Attachment A1
Proof of Legal Status

NEW ZEALAND COMPANIES OFFICE

COMPANIES REGISTER

Certificate of Incorporation

MANAAKI GROUP HOLDINGS LIMITED

2366832

NZBN: 9429031753272

This is to certify that MANAAKI GROUP HOLDINGS LIMITED was incorporated under the Companies Act 1993 on the 4th day of December 2009.

Registrar of Companies
16th day of May 2018

REGISTRAR OF COMPANIES NEW ZEALAND

Certificate generated 16 May 2018 08:52 AM NZST

Attachment B1
Testimonials and Letters of Support

ROTORUA
LAKES COUNCIL
Te kaunihera o ngā roto o Rotorua

Civic Centre
1061 Haupapa Street
Private Bag 3029
Rotorua Mail Centre
Rotorua 3046
New Zealand

THE OFFICE OF THE MAYOR

Please Quote: 01-28-052
Doc No: RDC-821676

4 May 2018

To whom it may concern

Letter of support for Rain Forest Experiences New Zealand Ltd.

I am very pleased, as Mayor of Rotorua to write this letter of support for Mr Chris Birt and his tourist venture in the Whirinaki Rain Forest.

I understand that Chris has secured a 30-year lease from the Department of Conservation and intends to further develop his tourism business Rain Forest Experiences New Zealand Ltd. to include unique accommodation on two sites in the Whirinaki and a small dedicated tourism hub in Murupara.

Chris has been providing eco-cultural tourism experiences based out of the Whirinaki forest since 1994 and I believe that with this previous experience, he is well placed to further develop his business.

As a former Minister of Conservation and as Mayor of the Rotorua District, I am very aware of the hardship that the townships of Murupara and Minginui have faced since the mill closures of the 1980's. Our new government has already put priority on revitalising these communities through the Provincial Growth Fund and I believe that the time is right to encourage and support others who identify opportunities to further support and reinvigorate the area.

The eco-cultural forest experiences proposed by Chris fit well with Rotorua's tourism proposition which has a focus on our natural environment of lakes, forests and geothermal activity; and our reputation as a home of contemporary Māori culture.

I hope that you will consider supporting Chris with this unique eco-cultural tourism product.

Nāku noa, nā

Hon Steve Chadwick JP
Mayor

FROM THE OFFICE OF HIS WORSHIP THE MAYOR

WHAKATĀNE District Council
Kia Whakatāne au i ahau

11 May 2018

Rainforest Experiences New Zealand Limited
Email: admin@rainforestexperiencesnz.com

Dear Chris

Letter of support for tourism product development in the Whirinaki and Te Urewera

Whakatane is the economic hub of the Eastern Bay of Plenty and is the dominant provider of commercial, retail and community services to the region. Toi-EDA (our regional economic development agency) has identified potential for over $2.2 billion worth of projects and 3,500 new jobs for the Eastern Bay of Plenty in a combination of primary production and processing, including the Kawerau industrial hub and developments out of Ōpōtiki.

The Visitor Economy and Māori Land Utilisation workstreams under the Bay of Connections, Toi Moana Bay of Plenty Regional Growth Strategy, are of direct importance to the Whakatāne District.

Tourism has grown significantly in our District with the visitor economy growing by 39% since 2013, and for the year ended October 2017, visitors have spent $135 million. We are certain it will continue to grow, and it has the potential to become a major economic driver to bring benefits to many in our District. People from all over the world visit our District's natural assets and unique experiences.

Whakatāne District Council supports sustainable tourism product development in the Whirinaki Conservation Park and Te Urewera. Walking and cycling provide sustainable product development opportunities.

There are many economic development initiatives underway within the Whakatāne District and across the wider Eastern Bay of Plenty. In particular, Māori business growth and the development of Iwi-based assets will have a strong impact on the future of the District. Furthermore, sustainable tourism product development is a significant opportunity for District.

Nāku noa, nā

Tony Bonne
MAYOR
WHAKATĀNE DISTRICT

A1286140 1.2.5

P +64 7 306 0500 E info@whakatane.govt.nz Commerce St, Private Bag 1002
F +64 7 307 0718 W whakatane.govt.nz Whakatāne 3158, New Zealand

TOI EDA

Eastern Bay of Plenty Economic Development Agency

18 April 2018

Letter of Support

Whirinaki Rainforest Experiences Multi-Day Guided Walks

The Eastern Bay of Plenty is a region overly endowed with stunning native forests, pristine, beaches, highly productive soils, ample fresh water, highly productive seas space, geothermal energy and features and rich cultural history. The Eastern Bay is also one of the more challenged areas of New Zealand with high rates of unemployment and high rates of social deprivation.

To address this, various agencies have been working together and pursuing economic growth strategies and specific projects to create localised employment and reverse the impacts of decline and rebuild their communities. These economic drivers in the Eastern Bay include aquaculture, kiwifruit, Manuka, forestry, dairy, timber processing and tourism. Together we envisage over $2.3Bn in capex and 3500 FTEs with similar numbers in seasonal/part-time employment if all current projects come to fruition over the next 10 years.

In the tourism sector, strategies have been developed to grow the visitor numbers, achieve regional and seasonal dispersal and enhance the range of export-ready products for discerning visitors. These strategies and Action Plans find homes in several key documents including the Bay of Plenty Regional Growth Study, BoP Regional Tourism Strategy, Eastern BoP sub-regional strategy, Whakatane Council Tourism Plans and ToiEDA Statement of Intent. MBIE and MPI have been keen supporters of this work.

The Whirinaki Rainforest Experiences Multi-Day guided walks are exactly the type of product that has been identified in virtually all the above documents as a key new product development area. Not only from the eco-tourism and cultural elements they bring, but most importantly because of the potential to create job opportunities in afflicted towns especially Minginui and Murupara. In addition, such a product will enable wider packages to be put together that link Rotorua and Eastern Bay and utilise existing infrastructure including road transport, helicopter transfers, accommodation options as well as the established sales channels.

The Whirinaki Rainforest product will be the North Island equivalent of the world-renowned guided great walks including the Milford, Hollyford, Routeburn, Queen Charlotte and Abel Tasman. These are mostly fully booked out and obviously, all located in the South Island. There are currently no such offerings in the North island.

The Whirinaki Conservation Park was campaigned for by David Bellamy in the mid 1980's. Whirinaki represents 5% of the worlds temperate rainforest area and is a stunning example of pristine podocarp forests (most of the others are S.I Beech Forest). The beautiful and magnificent indigenous trees include Totara, Kahikatea, Matai, Rimu and Miro as well as a plethora of medicinal and culinary plants.

We fully expect that with most of the other guided multi-day great walks that in future there will be other people including local iwi seeking to establish business in the area. We are advised that there are five iwi whose status at Whirinaki is formally recognised, as per pages 14 to 17 in the new Conservation Management Plan for that conservation park, effective from 9 October 2017.

We acknowledge that Ngati Whare has a co-governance role in tandem with the Department of Conservation and claims mana whenua status in that area. We are unsure of the situation whether an entity can be in a co-governance role as well as being a commercial concession holder, however as below we understand any leases/concessions are granted pursuant to the provisions of the Conservation Act 1987, with the Decision-Maker being the Minister of Conservation.

ToiEDA welcomes well thought out competition provided this is done in a commercially and environmentally sustainable way. We note that Rainforest Experiences has been operating in the area for some 23 years and has obtained a Department of Conservation 30-year lease for the first half of the track (Okahu Valley) and requires a second lease for the Moerangi Valley section. We also note that the existing 30-year lease has recently been granted (Dec 2016) and provided that future decisions were made by the Minister under the same Conservation Act applying, that the second lease ought to be a streamlined process.

Given all the above, ToiEDA supports the Whirinaki Rainforest Multi-Day Guided Great Walks and indeed other innovative tourism products delivered in a professional manner that showcase the Eastern Bay of Plenty at its world-class best.

.....

Francis Pauwels
ToiEDA
027 544 9054
francis.pauwels@karunz.com

Tourism New Zealand
Manaakitanga Aotearoa
147 Victoria Street
PO Box 91 813, Auckland,
New Zealand
Ph +64 9 914 4780
Fax +64 9 914 4789
www.newzealand.com
www.tourisminfo.govt.nz

TOURISM NEW ZEALAND

10 February 2005

To Whom It May Concern

Tourism New Zealand has a strong commitment to working with the industry. Whirinaki Rainforest has been involved with Tourism New Zealand's International Media Programme for five years. During this time, Whirinaki Rainforest has hosted television crews from the BBC (which broadcasts to 200 million people in 100 countries through BBC Worldwide), and Discovery Channel, as well as Scandinature Television which broadcasts to eight million Scandinavians. Whirinaki Rainforest has also hosted numerous newspaper and magazine journalists and photographers from the UK, Europe, North America, Australia and Japan securing widespread publicity in publications throughout the world.

