

Works Approval Tongariro National Park



File Ref: 40011-SKI

Between: Department of Conservation

And: Ruapehu Alpine Lifts Limited (RAL)

To: Infrastructural renewal on Whakapapa Ski Area

- Construct a 50 cabin Gondola (10 seater cabin) and associated lower and upper terminal buildings and towers.
- Remove waterfall chairlift towers and upper waterfall terminal building.

SUBJECT TO THE ATTACHED CONDITIONS

Details of Works Approval

Works Application No:	5415841, 5416913, 5438110
Works Approval Type:	Major
Address of Activity:	Whakapapa Village, Tongariro National Park
Date Granted:	2018
Expiry Date:	2024

Office Details

District Office: Tongariro
Regional Office: Central North Island

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APPROVAL

Approval is given under section 51A of the National Parks Act 1980 and in accordance with the Ruapehu Alpine Lifts Ltd concession 40011-SKI, for the works as described in schedule one and within the time period as described in schedule two attached.

This Approval is given under the following terms and conditions.

INTRODUCTION

This document sets out the general conditions of approval and the monitoring requirements for all works associated with the project proposal described in schedule one of this works approval. This work is to be completed within the Tongariro National Park administered by the Tongariro District Office of the Department of Conservation. These conditions and the approval will be between the Department of Conservation (the Department) and the Ruapehu Alpine Lifts Ltd (the Company).

It is the Company's responsibility to ensure that any contractors and sub-contractors working on the project are bound by and conform to the conditions as set out in this approval agreement.

MONITORING AND RECORDING

Site monitoring will be carried out at the commencement and at the conclusion of the work. This will be undertaken by the delegated decision maker or another staff member of the Department delegated as a monitoring officer and may include joint monitoring with iwi. Site visits are to ensure that the Department's conditions of approval are being met and adhered to and that no unauthorised works are taking place.

Progress will be monitored on those items that the Department requires to be completed by a specified date.

Site visits will also happen as often as needed when the following work is being undertaken;

- Excavators/machinery doing terrain modifications and demolition
- Movement of machinery/excavators between construction sites
- Concrete pouring
- Storm water controls and drainage construction

All site visits will be noted and are likely to include the following

- Date and duration of visit
- DOC staff member involved
- The Company staff member involved
- Any contractor's representative involved
- Area/s visited
- Any notes on specific works
- Any unauthorised works noted
- Any actions taken

- What time (by the unit of an hour or part), that needs to be charged for.

Estimate of Monitoring Cost

Time charge and cost recovery for monitoring of this project will apply. The table below is the applicable schedule of fees. It is anticipated that one visit will be required, upon completion of the works.

Category	Rate 2010
<i>Staff</i>	
All Tier 3 managers	\$185 + GST per hour
Solicitors	\$165 + GST per hour
All Tier 4 managers	\$125 + GST per hour
All Tier 5 staff	\$115 + GST per hour
<i>Vehicles</i>	
4WD Petrol	\$1.06 + GST per kilometre
4WD Diesel	\$1.06 + GST per kilometre
2WD vehicles	\$0.72 + GST per kilometre
<i>Other</i>	
Disbursements	Actual and Reasonable

CONDITIONS OF APPROVAL

The following conditions of approval apply to all works. Special conditions may be imposed on a case by case basis and these will be detailed in schedule one.

1 General

While doing any works, the Company and their contractors shall at all times comply with the obligations, provisions and requirements of the National Parks Act 1980 and the Conservation Act 1987. The Department is the administering authority for these Acts. All operations shall be subject to the scrutiny of the Department whose special requirements, as specified in these conditions, shall be observed. The representative of the delegated decision maker shall have authority to stop work, via the Company representative, if a problem or variation from the conditions of approval set down in this document occurs or there is a breach of the National Parks Act, Tongariro National Park Management Plan and or Conservation Act.

2 Reinstatement of area

The Company and any contractors employed by the Company shall reinstate all areas affected by the works, including the establishment and working areas, to a condition at least equal to that at the commencement of the works.

3 Resource and Building Consents

The Company and or any contractors employed by the Company shall apply for and obtain, prior to works commencing, any Resource Consents (Resource Management Act 1991 being: Land Use Consents or Discharge Permits), and or any Building Consents (Building Act 2004) that may be required by the relevant Territorial Authority as they relate to this project.

