

27 November 2017

Department of Conservation
PO Box 4715
CHRISTCHURCH 8140

**WAITAKI BOYS' HIGH SCHOOL BOARD OF TRUSTEES
APPLICATION FOR CONCESSION AT AVOCA HOUSE, LAKE MIDDLETON**

1. We enclose:
 - (a) Applicant Information Form 1A; and
 - (b) Concession Application Form 3b

We also provide this letter with further information regarding Waitaki Boys' High School Board Of Trustees' ("WBHS") application which we trust will be sufficient to meet your requirements.

2. WBHS has leased the dwelling and surrounding section containing 1554sqm more or less being part sections 1, 7 and 10 Block VII Campbell Survey District more particularly described in S.O. Plans 16711, 19462 and 20236 for a number of years.
3. WBHS is a state school and has used and would intend to continue to use the site for outdoor education, school curriculum activities, and professional development opportunities for teaching staff.
4. During the time that WBHS leased the site from the Waitaki District Council, the school also took responsibility for maintenance and repair. The school has also looked after the land and carried out pest control and observed the Heritage New Zealand requirements for the dwelling.
5. As indicated in earlier correspondence, in addition to WBHS' use of the site, they make the site available to other schools in the lower South Island, with students coming from around Otago and Southland. The school also allows ski instructors from Ohau to use the dwelling during winter to keep the plumbing in working order during the colder months and reduce the maintenance costs if it was vacant during winter. Any funds collected by WBHS for the use by other schools or the ski instructors is put towards the ongoing maintenance costs. No profit is made by the school by allowing use by these other organisations.

6. If WBHS is successful in its application for a lease then they have plans to attend to certain repairs and maintenance at the site. However, the maintenance will be quite a financial undertaking and therefore WBHS is hopeful that they can secure a concession for a long term.
7. We have attached a small selection of photographs from the site. You will note one of the buildings on site which is due to undergo maintenance and repair. Please can all of the photographs that show students be kept private and not be disclosed should the application be notified.
8. As WBHS has occupied the site for a number of years we would ask that this be given consideration when processing this application.
9. If at any stage you require any further information or details please do not hesitate to contact us.

Yours faithfully

BERRY & CO



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Senior Solicitor

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Encl.

ATTACHMENT 1A and 3B



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

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

Please complete this application form, attach Form 1a or Form 1b, and any other applicable forms and information and send to Department of Conservation Office closest to where the activity is proposed. The Department will process the application and issue a concession if it is satisfied that the application meets all the requirements for granting a concession under the Conservation Act 1987.

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

A. Description of Activity

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

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

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

Lease of Avoca House, Lake Middleton being the dwelling and surrounding sections an area of approximately 1554 m2 more less

Waitaki Boys' High School Board of Trustees have leased Avoca House for a number of years for school camps for their students.

With permission of Waitaki District Council who prior to this application were responsible for administering this land they built a bunkhouse which is removable.

B. Alternative sites considered

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

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

N/A

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility **YES / NO**

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

Attached are GPS points for the site. The site is fenced.

Is this necessary for safety or security purposes? **YES / NO**

Is this necessary as an integral part of the activity? **YES / NO**

Is this essential to carrying on the activity? **YES / NO**

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

As the site is used for outdoor education it is essential to have the ability to use more than the structure on the

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **YES / ~~NO~~**
(Exclusive occupation requires a lease which requires public notification of the application)

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

Is exclusive possession necessary to protect public safety? **YES / ~~NO~~**

Is exclusive possession necessary to protect physical security of the activity? **YES / NO**

Is exclusive possession necessary for the competent operation of the activity? **YES / ~~NO~~**

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

The school requires exclusive possession of the house which needs to be kept locked and secured at all times. As the school undertakes pest management of the land it is important that they have control of the full site, however this does not mean that they will not make the site available for the use of other schools (when not used by them), but it is important that they are aware of who and when the site is accessed.

