



Property, Project, Resource Management, Valuation

APL Property Queenstown Ltd

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20 April 2015

Mr Brian Douglas
P.O. Box 61
QUEENSTOWN 9348

Dear Brian

RE: Hut on Pigeon Island

We are the property contractor to Queenstown Lakes District Council.

On behalf of Council we can confirm that the private hut on Pigeon Island belongs to you, Mr Brian Douglas.

Please contact the undersigned if you require any confirmation about this matter.

Yours faithfully

APL Property Ltd

Joanne Conroy BBS (VPM)
Property Manager/Director
jo.conroy@aplproperty.co.nz

Joanne Conroy

From: "Kathy" <kathy.neal@ghsglobal.net>
To: "Joanne Conroy" <jc@macproperty.com>; "Barry Lawrence" <barry.lawrence@queenstown.co.nz>
Sent: Wednesday, 12 February 2003 14:36
Subject: Re: Pigeon Island

Barry, Joanne,

Hope my memory of events helps.

No fee.....at least not to my knowledge.

DOC & Ngai Tahu concerns at the time were addressed by conditions of consent they put forward in discussions. Naturally they didn't want a private hut built there so it was made very clear it was to be for public use. Brian Douglas et al couldn't legally hold ownership over it so maybe the clause "to require...for public use'.....covers it?. The reg system was a way for everyone involved to be able to access a record of visitors to the hut & be assured people weren't being unfairly denied. The key was to be held by Brian Douglas who was to be responsible for the hut over his lifetime, then responsibility was to revert to the administering body. That is my re-call of events.....

If conditions are not clearly spelled out in the Plan, no wonder the Minister of Lands wouldn't sign it off. Being allowed to replace the "private" hut after the first fire was the only obstacle to DOC approval so you will understand the effort we put into trying to find a solution therefore allowing Brian & - wasn't it Kevin Davidson?? to re-build. There was a lot of pressure not only from Brian but others who'd enjoyed previous usage to have it re-built.

Cheers - K

----- Original Message -----

From: Joanne Conroy
To: Barry Lawrence
Cc: Kathy
Sent: Wednesday, February 12, 2003 1:04 PM
Subject: Pigeon Island

Barry,

The draft management plan does not refer to ownership of the private hut ending with the demise of the current owners. It does state "to require all huts to be available for public use on conditions set by the administering authority", and refers to registration system. Is this in place (ie is a fee paid for using the huts)?

Jo

Joanne Conroy
Property Manager
MAC Property Services
P.O. Box 416
Queenstown
Phone 03 4410790
Fax 03 4470971
DDI 03 4410771

MEMO

TO: Barry Lawrence FROM: Joanne Conroy
BUSINESS: QLDC DATE: 15 April 2002
SUBJECT: Pig/Pigeon Islands Management Plans

Barry,

As requested by Rene Kampman copies of correspondence relating to the management plans enclosed from DOC to QLDC (no apparent replies to either) and between QLDC and Kati Huirapa Runanga.

We do not have management plans on disk here. Anything else I can do to help, please call.

Joanne

Joanne Conroy

From: "Sarah Dennis" <sd@macproperty.com>
To: "Joanne Conroy" <jc@macproperty.com>
Sent: Monday, 15 April 2002 09:59
Subject: Fw: Pig/Pigeon Island management Plan

----- Original Message -----

From: "Rene Kampman" <Rene.Kampman@civiccorp.co.nz>
To: <macval@macproperty.com>
Cc: "Vanessa van Uden" <vanes@qldc.govt.nz>; "Jo Schmelz" <josch@qldc.govt.nz>
Sent: Sunday, April 14, 2002 4:31 PM
Subject: FW: Pig/Pigeon Island management Plan

Attn. Joanne Conroy

Could you please liase with Barry regarding the information he is seeking as I understand that the reserve files are with you.