The Company shall apply for, and obtain prior to works commencing, any other approvals and authorities that may be required from other statutory agencies or bodies for the works as described to proceed in an approved manner. This includes but is not restricted to the New Zealand Land Transport Agency and WorkSafe New Zealand.

Copies of any Resource Consents, Building Consents (including Producer Statements) and any other approvals are required to be given to the Department prior to work commencing.

4 Boundaries of work areas

The Department may set the boundaries of work areas as necessary. These will be recorded on a site map. Copies are to be held by the Department and by the Company.

The Company and any contractors shall note that certain areas may be “taped” by the Department to mark the boundaries inside which work can take place.

The taped boundary is to be adhered to at all times. If the tape is broken knocked down or otherwise damaged the Company or any contractors working for them shall notify the Department immediately. The tape is not to be moved or replaced without approval of the Department and without a representative of the delegated decision maker being present.

If the tape is broken, or damage occurs outside of the construction zone, the Department will recover the following penalty costs from the Company.

- a. Up to \$200 for each and every time the tape is broken
- b. Up to \$500 per square metre for any area outside the construction zone and/or beyond the taped perimeter of the construction zone where the surface of the soil is disturbed and/or vegetation removed and/or damaged.

These costs are in addition to any penalties which may be imposed by a court where the Department elects to pursue a prosecution for a breach of the National Parks Act or any other act the Department administers.

5 Plans and specifications

Where required all certified construction plans (working drawings, site plans etc.) and specifications are to be made available to the delegated decision maker for approval prior to contract implementation or work commencing.

All construction specifications, details, materials and methods are to conform to the plans and specifications as approved by the delegated decision maker.

Should any changes be made to the plans and specifications as approved by the delegated decision maker, the Company shall apply for approval of the changes prior to their implementation.

6 Duration of approval

Duration of this approval is for a period of 6 years and 2 months from 1 August 2018 to 30 September 2024.

Any work not completed within this time frame must be resubmitted to the delegated decision maker for further separate approval. Extensions of time will only be granted if the delays were beyond the control of the Company, contractor and or subcontractors.

7 Washing and refuelling

The Company shall ensure that run-off from washing down of any vehicles or equipment does not flow into any watercourse or into any storm water or onto any area that is not specifically designed for that purpose.

Any concrete trucks washing down their chutes, bowls or other parts of their equipment are to do it at an approved soakage area. All residues are to be removed at the end of project or other such specified dates as the Department may request.

The Company shall exercise due care and responsibility to minimise the potential for leakage or spillage of fuels and/or lubricants and/or any substance that could be spilled. Spillage shall be cleaned up immediately and contaminated material taken to an approved disposal site. All spillage shall be reported to the Department.

Hard standing areas shall be established as approved by the Department for the parking and refuelling of vehicles and plant.

Bulk fuels and oils are only to be stored in approved storage areas surrounded by a bund and capable of containing the contents of the bulk fuel container.

Where returning a machine to a hard standing/bunded area for refuelling is not practical, refuelling can occur from containers 20 litres or smaller where the machine is working. The need to refuel machines on site is to be confirmed with the Department's representative.

Oil changes are not normally permitted on vehicles or machinery on site. When it is not possible or practical to return a machine to a workshop area for oil changes, then permission may be given on a case by case basis by the Department, provided all practical measures are taken to prevent spills. These are to include, as a minimum, a catch tray capable of containing the total volume of oil involved in addition to whatever container the waste oil is going into.

No machine shall be allowed to work on site with an oil leak.

Major repairs to machines are not permitted on site without approval from the Department, which may set special conditions on how it is done.

8 Steam Cleaning of Plant

All plant (hand tools, electrical tools and small petrol-powered tools are exempt) to be used shall be thoroughly steam cleaned prior to transporting into the Park, to ensure that all seeds and other undesirable materials are removed. A temperature of greater than 100 degrees Celsius is required to kill some seeds so water blasting is not sufficient.

The plant is to be presented for inspection for compliance by Department representatives immediately that it is brought into the Park.

9 Silt Traps

Silt traps approved by the Department are to be constructed anywhere silt is likely to be washed off a work site. Particular care must be taken in any area where materials are being sorted, screened or stored.

10 Materials brought on to site

All aggregates brought into the Park for purposes of concreting or any materials brought in as fill are to be of an approved type and from an approved weed free source.

They are to be stockpiled on an approved site and all remnants removed from the Park on the completion of the project.

They are to be contained on the approved stockpile site.