E. Technical Specifications (for telecommunications sites only)

Frequencies on which the equipment is to operate **N/A**

Power to be used (transmitter output) **N/A**

Polarisation of the signal **N/A**

Type of antennae **N/A**

The likely portion of a 24 hour period that transmitting will occur **N/A**

Heaviest period of use **N/A**

F. Term

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

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

Thirty (30) years (please see accompanying letter)

G. Bulk fuel storage

Under the Hazardous Substances and New Organisms Act 1996 (HSNO Act) 'Bulk fuel storage' is considered to be any single container, stationary or mobile, used or unused, that has a capacity in excess of 250 litres of Class 3 fuel types. This includes petrol, diesel, aviation gasoline, kerosene and Jet A1. For more information on Hazardous Substances, go to: <http://www.business.govt.nz/worksafe/information-guidance/legal-framework/hsno-act-1996>

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

YES / NO

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

H. Environmental Impact Assessment

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

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

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

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
<p>EG: Tararua Forest Park</p> <p>Avoca House, Lake Middleton and surrounding land as shown on aerial photograph</p>	<p>Northern rata - threatened species</p> <p>Avoca House is over 100 years old making it a heritage site.</p>	<p>Damage to the plants by construction</p> <p>Occupation of site has the following potential effects:</p> <ul style="list-style-type: none"> - Attracting Vermmin, Rubbish and contamination 	<p>Brief construction and maintenance staff of the location and importance of the species; clearly tape off areas with the species to avoid damage</p> <p>Food is taken in with each camp group in large sealable containers. The kitchen area has a fridge and chest freezer and kitchen units. Non-perishable food (i.e. not requiring freezing or refrigeration) is mostly tinned. It is a rule that all rubbish must be taken away from the site and appropriately disposed of.</p> <p>There are rat and mice bait stations around buildings but no dead animals have been located and none have ever been found inside the buildings to the schools knowledge. Only animals sighted are rabbits, ferrets, cats and limited birdlife (mainly ducks).</p> <p>All kayaking and sailing equipment (including lifejackets) is stored in the shed on-site. The School's kayaking and sailing equipment (including lifejackets) is only used in Lake Middleton not in other bodies of water</p>
		<p>- Trampling Vegetation</p>	<p>No native species of ground based plants or animal identified</p>

		<p>on site. The area is dry and stony with little growth. If there is rain the "lawn" will sometimes have green patches.</p> <p>Students are not allowed in pine trees behind the site nor the private land adjacent to the site. All tramping is undertaken offsite in another appropriate location.</p> <p>Access to Lake Middleton is over the stile (marked on plan) and through the grassed camping area which is open to the general public.</p>
	<p>- Fire</p>	<p>Food is prepared in the kitchen. The School has no open fires on the site and the bbq is gas fuelled. Fire extinguishes are available and there is a mains water supply and hose.</p> <p>As the area is extremely dry and stony, if there is ever any grass on the "lawn" surrounding the buildings, it is kept mown, any fallen branches are taken away and the hedge is trimmed. The hedge on site is not a native species. The trees on site are left as they are to provide a natural windbreak for the site.</p>
	<p>- Burst Pipes and issues around appropriate disposal of human waste</p>	<p>There are toilet facilities on-site with a sewage tank which is emptied and cleaned as required.</p> <p>School allows ski instructors occupation over winter months to prevent water pipes bursting and to try and minimise any damage to the building from the cold.</p>
	<p>- Noise and Light Pollution</p>	<p>Students are not allowed out at night-time and are required to be in bed while dark.</p> <p>No external lights on site (inside buildings only).</p> <p>Students are supervised and noise monitored by supervising senior students and staff.</p> <p>Student numbers are capped. The maximum number on-site (including staff and senior supervising students) is 35 for Year 9 camps, but preferred number is 20.</p>

