the tribal walkway is so sensitive to Maori, It has history. That is why the esplanade reserve 8 and 9 is a precious to Maori particularly Ngati Kuta. They are descendants of Hongi, Te Kemara, Whai Hakuene, Te Nana, Huri and Ururoa. Rewa, Moka, Whararahi who are Te Patukeha are nephews of Hongi and also warriors of rank.

I just thought it is good to know these things and why the esplanade is precious to Maori. S9(2)

On Thu, May 14, 2020 at 7:46 AM S9(2)(a) <S9(2)(a)@doc.govt.nz> wrote:

Thanks for the photo 9(2)a

I will call Julian and see what's going on with the pile of topsoil and ask him to remove it.

I will forward your request for survey to S9(2)(a) to consider.

S9(2)(a) and myself have planned to be out there next S9(2)(a) to look at the various issues.

Nga mihi

Sent from Workspace ONE Boxer

On 13/05/2020 6:27 pm, 9(2)a wrote:

We need to re-survey the esplanade reserve and access way. He has dumped this as a deliberate barrier to public access. There is the risk of it washing into the sea. Or maybe thats his plan? We need to pull it under control.

S9(2)

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Out of scope

S9(2)(a)

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Thursday, 2 April 2020 8:35 am  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a); S9(2)(a)@doc.govt.nz  
Subject: FW: 147 Rawhiti Rd. Owner flouting District planning Rules

Morena S9(2)(a)

Please have a look below, I'm not too sure who S9(2)(a) is? S9(2)(a) do you know?

I'm not sure how we can help here, if the clearance is on his land then it's not really our issue, if it's on PCL then that's another matter. Maybe I should agree that they need to register the issue with the council?

Or would you like to respond to S9(2)(a) Bronwyn?

Let me know what you would like me to do in this instance

Kind regards S9(2)(a)

S9(2)(a)

Sent: Wednesday, 1 April 2020 7:21 pm  
To: S9(2)(a); S9(2)(a) >  
Cc: S9(2)(a); S9(2)(a) >; S9(2)(a); S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a)  
Subject: Re: 147 Rawhiti Rd. Owner flouting District planning Rules

Thank you, will advise them right away. By any chance is there any photos re the clearing?

S9(2)(a)

On Wed, 1 Apr 2020, 7:16 PM 9(2)a 9(2)a wrote:

I see Julian Bachelor is clearing the bush on his property. His property is zoned as outstanding landscape. Seems to be taking advantage of pandemic diversion.

Julian Bachelor has a record of flaunting District Plan rules. FNDC has been sitting on thier hands on this developer. Whilst he may the land, his recent survey does not reconcile with the property boundaries registered to the Maori Land Court. Julian Bachelor continues to develop his property as a commercial function Centre. Maori being the surrounding land owners object to this commercial development using our lands, forests and coastline as the backdrop to his business. That the clearing of the surrounding nature is against the council planning rules and should be halted. There has been no consultation or affected party submissions. Julian Bachelor pleads ignorance and has a multiple number of breaches to answer and all we see is council sitting on their hands.

S9(2) we need some help from DOC to step up on this kaupapa as well. The issue has the potential to escalate beyond just this property. There has been too much dithering on dealing with the Julian Bachelor issues and it needs to be brought to a head before the damage to the outstanding landscape is irreversible. Maori may well need to bring counsel in on this and raise the matter in our Regional Coastal Plan submissions.

9(2)a may be good idea to share the concern with 9(2)a and Compliance Team @ FNDC if at least to register Maori land owner concerns.

Nga Mihi

9(2)a

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Out of scope

**From:** 9(2)a 9(2)a >  
**Sent:** Sunday, 5 April 2020 1:13 pm  
**To:** 9(2)a  
**Cc:** S9(2)(a) 9(2)a 9(2)a 9(2)a S9(2)(a)  
9(2)a  
**Subject:** Re: 147 Rawhiti Rd. Owner flouting District planning Rules

The fact remains it is an area designated outstanding landscape in the District Plan and both DOC and Council have an obligation to protect the native fauna and flora within their own CMA and District plan rules. The mapping boundaries and access are only one part of the issue, the other is the land planning rules and the management of these.

On Fri, 3 Apr 2020, 12:00 9(2)a 9(2)a wrote:  
Thank you S9(2) for following up on this during this time.

The area that he has started to clear vegetation is in fact on the other side of his property and appears to be on the uncut access/drive as indicated on the map. I was unsure if this access way fell under your domain or not. The uncut access way is approximately 4.5m wide as per the cadastral mapping lines and sits between his current property and also his 3rd property known as lot 6. We can only assume this access way although uncut, was granted to access the Maori lands behind the property however we are yet to see the supporting documentation for this.

I appreciate the follow up and have attached the photos of the clearing he has started. I have also raised an rfs with fndc.

Thank you for your assistance on this matter.

Kind regards, 9(2)a

On Fri, 3 Apr 2020, 8:33 AM S9(2)(a) S9(2)(a) <doc.govt.nz> wrote:

Good Morning 9(2)a,

I am responding to you as the Identified Hapu contact for the Oke Bay Boundary issues.

Thankyou for bring this to our attention, DOC manages the darker green shaded area that leads up from the road to the reserve between the two private property lots as the key on the map that you supplied indicates.

We have had someone have a look at the alleged cutting of vegetation and have been told it's on the opposite side of Batchelor residence to the walkway, this would be outside of the reserve, any photos of the alleged cutting would be appreciated to confirm this.

If the cutting is within the green shaded area then that is not allowed without approval, if it's on the property owners land or road reserve then any concerns would need to be bought up with FNDC.

S9(2)(a) our S9(2)(a) is working alongside 9(2)a to work through the issues associated with the Oke Bay reserve.

Unfortunately DOC staff are on lock down and working from home, so we are unable to carry out site visits at this stage,

Nga mihi,

\_\_\_\_\_

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Out of scope

**From:** 9(2)a <9(2)a>  
**Sent:** Friday, 3 April 2020 12:00 pm  
**To:** 9(2)(a)  
**Cc:** 9(2)a, 9(2)a, 9(2)a, 9(2)a, 9(2)(a), 9(2)a  
**Subject:** Re: 147 Rawhiti Rd. Owner flouting District planning Rules  
**Attachments:** 9(2)(a)

Thank you 9(2) for following up on this during this time.

The area that he has started to clear vegetation is in fact on the other side of his property and appears to be on the uncut access/drive as indicated on the map. I was unsure if this access way fell under your domain or not. The uncut access way is approximately 4.5m wide as per the cadastral mapping lines and sits between his current property and also his 3rd property known as lot 6. We can only assume this access way, although uncut, was granted to access the Maori lands behind the property however we are yet to see the supporting documentation for this.

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Thank you for your assistance on this matter.

Kind regards, 9(2)

On Fri, 3 Apr 2020, 8:33 AM 9(2)(a) <9(2)(a)> [doc.govt.nz](mailto:9(2)(a)@doc.govt.nz) wrote:

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Unfortunately DOC staff are on lock down and working from home, so we are unable to carry out site visits at this stage,



Nga mihi,

S9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)





Out of scope

S9(2)(a)

On Wed, 1 Apr 2020, 7:16 PM S9(2)a, S9(2)a > wrote:

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Julian Bachelor has a record of flaunting District Plan rules. FNDC has been sitting on thier hands on this developer.

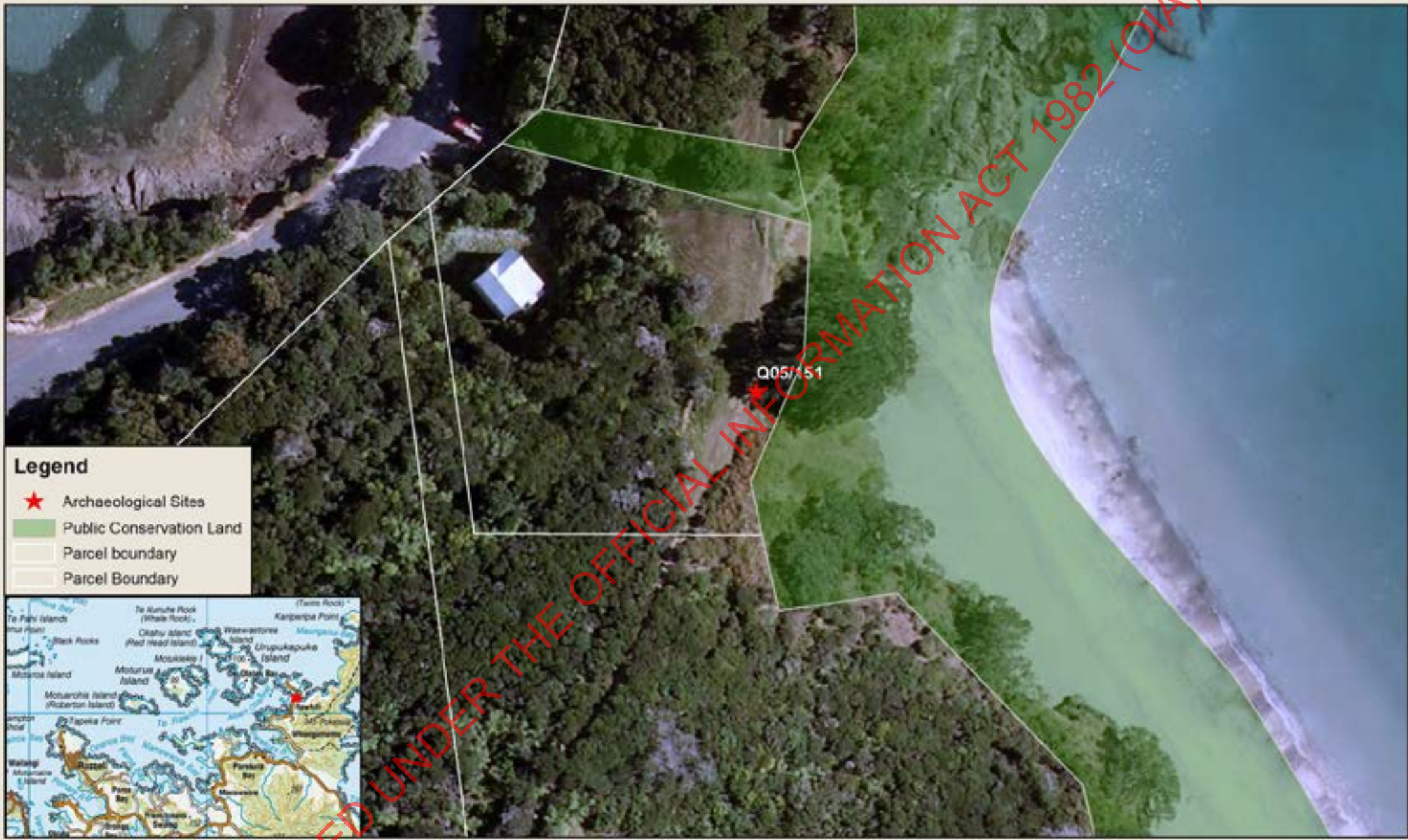
Whilst he may the land, his recent survey does not reconcile with the property boundries registered to the Maori Land Court. Julian Bachelor continues to develop his property as a commercial function Centre. Maori being the surrounding land owners object to this commercial development using our lands, forests and coastline as the backdrop to his business. That the clearing of the surrounding nature is against the council planning rules and should be halted. There has been no consultation or affected party submissions. Julian Bachelor pleads ignorance and has a multiple number of breaches to answer and all we see is council sitting on their hands.

S9(2) we need some help from DOC to step up on this kaupapa as well. The issue has the potential to escalate beyond just this property. There has been too much dithering on dealing with the Julian Bachelor issues and it needs to be brought to a head before the damage to the outstanding landscape is irreversible. Maori may well need to bring counsel in on this and raise the matter in our Regional Coastal Plan submissions.

S9(2)a, may be good idea to share the concern with S9(2)a and Compliance Team @ FNDC if at least to register Maori land owner concerns.

