



Concession Document Variation of Concession Document

Concession Number: WK-28370-OTH

This Deed of Variation of a concession document is made this 21st day of June 2019

PARTIES:

Minister of Conservation (the Grantor)

Nigel Robert Taylor, Executor of the estate of A. R. Taylor, Deceased (the Concessionaire)


BACKGROUND

- A. By a Concession dated the 20th day of December 2013 (the Concession) the Grantor granted an easement to the Concessionaire upon the terms and conditions expressed and implied in the Concession.
- B. The parties have agreed to vary the Concession.

NOW BY THIS DEED the parties agree as follows:

1. Variation

- (a) As from the date of this Deed the Concession is varied as follows:

- (i) s 9(2)(b)(ii) 
- (ii) Clause 7 of Schedule 1 (Concession Fee Payment Dates) is deleted and replaced with; In accordance with the Grantor's invoice.
- (iii) Clause 10 of Schedule 1 (Insurance) is varied by deleting insurance type point (ii).
- (iv) Clause 11 of Schedule 1 (Addresses for notices), the Grantor's address is deleted and replaced with: Physical Address: Department of Conservation, Ōtepoti/Dunedin Office, Level 1, John Wickliffe House, 265 Princes Street, Dunedin 9016, PO Box 5244 Moray Place Dunedin 9054, Phone: (03) 477 0677, Email: permissionsdunedin@doc.govt.nz.
- (v) Special condition 4 in Schedule 3 is deleted and replaced with: The Concessionaire is to construct the road following the same line as the updated roading plan dated 6 March 2019 prepared by Steve Harvey of Rayonier Matariki Forests (attached in appendix 2 in this document).

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(vi) Special condition 15 is deleted.

(vii) Additional special condition; The road must be constructed in accordance with the methods outlined in the environmental impact assessment (2006) prepared by Chris O'Donoghue of Arbor Solutions Ltd.

(viii) Additional special condition; The Concessionaire must comply with the kauri protection hygiene requirements as outlined in the Waikato Regional Council Staff and Contractor SOP for Kauri Protection (attached as appendix 1 to this document).

(vii) The map in schedule 4 is deleted and replaced with the map attached to appendix 2 in this document.

2. Confirmation of other Concession Covenants

(a) Except to the extent to which they are varied by this Deed the covenants, terms and conditions expressed and implied in the Concession continue to apply.

3. Costs

(a) The Concessionaire will pay the costs of and incidental to the preparation and completion of this Deed.

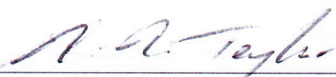
[INSERT DIGITAL SIGNATURE]

SIGNED on behalf of the Minister of
Conservation by **Nick Kelly, Operations
Manager, Whitianga District** acting
under delegated authority
in the presence of:

[INSERT DIGITAL SIGNATURE]

Witness Signature

A copy of the Instrument of Delegation may
be inspected at the Director-General's office
at 18-22 Manners Street, Wellington.


SIGNED by **Nigel Robert Taylor, Executor
of the estate of A. R. Taylor, Deceased**

in the presence of:

Witness Signature

Witness Name: _____

Witness Occupation: _____

Witness Address: _____



Appendix 1

Kauri Protection Hygiene Requirements (v3)

Waikato Regional Council Staff and Contractors

05 March 2018

Author Kim Parker



Background

Kauri dieback is caused by a microscopic soil-borne organism called *Phytophthora agathidicida* (PA), which kills all kauri it has infected and it is incurable. The organism can survive in the soil, away from kauri, for many years and can be spread in small amounts of soil.

Kauri grow naturally from 38°S northwards, a virtual line from Kawhia to Tauranga (refer to figure 1). However, kauri are often found planted within and outside of its natural distribution. These requirements apply to all kauri.

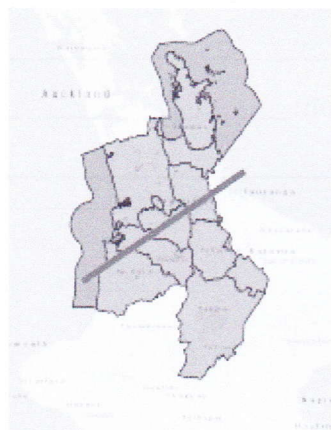


Figure 1: natural line for kauri, 38 degrees north

In 2018 kauri were listed as a nationally threatened species and are now considered 'nationally vulnerable' because of the threat of this organism.

PA is not widespread in the Waikato region, there are only a few sites currently known on the Coromandel peninsula. People and their activities are the main means in which it has been spreading. Movement of contaminated soil is how the organism is spread. Therefore, to stop the spread of this organism prevention measures focus on stopping soil movement.

The following hygiene requirements apply to all areas with kauri in the Waikato region and have been aligned with other current best practice national guidelines.

For further information on kauri dieback visit www.kauridieback.co.nz.

