

File ref: PAC-09-04-3050

11 January 2022

Manawātū District Council  
135 Manchester Street  
Feilding 4702  
Attn: Dave Flintoff  
[Dave.flintoff@mdc.govt.nz](mailto:Dave.flintoff@mdc.govt.nz)

## Notice of suspension of concession WA-219

This letter serves to confirm the suspension of the concession held by Manawatu District Council for an easement to drain stormwater and maintain a weir at Pukepuke Lagoon (concession WA-219).

Section 17 of the concession document outlines the Department's ability to temporarily suspend concession agreements. The absence of the required environmental monitoring and reporting poses a risk to the environment outlined in clause 17.2.

*17.2 If, in the opinion of the Grantor, the activities of the Concessionaire, its employees, clients or invitees are having or may have an adverse effect on the environment and the Grantor is of the opinion that the effect can be avoided remedied or mitigated to the extent satisfactory to the Grantor, the Grantor may suspend this Concession until the Concessionaire remedies, avoids or mitigates the adverse impact to the satisfaction of the Grantor.*

The lack of environmental monitoring and reporting is also in breach of section 25 in addition to the requirements outlined in schedule 3:

*25.1 The Concessionaire must, during the Term, if the Grantor so requests in writing, design in consultation with the Grantor and undertake a programme to monitor and report on the environmental effects of the Concessionaire's use of and activities on the Easement Area.*

The Conservation Act 1987 Section 17(O) requires you hold a concession to conduct the activity on public conservation land. Section 39(1)(ga) of the Act creates an offence if the activity is conducted without a concession. You must cease the activity outlined in concession WA-219 immediately and not recommence until your concession has been reinstated.

A decision to end to the temporary suspension will be made following the receipt of an adequate environmental monitoring/reporting plan that meets conditions outlined in this letter. Should you fail to provide the required information by the 31 March 2021, your concession may be terminated.

If you have any questions regarding this suspension please contact Chelsea Kenny, Community Ranger at [chkenny@doc.govt.nz](mailto:chkenny@doc.govt.nz).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Smith-Dunlop', is positioned above the printed name.

Moana Smith-Dunlop  
Manawatū Operations Manager