Nga Mihi

S9(2)a



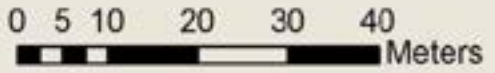
- Legend**
- ★ Archaeological Sites
  - Public Conservation Land
  - Parcel boundary
  - Parcel Boundary



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NZGD 2000 New Zealand Transverse Mercator  
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 Crown Copyright Reserved  
 1:839  
 Produced: **S9121(a)** on 30/04/2019  
 DOC, Geospatial Services

147 Rawhiti Road



From: S9(2)(a)  
To: S9(2)(a)  
Subject: RE: 147 Rawhiti Road - Survey Data  
Date: Friday, 23 August 2019 2:41:33 pm  
Attachments: [image001.jpg](#)  
[image003.jpg](#)  
[image005.png](#)  
[image007.jpg](#)  
[image008.jpg](#)

Hi S9(2)  
All done, Assyst ref: R169896  
Kind regards

S9(2)  
S9(2)(a)  
S9(2)(a)  
Department of Conservation  
Pewhairangi / Bay of Islands Office  
34 Landing Rd, PO Box 128, Kerikeri 0245  
+64 9 407 0300  
Mobile: S9(2)(a)

R158121 S9(2)(a) - Conservation Week 2019 - email signature Te Reo - FINAL

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Wednesday, 21 August 2019 3:49 p.m.  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: FW: 147 Rawhiti Road - Survey Data

Hi S9(2)  
Can you please send this site plan, the old yellow map in the file(Check with me) and associated information to the SLM team as an assyst request, you may need to turn some things into DOCCM documents so they have easy access to them and provide links in the request.  
Can we also let them know there is supposed to be provision for a tribal walkway between the Batchelor property and the DOC reserve, this was apparently done in the Maori land court in 1968 but is not showing up on GIS and has not shown up in the Batchelor site plan.  
Can you please put in my name so whoever gets this request can get some context from me.  
Let me know if you need help with the assyst request.

Kind regards  
S9(2)(a)  
S9(2)(a)  
Bay of Islands district,  
Department of Conservation--*Te Papa Atawhai*  
Bay of Islands Office  
34 Landing Road  
Kerikeri 0230

S9(2)(a)  
Conservation leadership for our nature Tākina te hī, Tiakina, te hā o te Āo Tūroa  
[www.doc.govt.nz](http://www.doc.govt.nz)

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Tuesday, 6 August 2019 2:01 p.m.

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To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: FW: 147 Rawhiti Road - Survey Data

Hi S9(2)

We have a site plan – attached - does this help?

Kind regards

S9(2)

S9(2)(a)

S9(2)(a)

Department of Conservation

Pewhairangi / Bay of Islands Office

34 Landing Rd, PO Box 128, Kerikeri 0245

+64 9 407 0300

Mobile: S9(2)(a)

R158121 Kath Inwood - Conservation Week 2019 - email signature Te Reo - FINAL

From: S9(2)(a)

Sent: Tuesday, 6 August 2019 1:08 p.m.

To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: RE: 147 Rawhiti Road - Survey Data

Hi S9(2)

Yes all complete now.

Please find site plan attached created at A3

When you print plan off please ensure you choose "actual size" and not "fit" or "shrink oversized pages" otherwise it will change the scale of the plan.

Hopefully this plan will clarify everything for you.

Regards

S9(2)(a)

S9(2)(a)

S9(2)(a)

S9(2)(a)

S9(2)(a)

S9(2)(a)

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Sent: Tuesday, 6 August 2019 10:41 am

To: S9(2)(a)  
Subject: FW: 147 Rawhiti Road - Survey Data  
Hi S9(2)(a)

Just following up on my previous email. Any progress with the survey?  
Many thanks

S9(2)  
S9(2)(a)  
S9(2)(a)  
Department of Conservation  
Pewhairangi / Bay of Islands Office  
34 Landing Rd, PO Box 128, Kerikeri 0245  
+64 9 407 0300

S9(2)(a)  
R158121 S9(2)(a) Conservation Week 2019 - email signature Te Reo - FINAL

From: S9(2)(a)  
Sent: Thursday, 11 July 2019 9:38 a.m.  
To: S9(2)(a)  
Subject: RE: 147 Rawhiti Road - Survey Data  
Hi S9(2)(a)

I hope you're well  
I'm just letting you know that S9(2)(a) In my absence, I'd be grateful if you could send the plan / any new information directly to our S9(2)(a) here –

S9(2)(a)  
S9 email is: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Many thanks,  
Kind regards

S9(2)  
S9(2)(a)  
S9(2)(a)  
Department of Conservation  
Pewhairangi / Bay of Islands Office  
34 Landing Rd, PO Box 128, Kerikeri 0245  
+64 9 407 0300

Kauri dieback email signature

From: S9(2)(a)  
Sent: Thursday, 27 June 2019 3:17 p.m.  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: 147 Rawhiti Road - Survey Data  
Hi S9(2)  
Please find a RAW Data plan attached showing boundaries in relation to the site features including fences.

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Out of scope

From: S9(2)(a)  
Sent: Wednesday, 7 October 2020 9:30 am  
To: S9(2)(a) S9(2)(a)  
Cc: S9(2)(a)  
Subject: RE: Assyst request R 194042

Tena korua S9(2)(a) and S9(2)(a)

Thank you for this update and the below advice is, I agree to be the best way forward for the situation I shall close off my re-activated Assyst Request (R169896); and archive its associated Trello card.

Nga mihi

S9(2)(a)  
S9(2)(a)

Hamilton Service Centre

---

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Tuesday, 6 October 2020 2:51 p.m.  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: FW: Assyst request R 194042

Kia ora S9(2)(a)

I have spoken to S9(2)(a) and explained that DOC does not have authority to create an easement in favour of the hapu over private land. S9(2)(a) seemed to accept this point and S9(2)(a) requested that I provide S9(2)(a) with an email. S9(2)(a) also seemed to accept that the issues with the private landowner would need to be dealt with before DOC could engage in any discussions concerning the accessway. My draft email is set out below. Are you happy for me to finalise and send?

I understand that S9(2)(a) email address is S9(2)(a)

Kia ora S9(2)(a)

*I refer to our telephone conversation and confirm that the Department of Conservation does not have authority to create an easement in favour of the hapu over private land. I understand that the minutes of the Maori Land Court do refer to an historic agreement between the hapu and the private landowner concerning a right of way over the private land but the easement has never been formally created and registered.*

*I suggest that the hapu engage a lawyer to advise the hapu on:*

- a) Whether an application to the Maori Land Court could assist (for example: an application under s 315 of the Te Ture Whenua Maori Act 1993); and
- b) The likelihood of such an application being successful.

It is essential that the hapu obtain its own legal advice as to the options that may be available to resolve the issues concerning access over the private land.

Nga mihi

S9(2)(a)  
S9(2)(a) Rōia Matua  
Phone: S9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Friday, 2 October 2020 10:21 am  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Cc: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: Assyst request R 194042

Morena Michelle,

As previously discussed could you please advise if you have discussed Oke bay Reserve boundaries and DOCs response to this with S9(2)(a) (Ngati Kuta)? And if you could summarise by email for us with that discussion so we can all be on the same page would be appreciated.

And Yay! we have hopefully put that issue to rest.

Nga mihi nui

S9(2)(a) S9(2)(a)  
S9(2)(a) S9(2)(a)  
Department of Conservation – Te Papa Atawhai

Bay of Islands Office  
34 Landing Road, Kerikeri 0230  
PH: 09 407 0300

Kia piki te oranga o te ao tūroa, i roto i te ngātahitanga, ki Aotearoa.  
To work with others to increase the value of conservation for New Zealanders.

[www.doc.govt.nz](http://www.doc.govt.nz)

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From: S9(2)(a)  
To: S9(2)(a)  
Subject: RE: assyst: Statutory land management - R169896 (Oke Bay Scenic reserve and alleged tribal walkway)  
Date: Thursday, 12 September 2019 12:27:42 pm

---

Hi S9(2)  
The Maori Land Court has received my request:  
<https://doccm.doc.govt.nz/wcc/faces/wccdoc?dDocName=DOC-6069595>  
-so hopefully in another few days we might have something.

S9(2)  
From: S9(2)(a)  
Sent: Thursday, 5 September 2019 9:36 a.m.  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: FW: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2)  
I attach my request to the Maori Land Court for assistance on this matter:  
<https://doccm.doc.govt.nz/wcc/faces/wccdoc?dDocName=DOC-6062478>  
There are documents at the end of this email train, but nothing is shown in them that could be an encumbrance/walkway.  
We will have to wait for a response from MLC.  
I will keep you posted.

S9(2)  
From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Sent: Tuesday, 3 September 2019 10:31 p.m.  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: Re: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2)  
A registered surveyor has done the Batchelor property, unfortunately that is saying that the 18 odd metres starts from the cliff edge and goes down to the beach, this does not provide for walking access hence needing to get clarification from the maori land court on what should of been provided, i believe this is the key to the access problem that needs to be investigated.

Hopefully this is something that you can reasearch.  
Please let me know if you are able to look into this.  
Thankyou

S9(2)  
Sent from my Samsung device

----- Original message -----

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Date: 30/08/19 10:08 AM (GMT+12:00)  
To: S9(2)(a) <S9(2)(a)@doc.govt.nz>  
Subject: RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2)  
I don't have a DOC cell phone and usually work mornings only. My cell is S9(2)(a)  
The red line on your photo plan appears to line up with Lot 4 DP 51670 access way (17.96 metres

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wide) which is PCL being part of the scenic reserve and which passes from Rawhiti Road east to Lot 9 which is PCL adjacent to Oke Bay. Lot 4 access way would lie adjacent and to the north of Batchelors Lot 5.

You may need to employ a surveyor to find the pegs for this access way so as to determine if the Batchelors have encroached on to PCL.

S9(2)

---

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Sent: Thursday, 29 August 2019 3:35 p.m.

To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2) if you could supply me your cell phone number it would be useful if I could talk during your work hours.

Cheers

S9(2)(a)

S9(2)(a)

Bay of Islands district,  
Department of Conservation--*Te Papa Atawhai*  
**Bay of Islands Office**  
34 Landing Road  
Kerikeri 0230

S9(2)(a)

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[www.doc.govt.nz](http://www.doc.govt.nz)

---

From: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Sent: Thursday, 29 August 2019 3:33 p.m.

To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: Automatic reply: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

mornings but after that I am out of office. If urgent call me on my cell or home phone S9(2)(a) S9(2)(a) S9(2)

(2)

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Out of scope

**From:** S9(2)(a)  
**Sent:** Wednesday, 4 September 2019 9:17 am  
**To:** S9(2)(a)  
**Subject:** RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2)

My interpretation is that the scenic reserve is 18 metres wide and starts at Rawhiti road and runs to the cliff/beach. So it should run parallel with the Batchelor property on their north boundary.

Am I missing something???

If the Batchelor property is in the sea then our access way reserve will also be in the sea.

I will try for the MLC website and see what I can find there

S9(2)

---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Tuesday, 3 September 2019 10:31 p.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** Re: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2)

A registered surveyor has done the Batchelor property, unfortunately that is saying that the 18 odd metres starts from the cliff edge and goes down to the beach, this does not provide for walking access hence needing to get clarification from the maori land court on what should of been provided, i believe this is the key to the access problem that needs to be investigated.

Hopefully this is something that you can reasearch.

Please let me know if you are able to look into this.

Thankyou

S9(2)

Sent from my Samsung device

----- Original message -----

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Date:** 30/08/19 10:08 AM (GMT+12:00)  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Out of scope

**From:** S9(2)(a)  
**Sent:** Thursday, 29 August 2019 11:16 am  
**To:** S9(2)(a)  
**Subject:** RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.  
**Attachments:** AKC\_ML\_9143.png

Hi S9(2)

I attach another plan, this one being ML 9143 which is for Maori Land over the whole area, at 20MB. You can zoom/scroll in, on this plan to get closer to determine features and plan markings. This plan does not show a tribal walkway, but that doesn't mean there isn't one. However if you would give me some better indication as to where it is sited (on which Lot boundary) then I can maybe help further?

S9(2)(a)

---

**From:** S9(2)(a)  
**Sent:** Tuesday, 27 August 2019 10:41 a.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** FW: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2)

This Assyst Request has been assigned to me.