Tourism New Zealand's International Media Programme focuses on targeting and assisting key journalists and broadcast media to convey a message that is consistent with New Zealand's brand. This media coverage is an extremely cost effective and efficient way of helping New Zealand sustain and enhance its profile as a travel destination. Feedback from international media experiencing the magic and mystery of Whirinaki Rainforest has been highly positive. There is growing interest in quality Maori cultural tourism products and Whirinaki Rainforest certainly delivers a genuine eco-cultural and environmental experience.

Yours faithfully

Jane Dent
International Media Manager

100% PURE
NEW ZEALAND

02 February 2001

Mr Chris Birt
Whirinaki Guided Walks Ltd
P O Box 1491
Taupo 2730

Dear Chris

I was interested to learn of your plans to expand your operations and consider offering new product in the Whirinaki Forest Park.

Given the ever increasing interest in walking in New Zealand and the international activities of the Guided Walks Marketing Network, I feel the time is right for an expanded operation in the North Island. The Network has clearly identified the differences in each of our great walks and the North Island has a unique distinction over the South Island that will continue to attract greater interest as we increase our marketing efforts. It is appropriate that we consistently look to increasing and improving the range of walks.

The Multiday Guided Walks Network has a target to increase the number of walkers significantly over the next five years. We will also be looking for different product to suit new emerging markets. As a member of the Multiday Guided Walks Network, you are aware of the high standards we have set. You have also agreed to abide by the charter that the network operates under, ensuring a quality product offering.

Your experience in international marketing will greatly benefit the region in attracting more visitors. As a suggestion, this would be easier if you could operate outside of the constraints your current weekly departure place on you.

Discussions with offshore wholesalers have confirmed an interest in three to five day walks - but frequency of departures is essential for this to succeed.

I look forward to discussing this with you.

Kind regards

Euan J Purdie
Manager Marketing Networks

New Zealand Tourism Board, Manaakitanga Aotearoa, trading as Tourism New Zealand.
Level 7, 89 The Terrace, PO Box 95, Wellington, New Zealand. Tel. +64-4-917 5400
Fax. +64-4-915 3817. Visit us at **www.purenz.com** or our industry information website **www.tourisminfo.govt.nz**

TOURISM NEW ZEALAND

To whom it may concern

Taupo June 12 2014

The Green Spot fully supports the development of innovative new product within New Zealand tourism and believes the proposed expansion of Chris Birt's Whirinaki walks programme fits that objective 100%.

The Green Spot has been working with Chris in marketing and selling his Whirinaki walk packages since 1994 and the two businesses have grown side by side as they were established around the same time. I actually met Chris not long after arriving in Taupo when I was the marketing manager of a local helicopter tour company.

I have been to the Whirinaki with Chris on a number of occasions, including hosting international media and trade familiarisation tours, and to the marae he utilises at Te Whaiti and have been able to see at first hand the professionalism his company offers and the commitment Chris personally has to this economically-depressed region and its people.

The Green Spot is a well-established in-bound tour operator which produces packages for groups and the FIT segments and handles all the ground arrangements for a number of major tour wholesale companies, particularly in Holland (my native country) and Germany but also in other parts of Europe, including Austria, Switzerland and Scandinavia. These markets have a high level of demand for New Zealand's indigenous culture and natural environment and on both counts Whirinaki Rainforest ticks the boxes. The blend of Maori culture and walks in a spectacular natural world Chris has put together and operated over the last two decades are highly regarded by the consumers who choose Whirinaki Rainforest as a destination within New Zealand and the reports coming back to the tour wholesalers offshore after such visits have reflected a high level of satisfaction.

The Green Spot supports all sustainable projects within tourism, based on ecological en environmental principles and the social responsibility they carry with them. This project in my opinion can deliver on these principles ! As a company we also encourage businesses , trusts and other charitable organisations to get involved in keeping New Zealand 100% pure.

Chris is regularly in touch with our company as a significant seller of his walk products and as such I have been aware for some years that he has wished to expand his operation to its full potential. He established his business at Whirinaki as a multi-day walks venture and I know he has been frustrated at not being able to operate his three-day walks recently due to the Department of Conservation's requirement for a new lease for his existing Robert Collins Camp site and his proposed new Moerangi facility. As I understand it, that process has been delayed until Treaty of Waitangi settlements were concluded.

We strongly support what Chris wants to do at Whirinaki and applaud his determination to achieve the vision he had in the early 1980s for this stunning rainforest and its potential uses as a long term sustainable tourism destination. I am confident that as soon as his three-day two-night walks are ready to be offered to the nature lovers of Europe, our wholesalers will be eager to commence the marketing and sales of these packages, while continuing to offer the single day walks popular with those on short duration itineraries.

Yours sincerely

Jan Gerritsen – Director

Member of Tourism Industry Association New Zealand

The Green Spot Ltd Tourism and Travel

PO Box 497 Taupo, New Zealand. Telephone 64-7-377 3508, Facsimile 64-7-377 3538

Email info@greenspot.co.nz

fivesenses

Rotterdam, 19 Sept. 2014

TO WHOM IT MAY CONCERN

Fivesenses is a Dutch travel company that creates unique travel experiences in New Zealand and Australia. In our search for authentic, quality tour operators that can contribute to our clients' experience of New Zealand, I have come across Chris Birt of Whirinaki Walks in 2004. Since then Fivesenses has started working with Whirinaki Walks

The combination of an 'out of the way activity' and a genuine experience of Maori culture reflects what we like to offer to our clients. Many of our clients rate Whirinaki's day walk or three day walk very high and amongst the best places they have been to in New Zealand.

Having visited Whirinaki Forest a few times myself I can only say that a guided walk or a self-guided walk differs as day to night. Prior to being guided around Whirinaki Forest by Whirinaki Walks, I have walked here myself. The natural, cultural and spiritual aspects of Whirinaki Forest have made great impact and aren't easily noticed without a guide.

In my opinion operations like Whirinaki Walks fit well into modern day tourism where people are after a real experience.

Should you require further information, please feel free to contact me.

Kind regards

Fivesenses
Jean-Paul Ponte

[redacted]

[redacted]

12 November 2012

Attachment C1
Moerangi Track funding extract

19 August 2004

TO WHOM IT MAY CONCERN

RE: WHIRINAKI FOREST PARK:
5-DAY LOOP TRACK DEVELOPMENT PROJECT

Although this is not a formal submission in terms of the recently-undertaken Recreation Opportunities consultation process, I wish to comment on the abovenamed project as an independent but vitally interested party.

I do so from two perspectives.

The first is as the operator and owner of Whirinaki Guided Walks Ltd, a company which has, since 1994, invested in excess of $500,000 promoting the recreational opportunities Whirinaki offers - to both the domestic and international visitor markets.

My second role, which also has a bearing on my comments, is as Editor of the New Zealand Tourism Report (recently renamed etourismnz.com) which is the longest-established specialist publication serving the inbound and domestic tourism sector of the tourism industry. This is a role I have fulfilled since that publication was established in 1986.

In both roles, I fully endorse the principle as detailed in the Bay of Plenty Conservation Management Strategy - ie that of the development of a five-day loop walk involving the Whirinaki and Okahu Valleys, to a standard allowing it to be used by Backcountry Comfort-Seekers.

I do so without any hesitation, based on my 21 years as an adventure and eco-tourism operator (commercial rafting 1983-1996 and guided walks 1994 to now), and on my knowledge of recreational and visitor trends, gained during my 18 years as a specialist tourism journalist.

GUIDED WALKS PERSPECTIVE

Some facts:-

- 99 per cent of our clients, on both the 1-day and 3-day walks, fall directly into the Backcountry Comfort-seeker category
- Few, if any, that I have personally encountered on walks conducted by my company since 1994, have been Backcountry Adventurers
- This applies to both our international clients (which make up 80 per cent of our overall numbers) and those from domestic sources - especially the major population centres such as Auckland, Wellington, Tauranga and Hamilton.