René Kampman
Managing Director
Civic Corporation Ltd
Private Bag 50077
Queenstown
NEW ZEALAND
Phone: +0064 3 442 4782
Fax: +0064 3 442 4778
e-mail: rene.kampman@civiccorp.co.nz

*Pigeon
Pig* 29073/6600
→

-----Original Message-----

From: Barry Lawrence [<mailto:barry.lawrence@queenstown.co.nz>]
Sent: Sunday, 14 April 2002 11:31
To: Rene Kampman
Cc: Duncan Field
Subject: Pig/Pigeon Island management Plan

Rene

Thanks for the copy of the management plan. I understand that the minister of Con would not sign off because of the status of the Douglas building. Copper spat the dumby and that was it the Plan never got signed off. I would like a copy of the Ministers concerns, to see if we can get closure now. I have spoken to Dawn Palmer who tells me a disk copy of the Plan was delivered to Council as part of the contract. Would be a pity to have to retype it.

Regards Barry

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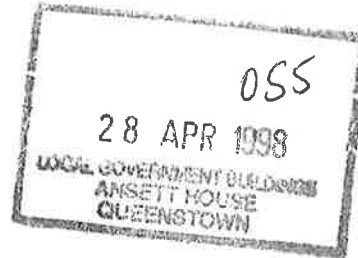
on

763/20
→ Anthony
to draft a
reply

Kathy

I have discussed this
with Duncan. He will
meet personally with
Jeff Connell to discuss.

Anthony g/s



Dear Sir

PIGEON ISLAND SCENIC RESERVE

The Upper Clutha Branch of the Royal Forest and Bird Protection Society has forwarded to me copies of correspondence between it and Queenstown Lakes District Council regarding the construction of a private hut on Pigeon Island Scenic Reserve. The Council has acknowledged to the Society that the hut has been rebuilt, with the Council's consent.

This issue was raised by the Council as early as November 1995, after a fire on the island destroyed a private hut owned by a Mr Douglas. Council asked for the department's consent under the Reserves Act for the hut to be rebuilt. The department's advice was that Section 45 of the Reserves Act provided for the administering authority to build huts in certain situations, and that the administering authority could authorise a voluntary organisation or educational institution to build a hut, but that a private hut was *ultra vires*.

At the same time the Council was preparing a management plan for Pig and Pigeon Islands. In due course the draft plan was forwarded to the department in order to get the approval of the Minister of Conservation. It made specific provision for the rebuilding of a private hut on Pigeon Island, citing section 45 of the Reserves Act. In response, in October 1996 the department raised a couple of minor issues and also confirmed again that the provision for the building of a private hut was *ultra vires*. It asked for feedback on the matters before it made a recommendation to the minister. The Council's response to this was to receive the letter, and no further response has been received on the management plan.

In January 1997 the Council informed the department that it fully supported the rebuilding of the private hut, which would be available for use as a caretaker's hut and would also be available for use by members of the public when required. The department's consent was sought. The department replied that the relevant provision of the Reserves Act under this scenario was Section 55(2)(g), which provides for sites for residences for officers or servants of the administering body or for rangers, and for other buildings necessary for the proper and beneficial management, administration and control of the reserve and for the protection, maintenance and well-being of the reserve. Section 55(3) provides that the Minister shall not give his consent (for such a building) unless he is satisfied that it is necessary for the purposes of Section 55(2)(g) and cannot be readily provided outside and in close proximity to the reserve. The department accordingly asked the Council, in February 1997, for information which would satisfy this requirement of the Reserves Act. The Council has never responded to this request, despite a reminder.

Otago Conservancy

P.O. Box 5244, 77 Stuart Street, Dunedin, New Zealand
Telephone 03-477 0677, Fax 03-477 8626, www.doc.govt.nz

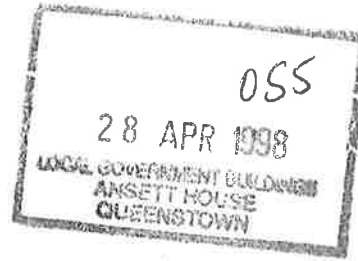


Department of Conservation
Te Papa Atawhai

763/20
→ Anthony
to draft a
reply

Our file: SCE 2

24 April, 1998



Chief Executive Officer
Queenstown Lakes District Council
Private Bag 50072
QUEENSTOWN

ATTENTION: Mr Field

Dear Sir

PIGEON ISLAND SCENIC RESERVE

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In the correspondence received from the Royal Forest and Bird Protection Society is a letter from the Council dated 28 November 1996, in which the Council advises the Society that "the Department of Conservation will not consent to the construction of a private hut on Pigeon Island", and that the Council is "unaware of any building of a hut being undertaken at the present time." The same letter states that "The Council has not undertaken any activities on any reserve land without complying with the Reserves Act 1977." However, a year later, in December 1997, the Council confirmed that the hut has been rebuilt and, when pressed by the Society, it subsequently acknowledged that it was the Council who gave consent for the hut to be reconstructed.