I attach a link to a document that shows the part of Oke Bay Scenic reserve adjacent to 147 Rawhiti Road:  
<https://doccm.doc.govt.nz/wcc/faces/wcc/doc?dDocName=DOC-6053156>

The scenic reserve at this address consists of an access way being Lot 4 DP 51670, and the coastal part being Lot 9 DP 51670.

I also attach DP 51670 as a .png attachment which is the subdivision plan for this location. It shows Lot 4 (access way) and Lot 9 (esplanade reserve).

You can zoom in on this plan and see the words and the Lots that apply.

There are words at Lot 4 that say Lot 4 vested by section 35 (3) of the Counties Amendment Act 1961, which means that on deposit of the plan all land shown as access ways, vest in HMQ/DOC.

Napolis advises the land for reserve Was acquired in 1985, and was classified scenic reserve in 1987.

I am however keen to know if the said tribal walkway lies within Lot 4 DP 51670, or is somewhere else?

Thank you-let me know if these plans help with sorting out reserve access to Oke Bay.?

Yours sincerely

S9(2)(a)

S9(2)(a)

Otepoti/Dunedin Shared Services

---

From: [assystrequest@doc.govt.nz](mailto:assystrequest@doc.govt.nz) <[assystrequest@doc.govt.nz](mailto:assystrequest@doc.govt.nz)>

Sent: Monday, 26 August 2019 9:31 a.m.

To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Dear S9(2)(a)

The following request has been assigned to you. Please keep this request as up to date as possible.

Reference Number	:	<a href="#">R169896</a>
Logged By	:	S9(2)(a)
Logged Date	:	23/08/2019
Priority	:	High
Required by Date	:	06/09/2019
Description	:	

Context:

At the location of 147 Rawhiti Road, Rawhiti (Oke Bay), there is an ongoing dispute between the land owner and hapu regarding the location of a tribal walkway between the land owner's property and PCL land.

Purpose:

The S9(2)(a) S9(2)(a) would like advice from the SLM team regarding the matter of the tribal walkway. It's believed that in Maori land court in 1968 there was a provision for a tribal walkway between the property and the PCL land, however this is not recorded on either GIS or the land owner's site survey.

Output:

To confirm asap if there is a tribal walkway.

*Please do **NOT** reply to this email, instead click on the above link to start working on the request.*

Many thanks,

S9(2)(a)

S9(2)(a)



Statutory Land Management  
DDI: s9(2)(a)  
MOB: s9(2)(a)  
Department of Conservation

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9143

9143

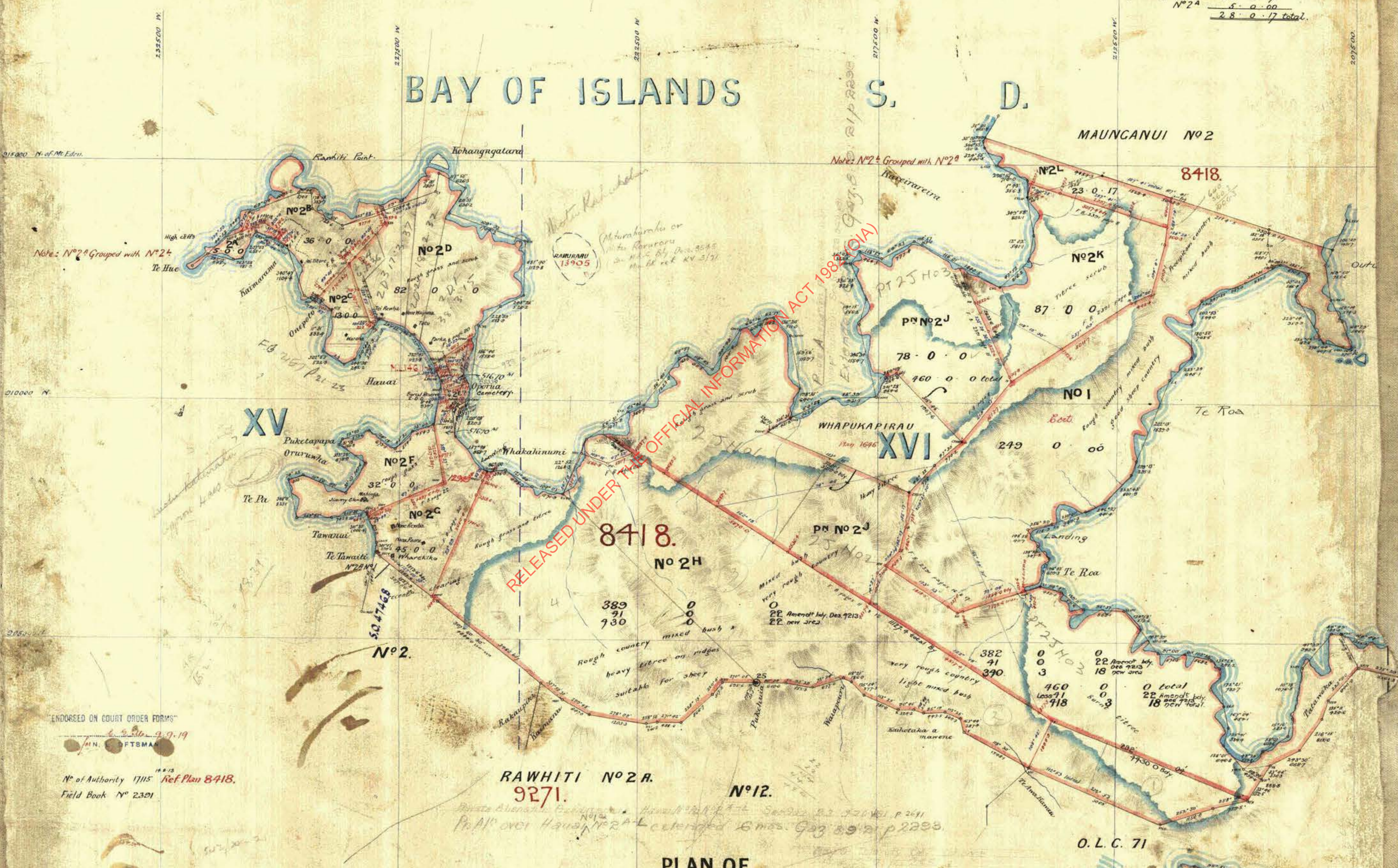
20  
499

AUCKLAND LAND DISTRICT

BAY OF ISLANDS COUNTY

BAY OF ISLANDS S. D.

One order. N°2L	23. 0. 17.
N°2A	5. 0. 00.
<hr/>	
	28. 0. 17 total.



21500 N. of Mt. Eden.

21000 N.

20500 N.

ENDORSED ON COURT ORDER FORMS

6. 2. 19. 9. 19.

N° of Authority 17115. Ref. Plan 8418.  
Field Book N° 2391

Native Land Court File B1.683.  
Judge's Partition 8418.  
Description 3288.  
Field Book N° 3 p 4-5.  
8418, 1646, 9271.

RAWHITI N° 2 R.  
9271.

N° 12.

PLAN OF  
HAUAI N° 1. AND NOS 2 A B C D E F G H J K & L BLOCKS

Surveyed by H.M. Wilson Oct. 1913.  
Scale: 10 Chains to an Inch

I hereby certify that this plan was made from surveys executed under my own personal supervision, inspection and field check.  
That both plan & survey are correct & that all the rules & regulations with respect to the survey of Native Land have  
been strictly complied with.

Dated at Auckland this ... day of ... 1913

Licensed Surveyor

Approved  
Chief Surveyor

2391 p 8-22  
NM. p 48-50

22 11 13  
25 11 13

9143

9143

**From:** S9(2)(a)  
**To:** S9(2)(a)  
**Subject:** RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.  
**Date:** Wednesday, 4 September 2019 10:38:49 am

---

Hi S9(2)(a)

Would you please mark up on page 1 where the surveyor has done the Batchelor property, and send it back to me?

<https://doccm.doc.govt.nz/wcc/wccproxy/d?dDocName=DOC-6061365>

Thank you

S9(2)

---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>

**Sent:** Tuesday, 3 September 2019 10:31 p.m.

**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>

**Subject:** Re: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2)

A registered surveyor has done the Batchelor property, unfortunately that is saying that the 18 odd metres starts from the cliff edge and goes down to the beach, this does not provide for walking access hence needing to get clarification from the maori land court on what should of been provided, i believe this is the key to the access problem that needs to be investigated.

Hopefully this is something that you can reasearch

Please let me know if you are able to look into this.

Thankyou

S9(2)

Sent from my Samsung device

----- Original message -----

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>

**Date:** 30/08/19 10:08 AM (GMT+12:00)

**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>

**Subject:** RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi S9(2)

I don't have a DOC cell phone and usually work mornings only. My cell is S9(2)(a)

The red line on your photo plan appears to line up with Lot 4 DP 51670 access way (17.96 metres wide) which is PCL being part of the scenic reserve and which passes from Rawhiti Road east to Lot 9 which is PCL adjacent to Oke Bay, Lot 4 access way would lie adjacent and to the north of Batchelors Lot 5.

You may need to employ a surveyor to find the pegs for this access way so as to determine if the Batchelors have encroached on to PCL.

S9(2)

---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>

**Sent:** Thursday, 29 August 2019 3:35 p.m.

**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>

**Subject:** RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

Hi [S9(2)] if you could supply me your cell phone number it would be useful if I could talk during your work hours.

Cheers

[S9(2)(a)]

[S9(2)(a)]

Bay of Islands district,  
Department of Conservation--*Te Papa Atawhai*

**Bay of Islands Office**

34 Landing Road

Kerikeri 0230

[S9(2)(a)]

Conservation leadership for our nature *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

[www.doc.govt.nz](http://www.doc.govt.nz)

---

From: [S9(2)(a)] <[S9(2)(a)]@doc.govt.nz>

Sent: Thursday, 29 August 2019 3:33 p.m.

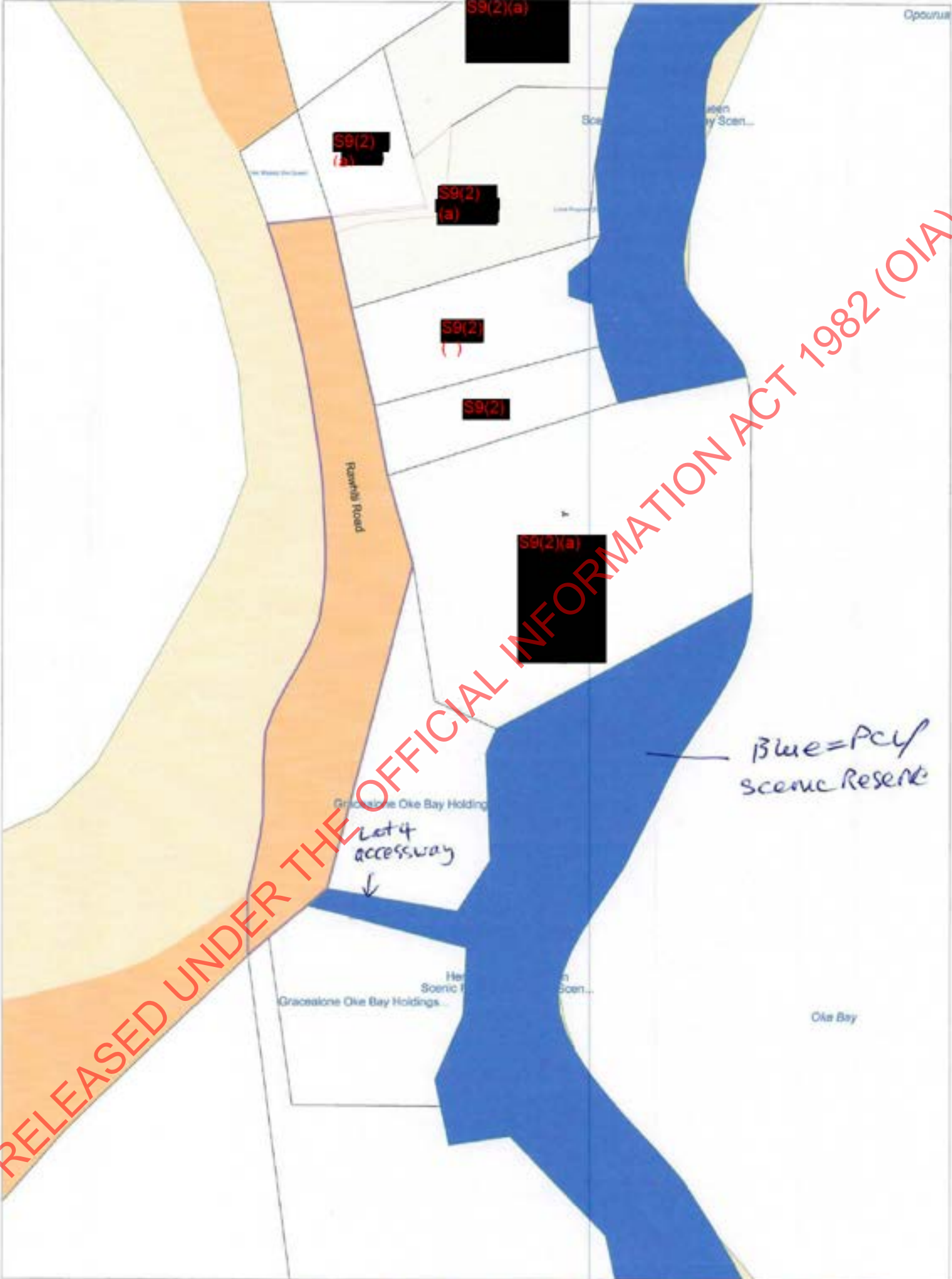
To: [S9(2)(a)] <[S9(2)(a)]@doc.govt.nz>

**Subject:** Automatic reply: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.

I work mornings but after that I am out of office if urgent call me on my cell or home phone