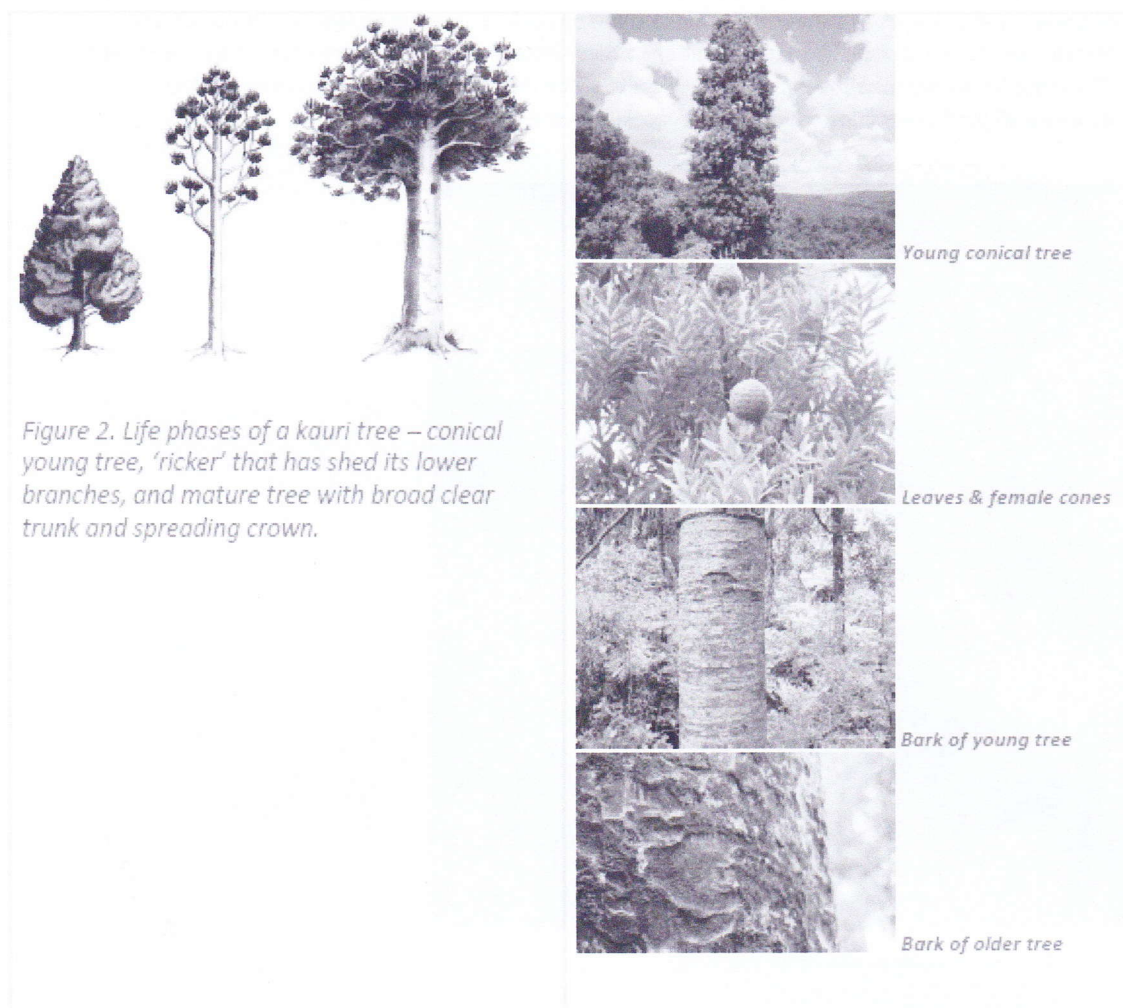
FOLLOW THESE HYGIENE REQUIREMENTS AND HELP PROTECT KAURI

Purpose

The purpose of this document is to outline Kauri Protection Hygiene Requirements for anyone operating in areas where kauri are present. It is also to raise the awareness of the seriousness of kauri dieback, and encourage staff to be advocates of hygiene best practice with their colleagues, external agencies, contractors, and the public.

Handwritten signature/initials.

Council staff or contractors need to be aware of how to identify kauri – see photographs and figure 2. Visit the [NZ Plant Conservation Network website](#) for more information on [kauri](#).



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Kauri dieback areas in the Waikato

As at February 2019 there are six kauri dieback positive sites in the Waikato region. These sites are all on the Coromandel; in Whangapoua (4 sites), Hukarahi (1 site – on public conservation land just North-West of Whitianga), and Tairua (1 site). The actual location of these sites on private land are covered by the Privacy Act. The maps below describe the approximate vicinity of the infected areas. Please contact Council biosecurity staff for further information prior to working in the marked areas.



Figure 3: Confirmed kauri dieback sites on the Coromandel

2.2.1

Hygiene requirements

Working in kauri dieback infected areas in the Waikato

For any works planned in kauri dieback infected areas contact Council biosecurity staff directly to develop a management plan prior to undertaking any works.

Working between kauri dieback infected areas

No vehicles, machinery or equipment that have been used in infected kauri areas are to be used in non-infected kauri areas. Equipment includes but is not limited to bait stations, traps, footwear, hammers, staplers, and packs – all equipment used while working in an infected site.