I acknowledge that Pigeon Island is Council endowment land, and that the combination of that with scenic reserve status is unusual. However, notwithstanding its underlying status the island is a scenic reserve, and the Council is bound to implement the Reserves Act in its management of the reserve. It has consented to a private hut being built, against the advice of the department that this was contrary to the Act. It has failed to provide information which would have allowed the Minister to be satisfied that the proposal to use it as a caretaker's hut met the requirements of the Act, and I must now regard that approach as an artifice.

This has two consequences. One is that the management plan, which involved submissions from the public, must remain in limbo, since it cannot be approved with a provision for an illegal hut. The Council appears not to wish to complete that process. The other is that the Council's stewardship of its reserves generally must be called into question, since the Council is apparently prepared to act in contravention of the Reserves Act when it suits. The Council's statement to Royal Forest and Bird Protection Society that it has not undertaken any activities on any reserve land without complying with the Reserves Act is, on the record as I read it, no longer true.

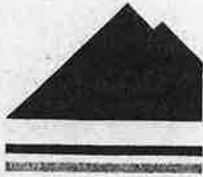
The Minister of Conservation has asked me to follow up on this matter, and I would appreciate an explanation of the Council's role in the matter and how it justifies the action taken.

Yours faithfully



Jeff Connell
Conservator

cc Area Manager
WAKATIPU



QUEENSTOWN LAKES DISTRICT COUNCIL

PRIVATE BAG 50072 QUEENSTOWN, NEW ZEALAND

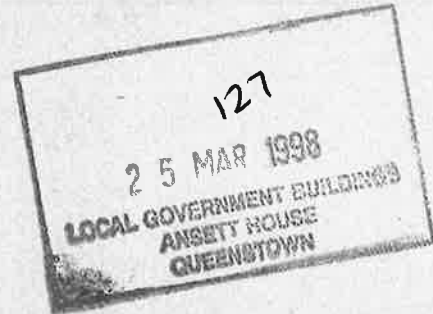
OFFICE OF THE MAYOR

File: 763/20

Ref: 980212116

25 March 1998

Mrs J Ellison
Kati Huirapa Runanga Ki Puketeraki
Post Office
Karitane
OTAGO



Dear Mrs Ellison

MANAGEMENT PLAN MATAU (PIG ISLAND) AND WAWAHIWAKA (PIGEON ISLAND)

Thank you for your letter of the 9 February 1888, regarding the two islands on Lake Wakatipu.

The Council has noted the issues raised in your letter. We have also been concerned by the continued evidence of fires on the island. We have arranged for new signage to be erected reminding visitors to the island that fires are prohibited.

We have not been aware that dogs had visited the island and we will work with the Department of Conservation to see what can be done to avoid this reoccurring.

The Department of Conservation have a number of traps on the island which are regularly checked to monitor the presence of noxious pests.

The Council was fortunate to receive an offer from a group of local volunteers that held a planting weekend on the island and we are looking forward to seeing the results of this in years to come.

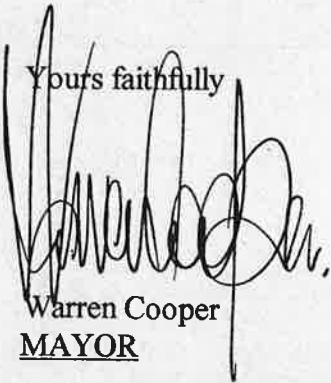
The Council gave its approval to the destroyed hut being rebuilt. It was felt appropriate in view of the excellent record of stewardship of the islands values by the people involved, that they would continue their commitment to the on-going care of the island. The guidelines for the use of the cabin support strongly the conservation values of the area.