- These walkers are best decsribed as gentle, urban-based souls to whom physical challenges, hardship and heavy packs are not on their radar. Simply put, these clients shy away from any hint of adverse risk or discomfort, but they still seek outdoor recreational activities.
- These city-based 'soft adventurers' are growing in number, as New Zealand urbanises.
- These domestic clients are both delighted by, and thankful for, the quality of the tracks we use in the Okahu valley. They are very complimentary of the new trackwork which they have experienced over the last two summer seasons. Equally they are not comfortable in and nor do they enjoy, scrambling over tree roots and tettering on the edge (literally) in sections of the track which have not yet been upgraded, such as the Mangakahika Saddle.
- I can confidently report, from experience of many personal discussions with these clients, that they would not contemplate the kind of Backcountry Adventure excursion which areas of Whirinaki such as the Moerangi Valley Traverse currently offer. To them, the risk is too high and they get no pleasure from the type of experience more seasoned and experienced Kiwi trampers enjoy.

From the perspective of the Whirinaki's longest-established and largest specialist tourism operator, the <u>continued development of the Whirinaki Loop tracking programme is essential.</u>

Our company's strategic plan calls for the creation of a three day loop walk - River Road to Moerangi, to Okahu Valley and out to Okahu Road end. This plan has been one borne of comments from both the marketers of our walks and from the clients - those from domestic sources especially.

Feedback over the last five years in particular has been that they want a loop walk linking the Whirinaki and Okahu valleys. Our current Okahu-Camp-Okahu in-out 3-day walk does not meet the requirements of the domestic sector in particular. Kiwis do not like back-tracking over the same country and therefore are more inclined to go to somewhere else in the country for their guided walks. The point-to-point Hollyford Valley Walk is the major recipient of this demand, but user numbers only reach about 1000 each summer on that track because of the cost of travel and accommodation in the South Island.

It is my strongest submission that the development of the Whirinaki 5-day Loop to backcountry Comfort-seeker standard, will help to meet more of that demand, which is currently unable to be satisfied.

It is with extreme frustration that the Moerangi Traverse track upgrading has not proceeded until very recently and even then, I understand that the actual track upgrade up the river itself (Te Wairoa hut to Moerangi hut) is now under review.

The track upgrading to Backcountry Comfort-seeker standard on this part of the five-day loop is essential - and sooner rather than later - from our own strategic planning perspective.

Our operation could be introducing many more international and domestic visitors to one of the world's great rainforest locations - without in any way compromising the uniqueness and physical environment - if the Moerangi Travers (Te Wairoa to River Road section) was given the utmost priority.

However apart from our own requirements as the only multi-day guided walk operator in the North Island (as reflected in our membership of the Walk New Zealand International Marketing Network established by Tourism New Zealand), we also have serious concerns about the current state of the Moerangi traverse.

Increasingly we are encountering users - predominantly Backcountry Comfort-seekers - who are recounting stories which lead me to believe that someone will be seriously injured or will die in the Moerangi gorge area. This is a view I have been sharing with DOC officers for several years.

There appears to be no way of preventing users who clearly fall into the Backcountry Comfort-seekers category from making the trip over Moerangi.

The valley itself is an attraction because of its remoteness and beauty. However, both my staff and myself are meeting increasing numbers of people who strongly condemn the Department of Conservation's promotion of this route as a viable option, by way of signage and other material, when the track is not up to the standard required to handle use by this type of walker.

I am aware, from discussions over several years, that one guided walk operator has the view that the Moerangi track should be left as is. I cannot agree with that concept, which in my view is taking a very narrow self-interest approach to the matter.

I have personally encountered clients of that operator at River Road who not only failed to enjoy the experience, but were on the verge of collapse after completing it.

Last summer, we also encountered two men who had been trapped at Moerangi hut for three days by flooding, unable to come back downstream or cross the river to reach River Road. They were all but out of food and were seriously considering risking their safety by coming back to Te Wairoa hut through the flooded waters and would have done so had the waters not
receded overnight.

These incidents are increasing in frequency. This is something we have direct experience because many people now know that our Robert Collins Camp is staffed throughout the summer and they can always get hot showers, shelter and food there.

It is my view that it is important that in issues such as this that we look at the greater good and the ability to be able to satisfy the growing demand - from both New Zealanders and international visitors - for comfortable walking experinces on well formed tracks that offer recreational opportunities available in only a handful of locations in the North Island, and in fact anywhere in New Zealand because of the cost of travelling south.

TOURISM PERSPECTIVE

I could produce a substantial document on the demand for experiences such as that which the Whirinaki 5-day loop walk will provide once the tracking programme is completed and the tourism trends that surround that demand.

However, I will restrict my comments to some key facts:-

- New Zealand tourism growth has been running at almost twice the world average for the last decade and is expected to continue doing so through to 2009.

- Domestic tourism is growing at a lower rate, but is still significant, with spending on travel within New Zealand still exceeding the $6.7 billion sourced from the international sector
- Huge growth is occuring in population in the western and eastern Bay of Plenty and shows no sign of abating. This is also being reflected in Taupo, although smaller in numbers obviously
- Auckland's growth is increasing rapidly and is expected to reach two million in the next few decades
- These people are requiring additional recreational opportunities on the back of increasing leisure time
- Tourism operators are encountering increasing demand for new experiences from the domestic sector
- There is a huge lift in the number of people seeking outdoor experiences and recreational opportunities. The growth in mountainbiking is a reflection of this
- Whirinaki Forest Park is one of the very few locations able to provide some of these opportunities in the North Island, being half a day's drive from the major population centres to the north and east of Taupo
- Continuing urbanisation means that the Kiwi tramper of 20 or even 10 years ago is rapidly fading into history. The latter-day walker is a soft adventurer who may be prepared to do without a hot shower for a few days, but is NOT prepared to risk his/her life, safety or enjoyment on unformed or sub-standard tracks.
-

- There are ample opportunities in the backcountry for the die-hards who seek to tough it out against the terrain of the central North Island. It is in these areas where they can find the isolation and challenges, unencumbered by others

In summary, it is my comment - and my strongest submission - that the 5-day loop walk tracking programme in Whirinaki Forest Park should not only continue uninterrupted, but in my view that the pace of development should be accelerated to ensure that it is completed sooner than currently programmed.

This is a programme which is not only desirable from the perspective of our company and its development (and thus providing greater sustainble employment opportunities for the people of Te Urewera, from where we draw our resources) but is an essential advance for domestic recreationists and for New Zealand's international tourism sector.

I would be happy to add further comments on any aspect of this letter, should it be helpful.

Sincerely

Chris Birt

Chris Birt
Director
WHIRINAKI GUIDED WALKS LTD

Attachment C2
Consultation Log and Supporting Documents - DOC

LOG OF CONSULTATION WITH DEPARTMENT OF CONSERVATION OFFICERS RE INTENTIONS FOR PROPOSED MOERANGI TOURISM ACCOMMODATION SITE

Date	Event	Officer/s
05.08.2000	Briefing re business planning, including Intentions for Moerangi site	Fiona Hennessey/Chris Clarke
09.05.2000	Letter acknowledging briefing and business planning	
24.01.2001	Site visit to Moerangi	Fiona Hennessey/Chris Clarke
12.02.2001	Letter re logic of proposed Moerangi site	Fiona Hennessey
19.08.2004	Submission to DOC head office re upgrade Of Moerangi track	Nick Doney
14.09.2009	Letter re Moerangi site intentions	John Sutton
10.05.2010	Email re Concession and Moerangi site	Mike Jones
08.05.2013	Email to DOC re AEE requirement re Moerangi site (from Joanne Lewis)	Aniwaniwa Tawa
08.05.2013	Response to queries re Meorangi site AEE	Aniwaniwa Tawa
27.07.2016	Letter re water take and update on Intentions for Moerangi site	Arna Litchfield
05.08.2016	Briefing re new lease application for Moerangi site	Arna Litchfield/Samantha Whittington

Department of Conservation
Te Papa Atawhai

COC010

9 May 2000

Trek Whirinaki
PO Box 1491
Taupo

Attention: Chris Birt

Dear Chris,

Firewood – Robert Collins Camp

Firstly thank you for attending the meeting yesterday. Both Chris and I felt it was a useful exercise and gave us a good insight to your future plans and direction for the business. I have to admit I was unaware that you were providing the only overnight guided walk in the North Island, an advantage to hold onto and capitalise on.

The Department would like to see your operation succeed and promote what we all know is the best rainforest in the country.

With regards our brief discussions regarding firewood for the camp, John and I discussed the issue quickly this morning and agreed that the clause in the agreement was economically unsustainable for you. We feel that the use of dead, fallen wood is acceptable and as you pointed out helps to keep the track open in the vicinity of the camp.

Please file this note as a record of agreement to vary the signed contract, for the remaining period of the contract.