[S9(2)(a)] [S9(2)(a)] [S9(2)]

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RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Rawhiti Road

## Road Polygon

Id	4786429
Legal revision	08-Jul-19
Label	
Graphical Area (Hectares)	0.5797
Graphical Perimeter (m)	530.89

Report Generated from Quickmap (<http://www.quickmap.co.nz>) on Wednesday, 4 September 2019.

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RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Out of scope

---

**From:** S9(2)(a)  
**Sent:** Monday, 4 November 2019 12:21 pm  
**To:** S9(2)(a)  
**Subject:** RE: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Hi S9(2)

I phoned MLC Taitokerau (Whangarei Office) this lunch time.  
They will investigate and come back to me later today.  
They appreciated the reminder!

S9(2)

---

**From:** S9(2)(a)  
**Sent:** Monday, 14 October 2019 10:13 a.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** RE: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Hi S9(2)

I have sent a prompt today to MLC Taitokerau with all the original attachments, and am hoping that at least a progress update might be received shortly.

S9(2)

---

**From:** S9(2)(a)  
**Sent:** Wednesday, 18 September 2019 9:18 a.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** FW: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Looks like MLC mis-directed my request; so another waiting period is upon us

---

**From:** mlcaotea <[mlcaotea@justice.govt.nz](mailto:mlcaotea@justice.govt.nz)>  
**Sent:** Wednesday, 18 September 2019 9:12 a.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Tēnā koe, S9(2)(a)

Please note your email dated 4 September 2019 to our National Office email address has been referred to me for my attention and reply.

Unfortunately, this property is part of the Taitokerau Māori Land Court Registry and should not have been referred onto this Office. Accordingly I have redirected your enquiry onto them for their action.

Naku noa nā



S9(2)(a)  
S9(2)(a) | Maori Land Court  
Ministry of Justice | DX PX 10207 Whanganui 4541  
Office: (06) 3490770  
Email: [mlcaotea@justice.govt.nz](mailto:mlcaotea@justice.govt.nz)  
Website: [www.maorilandonline.co.nz](http://www.maorilandonline.co.nz)

---

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- (1) reply promptly to that effect, and remove this email and the reply from your system;
- (2) do not act on this email in any other way.

Thank you.

---

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)



Out of scope

**From:** S9(2)(a)  
**Sent:** Wednesday, 13 November 2019 2:48 pm  
**To:** S9(2)(a)  
**Subject:** RE: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

I phoned at 12.06 (lunch break!) and left a message on the ansaphone asking them to reply to me on email address  
Fingers crossed that they might respond.  
if not today, I will phone again tomorrow

---

**From:** S9(2)(a)  
**Sent:** Wednesday, 13 November 2019 10:51 a.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** RE: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Hi S9(2)  
No reply from MLC so I'll chase them up again (by phone)

S9(2)

---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Wednesday, 13 November 2019 9:18 a.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** RE: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Hi S9(2)

Did they come back to you? I wonder if we can push the MLC again, apparently there is a resource consent hearing with the Property owners, Hapu and MLC people on the 21<sup>st</sup> of this month, so it would be good to pass through any information we get to the hapu pre this meeting.

Let me know how you get on,

Kind regards

S9(2)(a) S9(2)(a)

Department of Conservation – *Te Papa Atawhai*

Bay of Islands Office  
34 Landing Road, Kerikeri 0230  
PH: 09 407 0300

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---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Monday, 4 November 2019 12:21 p.m.

To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: RE: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Hi S9(2)

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S9(2)

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From: S9(2)(a)

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S9(2)

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From: S9(2)(a)

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To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: FW: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Looks like MLC mis-directed my request; so another waiting period is upon us

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From: mlcaotea <mlcaotea@justice.govt.nz>

Sent: Wednesday, 18 September 2019 9:12 a.m.

To: S9(2)(a) <S9(2)(a)@doc.govt.nz>

Subject: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway

Tēnā koe, S9(2)(a)

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Unfortunately, this property is part of the Taitokerau Māori Land Court Registry and should not have been referred onto this Office. Accordingly I have redirected your enquiry onto them for their action.

Naku noa nā

S9(2)(a)

S9(2)(a)

| Maori Land Court  
Ministry of Justice | DX PX 10207 Whanganui 4541  
Office: (06) 3490770



Email: [info@maorilandonline.co.nz](mailto:info@maorilandonline.co.nz)  
Website: [www.maorilandonline.co.nz](http://www.maorilandonline.co.nz)

---

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- (2) do not act on this email in any other way.

Thank you.

---

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Out of scope

**From:** s9(2)(a)  
**Sent:** Wednesday, 3 July 2019 5:03 pm  
**To:** s9(2)(a)  
**Subject:** Re: FW: Contact re esplanade boundary on behalf of Ngati Kuta

Thanks s9(2) Appreciate the update. Hmm seems to be that they haven't properly surveyed with the necessary markers. They placed some more boundary pegs last week which are set back a few meters from cadastral line mapping.

Can't wait to see why they have measured at top of cliff when the ground he owns starts at roadside at the bottom. Or is it just 1 rule for Maori land and another for general title. Seems to be that way?

s9(2)(a)

On Wed, 3 Jul 2019, 3:54 PM s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Kia ora s9(2)(a)

Just letting you know I have not forgotten you, we have been in contact with the surveyor and we were to receive information this week but it seems they are doing a bit more work and will get back to us next week by the sound of it.

Will keep you in the loop,

Nga mihi

s9(2)(a)

s9(2)(a)

Bay of Islands district,

Department of Conservation--Te Papa Atawhai

**Bay of Islands Office**

34 Landing Road

Kerikeri 0230

PH: 09 407 0300, VPN:7528

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[www.doc.govt.nz](http://www.doc.govt.nz)

---

**From:** s9(2)(a)  
**Sent:** Thursday, 13 June 2019 12:09 p.m.

To: s9(2)(a)  
Subject: RE: Contact re esplanade boundary on behalf of Ngati Kuta

Morena s9(2)(a),

Thanks for keeping me informed about who to communicate within Ngati Kuta,

We have requested the survey results from the company that carried out the land boundary survey, They have told us they can supply the information at some stage next week, I will let you know once we receive that information, we will then send it to the statutory land team along with the historical mapping information to verify accuracy.

Nga mihi,

s9(2)(a)

s9(2)(a)

Bay of Islands district,

Department of Conservation--*Te Papa Atawhai*

Bay of Islands Office

34 Landing Road

Kerikeri 0230

s9(2)(a)

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[www.doc.govt.nz](http://www.doc.govt.nz)

From: s9(2)(a)  
Sent: Thursday, 13 June 2019 11:34 a.m.  
To: s9(2)(a) <s9(2)(a)> <[doc.govt.nz](mailto:doc.govt.nz)>  
Subject: Contact re esplanade boundary on behalf of Ngati Kuta

Kia ora s9(2)

At our Ngati Kuta hapu meeting held on Sunday 2nd June, it was agreed that I would remain the contact and liason between yourself and our hapu regarding the investigation into the boundaries of our esplanade reserve known as lot 9 behind the property of 147 rawhiti Rd, Rawhiti.

I will continue to update our hapu at our monthly meetings on the progress of this investigation.

Can you please provide an update. Our last communications requested his survey be audited and if his survey could not be obtained in order for this to be undertaken by your team, that a new survey be initiated.

Once again thank you for your support in addressing this on behalf of the department of conservation and look forward to hearing from you.

Regards,

s9(2)(a)

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RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

Out of scope

**From:** s9(2)(a)  
**Sent:** Monday, 21 October 2019 5:34 pm  
**To:** s9(2)(a)  
**Subject:** Re: FW: FW: Survey outline

**Follow Up Flag:** Follow Up  
**Due By:** Monday, 21 October 2019 8:26 pm  
**Flag Status:** Flagged

Thanks for that s9(2) Yes you had sent this one initially. I was under the impression more info had been requested that included the historical markers etc that is what I was wanting a copy of.

Thanks for you help on this, it's greatly appreciated!

s9(2)(a)

On Mon, 21 Oct 2019, 3:11 PM s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote

Kia ora s9(2)(a)

This is site plan that I sent you, this is the only survey plan that I have received from Julian.

Nga mihi,

s9(2)(a) s9(2)

s9(2)(a)

Department of Conservation --Te Papa Atawhai

Bay of Islands Office

34 Landing Road, Kerikeri 0230

PH: 09 407 0300

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**From:** s9(2)(a)  
**Sent:** Monday, 19 August 2019 5:45 p.m.  
**To:** s9(2)(a) >  
**Cc:** s9(2)(a)

**Subject:** RE: FW: Survey outline

Tena koe s9(2)(a),

Sorry for the delay in response, In the interests of getting you this quickly I have not had time to get this site plan survey to our SLM team to clarify the authenticity of the survey but from what I can see the surveyor is registered so I would expect they use the same process to determine boundary points as any other registered surveyor would. I understand this is not dissimilar to the GIS information that you have received.

I would be happy to try and run it past our SLM team to verify authenticity of the data if we can, I'm not so sure I can be of much more help on this matter other than a verification of some sort.

Nga mihi

s9(2)(a)

s9(2)(a)

Bay of Islands district,

Department of Conservation--Te Papa Atawhai

Bay of Islands Office

34 Landing Road

Kerikeri 0230

PH: 09 407 0300, VPN:7528

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[www.doc.govt.nz](http://www.doc.govt.nz)

From: s9(2)(a)

Sent: Monday, 19 August 2019 1:04 p.m.

To: s9(2)(a) <s9(2)(a)@doc.govt.nz>

Cc: s9(2)(a)

Subject: Re: FW: Survey outline

Kia ora s9(2) may please be sent a copy of what was sent through.

Regards, s9(2)(a)

On Tue, 13 Aug 2019, 8:12 PM s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Tena koe s9(2)(a),

I am aware the BOI office has received some information from the surveyor, I have not had time to review this before I send it to the SLM team to confirm if the survey is carried out as per best practice and complies with the national guidelines a surveyor would need to abide by, I may yet request further information if I think it is required upon my review.



I will endeavour to move this up my priority list to do, I will liase with s9(2)(a) in my community team and get her to give you an update ideally before end of the week or early next week.

I do apologise for the delay, but we only recieved info from the surveyor as recently as last week after a few prompts to get information.