		<p>- Water Safety</p>	<p>All students are carefully supervised around and on Lake Middleton. Life jackets must be worn and are brightly coloured. If members of the public are using jet skis or any other equipment which may affect student safety then activities on the lake for students are suspended.</p> <p>During Year 9 camps a buoyed line is put out at chest depth to demarcate the point to which students may swim.</p>
		<p>- Keeping the house in order and repair and secure from unauthorised use and potential misuse.</p>	<p>The kitchen units have recently been upgraded and the School has identified some larger repair and maintenance projects that they would wish to carry out promptly to maintain the house and upgrade facilities should they obtain a concession.</p> <p>The buildings are locked and the area is fenced. The gate into the site is not locked which allows vehicular access if required. By securing buildings it means that only those that the School knows about have authorised access and use of the facilities, giving control and potentially accountability if there are any issues identified around use (no issues have been identified to date).</p> <p>The School can also control the fair, wear and tear on the house by keeping control of the numbers on site at a time. The house only has facilities to sleep 6/7.</p> <p>Fencing the site keeps students safe. There are signs on the fence surrounding the site to indicate that area is not open to general public.</p>
	<p>Outdoor & Environmental Education</p>	<p>- Water Use</p> <p>Students being in open space away from the school and home environment and modern</p>	<p>The site has mains supply and the School abides by local council rules around usage.</p> <p>Students given informal instruction on respecting outdoors & outdoor activities. Both older and younger students learn about responsibility and looking after each other and being</p>

	<p>electronic devices (but still with on-site facilities to ensure minimal impact on land).</p>	<p>safe in the outdoors. Older students have the opportunity to be in leadership roles by supervising and teaching younger students.</p>
	<p>Experiencing the outdoors away from an urban area in a safe and supervised environment and having the opportunity to try activities that they may not otherwise have.</p>	<p>Students are supervised on 7:8 students per 1 supervisor basis. The school has safety equipment on site (see above). Senior students undergo a leadership camp prior to supervising younger students. Students are required to be in bed during night-time hours.</p>

I. Other

Is there any further information you wish to supply in support of your application? Please attach if necessary and label Attachment 3a:1.