Yours faithfully

Fiona Hennessey
for John Sutton
Area Manager
RANGITAIKI

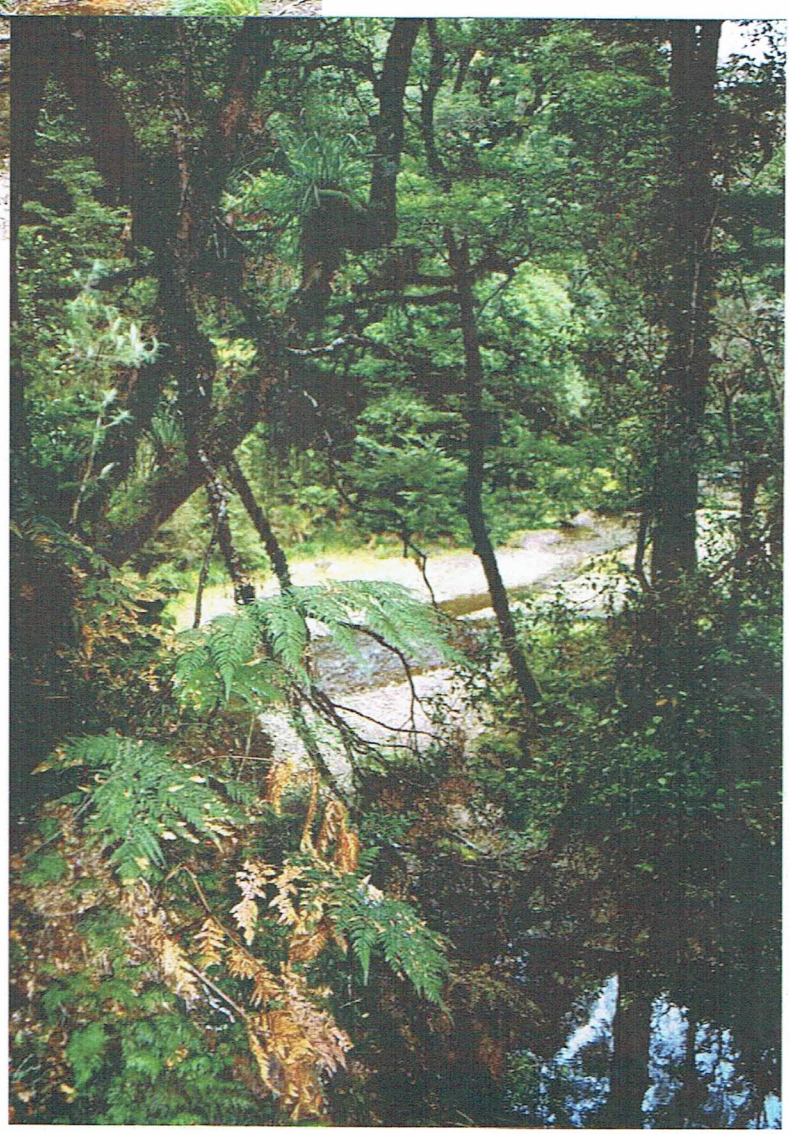
MOERANGI SITE INSPECTION

with Department of Conservation officers Fiona Hennessey and Chris Clarke

January 2001

MOERANGI SITE INSPECTION

January 2001



MOERANGI SITE
INSPECTION
January 2001

P O Box 1491
TAUPO 3330

14 September 2009

Mr John Sutton
Area Manager
Department of Conservation
P O Box 114
MURUPARA 3062

Dear John

Thank you for your time last week in relation to our plans for continuing our long-established tourism business in Whirinaki Forest Park and your support for that operation, which brings a number of economic benefits to the region.

Further to our discussion, I would like to formally make application for:-

i. Approval to use the site in the Okahu Valley known as Robert Collins Camp during the 2009-2010 and 2010-2011 summer seasons for provision of seasonal accommodation facilities, consistent with use over the last two decades.

This approval has been provided in past years on an annual permit basis and in this instance I am seeking authority for the next two seasons, while we go through the statutory process of seeking a longer term site licence.

As I mentioned in our discussion, it has long been our objective of seeking to establish a new seasonal camp facility in the vicinity of Moerangi hut to be able to operate a 3-day loop walk and now this track upgrade project has been completed by your department, it is an opportunity to begin that process, which will, I appreciate, public consultation and the solicitation of support from the Ngati Whare iwi.

You will have any number of letters on your file in relation to the matter of a second camp facility and you may recall that I took Chris Clarke and Fiona Hennessey on a trip into the Moerangi area some years ago for the purposes of identifying a suitable site, pending the new track development.

ii. We would seek approval to fell four large old beech trees within the Robert Collins Camp environs, as identified (in yellow) on the attached site plan.

This removal is now deemed essential, in the interests of the safety of both our staff and clients.

These old beech trees have been shedding substantial branches over recent years and it seems that each is at coming to the end of its natural life. Evidence of this is that a large branch fell directly on our storage shed on the western side of the site, smashing it to pieces. Had anyone been in the vicinity, serious injury or death would have occurred.

Under the terms of the Occupational Health and Safety in Employment Act, we have a statutory responsibility to identify and eliminate hazards that have been identified within our business sphere. The danger to life and limb posed by the trees identified has been brought to my attention by those staffing Robert Collins Camp and it is now encumbent upon me to act on eliminating this risk.

I can undertake that:-

- The person undertaking the felling of these trees will hold the appropriate tickets and will be suitably qualified for such work
- The main Okahu track will be sealed with Danger tape and a warden posted at each end of area likely to be affected by any tree felling during the actual operation
- We undertake to notify you in advance of such work so that a notice can be posted at the DOC visitor centre at Murupara warning park users of the operation.

I am envisaging that this work can be carried out during one day in mid November, although it is likely from a debris clearance perspective, we may do three of these trees this summer and the fourth over the same period in 2010.

Should you have any queries regarding this proposal, please do not hesitate to contact me, via email xrds@xtra.co.nz

Sincerely

Chris Birt

Chris Birt

Mike Jones <mjones@doc.govt.nz>
To
Birt, Chris
CC
Moana Smith-Dunlop
10/05/10 at 10:06 AM

Hi Chris,

Good news, your concession is ready and waiting for your signature. Would you prefer to stop by the office in Whakatane, or have us send to you in Taupo?

As I said on the voice mail message a couple of weeks ago, John has agreed that your bond can be paid in two parts - $1000 now on the commencement of your concession and $1000 due 1 March 2011. We feel this is a fair and reasonable timeframe for you.

Please contact Moana directly to start talks about the lease process for Collins Camp and a second site on the Moerangi. Feedback from Clint suggests that it should be a nine month time frame to go through the process. As you probably are already aware, as part of the process for you, you will need to undertake iwi consultation.

Look forward to hearing from you,

Mike

Mike Jones
Community Relations Programme Manager, *Kaiwhakahaere Hapori-hononga*

Te Urewera Area Office
Department of Conservation, *Te Papa Atawhai*

DDI (07) 307 2776|MOB 0274 370 377| VPN 6506

From: Chris Birt [mailto:xrds@xtra.co.nz]
Sent: Thursday, 23 August 2012 9:10 a.m.
To: John Sutton
Cc: Mark Anderson
Subject: Whirinaki lease

Good morning John and Mark

I thought it would be opportune to update you both on the issue of our business and its long-term plans for Whirinaki.

As you know, this summer will be the third year of our current five-year permit for guided walks, and this will continue unabated this summer – despite what has been a very significant downturn in arrivals from Britain, Continental Europe and North America. This is causing upheaval among tourism operations across New Zealand and given the state of the economies in those regions, a return to the good old days of double digit growth for New Zealand tourism is unlikely to be seen in the next two decades or so.

The answer of course is that we must realign our products to the booming Asian markets and as an operator, we are looking at how we can best achieve that.

Australia, at around 1.3 million annual visitors to NZ, is still the backbone of the industry here and with 23 milllion residents (12+ million on the eastern seaboard, just three hours flying away) there is some tremendous opportunities for Whirinaki in that country, especially utilising the Sydney-Rotorua flights.

As you will be aware, it has been my intention for more than a decade to utilise the Moerangi loop (River Road-Moreangi-Okahu) for multi-day walks and now that tracking programme has been completed, attention has turned once more to that. I have a letter from Fiona Hennessey 12 February 2001 relating to the possible development of a new overnight facility upstream of Moerangi hut. This followed a site visit by Fiona and Chris Clark hosted by myself (January 2001) to look at a small area of land which I had located as a possible site for a second overnight facility. Fiona's letter advised that she and Chris (Clark) "agree that this is the logical site for your purposes." I can supply a copy of that letter if required.