Nga mihi

s9(2)

Sent from my Samsung device

----- Original message -----

From: s9(2)(a)  
Date: 12/08/19 9:38 PM (GMT+12:00)  
To: s9(2)(a) <s9(2)(a)@doc.govt.nz>  
Subject: Re: FW: Survey outline

Kia ora s9(2) Have not received any response in regards to the update for the esplanade reserve at 147 rawhiti Rd. Can you please advise where the survey review is at.

Regards,

s9(2)(a)

On Fri, 31 May 2019, 3:45 PM s9(2)(a) > wrote:

Kia ora s9(2)

Thank you for taking the time to meet with us, it s always good to put a face to the name.

Yes please, can you please ask those questions of the surveyor and a copy of measurements & historical markers used. There is clearly a difference from 1964 survey. This map shows our esplanade down the side of the cliff and its incorrect.

I would appreciate you initiating the next steps to address this.

Thank you again for your assistance in this matter. Will stay in touch. Please let me know how we can assist to address this problem.

Regards, s9(2)(a)

On Fri, 31 May 2019, 3:27 PM s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Tena koe s9(2)(a)

Thank you for coming in to the office for the informal chat, it was nice to meet you and s9(2)(a),

As discussed I followed up with Julian Batchelor and asked if I can have results of the survey he recently commissioned, the below photo is what Julian Batchelor has sent me initially from the survey company (S9(2)(a) [REDACTED]), Julian is happy that I share this photo, from what I can make out it has been carried out by a reputable surveying company, and the surveyor has told Julian that the results are less than 0.50m in accuracy, I appreciate it's a very small photo with the overlaid boundary indicated by the purple line.

If required I can follow up with the survey company and get the field notes and calculations they did, also ask what historical data/mapping they used to determine the boundary's and what instruments were used to determine accuracy.

At this stage I don't think we should spend any money resurveying, there is a possibility I can present the recent survey findings, historical mapping showing the esplanade reserve along with Hapu's context advice, input and run it through DOC's statutory land management team to get their advice if desired.

Please let me know if you would like me to do anything further,

Nga mihi,

(S9(2)(a) [REDACTED])

(S9(2)(a) [REDACTED])

Bay of Islands district,

Department of Conservation--*Te Papa Atawhai*

**Bay of Islands Office**

34 Landing Road

Kerikeri 0230

PH: 09 407 0300, VPN:7528

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Out of scope

From: s9(2)(a)  
Sent: Tuesday, 20 August 2019 5:25 pm  
To: s9(2)(a)  
Cc: s9(2)(a) s9(2)(a)  
Subject: Re: FW: Survey outline

s9(2)(ba)(i)

On Tue, 20 Aug 2019, 5:13 PM s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:  
Thanks s9(2)(a)

Any information I can gather up and send through to The statutory land management team ("SLM" apologies for using this acronym in previous email, bad habit) is valuable.  
I am in Russell next Monday so if i find the time i will pop out and have a look at the top of the walkway and check out the safety concerns.

Nga mihi

Sent from my Samsung device

----- Original message -----

From: s9(2)(a) >  
Date: 20/08/19 10:48 AM (GMT+12:00)  
To: s9(2)(a) <s9(2)(a)@doc.govt.nz>  
Cc: s9(2)(a)  
Subject: Re: FW: Survey outline

s9(2)(ba)(i)

# s9(2)(ba)(i)

Regards s9(2)(a)

On Mon, 19 Aug 2019, 5:46 PM s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Tena koe s9(2)(a),

Sorry for the delay in response, In the interests of getting you this quickly I have not had time to get this site plan survey to our SLM team to clarify the authenticity of the survey but from what I can see the surveyor is registered so I would expect they use the same process to determine boundary points as any other registered surveyor would. I understand this is not to dissimilar to the GIS information that you have received.

I would be happy to try and run it past our SLM team to verify authenticity of the data if we can, I'm not so sure I can be of much more help on this matter other than a verification of some sort.

Nga mihi

s9(2)(a)

s9(2)(a)

Bay of Islands district,

Department of Conservation--Te Papa Atawhai

Bay of Islands Office

34 Landing Road

Kerikeri 0230

s9(2)(a)

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[www.doc.govt.nz](http://www.doc.govt.nz)

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Sent: Monday, 19 August 2019 1:04 p.m.

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s9(2)

Sent from my Samsung device

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s9(2)(a)

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s9(2)(ba)(i)

s9(2)(ba)(i)

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Please let me know if you would like me to do anything further,

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s9(2)(a)

s9(2)(a)

Bay of Islands district,

Department of Conservation--Te Papa Atawhai

Bay of Islands Office

34 Landing Road

Kerikeri 0230

s9(2)(a)

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RELEASED UNDER THE OFFICIAL INFORMATION ACT (S82(OIA))



Out of scope

From: s9(2)(a)  
Sent: Tuesday, 20 August 2019 10:47 am  
To: s9(2)(a)  
Cc: s9(2)(a)  
Subject: Re: FW: Survey outline  
Attachments: s9(2)(ba)(i)

s9(2)(ba)(i)

Regards, s9(2)(a)

On Mon, 19 Aug 2019, 5:46 PM s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Tena koe s9(2)(a)

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Nga mihi

s9(2)(a)

s9(2)(a)

Bay of Islands district,

Department of Conservation--Te Papa Atawhai

Bay of Islands Office

34 Landing Road

Kerikeri 0230

s9(2)(a)

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RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

s9(2)(ba)(i)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

s9(2)(ba)(i)

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s9(2)(ba)(i)

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s9(2)(ba)(i)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

## Out of scope

---

**From:** s9(2)(a)  
**Sent:** Monday, 19 August 2019 9:15 pm  
**To:** s9(2)(a)  
**Cc:** s9(2)(a)  
**Subject:** Re: FW: Survey outline

Kia ora s9(2) thanks for that. In our previous discussions you advised you would get it audited. Can this be arranged as soon as possible please. Clearly we have no walkway and this is unacceptable. It needs to be compared to the historical maps and markers, even a blind man could see this survey is incorrect in comparison. I know why. This is because batchelor extended thr DOC stairs to the very top and the surveyor has used this as a marker.

s9(2) in the mean time we have a dangerous walkway on our stairway as he has left no room at the top which is needed for rest. This is Urgent s9(2) I know this does not personally affect you, but it does us. In the mean time we continue with our traditional practices, such as tangihana, with a dangerous walkway for our kaumatua, kuia.

In the meantime you may want to look at blocking access off to the general public as it's too dangerous. Have you physically been there since I advised you? Our hapu will be continuing using to use it as we always have, but highly suggest you close this off to general public until this is addressed.

s9(2) please, this is urgent.

I look forward to hearing when this has commenced.

Regards, s9(2)(a)

On Mon, 19 Aug 2019, 5:46 PM s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Tena koe s9(2)(a)

Sorry for the delay in response, In the interests of getting you this quickly I have not had time to get this site plan survey to our SLM team to clarify the authenticity of the survey but from what I can see the surveyor is registered so I would expect they use the same process to determine boundary points as any other registered surveyor would. I understand this is not dissimilar to the GIS information that you have received.

I would be happy to try and run it past our SLM team to verify authenticity of the data if we can, I'm not so sure I can be of much more help on this matter other than a verification of some sort.

Nga mihi

s9(2)(a)

s9(2)(a)

Bay of Islands district,

Department of Conservation--Te Papa Atawhai

Bay of Islands Office

34 Landing Road

Kerikeri 0230

s9(2)(a)

Conservation leadership for our nature Tākina te hī, Tiakina, te hā o te Āo Tūroa

[www.doc.govt.nz](http://www.doc.govt.nz)

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Out of scope

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From: s9(2)(a)  
Sent: Friday, 31 May 2019 3:46 pm  
To: s9(2)(a)  
Cc: s9(2)(a)  
Subject: Re: FW: Survey outline  
Attachments: s9(2)(ba)(i)

s9(2)(ba)(i)

Regards, s9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

s9(2)(ba)(i)

UNDER THE OFFICIAL INFORMATION ACT

Out of scope

---

**From:** s9(2)(a)  
**Sent:** Tuesday, 20 August 2019 5:30 am  
**To:** s9(2)(a)  
**Cc:** s9(2)(a)  
**Subject:** Re: FW: Survey outline

Kia ora s9(2)

Just looking at the site survey there appears to be no provision for the designated tribal walkway to the urupa and along the ridge line which was designated by the Maori Land Court in 1968?? It appears to be over-looked or just left out. This does need addressing otherwise a litigation process will kick in.

Thanks for your help so far.

s9(2)

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**Out of scope**

**From:** Julian Batchelor s9(2)(a)  
**Sent:** Wednesday, 29 May 2019 8:25 am  
**To:** s9(2)(a)  
**Subject:** This just in from the surveyor

Hi Julian,  
The company that I work for is s9(2)(a). It is a registered surveyors. With regards to the accuracy of the boundary redefinition we completed on your property in Oke Bay, I guarantee that it is less than 0.50m accuracy.

I'll send you our field notes and calculations for the job we have done if that is what you require.

Thanks Julian .

s9(2) I think its important for Maori to realise that being given land is a privilege and an honour, not a right. (They also must realise that walking through my land to get to their Urupa has been a privilege not a right, and it can't continue.

Hmj jwcl  
Ozqfs

Hqhp [MJWJ](#) yz | fyhm xmtwy (rijt yjxyr tsrfq tkujtugj ktw | mkr Ozqfs mfx xtqj uwkujwrx3

s9(2)(a) Julian Batchelor s9(2)(a)  
s9(2)(a)  
s9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)



## Out of scope

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**From:** S9(2)(a)  
**Sent:** Friday, 18 September 2020 9:57 am  
**To:** S9(2)(a); S9(2)(a)  
**Subject:** RE: Oke Bay aerial from Walking Access NZ website photography

I thought from the Iwi contacts, they said traditionally the tribal route passed through Lots 5 & 6.

However your note says the usual practise is to now come up the Reserve ROW from Rawhiti Road, then turn left towards the urupa.

However in going left this requires them to be on private land (not esplanade reserve since this becomes impassable)

So the best option appears to be from the Reserve ROW, a Maori Land Court easement over the private land to link thru to the urupa, this as originally agreed by the former owner.

---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Friday, 18 September 2020 9:29 a.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** RE: Oke Bay aerial from Walking Access NZ website photography

Sorry team,

Not quiet sure what you mean?

---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Thursday, 17 September 2020 1:14 pm  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** RE: Oke Bay aerial from Walking Access NZ website photography

So the Iwi are prepared to forsake the original tribal walkway (through Lots 6 & 5); to only pass through the reserve leg-in (Lot 4) , then through Lot 3 (private land) to get to the Urupa?

---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Thursday, 17 September 2020 1:03 p.m.  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>; S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** RE: Oke Bay aerial from Walking Access NZ website photography

Hi Team,

The hapu have to carry coffins from the road up the reserve ROW and left to the Urupupa, once you are at the top to go left or right there is no room to walk safely between the private land and the reserve bluff edge so they are currently reliant on the private landowner to provide access to the pa and the tribal lands, hence a requirement for access.

Kind regards

---

**From:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Sent:** Thursday, 17 September 2020 12:30 pm  
**To:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Cc:** S9(2)(a) <S9(2)(a)@doc.govt.nz>  
**Subject:** Oke Bay aerial from Walking Access NZ website photography

Hi s9(2)(a)

The blue lines show the property boundaries.

The reserve leg-in from Rawhiti Road then leads to the esplanade reserve.

I thought there may have been erosion at this interface but maybe not.

There may be sufficient space for the walkway to pass over the esplanade reserve at the top of the cliff edge rather than on private land, but not fully along the length as Lot 5 is eroded at the south end.

This could be an alternative- short term- if the MLC option poses difficulties.