11 Concrete

The Department's preference for concrete construction is that concrete is trucked into the Park and moved to the site in a pre-determined manner. Approval is required to establish a concrete batching plant on site or to set one up elsewhere in the Park. The Department will decide on the site for the plant or wash-down areas for concrete truck cleanings.

If a concrete batching plant is established with the Department's approval all materials associated with the plant must be stored to prevent spillage. Any spilled concrete or concrete ingredients must be removed to the satisfaction of the Department's representative and not allowed to enter watercourses.

An approved soakage area must be constructed for washing down the plant. Any concrete residues in this soakage area must be removed at the completion of the contract.

12 Blasting

All blasting works are to be carried out by suitably qualified operators, in accordance with the WorkSafe New Zealand Code of Practice for blasting and as approved by the delegated decision maker.

Blasting work is to be kept to a minimum and care is to be taken to ensure that blast material is confined to as small an area as is practical. Blast mats may be required as part of the approval; this will be assessed on a case by case basis.

Blasted material that is out of character with surrounding surface materials will either have to be buried or removed to a site where it will not be out of character. The Department's representative will decide this on a case by case basis.

All areas to be blasted require prior approval from the Department's representative. Also see section 17.

13 Excess material from excavations

All spoil generated from excavation work associated with the project is to be contained and used for site restoration purposes as approved by the delegated decision maker. A decision on the excess material that cannot be used for site restoration purposes will be made by the decision-maker.

14 Signs and colours of finishes

The colour and surface treatment of any exposed concrete surface shall have the approval of the delegated decision maker.

All exterior colour schemes of all buildings and structures cladding (both wall and roof), shall comply with the Tongariro National Park Building Code and shall be approved prior to application by the delegated decision maker.

Details of any signs intended for use on buildings or facilities are to be lodged with the delegated decision maker for approval.

No commercial paid advertising is to be painted on to or attached to the exterior of any facility or structure.

15 Helicopter Operations

The Company must provide to the Department in writing the details of the insurances held by the helicopter company engaged in the works. Insurances held must include Public Liability Insurance for general indemnity, Forest and Rural Fire Extension and Aviation Liability.

The Company must ensure that the helicopter company holds a current AIRCARE accreditation or similar prior to undertaking the works.

Any materials dropped by a helicopter operator either by accident or on purpose outside of approved sites must be reported to the Department as soon as possible and any materials removed immediately. Site restoration work must be carried out to the satisfaction of the delegated decision-maker in the event of anything being damaged.

During the ski season helicopters (apart from those involved in SAR or patient evacuation) are not permitted to operate over operating parts of the ski areas between the hours of 9.00am and 4.00pm.

During the summer visitor programmes, operation of ski areas or over other highly used areas, helicopters may operate during operating hours but should avoid wherever possible those areas heavily used by the public.

16 Rubbish

All building debris and waste materials are to be removed from site on at least a weekly basis. All such material is to be removed from sites to the satisfaction of the Department.

It must be noted that building debris and waste materials include all such materials no matter what the size of the object. They include but are not confined to the following items; sawdust, sand, building aggregate, any spilt concrete, any paint flakes, spilt paint, nails, wood, plastic or metal off cuts.

Drop sheets shall be used around sites where paint, sand, aggregate or concrete could be spilt. Geotextile cloth is particularly suited to this use.

Any waste or rubbish being held on a site prior to removal is to be stored in such a fashion that it cannot be blown about by the wind.

No fires are permitted.

17 Health and Safety

The Company must exercise the rights granted by this works approval in a safe and reliable manner and must comply with the Health and Safety at Work Act 2015 and its regulations and all other provisions or requirements of any competent authority relating to the exercise of this works approval. The Company must comply with its environmental health and safety plan (EHSP) and with any safety directions of the Department.

The Department may at any time request the Company to provide the Department with a copy of the current EHSP in which case the Company must provide a copy within 10 working days of receiving the request.