As you are probably aware, I have been waiting for the Treaty settlement process to reach a degree of finality before proceeding with a long-term lease application for both the existing Collins Camp and a new Moerangi site to enable a three-day loop walk to be developed. On the recommendation of former Conservator Henry Weston, this application is likely to be for a 30-year period, as permitted by the Conservation Act where infrastructure is involved.

Two months ago, after an earlier discussion at Minginui with Bronco Carson, I was invited to present a proposal to Ngati Whare Holdings Ltd, the commercial arm of Ngati Whare iwi, for a possible joint venture development involving both my existing guided walks business and future expansion of other tourism opportunities which I have identified for Whirinaki over the 25 years I have been involved with your area. There are a number of potential activities which, even in the current economic environment, may be viable.

rom: Joanne Lewis <joanne@lewisconsultancy.co.nz>
Sent: Sunday, 7 April 2013 2:32 PM
To: atawa@doc.govt.nz
Subject:

Morena Aniwaniwa

It was good to catch up with you on Friday. As I mentioned I am assisting Chris Birt with his application to DOC for a camp in the Whirinaki Forest Park about 700m south of the Moerangi Hut. Chris has advised me that the Department has requested that he provides an Assessment of Environmental Effects (AEE) on the Environment for his proposal. I am assisting him to bring together the various parts of such an assessment, and was after some clarification from the Department about the scope of the assessment required.

From our discussion I understand that the AEE would need to include a detailed description of what is proposed (eg location and description of vegetation affected and new track, description including plans of the proposed buildings, including how they will be constructed and over what timeframe, estimation of the additional visitors to the park and how impacts such as litter is to be managed, etc), and would also need to include:
there would need to be:

- An assessment of the ecological effects of the vegetation required to be removed/damaged, the additional visitors, and the construction process;
- A description of how wastewater is to be managed including how that sits with the relevant regional planning requirements. This should include copies of correspondence with the relevant regional council confirming that either no resource consent is required, or that resource consent has been sought, or that resource consent has been granted.

Chris has engaged ecologist Nick Singers, and engineer Mike Keys to attend to those two matters. Can you please advise if there are other matters which he AEE should cover.

I expect that the Department will assess Chris's application in relation to statutory plans or provisions (ie such as a CMS, a Management Plan or the like). We wish to ensure that the application covers the necessary matters (particularly any policy matters), and accordingly can you please provide me with (or direct me to) any such plans.

Thanks Aniwaniwa - if there are any other issues or matters that we should be considering, please do not hesitate to let me know.

Regards.

Joanne Lewis

Lewis Consultancy Limited
Planning and Resource Management
P O Box 1563, Taupo 3351
Phone: 07 3782416 / 0274460386

Chrisb <xrds@xtra.co.nz>
To
Arna Litchfield
CC
nhutton@doc.govt.nz
27 July 2016 at 10:24am

Good morning Arna

I have just received information from the Bay of Plenty Regional Council regarding water takes at Whirinaki. It occurred to me that I had omitted to advise the RC that the small streams at the existing site (Robert Collins Camp) run into the Mangakahika Stream, which then flows into the Wairoa Stream, Waiau River and then into the Wairoa River, meeting the northern Hawke's Bay coast at Wairoa town. Thus none of them arrive at the Bay of Plenty coast.

The subsequent advice from BOPRC consent officer Marlene Bosch this morning (email available if you require it) is that as these streams on the eastern side of the Whirinaki Conservation Park are not in the Matahina Catchment, Policy 69 does not apply.

So, in summary:-

- We are permitted to take up to 15,000 litres of surface water a day from any of the streams referred to above as a permitted activity
- Should we wish to take more than that daily limit, a resource consent may be applied for. We will never use more than 15,000 litres a day, so there is no issue.

I wish to record that when it comes to the lease application for the proposed new Moerangi tourism site which we will be lodging shortly, the same criteria applies as the Moerangi Stream and its very small tributaries are also not in the Matahina catchment and therefore not covered by Policy 69.

Have a pleasant and productive day.

CHRIS BIRT
MANAAKI GROUP HOLDINGS LTD
P O Box 1555 Taupo 3351 Aotearoa New Zealand

BRIEFING WITH DOC OFFICERS
Taupo DOC office Friday 05 August 2016: Arna Litchfield and Samantha Whittington

1. HISTORY AND PROCESS OF LEASE APPLICATIONS

- Original concession application lodged 29 September 2009
- Advice Moana Smith-Dunlop that one form could be used for site use and guiding activity (email 23.09.2009)
- Multiple requests for issue of concession (for site permit and guiding activity) September 2009-September 2010
- Advice from Mike Jones 14 September 2010 that policy change now required two concessions – one (lease) for site use and another for guiding concession
- Failure to advise of existence of section 17ZAA of Conservation Act deficient and probably negligent – Continued use of site should have been permitted over the last six years
- Guiding permit issued shortly thereafter
- New lease application for Okahu site lodged 12 November 2012
- New lease application declined 28 November 2012 citing insufficient information. Martin Carter should have requested further information!
- Consultation Aniwaniwa Tawa and Atamira Tumurae (DoC Murupara office) 16.10.2013. AT advised that DOC would take over consultation with Ngati Whare (see file note)
- New lease application (Okahu) lodged 24.02.2015 and deemed complete after provision of further information requested
- Advised 14.03.2015 by Arna Litchfield that draft report available end of March (2015)
- Advised 22.04.2015 by Arna Litchfield that draft report and contract available end of May/early June (2015)
- No communication till 11.03.2016 when CB sought update on progress of lease application (by phone)
- Advised 14.03.2016 by Arna Litchfield draft report could be ready end of March (2016)
- Draft report received 14.06.2016 from Arna Litchfield with request for feedback in 2 weeks

Consequences of six years without access to tourism site at Okahu:-

- Loss of $600,000 (conservatively) of revenue and more to come through inability to operate in 2016-2017 summer season ahead
- Inability to have benefit of biggest period of growth in visitor arrivals in NZ tourism history - 2.524 million to 3.131 million (+607,000 or 100,000 extra annually in that period)
- Loss of representation by overseas tour companies - stopped selling Whirinaki and our tours based on inability to sell multi-day walks/lack of commission. Reputational damage to our company and Whirinaki as a destination
- Withdrawal of $880,000 of project funding December 2015 due to delays in securing long-term lease
- Loss of four senior guides, one after 9 years and one after 8 years with us as insufficient work from 1 day tours to sustain their families

DOC must collectively shoulder responsibility for this situation.

Joanne Lewis to comment on process as professional working in this field for 20+ years

2. FINAL AMENDMENTS TO DRAFT OFFICER'S REPORT

Desired amendments highlighted through 2nd draft report as received from AL July 2016

Timetable for finalisation of Officer's report and submission to the Decision Maker? How long expected to be with Decision Maker?

Intention to seek reissue of Guiding Concession for 10 years consistent with lease if issued. Invitation for application for reissue made by Darcy Liddell who recommended 10 years in his officer's report - at no cost to CB. Both should commence 01 January 2017 if lease issued by then, consistent with calendar year used by DOC for guiding activity fees.

3. NEW LEASE APPLICATION MOERANGI

Full information will be provided with application, but main points:-

- Utilisation of new tourism accommodation site at Moerangi on business planning since 2000
- Identification of suitable site pre 2000 as new track over Moerangi for 3-day walk had been talked about that by area office before then
- Request from DOC area office for submission supporting application for DOC head office for funding for new track linking both valleys of Whirinaki. Our business case was key component of this application
- Briefing to DOC officers (Fiona Hennessey: Community relations programme manager Murupara) and Chris Clarke (Conservancy officer Rotorua) 08.05.2000. Letter acknowledging briefing and offering support subsequently received
- Site visit to Moerangi (Fiona Hennessey and Chris Clarke) 24.01.01. See pictorial record of that site inspection.
- Letter re logic of Moerangi site (Fiona Hennessey) 12.02.01
- Briefing for Ngati Whare (Basil Iraia: Conservation liaison) 03.12.2012 including presentation on lease applications for both Okahu and Moerangi as per Background Information booklet
- Briefing for Ngati Whare (Bronco Carson: Chairman) 27.12.2012 including presentation on lease applications for both Okahu and Moerangi as per Background Information booklet
- Request to make presentation to Ngati Whare Runanga January 2013 hui on lease applications for both Okahu and Moerangi – Declined by NW Chairman
- Presentation by way of letter re lease application for both Okahu and Moerangi sites to Ngati Whare Runanga for hui late in January 04.01.2013 to Chairman, Conservation Liaison and Operations Manager (Letters on file)
- No other consultation intended, despite passage of time, as Ngati Whare Runanga has been fully briefed on proposals for both Okahu and Moerangi and has provided feedback. That iwi has made clear its stance on concessions in Whirinaki.
- Multiple communications with area manager (John Sutton), community relations programme manager (Mike Jones) and other DOC officers re both Okahu and Moerani sites 2001-2010 (emails on file)
- Communication between Joanne Lewis and Aniwaniwa Tawa re requirements for Environmental Impact Assessment April and May 2013 (emails on file)
- Briefing with Aniwaniwa Tawa and Atamira Tumarae 16.10.2013 re plans for Whirinaki including presentation on applications for leases for Okahu and Moerangi