You can see the line of the current walkway through Lot 6, then Lot 5 then Lot 4 (reserve).

s9(2)(a)

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Out of scope

**From:** Julian Batchelor s9(2)(a)  
**Sent:** Friday, 15 May 2020 3:00 pm  
**To:** s9(2)(a)  
**Subject:** Soil is gone



Sent from my iPhone

Out of scope

---

**From:** Julian Batchelor s9(2)(a)  
**Sent:** Monday, 18 May 2020 7:47 am  
**To:** s9(2)(a)  
**Subject:** Re: Soil is gone

I have filled in some of the pot holes in this area for you with the remnants of the soil :)

On 18/05/2020, at 7:42 AM, s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Thanks Julian, appreciate the update.

s9(2)(a)

Sent from Workspace ONE Boxer

On 15/05/2020 3:01 pm, Julian Batchelor s9(2)(a) wrote:

<IMG\_3777.jpg>

Sent from my iPhone

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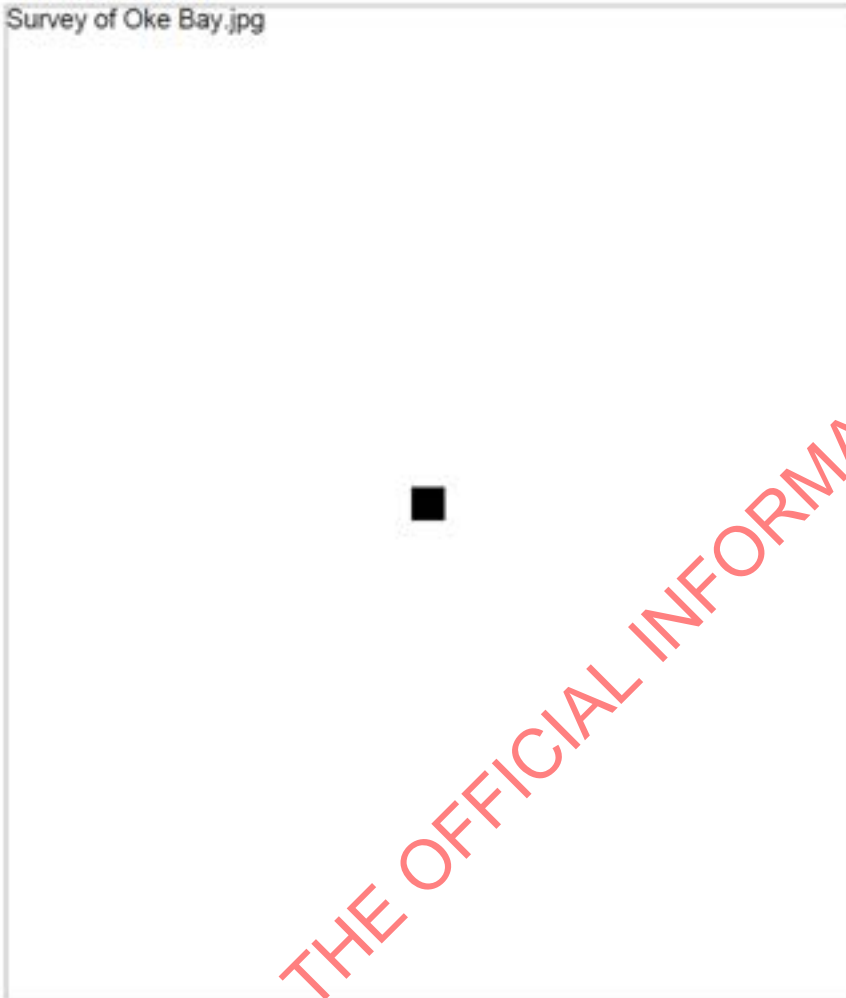
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From: [Julian Batchelor](#)  
To: **s9(2)(a)**  
Subject: Survey outline  
Date: Tuesday, 28 May 2019 2:09:16 pm  
Attachments: [Survey of Oke Bay.jpg](#)

---

Please call me when you get this so I can discuss this with you.  
Thanks so much

Survey of Oke Bay.jpg



Julian

**s9(2)(a)**

**s9(2)(a)** [Julian Batchelor](#)  
**s9(2)(a)**  
**s9(2)(a)**  
**s9(2)(a)**  
**s9(2)(a)**

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Rawhiti Pd

Rawhiti Rd

147 Rawhiti Road

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982 (OIA)

## Out of scope

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**From:** Julian Batchelor s9(2)(a)  
**Sent:** Friday, 14 June 2019 3:47 pm  
**To:** s9(2)(a)  
**Subject:** Re: Survey outline

Hi s9(2)  
I just talked to s9(2)(a) your s9(2)(a) on the ground in Rawhiti and s9(2)(a) says s9(2)(a) been invited to be part of the Iwi group which discusses access to the Urupa. I am thrilled about this as s9(2)(a) is a sensible level headed s9(2)(a)

s9(2) told me that the survey is the talk of the community at the moment and the local 'hot topic'. (reassured s9(2)(a) that I would never cut access to the Urupa and the way to move forward is to stay calm, get around the table, and talk.

The last thing we want is for locals to panic and start smashing property and launching fresh waves of crime. This has been how they have reacted in the past.

I guess this makes your reading of my book all the more urgent now! :) It's not a hard read. It might look long but as I said before, there are three parts and you only need to read parts 1 and 3 which are only 20 pages each. The rest of the book, part 2, is source documents.

Go for it s9(2)

Cheers

Julian

On 14/06/2019, at 7:36 AM, s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Good morning Julian,

The last month of the financial year and back to back meetings on various high profile issues is keeping me pretty flat out.

Im happy to write a letter if required but wonder if its best for me to talk directly to the person your dealing with in the council in the first instance if that would help.

Let me know your thoughts.

My number is s9(2)(a)

Kind regards

s9(2)

Sent from my Samsung device

----- Original message -----

From: Julian Batchelor s9(2)(a)  
Date: 13/06/19 4:02 PM (GMT+12:00)  
To: s9(2)(a) <s9(2)(a) doc.govt.nz>  
Subject: Re: Survey outline

Hi s9(2)

You are a hard guy to get hold of! No doubt you are out and about a lot. Do you have a mobile number please? I wonder if you could help me here. The Far North District Council have asked me how we are getting on with local Iwi to resolve access issues to their Urupa. I would like to be able to say the following but it would need to come in the form of a letter from you on DOC letter head. I will then forward the letter to council.

To whom it may concern

I am working with local Iwi representative in Rawhiti and Julian Batchelor to resolve the issue of access to the local Urupa.

Kind regards  
s9(2)(a)

Xtr jyzsl & p j ymxD  
Hmj jwcl  
Ozqfs

Http M J W J & t % f y m & o n t w / n i j t & j x y r t s r f o r k a j t u g t m m r O z q f s m f x d t q i w t u j w r j x 3

s9(2)(a) Julian Batchelor

s9(2)(a)  
s9(2)(a)  
s9(2)(a)  
s9(2)(a)

s9(2)(a)

s9(2)(a)

On Tue, 28 May 2019 at 14:23, s9(2)(a) <s9(2)(a) doc.govt.nz> wrote:

Hi Julian,

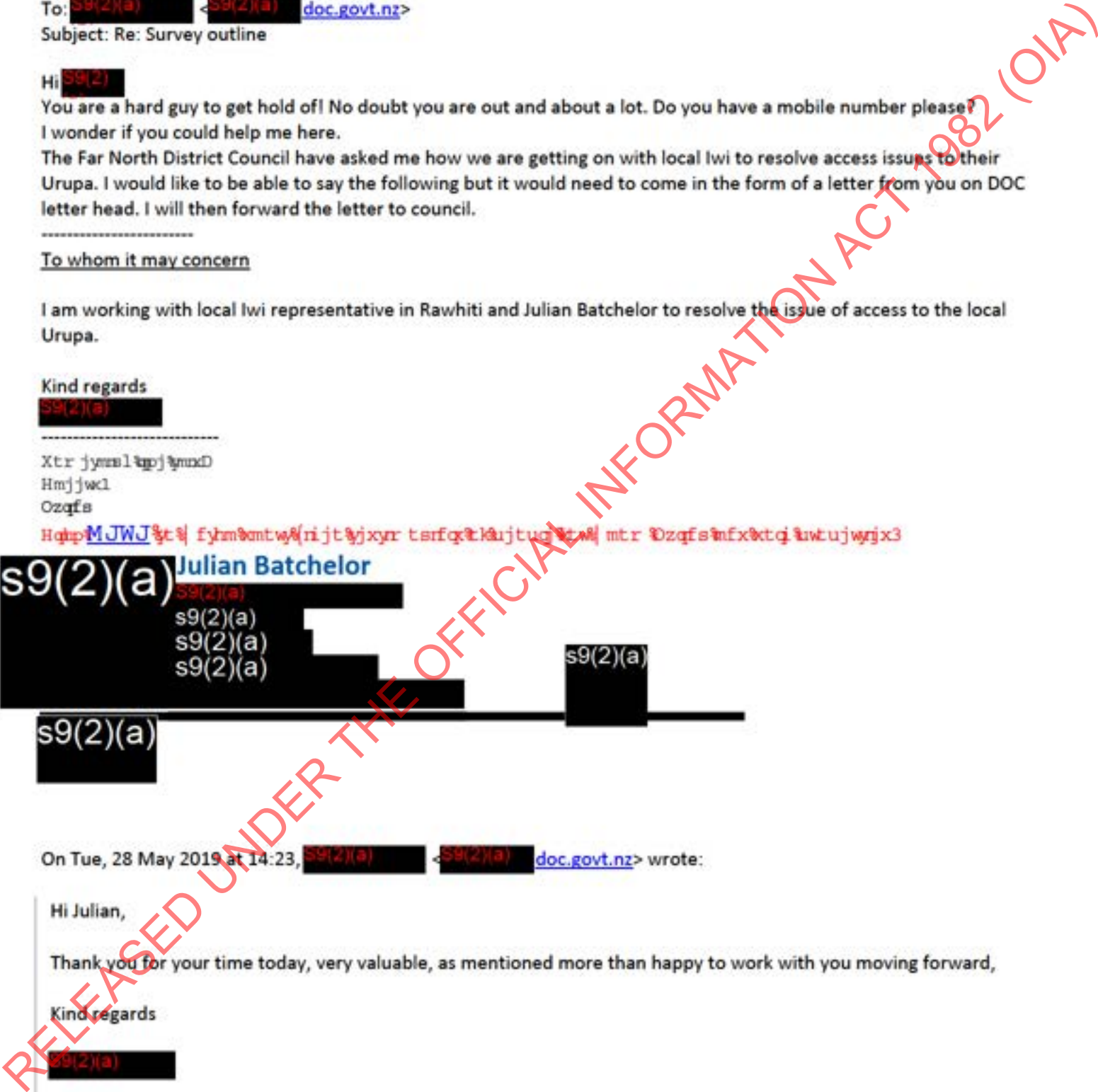
Thank you for your time today, very valuable, as mentioned more than happy to work with you moving forward,

Kind regards

s9(2)(a)

s9(2)(a)

Bay of Islands district,





Department of Conservation--Te Papa Atawhai

Bay of Islands Office

34 Landing Road

Kerikeri 0230

s9(2)(a)

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[www.doc.govt.nz](http://www.doc.govt.nz)

From: Julian Batchelor <[j.batchelor@barfoot.co.nz](mailto:j.batchelor@barfoot.co.nz)>

Sent: Tuesday, 28 May 2019 2:08 p.m.

To: s9(2)(a) <s9(2)(a)@doc.govt.nz>

Subject: Survey outline

Please call me when you get this so I can discuss this with you.

Thanks so much

<image001.jpg>

Julian

s9(2)(a)

Julian Batchelor

s9(2)(a)

s9(2)(a)

s9(2)(a)

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Out of scope

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**From:** Julian Batchelor s9(2)(a)  
**Sent:** Friday, 14 June 2019 8:41 am  
**To:** s9(2)(a)  
**Subject:** Re: Survey outline

Hi s9(2)  
I think a short letter with the wording I suggested would be good.

Thanks so much

Julian

On 14/06/2019, at 7:36 AM, s9(2)(a) <s9(2)(a)@doc.govt.nz> wrote:

Good morning Julian,

The last month of the financial year and back to back meetings on various high profile issues is keeping me pretty flat out.

Im happy to write a letter if required but wonder if its best for me to talk directly to the person your dealing with in the council in the first instance if that would help.

Let me know your thoughts.