.../2

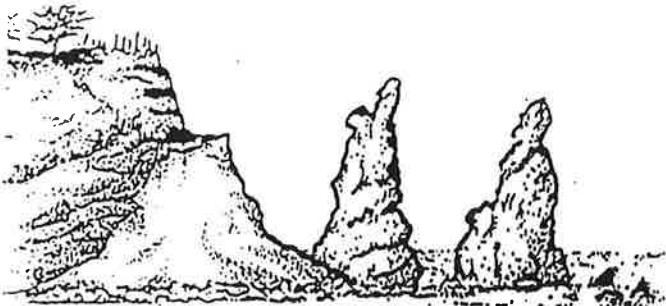
The Management Plan remains in its final draft form awaiting the consent of the Minister of Conservation. This plan deals with the issues raised in your letter and the Council supports the policies laid down for future management of the islands.

Thank you for your letter and the continued interest in these islands.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Warren Cooper', written over the typed name and title.

Warren Cooper
MAYOR



UPOKO : J.R.ELLISON
 DEPUTY UPOKO: T.PARATA
 DEPUTY UPOKO : M.ELLISON
 CO-ORDINATOR : J.ELLISON

File
 René 763/20
 pls draft
 a reply
 for Warren
 JA
 KT

KATI HUIRAPA RUNANGA KI PUKETERAKI

POST OFFICE KARITANE OTAGO

PHONE 03 4657 300

FAX 03 4657 318

RECEIVED
 16 FEB 1998
 RESOURCE MANAGEMENT
 AND REGULATORY SERVICES

12 FEB 1998
 LOCAL GOVERNMENT BUILDINGS
 ANSETT HOUSE
 QUEENSTOWN

9 February 1998

To : Warren Cooper
 Mayor Queenstown Lakes District Council
 Private Bag 50072
 QUEENSTOWN

*Discussed with
 Kathie
 Anthony Owen
 will reply
 P
 17 Feb 98*

Subject : Management Plan Matau [Pig Island] and Wawahiwaka [Pigeon Island]

Tena koe

On the 17 January, members of the Runanga visited Wawahiwaka [Pigeon Island] which was a most enjoyable experience, as part of a wanaka held in Whakatipu. It was noted by our people that there appeared to be recreational based uses of the island which could easily be detrimental to other values present.

Firstly of concern was the very obvious evidence of recent fires, and we would be interested in knowing if the Queenstown Lakes District Council has a fire management plan in place for the islands to avoid any repeat of the fire which occurred.

There were also dogs evident with campers, while we visited the island, and we are aware the Department of Conservation in conjunction with QLDC have a programme in place involving the endangered species of mohua [native yellow head canary] on Wawahiwaka. Could not wandering dogs compromise this programme.

Do QLDC have in place any protocols or policies to prevent an invasion of the islands by mustileds e.g. stoats/ferrets or the reinfestation of possums or other noxious pest species to the island, as it was also noted there had been a planting programme undertaken.

We also viewed a new building on the site of the previously fire destroyed cabin. Were the appropriate resource consent processes followed leading to the building of the new cabin? Was it considered by Council whether replacement was indeed appropriate given the uncomfortable mix of uses of the island. We consider there should be stringent guidelines for use of the cabins. In summary of this point we did enjoy the opportunity to visit the island but reiterate the question of controls and objectives.

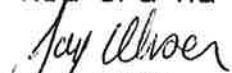
At the end of 1994 the Runanga and QLDC corresponded in regard to a Draft Management Plan for these islands. At that time our Otago Runanga in a small way invited the QLDC to meet as it was felt that papatipu runanga should be consulted with in different manner from the general public in regard to a management plan for these islands.

Since that time there has been no further consultation from the QLDC with regard to a Whakatipu Islands Management Plan. At that time we felt this Management Plan went a long way towards protecting the natural and historic values and uses of the island which gave some consistency of approach to opposing objectives e.g. the incompatibility of dogs on island with endangered species.

While we as takata whenua hold a belief that people should not be alienated from the environment around us by unreasonably restricted rules and regulations, there clearly should be management policies and practices for these Whakatipu Islands supportive of programmes for the recovery of our native species which and ever increasing number are either already in serious decline or at risk for whatever reason. In short the islands provide a reasonably secure habitat which should be of real benefit to our native flora and fauna.

The Runanga would appreciate if you could advise us at what stage the Management Plan is at, and if the issues mentioned in our letter have been covered with the Management Plan or by other initiatives.

Kia ora na



Joy Ellison

Runanga Co-ordinator

c.c Gavin Herlihy

Tu Wylie