- Moerangi confirmation site visits by CB, construction project manager and track construction contractor May 2013 and January 2015
- Moerangi lease application put on hold until resolution of Okahu application

For today's discussion:-

- Identification of potential issues by Arna Litchfield and Sam Whittington re Moerangi lease application including vegetation clearance (show South Island lodge areas in national parks) permanent buildings (wharemoe designed to have the same footprints as at Okahu site ie 6m x 3.2m and at least helicopter drop zone if not helipad.
- Resource consents
  - i) Water take permitted activity to 15,000 litres a day as per BOP Regional Council advice (not in Matahina catchment)
  - ii) Water take and collection of greywater permitted activities as per Hawke's Bay Regional Council (advice to Joanne Lewis and engineer Mike Keys on fle)
  - iii) Are resource consents from HBRC and building consents from WDC <u>before</u> Moerangi lease application is made?
  - iv) New track 700 metres, area manager (now operations manager Whakatane) advises he requires any new tracking from Moerangi hut to tourism accommodation site to be of same standard as existing Moerangi Traverse dual use track even though it goes upstream of hut to a dead end effectively
  - v) Any other issues come to mind as we'd rather address them in the application that through additional information request?

Consideration of history of this operation at Whirinaki:-

i) This business was developed as a multi-days walk operator with very significant support from DOC and the local community at Whirinaki.

ii) The key points of the 1988 lease were the ability to be able to construct <u>two lodges</u> on <u>two sites</u>. Only the location of the two proposed accommodation facilities has changed in the interim - due to tourism market demands.

iii) DOC has encouraged this business for 29 years for all the right reasons.

iv) The development of the Moerangi site will allow the North Island to secure its first multi-day walk which complies with Tourism New Zealand's requirements for membership of the Multi-Day Guided Walks International Marketing Network. The specific requirements are accommodation for the use of clients of the MDGWIMN member (us) and, as importantly, accommodation of a standard that is consistent with the other network member operations in the South Island (refer to pictorial booklet of SI lodges)

In my view, this is something really worth working for as this style of multi-day guided walk operation exists only in South Island currently. As Fiona Hennessey observed (refer letter 09.05.2000) this is an advantage to hold on to and capitalise on.

FILE NOTE

Re: Whirinaki Lease
From: Chris Birt
Date: 04 August 2016

Met with Arna Litchfield (Permissions Team Leader acting/ Senior Permissions Advisor DoC Hamilton) and Samantha Whittington (Permissions Advisor DoC Hamilton) at DoC, 37 Motutaiko Street, Taupo 10am today.

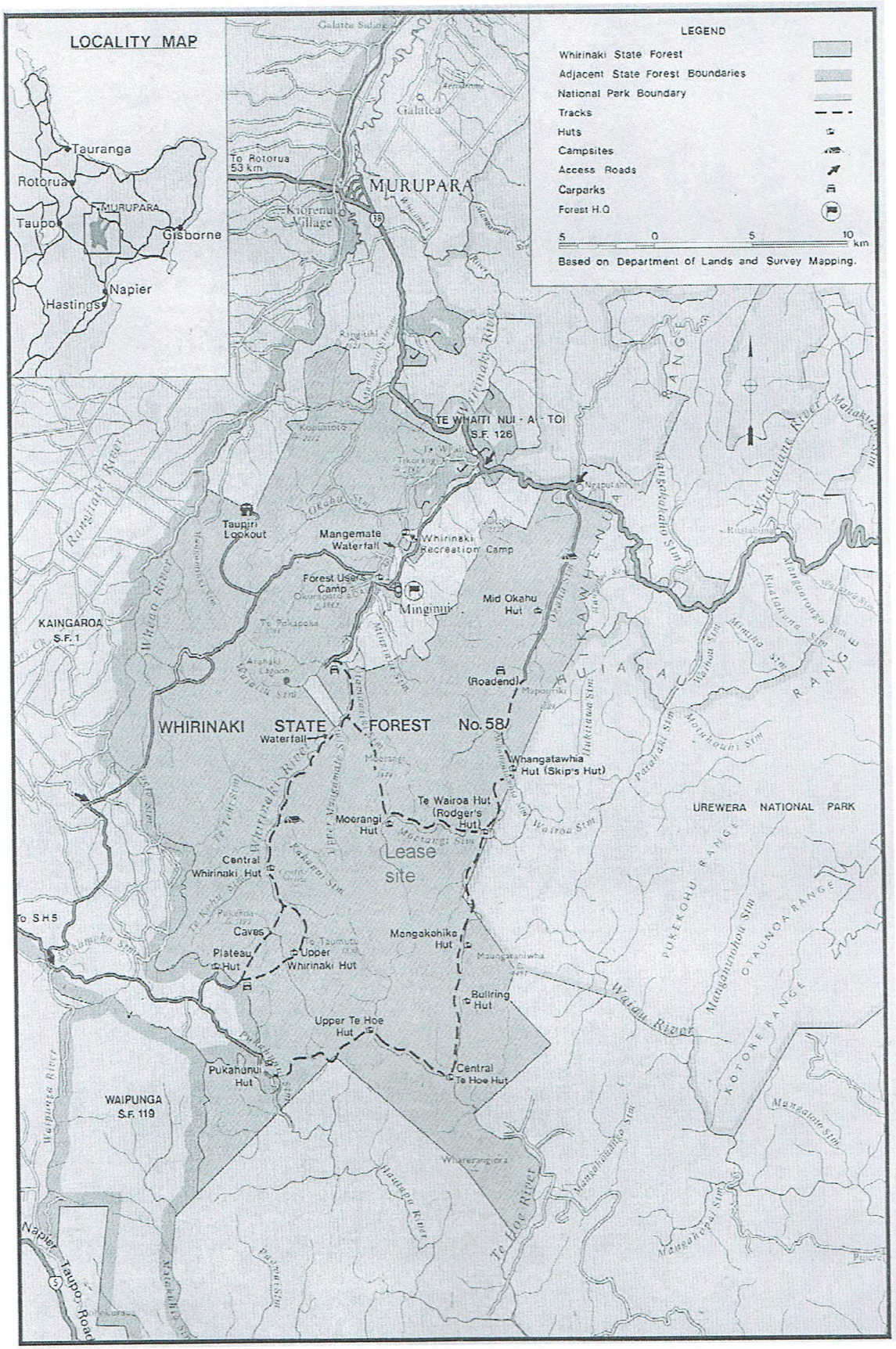
Made presentation as per document produced by CB with input from Joanne Lewis, Lewis Consultancy Ltd, Taupo (in attendance).

I advised AL and SW during the presentation that the intention was to introduce new capital for the construction of facilities at the existing (Okahu) and future (Moerangi) lease sites by way of a minority shareholder in the trading company RAINFOREST EXPERIENCES NEW ZEALAND LTD, which would operate under a Licence to Operate from MANAAKI GROUP HOLDINGS LTD.