My number is s9(2)(a)

Kind regards

s9(2)

Sent from my Samsung device

--

## Out of scope

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**From:** RMA  
**Sent:** Tuesday, 22 June 2021 2:24 pm  
**To:** s9(2)(a)  
**Cc:** s9(2)(a)  
**Subject:** S95E Task Assignment RC2224 Julian Batchelor (Council Comments)

Kia ora

Please see an RMA S95E Task Assignment RC2224 Julian Batchelor for your consideration.

**Context:** Far North District Council has contacted DOC requesting comments on a resource consent application for retrospective clearance of indigenous vegetation at 147 Rawhiti Road, Rawhiti.

Note that the ecological assessment refers to an area of proposed clearance additional to the retrospective clearance. The applicant has removed this from the application as per the s92 correspondence, so the application is purely retrospective.

The site is located with a Kiwi Present Area. There are no other items noted on the site on DOC-GIS. The site is located adjacent to PCL – Oke Bay Scenic Reserve. The Cape Brett track also runs through the property.

The applicant has provided a comprehensive ecological assessment which suggests a number of mitigation methods. The assessment concludes the following: *if the mitigation actions recommended above are implemented effectively there will be a small reduction in the overall amount of habitat, but the quality, resilience, diversity and integrity of the remaining vegetation at the site will be maintained via the actions proposed (removing weeds and pests, improving diversity via planting and reducing edge effects). The vegetation removal has not removed the ecological connectivity across the site because the indigenous vegetation remains connected around the cleared area. The retention of vegetation around the proposed shed and accommodation site would assist in maintaining ecological connection for all but the most sedentary of species.*

*The affected vegetation is of moderate – low ecological value and the magnitude of effects at the ecological district level is very low. On that basis the level of effects is very low and provided that appropriate mitigations are undertaken (e.g. imposed as conditions of consent) then the effects on ecological values would be negligible (i.e. a shift away from baseline conditions which is barely discernible).*

Local context (see link below) has outlined a number of issues with the application, including the suitability of proposed species to be planted, visual amenity effects and cultural effects.

Given the local context, a task assignment to decide whether to provide comments (and subsequently provide comments) to Council is considered necessary.

The purpose of this task is to decide whether to provide comments on the application, and subsequently provide comments.

Please check the Task Assignment and if you're satisfied with it, forward it through to your Operations Manager, Bronwyn Bauer-Hunt.

The council requested comments by 29 June 2021.

Find the full task assignment below if you are unable to access DocCM.

Please provide a summary report to [RMA@doc.govt.nz](mailto:RMA@doc.govt.nz) capturing the outcome of this task using the [Cover Sheet](#) and [Decision Support Document](#). Use the reference number given to this task to capture milestones and monitor progress in the RMA system.

District Office staff are the only team members assigned, please arrange a context meeting amongst yourselves.

Ngā mihi

s9(2)(a)  
s9(2)(a)

RMA  
Department of Conservation | Te Papa Atawhai

[www.doc.govt.nz](http://www.doc.govt.nz)



DOC Ref: RC2224

To: s9(2)(a)

From: s9(2)(a)

Date: 22 June 2021

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Task Assignment Council Comments: Julian Batchelor

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Julian Batchelor

**Context:** Far North District Council has contacted DOC requesting comments on a resource consent application for retrospective clearance of indigenous vegetation at 147 Rawhiti Road, Rawhiti.

Note that the ecological assessment refers to an area of proposed clearance additional to the retrospective clearance. The applicant has removed this from the application as per the s92 correspondence, so the application is purely retrospective.

The site is located within a Kiwi Present Area. There are no other items noted on the site on DOC-GIS. The site is located adjacent to PCL - Oke Bay Scenic Reserve. The Cape Brett track also runs through the property.

The applicant has provided a comprehensive ecological assessment which suggests a number of mitigation methods. The assessment concludes the following: *if the mitigation actions recommended above are implemented effectively there will be a small reduction in the overall amount of habitat, but the quality, resilience, diversity and integrity of the remaining vegetation at the site will be maintained via the actions proposed (removing weeds and pests, improving diversity via planting and reducing edge effects). The vegetation removal has not removed the ecological connectivity across the site because the indigenous vegetation remains connected around the cleared area. The retention of vegetation around the proposed shed and accommodation site would assist in maintaining ecological connection for all but the most sedentary of species.*

*The affected vegetation is of moderate - low ecological value and the magnitude of effects at the ecological district level is very low. On that basis the level of effects is very low and provided that appropriate mitigations are undertaken (e.g. imposed as conditions of consent) then the effects on ecological values would be negligible (i.e. a shift away from baseline conditions which is barely discernible).*

Local context (see link below) has outlined a number of issues with the application, including the suitability of proposed species to be planted, visual amenity effects and cultural effects.

Given the local context, a task assignment to decide whether to provide comments (and subsequently provide comments) to Council is considered necessary.

**Purpose: To decide whether to provide comments on the application, and subsequently provide comments.**

**Quantity:**

- Determine a position on the proposed activity
- Provide the appropriate comments regarding the proposed activity
- Provide summary report to [xxx@xxx.xxxx.xx](mailto:xxx@xxx.xxxx.xx) capturing nature of discussions, outputs and actions using the [Cover Sheet](#) and [Decision Support Document](#)

**Quality:**

- Utilise resources provided
- Request changes to resources if required
- Assess and escalate critical issues
- Consider if discussion is required with iwi/hapu/whanau
- Use team process
- Ensure outcome is appropriately reported and sent to [xxx@xxx.xxxx.xx](mailto:xxx@xxx.xxxx.xx)
- Ensure that effects on habitats and ecosystems are suitably mitigated
- Liaise with iwi as necessary
- Ensure effects on PCL are suitably mitigated

**Team Members:**

- Community Ranger
- Biodiversity Ranger

**Link to draft application/request for comments: [DOC-6697560](#)**

**Timeframe**

Council have requested comments by 29 June 2021.

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Out of scope

From: s9(2)(a)  
Sent: Monday, 28 June 2021 1:52 pm  
To: s9(2)(a)  
Cc: Planning Support  
Subject: RE: 2200523-RMALUC - Lot 6, Rawhiti Road, Russell 0272

Hi s9(2)(a)

Does DOC have any comments on this application?

Cheers,

s9(2)(a) | s9(2)(a)  
s9(2)(a) | s9(2)(a) | [landsandsurvey.co.nz](https://landsandsurvey.co.nz) |

---

From: s9(2)(a) s9(2)(a) @fndc.govt.nz>  
Sent: Tuesday, 22 June 2021 2:19 pm  
To: s9(2)(a) | s9(2)(a) doc.govt.nz>  
Cc: s9(2)(a)  
Subject: RE: 2200523-RMALUC - Lot 6, Rawhiti Road, Russell 0272

Kia ora s9(2)(a)

Yes, both have been informed as per the attached emails, using the iwi contact details Council has at the moment.

Kind regards,

 s9(2)(a)  
District Services, Far North District Council | 24-hour Contact Centre 0800 920 029  
s9(2)(a) | s9(2)(a) fndc.govt.nz  
[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

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From: s9(2)(a) s9(2)(a) doc.govt.nz>  
Sent: Tuesday, 22 June 2021 12:51 PM  
To: s9(2)(a) s9(2)(a) @fndc.govt.nz>  
Subject: RE: 2200523-RMALUC - Lot 6, Rawhiti Road, Russell 0272

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Do not click links or open attachments unless you recognise the sender and know the content is safe.

Thanks for sending this through,

Could you please let me know if this application has been sent to Ngati kuta and Patukeha?

Thanks,



s9(2)(a)

Department of Conservation  
Bay of Islands Office  
34 Landing Rd, PO Box 128, Kerikeri 0245  
M: s9(2)(a)

From: s9(2)(a) s9(2)(a) @fndc.govt.nz>  
Sent: Monday, 21 June 2021 4:00 pm  
Subject: 2200523-RMALUC - Lot 6, Rawhiti Road, Russell 0272

Kia ora All,

RE: Resource Consent Application RC 2200523-RMALUC.

Please find attached a resource consent application received by Far North District Council.

The application is for a proposal to clear indigenous vegetation in order to create space to plant fruit trees.

The application is being processed by s9(2)(a) from s9(2)(a)

Please be aware that the Resource Management Act 1991 requires Council to determine, within 20 working days of an application being lodged, whether to notify the application. Comments from interested parties can be crucial to making that decision.

It is recommended that you contact s9(2)(a) or s9(2)(a) within five working days of receiving this email to ensure your feedback is received before a decision is issued.

Ngā mihi,



s9(2)(a)

District Services, Far North District Council | 24-hour Contact Centre 0800 920 029

s9(2)(a) | s9(2)(a) fndc.govt.nz

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Ph. 09 401 5500 | Fax. 09 401 2137 | Email. [ask.us@fndc.govt.nz](mailto:ask.us@fndc.govt.nz)  
Address: Terminal Avenue, Private Bag 752, Kaikohe 0440, New Zealand

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Far North District Council | Te Kaunihera o Tai Tokerau Ki Te Raki  
Ph. 09 401 5200 | Fax. 09 401 2137 | Email. [ask.us@fndc.govt.nz](mailto:ask.us@fndc.govt.nz)  
Address. Memorial Avenue, Private Bag 752, Ka kohe 0440, New Zealand

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## Out of scope

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**From:** s9(2)(a)  
**Sent:** Wednesday, 30 June 2021 8:45 am  
**To:** s9(2)(a)  
**Subject:** RE: 1 of 2 emails: FW: S95E Task Assignment RC2224 Julian Batchelor (Council Comments)

Thanks s9(2)(a)

Ae happy with this.

Nga mihi

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**From:** s9(2)(a) s9(2)(a) doc.govt.nz>  
**Sent:** Tuesday, 29 June 2021 1:25 pm  
**To:** s9(2)(a) <s9(2)(a) doc.govt.nz>  
**Subject:** RE: 1 of 2 emails: FW: S95E Task Assignment RC2224 Julian Batchelor (Council Comments)

Kia ora s9(2)(a)

Happy with the following?

Hi s9(2)(a)

The site is adjacent DOC reserve, and a well-used DOC walking track goes through the site. The application details aspiration to enhance ecological values, DOC would suggest inter-planting more suitable native plants within the regenerating manuka/kanuka forest. The site will be visible from the road and the DOC reserve and walking track. Visual effects should be considered. Mana whenua have expressed a range of concerns regarding the application and DOC would support the views of local hapū being considered and appropriately addressed.

Thanks,

DSD: <https://doccm.doc.govt.nz/wcc/faces/wccdoc?dID=8513912&dDocName=DOC-6705022>

Thanks,

s9(2)(a)

Department of Conservation  
Bay of Islands Office  
34 Landless Rd, PO Box 128, Kenkeri 0245

M: s9(2)(a)

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**From:** s9(2)(a) <s9(2)(a) doc.govt.nz>  
**Sent:** Tuesday, 22 June 2021 4:58 pm  
**To:** s9(2)(a) s9(2)(a) doc.govt.nz>; s9(2)(a) s9(2)(a) doc.govt.nz>  
**Subject:** 1 of 2 emails: FW: S95E Task Assignment RC2224 Julian Batchelor (Council Comments)

From: RMA <RMA@doc.govt.nz>

Sent: Tuesday, 22 June 2021 2:24 pm

To: s9(2)(a) s9(2)(a) @doc.govt.nz>

Cc: s9(2)(a) s9(2)(a) doc.govt.nz>; s9(2)(a) doc.govt.nz>

Subject: S95E Task Assignment RC2224 Julian Batchelor (Council Comments)

Kia ora 

Please see an RMA S95E Task Assignment RC2224 Julian Batchelor for your consideration.

**Context:** Far North District Council has contacted DOC requesting comments on a resource consent application for retrospective clearance of indigenous vegetation at 147 Rawhiti Road, Rawhiti.

Note that the ecological assessment refers to an area of proposed clearance additional to the retrospective clearance. The applicant has removed this from the application as per the s92 correspondence, so the application is purely retrospective.

The site is located with a Kiwi Present Area. There are no other items noted on the site on DOC-GIS. The site is located adjacent to PCL – Oke Bay Scenic Reserve. The Cape Brett track also runs through the property.

