

## A. Permission Application Number and Name of Applicant

80053-GUI – Application by Tourism Milford Limited trading as Ultimate Hikes

## B. Name of Proposed Activity and Location(s)

Tourism Milford Limited is applying to continue operating multiday Milford Track Guided Walk operations within Fiordland National Park. Including activities that support and are integral to the operation. The application includes combining all existing activities into one Lease, Licence and Easement concession. The activities include:

- Accommodation at Glade House, Pompolona Lodge and Quintin Lodge and auxiliary structures.
- Day and emergency shelter structures at various locations along the Milford Track.
- Telecommunication structures at two locations; Mount Pillans (existing) and 5 Mile (proposed).
- Bulk fuel storage on track and a 1900L fuel tanker at Deepwater Basin, Milford Sound.
- Use of the Milford Track Great Walk and side-tracks for multiday guided walking service.
- Glade Wharf structure and barge activities on the waters of Lake Te Anau.
- Helicopter operations for activities associated with the multiday walk operations.
- The right to convey water; and the right to drain sewage and wastewater at various locations.

## C.2 Your name

In placing your name and organisation below, you acknowledge that you are the person or authorised person submitting this objection or submission.

Printed name of submitter or person authorised on behalf of submitter	S J Martin
Organisation	
Date	24 February 2020

## D. Statement of Support, Neutrality or Opposition

- I **Support** this Application (I am making a submission)
- I am **Neutral** on this Application (I am making a submission).
- I **Oppose** this Application (I am making an objection).

## E. Hearing Request

- I **Do Not** wish to be heard in support of this objection or submission at a hearing.
- I **Do** wish to be heard in support of this objection or submission at a hearing

## F. Objection or submission

The specific parts of the application that this objection or submission relates to are:

1. The 40 year period of concession proposed by the applicant
2. The aggregation of all operational functions under one concession
3. The proposed exclusive lease around land and buildings
4. Milford Track and the Milford Opportunities Project
5. There are no required performance standards in terms of client service, tangata whenua presence, employment contracts, transport and accommodation that are minimum for the applicant to achieve over the duration of the concession
6. This concession should be tendered

My reasons for my objection or submission are:

1. The 40 year concession period is excessive and lenient, as it would create a license for a continuous service monopoly on public land with no known required performance criteria other than compliance with current health, safety, conservation and infrastructure regulations. The Milford Track is an iconic New Zealand visitor destination and experience. As such any commercial concession granted in this location, especially a monopoly, must be incentivized to operate at a high standard. A forty year monopoly concession does not incentivize continuous improvement or accountability to a minimum service standard.
2. A single concession fails to account for the widely varying operational elements of the Milford Track - separate accommodation facilities, separate supply interfaces, separate transport types. Flexibility of concession structure allows for future regulatory change. A blanket 40 year concession imposes restrictions on change to future regulatory control, which is a certainty. Multiple concessions also allow for flexibility in compliance with other regulatory agencies. As an example, the known future of a Milford Opportunities Project Master Plan for the Freshwater Basin and Deepwater Basin precincts means that it would be presumptuous to grant a forty year concession for helicopter operations from those locations when their future use is presently unknown.
3. The proposed exclusive lease to include the space between land and buildings is unjustifiable on the basis of the arguments presented by the applicant. It functions as a form of privatization of public land in a National Park. The applicant has not declared what might happen in these spaces over 40 years. One could speculate that this is an attempt to bar independent walkers from the concession holders accommodation environs to facilitate the exclusive privacy of their clients. However this is public land, and independent walkers have a legitimate interest in historic structures that were once in public ownership such as Glade House. There is a risk that the lease boundary might be physically defined by the applicant, which in whatever form would be a visual barrier signalling privatization, which is not appropriate in a National Park. Hazardous operations for example helicopter landings are unlikely at the time walkers are in the vicinity, and even if they are temporary means of exclusion from operational zones for safety can easily be agreed with DOC. The idea that the security of the applicant's facilities is at risk is fanciful given that the site is remote and access is controlled and on foot. It is accepted that independent walkers are not permitted to use the applicant's facilities, this can be easily managed by effective briefing. Pompolona Lodge is off the main track so it does not receive high volume opportunist visits from independent walkers anyway.
4. The multi agency Milford Opportunities Project has a vision: Piopiotahi - New Zealand as it was, forever  
- A moving experience: visitors experience the true essence, beauty and wonder of Milford Sound Piopiotahi  
- Visitors are offered a world class visitor experience that fits with the unique natural environment and rich cultural values of the region  
Similarly the Southland Murihiku Conservation Management Strategy 2016 section 2.2.6b seeks to 'develop and sustain an integrated approach to managing Milford Sound / Piopiotahi, and access to it as an icon destination, thereby enhancing its international reputation'. These statements overlap and express a comparable