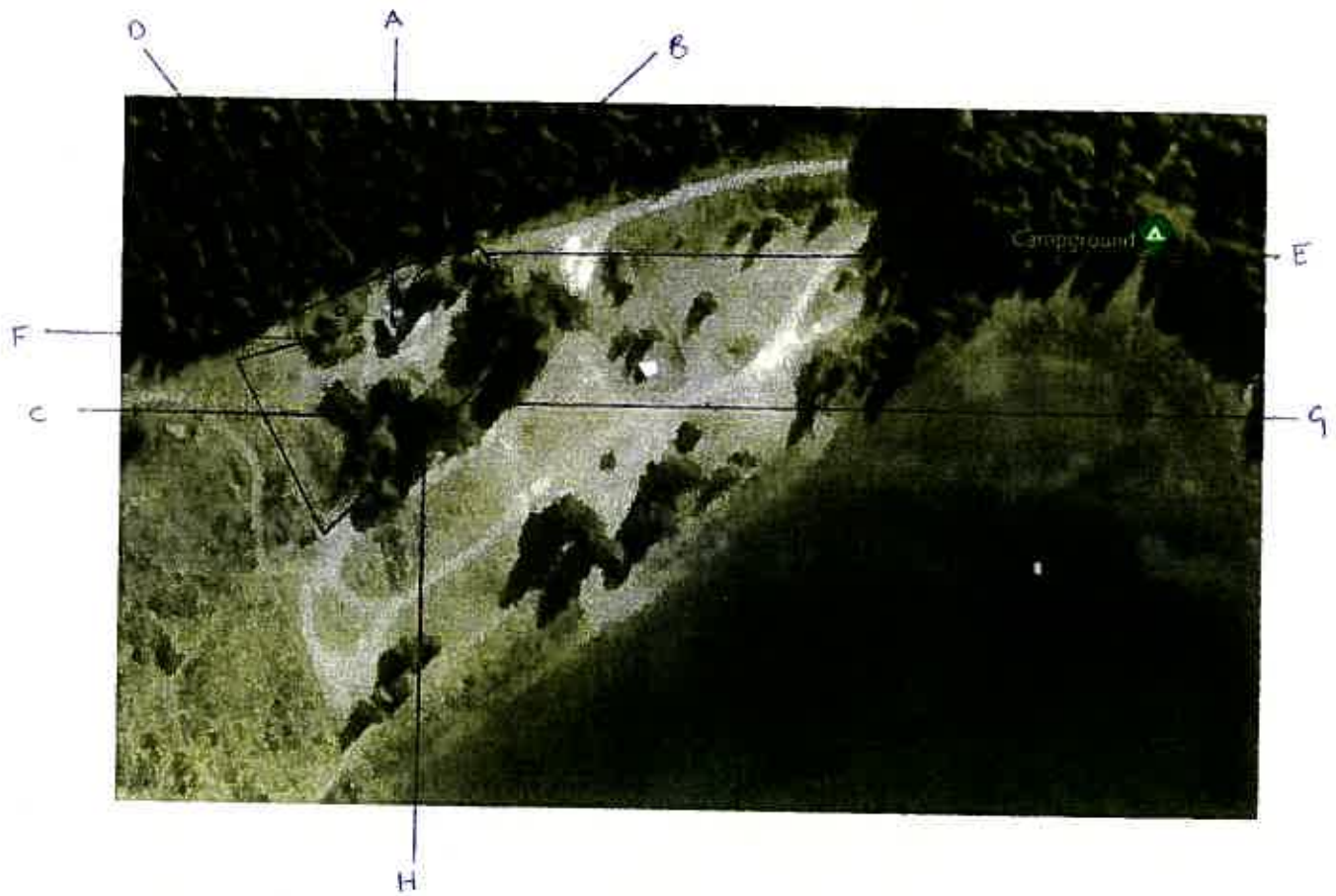
The School has occupied the site for a number of years pursuant to a Deed of Lease with the Waitaki District Council. The School recognises the special nature of this area and the importance for its students and staff to care, value and respect the opportunity to utilise the site for its school curriculum and outdoor education.

By being based at the site, students are able to undertake the following activities on Lake Middleton: sailing, kayaking, swimming and fishing. The site is also close to areas that students can safely tramp and cycle. Having the open space around the building allows them to kick a ball around, undertake trust exercises and generally spend time outside.

The School has allowed other lower South Island schools to use the site and with the Department of Conservation permission would continue to do so. The current bookings for use of the site are attached. The School collects a small per person levy of \$6 a night per student and \$12 a night per adult, which was during the lease period with Waitaki District Council used for maintenance but since the end of that lease has been set aside in a maintenance account pending a decision on this concession application. If the concession is granted the School is looking to (in respect of Avoca House) – replace the roof and improve general weather tightness, repaint the building, upgrade toilets, gas heating for water and will continue to attend to the on-going minor maintenance matters. Recently the school has upgraded the kitchen units and put in a new fridge/freezer.

If the concession is granted the School would put in place a "casual user agreement" or such other documentation that the Department requires for other School's use and that of ski instructors. The levy for ski instructors is a flat fee of \$3,000.00.

The School is mindful of providing an affordable outdoor experience for all of its students.



A = Avoca House: Kitchen, ablutions, 3 bedrooms, lounge, toilets
 use - food preparation, showering, staff accommodation, toilets

B = Shed (at back of house)
 use - storage of kayaks, lifejackets, sailing equipment, bbq

C = WBHS owned bunkhouse
 use - sleeping (25 students)

D = Septic tank vent

E = Entrance Gate

F = Non-native hedge

G = Stile
 use - access to Lake Middleton

H = Beech Grove inside fence boundary (planted by WBHS)
 use - natural windbreak and shelter

Attachment 3b:H





Attachment 3b:H





Attachment 3b: H



Attachment 3b:H



Attachment 3b:H



Atkinson SB. 11