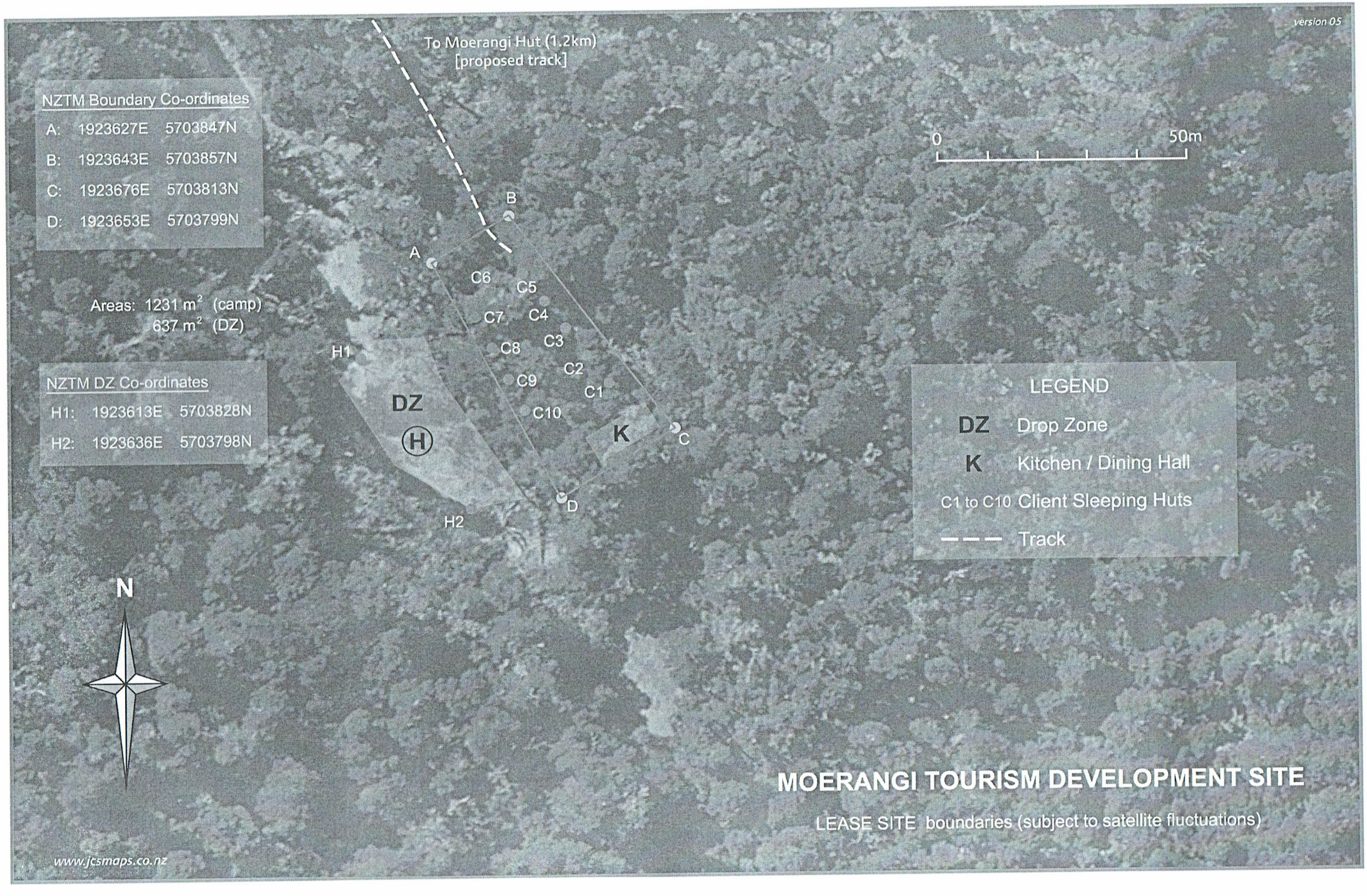
AL advised that however I structured my business was a matter for me, consistent with the formal advice from Chris Jenkins (23 February 1993) and Terry Burgess (23 August 1993) that this is permitted provided there is no assignment of the Lease/s or Guiding Concession. AL advised that DoC was not a party to such agreements between my entities and thus not involved provided the terms of the Lease/s and Guiding Concession are complied with.