The applicant has provided a comprehensive ecological assessment which suggests a number of mitigation methods. The assessment concludes the following: *if the mitigation actions recommended above are implemented effectively there will be a small reduction in the overall amount of habitat, but the quality, resilience, diversity and integrity of the remaining vegetation at the site will be maintained via the actions proposed (removing weeds and pests, improving diversity via planting and reducing edge effects). The vegetation removal has not removed the ecological connectivity across the site because the indigenous vegetation remains connected around the cleared area. The retention of vegetation around the proposed shed and accommodation site would assist in maintaining ecological connection for all but the most sedentary of species.*

*The affected vegetation is of moderate – low ecological value and the magnitude of effects at the ecological district level is very low. On that basis the level of effects is very low and provided that appropriate mitigations are undertaken (e.g. imposed as conditions of consent) then the effects on ecological values would be negligible (i.e. a shift away from baseline conditions which is barely discernible).*

Local context (see link below) has outlined a number of issues with the application, including the suitability of proposed species to be planted, visual amenity effects and cultural effects.

Given the local context, a task assignment to decide whether to provide comments (and subsequently provide comments) to Council is considered necessary.

The purpose of this task is to decide whether to provide comments on the application, and subsequently provide comments.

Please check the Task Assignment and if you're satisfied with it, forward it through to your s9(2)(a)

s9(2)(a)

The council requested comments by 29 June 2021.

Find the full task assignment below if you are unable to access DocCM.

Please provide a summary report to [RMA@doc.govt.nz](mailto:RMA@doc.govt.nz) capturing the outcome of this task using the [Cover Sheet](#) and [Decision Support Document](#). Use the reference number given to this task to capture milestones and monitor progress in the RMA system.

District Office staff are the only team members assigned, please arrange a context meeting amongst yourselves.

Ngā mihi

s9(2)(a)

RMA  
Department of Conservation | Te Papa Atawhai

[www.doc.govt.nz](http://www.doc.govt.nz)



DOC Ref: RC2224

To: s9(2)(a)

From: s9(2)(a)

Date: 22 June 2021

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Task Assignment Council Comments: Julian Batchelor

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Julian Batchelor

**Context:** Far North District Council has contacted DOC requesting comments on a resource consent application for retrospective clearance of indigenous vegetation at 147 Rawhiti Road, Rawhiti.

Note that the ecological assessment refers to an area of proposed clearance additional to the retrospective clearance. The applicant has removed this from the application as per the s92 correspondence, so the application is purely retrospective.

The site is located with a Kiwi Present Area. There are no other items noted on the site on DOC-GIS. The site is located adjacent to PCL - Oke Bay Scenic Reserve. The Cape Brett track also runs through the property.

The applicant has provided a comprehensive ecological assessment which suggests a number of mitigation methods. The assessment concludes the following: *if the mitigation actions recommended above are implemented effectively there will be a small reduction in the overall amount of habitat, but the quality, resilience, diversity and*

*integrity of the remaining vegetation at the site will be maintained via the actions proposed (removing weeds and pests, improving diversity via planting and reducing edge effects). The vegetation removal has not removed the ecological connectivity across the site because the indigenous vegetation remains connected around the cleared area. The retention of vegetation around the proposed shed and accommodation site would assist in maintaining ecological connection for all but the most sedentary of species.*

*The affected vegetation is of moderate – low ecological value and the magnitude of effects at the ecological district level is very low. On that basis the level of effects is very low and provided that appropriate mitigations are undertaken (e.g. imposed as conditions of consent) then the effects on ecological values would be negligible (i.e. a shift away from baseline conditions which is barely discernible).*

Local context (see link below) has outlined a number of issues with the application, including the suitability of proposed species to be planted, visual amenity effects and cultural effects.

Given the local context, a task assignment to decide whether to provide comments (and subsequently provide comments) to Council is considered necessary.

**Purpose: To decide whether to provide comments on the application, and subsequently provide comments.**

**Quantity:**

- Determine a position on the proposed activity
- Provide the appropriate comments regarding the proposed activity
- Provide summary report to [xxx@xxx.xxxx.xx](mailto:xxx@xxx.xxxx.xx) capturing nature of discussions, outputs and actions using the [Cover Sheet](#) and [Decision Support Document](#)

**Quality:**

- Utilise resources provided
- Request changes to resources if required
- Assess and escalate critical issues
- Consider if discussion is required with iwi/hapu/whanau
- Use team process
- Ensure outcome is appropriately reported and sent to [xxx@xxx.xxxx.xx](mailto:xxx@xxx.xxxx.xx)
- Ensure that effects on habitats and ecosystems are suitably mitigated
- Liaise with iwi as necessary
- Ensure effects on PCL are suitably mitigated

**Team Members:**

- Community Ranger
- Biodiversity Ranger

Link to draft application/request for comments: [DOC-6697560](#)

**Timeframe**

Council have requested comments by 29 June 2021.

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## Out of scope

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**From:** RMA  
**Sent:** Tuesday, 29 June 2021 1:55 pm  
**To:** s9(2)(a)  
**Subject:** RE: 1 of 2 emails: FW: S95E Task Assignment RC2224 Julian Batchelor (Council Comments)

Kia ora s9(2)(a)

Thank you for sending the Decision Support Document to the RMA System.

We have reviewed the document and the task is now marked as complete.

Ngā mihi

s9(2)(a)

Department of Conservation | Te Papa Atawhai

[www.doc.govt.nz](http://www.doc.govt.nz)



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**From:** s9(2)(a) <s9(2)(a)@doc.govt.nz>  
**Sent:** Tuesday, 29 June 2021 1:43 pm  
**To:** RMA <RMA@doc.govt.nz>  
**Subject:** FW: 1 of 2 emails: FW: S95E Task Assignment RC2224 Julian Batchelor (Council Comments)

Hi there,

Please close of this task.

DSD: <https://doccm.doc.govt.nz/wcc/faces/wccdoc?dID=8513912&dDocName=DOC-6705022>

Thanks,

s9(2)(a)

s9(2)(a)

Department of Conservation  
Bay of Islands Office  
14 Landing Rd, PO Box 128, Kenkeri 0245

s9(2)(a)



## RMA Decision Support Document – Comments on an RMA Proposal/ Application

*Use this Decision Support Document when asked to provide comments on an RMA proposal or application (either to the applicant or to the Council). Please note, detailed explanations in all sections may not always be required. The level of detail should reflect the significance and complexity of the activity you are assessing.*

### Details

Decision Maker	Bronwyn Bauer-Hunt
Applicant	Julian Batchelor
Application Number	RC2224
Consenting Authority	FNDC

### Key Dates

Application received	21/06/21
Task Assignment assigned	22/06/21
Context Meeting	
Check-In Meeting	

### Document Links

Application	<a href="#">DOC-6697560</a>
Task Assignment	RC 2224

### Team Members

Community Ranger	s9(2)(a)
Operations Manager	s9(2)(a)

## Task Register

A team member (decided at the context meeting) is to complete Task Register following the Context Meeting and any Check In meetings. At each meeting, ask team members assigned a task how long they estimate the time will take to complete (total time to complete, not when it will be completed by). All tasks must be assigned a due date by the Decision Maker.

Please note that tasks set out below are suggestions and can be changed by the decision maker.

Tasks as set by the Decision Maker:

No.	Task description	Accountability	Estimated time req'd to complete task	Timeframe (date due)	Date complete	Time taken to complete task
1	Undertake an assessment of the proposal to determine the effect on DOC's interests & undertake an assessment of the proposal to determine consistency with DOC's strategic direction and policies.	s9(2)(a)	30min	29/06/21	29/06/21	30min
2	Look at effects	s9(2)(a)	30min	29/06/21	29/06/21	10min
3	Draft comments, to FNDC, regarding DOC's concerns and consistency with adjacent proposal	s9(2)(a)	30min	29/06/21	29/06/21	30 min

## 1. Purpose

To make a decision on the comments to be provided to an applicant or council.

## 2. Context

Community Ranger to complete each section below as required. The initial context can be taken from Task Assignment, with additional context taken from the Context meeting.

### Description of Proposal

High level description. Can be taken from the task assignment.

Far North District Council has contacted DOC requesting comments on a resource consent application for retrospective clearance of indigenous vegetation at 147 Rawhiti Road, Rawhiti.

Note that the ecological assessment refers to an area of proposed clearance additional to the retrospective clearance. The applicant has removed this from the application as per the s92 correspondence, so the application is purely retrospective.

The site is located within a Kiwi Present Area. There are no other items noted on the site on DOC-GIS. The site is located adjacent to PCL - Oke Bay Scenic Reserve. The Cape Brett track also runs through the property.

The applicant has provided a comprehensive ecological assessment which suggests a number of mitigation methods. The assessment concludes the following: *if the mitigation actions recommended above are implemented effectively there will be a small reduction in the overall amount of habitat, but the quality, resilience, diversity and integrity of the remaining vegetation at the site will be maintained via the actions proposed (removing weeds and pests, improving diversity via planting and reducing edge effects). The vegetation removal has not removed the ecological connectivity across the site because the indigenous vegetation remains connected around the cleared area. The retention of vegetation around the proposed shed and accommodation site would assist in maintaining ecological connection for all but the most sedentary of species.*

*The affected vegetation is of moderate - low ecological value and the magnitude of effects at the ecological district level is very low. On that basis the level of effects is very low and provided that appropriate mitigations are undertaken (e.g. imposed as*

*conditions of consent) then the effects on ecological values would be negligible (i.e. a shift away from baseline conditions which is barely discernible).*

Local context (see link below) has outlined a number of issues with the application, including the suitability of proposed species to be planted, visual amenity effects and cultural effects.

Given the local context, a task assignment to decide whether to provide comments (and subsequently provide comments) to Council is considered necessary.

Location/s

147 Rawhiti Rd, Rawhiti

**Conservation Value/s**

*Description of relevant values identified in the proposal.*

*Site is adjacent PCL, and has a DOC walking track through the site.*

DOC Strategic Priorities, Policies and Plans

*Identify any policies or sections of statutory documents that are relevant to this proposal - for example from the NZ Coastal Policy Statement, Conservation Management Strategies, and Management Plans.*

Conservation Management Strategy

NZCPS

**Other DOC approvals Required**

*Identify any other approvals under DOC legislation, including the Conservation Act, Wildlife Act, Freshwater Fisheries Regulations. These may be listed in the task assignment, but there may be additional authorisations required.*



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### 3. Critical Issues

List the Critical Issues from the Task Assignment, the Context Meeting, and any Check In meetings.

1. How to ensure hapū engagement is considered
2. How to understand the effects of the retrospective application, in the context of others and in the landscape

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#### 4. Contributions

Each team member must enter their contribution into the appropriate space below. Your contributions are to reflect tasks set by the Decision Maker, as recorded in the Task Register. Add and delete boxes as required.

s9(2)(a) : Site is adjacent DOC track

#### 5. Recommendation

Insert the recommended comments. Comments should consider all available information and contributions made by team members. You may include multiple options for the Decision Maker to consider.

To provide comments to FNDC:

Hi s9(2)(a)

The site is adjacent DOC reserve, and a well-used DOC walking track goes through the site.

The application details aspiration to enhance ecological values, DOC would suggest inter-planting more suitable native plants within the regenerating manuka/kanuka forest.

The site will be visible from the road and the DOC reserve and walking track. Visual effects should be considered.

Mana whenua have expressed a range of concerns regarding the application and DOC would support the views of local hapū being considered and appropriately addressed.

Thanks,

s9(2)(a)

#### 6. Decision Making

Decision maker must complete the Decision section

### Comments and Rational for Decision

*Decision Maker to comment on the rationale behind their decision. If there is nothing contentious this can be brief, but if there are differing views between DOC staff or there are multiple options available, or the decision made is different from what is recommended/requested, the rationale for the decision made must be clearly provided.*

### Decision

1. Provide comments to FNDC, highlighting concerns regarding vegetation choice and mana whenua



Signed by Bronwyn Bauer-Hunt

Pou Matarautaki / Operations Manager, Bay of Islands

[Location of Decision Maker]

Pursuant to a delegation dated 9 September 2015<sup>1</sup>

29/06/21

Date

<sup>1</sup> Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18 - 32 Manners Street, Wellington 6011