Safety provisions are to include but are not confined to the following specific safety measures that must be undertaken:

- Helicopters are to avoid, where possible, flying sling loads over areas occupied by the public, particularly walking tracks and roads. Where flying over roads or walking tracks is unavoidable, all practicable steps must be taken to ensure that no people or vehicles are present at the time and that the load is secure.
- No public are to be permitted within a 50-metre radius from where a helicopter is picking up sling loads, placing sling loads or landing. Landing areas outside of the destination site and the workshop car park area are to be pre-approved by the Department through the landing permit process.
- When using explosives sufficient measures are to be taken to prevent members of the public being put at risk.
- Equipment storage areas are to be marked with visual barriers (orange hot tape strung between poles is satisfactory).
- Signs advising the public of the nature of the construction works are to be placed in a prominent position and the public are to be excluded from these areas.
- Any injuries suffered by members of the public arising from accidents associated with any of the work authorised in these approvals are to be reported to the Department immediately.
- Any injuries resulting in serious harm to anyone working on the work authorised in these approvals are to be reported to the Department immediately.
- The Company and any contractor that it engages is required, if requested, to produce evidence of compliance with the Health and Safety at Work Act 2015.

18 Contact Person and Inspections

The Company will appoint a Contact Person whom the Department can liaise with over the conditions of this approval. See schedule three.

The Company will facilitate any inspections of the construction work by the Department's representative and comply with any requirements made by the Department in accordance with these approvals as a result of these inspections.

19 Use of Vehicles

All use of vehicles off roads and car parks requires separate approval from the Department. This approval will set any specific conditions and will detail the places where vehicles are allowed to go.

“Vehicles” are defined in the National Parks Act 1980. They include all motor vehicles, trucks, diggers, loaders, motorbikes, bicycles, trikes, quad and six-wheel bikes.

20 Bond

It is considered that monitoring of the activity is required but a monetary bond is unnecessary.

SCHEDULE ONE

List of permitted work

As described in the application lodged with the department on 02 February 2018 and summarised as follows:

- **Gondola:**
Earthworks and construction activities associated with the establishment of an upper terminal building (return station) with a footprint of approximately 250 m² and a maximum height of 8.5m high at its southern extent, and higher on the northern approach where the ground drops away.

Earthworks and construction activities associated with the establishment of a lower terminal building (drive station).

Earthworks and construction activities associated with the establishment of up to 16 gondola towers along the gondola path line from the drive station to the return station.

Installation of communications cable/s between towers and drive/return stations.
- **Other:**
The dismantling and removal of the existing Waterfall Express Chairlift towers and return station, tower foundations and ancillary services.
The removal of the Waterfall Drive Station, apart from critical services infrastructure, in the event the construction of the Knoll Ridge Express does not occur by 31 May 2024.

Special Conditions

1. Prior to commencement of construction the Company shall provide to the Department for approval, a Construction Management Plan (CMP) that will outline methodology and timeline (including milestones) for construction and excavation works, monitoring and mitigation measures, reporting procedures, landscaping and remedial works.
 - Ensure all representatives of contractors and sub-contractors are familiar with the CMP, trained in its content and implementation and ensure that these entities carry out works in accordance with the CMP.
 - Ensure any revisions to the CMP first receive the approval of the Department and are then communicated to all contractors and sub-contractors as soon as is practicable prior to implementation.
 - Ensure the requirements of the CMP are adhered to.
2. Where unacceptable (in the sole opinion of the Department) environmental effects are occurring or are likely to occur as a result of a failure to follow the CMP or this works approval document, the Company shall:

- Stop the activity which is causing or likely to cause the damage, and notify all relevant parties, including the Department.
 - Undertake appropriate remedial actions in consultation with the Department as soon as is practicable.
 - As soon as is practicable notify the Department's representative and the delegated decision-maker of actual or potential damage and outline the Company's response.
 - Provide the Department's representative with a written account of the non-compliance including an explanation of how it occurred, what the consequences are in terms of possible environmental impacts and provide an outline of what, if any, actions are being taken by the company to address any damage and how systems will be changed to prevent a re-occurrence.
3. The works shall be carried out in accordance with the details contained in the CMP, the works approval, and any supporting information and plans submitted to the Department.
 4. The Company shall notify the Department prior to commencement and at the cessation of the works.
 5. The Company shall convene regular on site meetings and works inspections with contractors and subcontractors to ensure that the CMP and works approval documents are being adhered to and the Company shall minute any action items from those meetings and forward copies to the Department's representative at least monthly. The Department's representative may attend all or part of these meetings.
 6. The Company shall nominate a representative on site to liaise with the Department who shall be responsible for:
 - Ensuring that the works approval requirements for the works are adhered to.
 - Ensuring that instructions from the Department's representative are implemented.
 7. Photographs are to be taken of all areas where works are to occur prior to earthworks beginning and regular photographs are to be taken throughout the period of the works, at not less than weekly intervals while work is occurring. The Company shall provide copies of them to the Department's representative on request.
 8. The Department's delegated decision-maker, shall approve the colours, textures and materials of all structures, including the Return Station, the Drive Station, lift towers, visible foundations, communication cables, terminal and operator buildings.
 9. Where there are opportunities to combine machinery movements, material storage, handling and the back-loading of material and refuse with other projects on the ski field the Company shall consider doing so.
 10. Notwithstanding 'Conditions of Approval' Clause 7, the Department's delegated decision-maker, may determine an adequate ecological assessment was submitted with the Works Approval application and that no further ecological assessment is therefore required.
 11. A monitoring and management plan shall be prepared and implemented to address the potential effects of freedom walkers who access Ski Area using the proposed gondola. The draft monitoring and management plan shall be provided to the Department for approval within six (6) months of the gondola construction commencing (or earlier). The monitoring and management plan shall include, but not be limited to:
 - Locations to be monitored, including unplanned tracks and routes