Attachment D1
General locality map

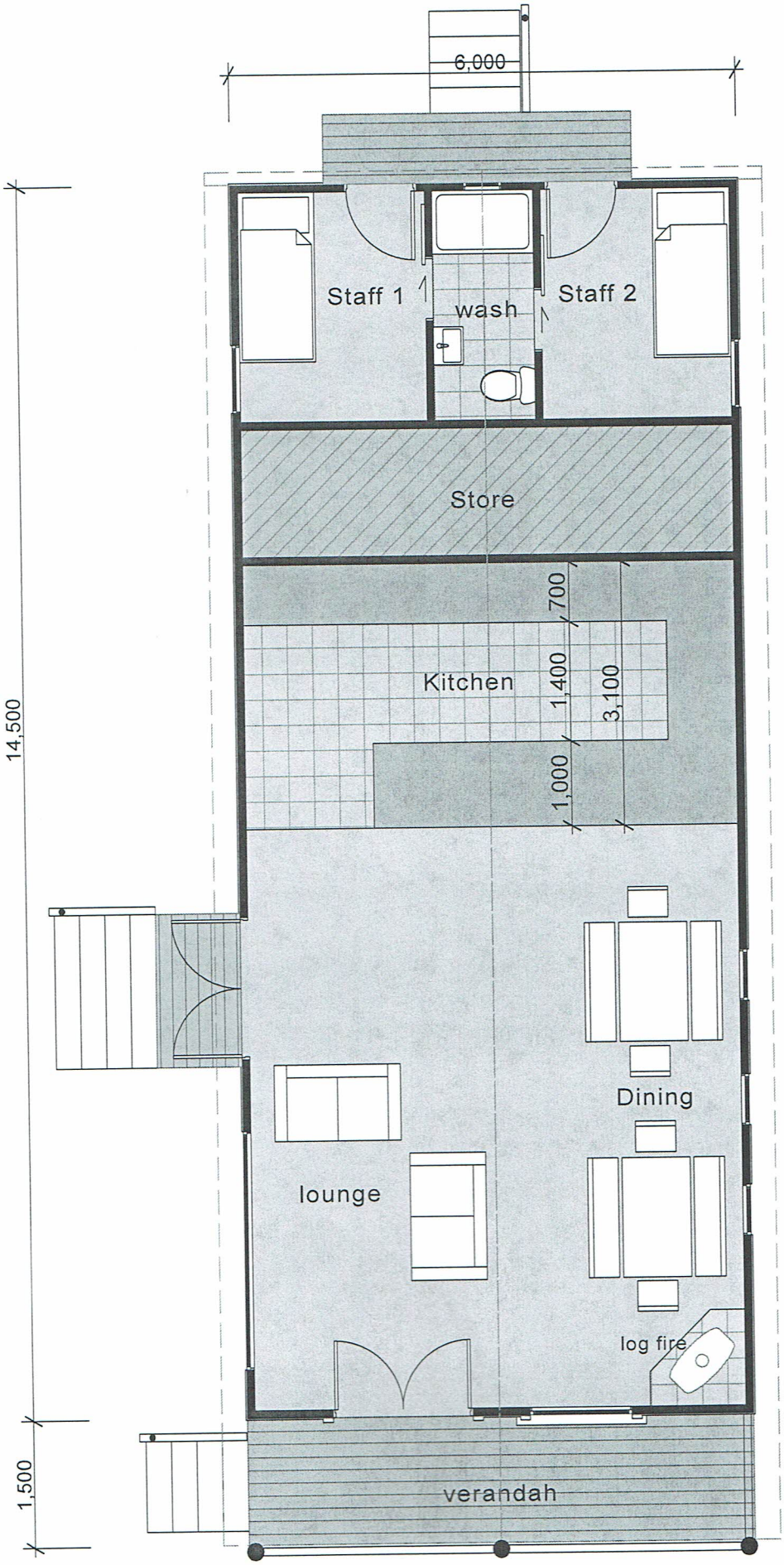
LOCATION MAP



Attachment D2
Location/boundaries/placement of structures

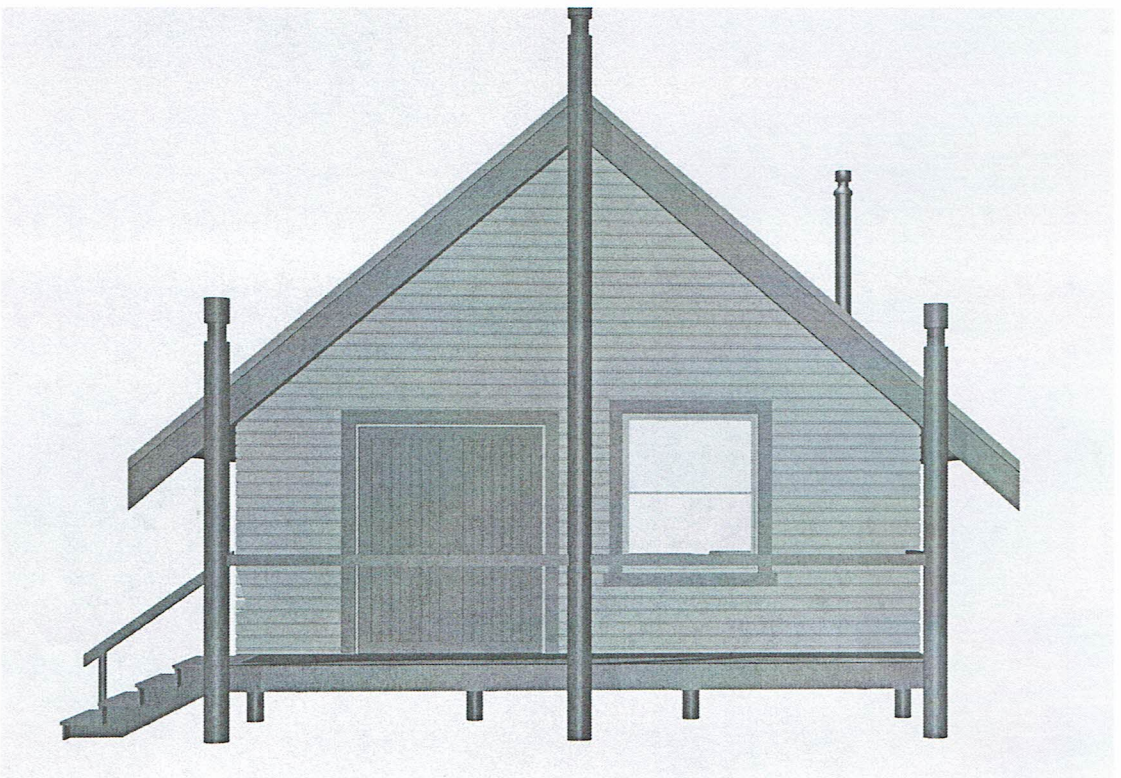

version 05
To Moerangi Hut (1.2km)
[proposed track]
NZTM Boundary Co-ordinates
A: 1923627E 5703847N
B: 1923643E 5703857N
C: 1923676E 5703813N
D: 1923653E 5703799N
Areas: 1231 m² (camp)
637 m² (DZ)
NZTM DZ Co-ordinates
H1: 1923613E 5703828N
H2: 1923636E 5703798N
0
50m
A
B
C
D
C1
C2
C3
C4
C5
C6
C7
C8
C9
C10
H1
H2
DZ
H
K
LEGEND
DZ Drop Zone
K Kitchen / Dining Hall
C1 to C10 Client Sleeping Huts
Track
N
MOERANGI TOURISM DEVELOPMENT SITE
LEASE SITE boundaries (subject to satellite fluctuations)
www.jcsmaps.co.nz

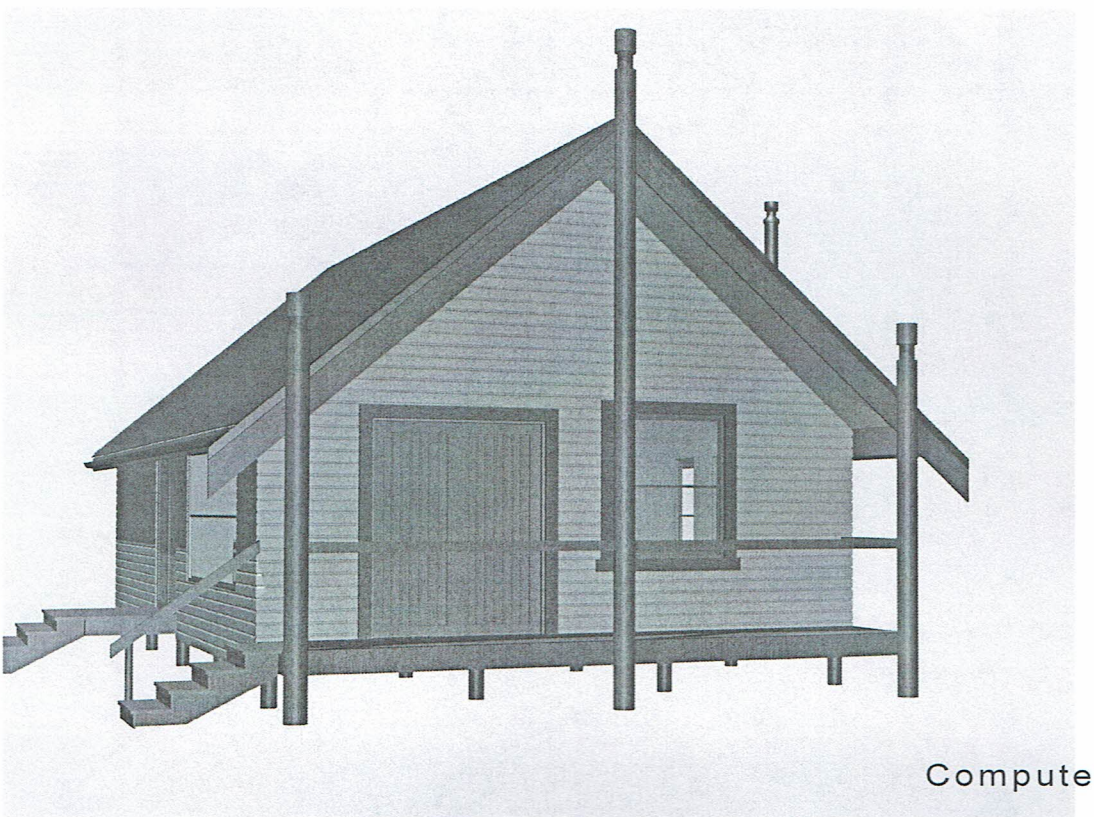
Attachment D3
Design and visuals of structures



Floor Plan

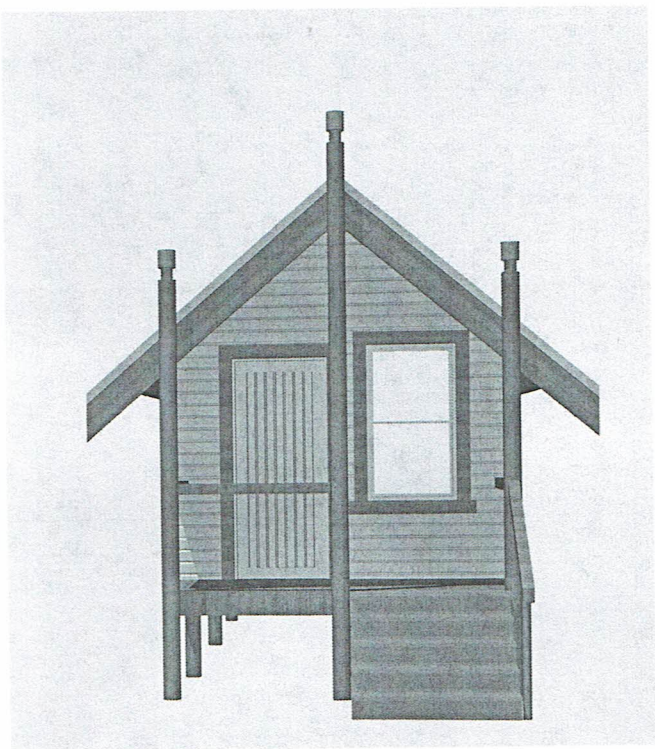
Whirinaki Walk Developments Proposed Dining Whare



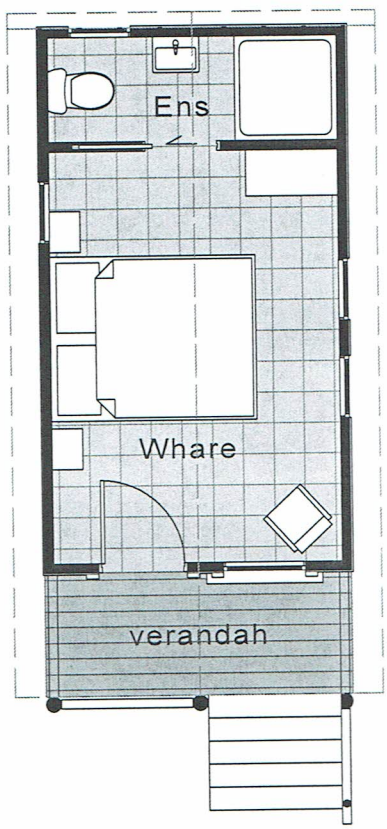


Computer Images

Whirinaki Walk Developments
Proposed Dining Whare



Computer Image



Floor Plan

Whirinaki Walk Developments - Proposed Sleeping Whares

Attachment D4
Example of structure among vegetation