Working where kauri are present

The Council has kauri location data for much of the region in GIS and where possible will provide kauri data on a map and as shape files to staff and contractors as requested. This data is not yet complete, and is of canopy visible kauri only. It can be expected that you will encounter kauri that are not identified on this map.

1. Undertake work activities in non-kauri areas prior to operating within kauri areas, where possible.
2. Avoid working in any kauri areas in wet conditions, where possible (this is to limit soil-movement).
3. Where possible, do not work within the kauri root zone, *which extends to 3 times the canopy radius of any tree (refer to figure 4)*.
4. Where you must work inside the kauri root zone,
 - a. Wear disposable overshoe booties. Overshoe booties are strictly single use. Put new booties on when entering a kauri stand. On exiting that kauri stand, the overshoe booties must be sealed in a plastic bag for later disposal.
5. If overshoe booties are not worn footwear must be cleaned (to dirt free) and disinfected between kauri stands. Follow the cleaning procedures below.
6. All machinery and vehicles (quads, two wheelers, LUVs, utes, etc.) are not to be used within the kauri root zone.
7. Where any machinery or vehicles are used inside the kauri root zone, they will need to be cleaned of soil (on tyres, mudflaps, body, floor wells etc.) upon leaving the kauri root zone as per the procedures below.

Contractors

8. On request provide GPS waypoint information, identifying where cleaning has occurred, and track logs where any work has occurred to council.

N.A.T.

Cleaning procedures

Removal of all soil is the most important part of cleaning. Applying disinfectant to soil will not kill the pathogen.

1. Dry brush to remove all mud and soil. Care must be taken in the disposal of soil removed from equipment – discard off track and away from Kauri.
2. Disinfect (after mud/soil/plant matter is removed) using a spray bottle with disinfectant (SteriGENE 2%, Meths 70-100% or household bleach 1:4 parts water). Allow to dry for approximately one minute.

Council staff

All Council vehicles or staff working in the field, where kauri may be present, should carry the necessary hygiene equipment, to enable staff to adhere to this SOP. This includes:

1. Booties – to cover shoes if working in the kauri root zone
2. Hard brush to remove soil from all footwear, equipment etc
3. Bottle of 2% SteriGENE disinfectant
4. And where practical tanks of water – to wash soil from shoes, equipment, vehicles etc

Teams within the Council that undertake field work in areas where kauri is or may be present, should incorporate the requirements of this SOP into their work planning, and liaise with Biosecurity/GIS staff if they require additional kauri distribution information about particular work areas or are unsure whether their work activities may take them into a known kauri dieback infected area.

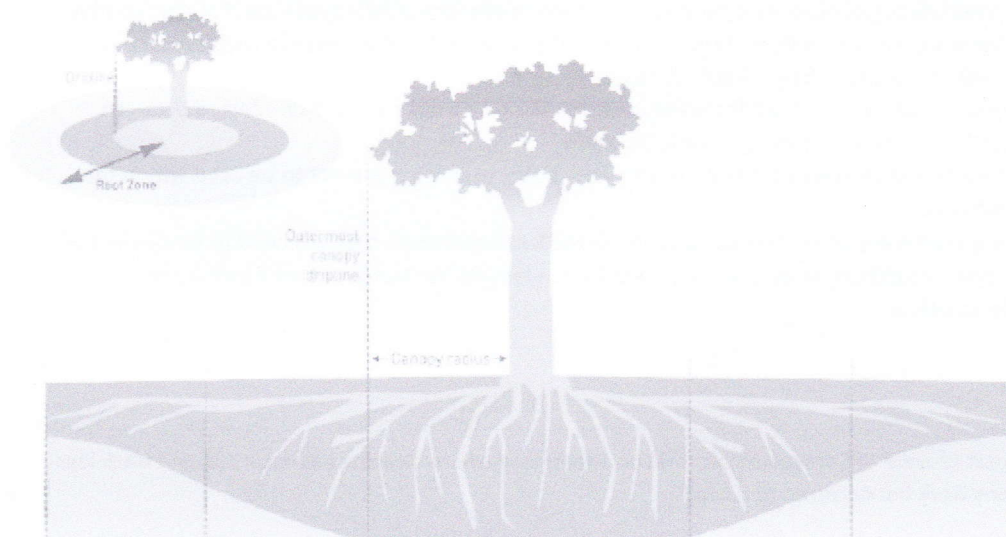


Figure 4: Shows the extensive kauri root zone, which extends three times the canopy radius (the distance from trunk to dripline)

Appendix – supply information

The information below are examples of suppliers of the required hygiene chemicals and equipment, however there are a number of other suppliers available that sell these products.

SteriGENE can be purchased from a number of suppliers including:

<https://www.specialistcleaningsupplies.co.nz>

<https://myvet.co.nz/>

<https://store.chubb.co.nz>

<https://www.hygienedirect.nz>

Disposable over-booties:

It is important to buy over-booties that are durable and have grip. There are a number of suppliers for these including:

www.corys.co.nz

<https://activesafety.co.nz>

<https://www.primepac.co.nz>

<https://nzsafetyblackwoods.co.nz>



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Appendix 2