- Frequency and method of monitoring
 - Proposed signage and signage locations
 - Proposed marking of existing tracks
 - Procedure to be implemented if adverse effects are identified
12. Any excess material shall be removed within 12 months after completion of the foundation excavation works. Any excess material removed shall remain within the Tongariro National Park, as instructed by the Grantor.
 13. Deflection devices and any above ground foundations shall be painted black, the same as the towers, or disguised with natural rock with particular attention being paid to the colour and weathering of the surrounding summer landscape.
 14. All storm-water from the proposed building shall be collected and disposed of in a manner that does not cause erosion or scouring.
 15. If any human remains, artefacts or evidence of historical human occupation are uncovered during construction, the consent holder shall cease work immediately and secure the area, advise Ngāti Hikairo, Tūwharetoa Maori Trust Board, Ruapehu District Council and the Department of Conservation, and abide by the provisions of the heritage New Zealand Pouhere Taonga Act 2014.
 16. The Waterfall Express Chairlift towers shall be removed prior to operation of the gondola.
 17. Pedestrian access shall be provided between Happy Valley and the area at the gondola lower terminal at the completion of the gondola works.
 18. That snowmaking and snow management continue to serve the Tennent's trail to provide for safe skier movements.
 19. That signs be erected at the start of the Waterfall and Tennent's trails to advise skiers to reduce speed.
 20. Access to the gondola from the base area and to and from the gondola and Knoll Ridge Café shall provide access for less abled bodied persons.

SCHEDULE TWO

Period of works

Timeframe for works: Construction and removal/ rehabilitation period of up to 6 years and 2 months for the works. No physical in-ground excavation works approved under this approval must not be undertaken between 31 May and 31 October unless prior approval is granted by the Department.

For construction of the new facilities: 2 winters and 1 summer plus an extra summer if needed.

For the removal of redundant structures/services: 4 summers and 4 winters after the date of commissioning of the new gondola facility (i.e. if work commences in 2018 then all works, including restoration, should be completely finished by 31 May 2024 (i.e. if work commences in 2018 then all works, including restoration, should be completely finished by 31 May 2024).

Approved period of work:

- a) Construction of Gondola drive station/storage, towers and return station work items in schedule 1 above must be completed by 31 May 2020.
- b) Removal of Waterfall Chairlift return station, drive station apart from critical services infrastructure (in the event the construction of the Knoll Ridge Express does not occur by 31 May 2024), lift towers and ancillary infrastructure must be completed by 31 May 2024.

SCHEDULE THREE

Contact persons

The Department of Conservation Contact Person and site monitoring officer for this project is:

Allan Munn
Department of Conservation
Taupō Office
Ph. 0278396147
Email: amunn@doc.govt.nz

The Company's Contact Person for this project is:


Ella Tennent
Cheal Consultants Limited, PO Box 165, Taupō 3351
Phone: 07 378 6405
Email: ellat@cheal.co.nz

SIGNATORIES

On behalf of:

Department of Conservation

Signed by:



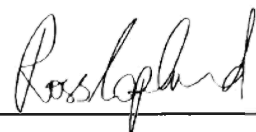
Allan Munn
Director Operations for the Central North Island Region

Date: 17th April 2018.

On behalf of:

Ruapehu Alpine Lifts Limited
Mt Ruapehu

Signed by:



Ross Copland
Chief Executive Officer
Ruapehu Alpine Lifts Limited

Date: 18 April 2018