aspirational goal for visitors' experience of Milford Sound. It is not clear if Milford Track operations by the applicant are or will be included in the scope of the Milford Opportunities Project. It should be, because the Milford Track is a transport corridor used by thousands to visit Milford Sound Piopiotahi annually. Because the Sandfly Point – Freshwater Basin transfer is on water it is outside the jurisdiction of this application. However it is undeniable that this transfer is a key part of the Milford Track experience for both the applicant's clients and independent walkers, and crucially it is also the first experience of Milford Sound Piopiotahi and a climax location for all Milford Track walkers. The water taxi fails to meet the criteria of both the CMS and MOP extracted above, so DOC should be mindful of this in its handling of both policy documents. The water taxi M V Te Namu is awkward to board and egress, is noisy, high revving, uncomfortable in a day breeze chop and when crossing cruise boat wakes, has inward facing indoor seating only, has virtually no visibility of Milford Sound Piopiotahi, and makes a high speed planing passage through the iconic landscape. This is a profoundly flawed and substandard transfer experience. The preceding vessel, the M V Anita Bay, had romantic local heritage value, indoor and outdoor options, lateral and overhead glazing, was slow moving, slow revving and provided the level passage of a displacement vessel. Similarly the accommodation facilities operated by the applicant show all the signs of additive development, and repeat maintenance in a challenging environment. These buildings may be considered inadequate well before the expiry of the concession period applied for, yet no mention of this is made in the application, or any mention of a bond lodged for ongoing maintenance if the applicant should fail to maintain their assets on public land or fail as a going concern.

5. A commercial operation which is granted a service monopoly to an iconic visitor destination in a New Zealand National Park should be subject to a minimum and reviewable service standard criteria for transport, accommodation building, hospitality services, employment contracts and guiding services. These are not declared in this application and are a notable omission.
6. National Park Management plan reviews for Aoraki Mount Cook and Fiordland National Parks have been delayed, my understanding is that DOC is reviewing the relevance of Te Tirit o Waitangi to these plans. With this being the case, and considering the history of the Milford Track area, there is no mention of the role of tangata whenua in this application, such as in an affirmative action employment policy or standard.

The outcomes that need to be addressed by this application are:

Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought if the application is approved.

1. Reduce the concession period to five years with rights of renewal subject to achievement of performance criteria
2. Split the concession into separate concessions for each accommodation site, shelter and transport activity
3. Decline the applicant's proposal to define an exclusive lease area
4. Include the Milford Track Guided Walk in the scope of the Milford Opportunities Project
5. Establish independently reviewable minimum performance criteria for the applicant to cover accommodation facilities, transport services, hospitality services, guiding services and employment contracts so that the visitor experience of the Milford Track conforms to the expectations of the Southland Murihiku CMS and the MOP. If performance criteria are not achieved, have a progressive system to monitor improvement within a limited time period with penalties for non compliance, which could go as far as terminating the concession and re-tendering the service to alternative providers
6. While a right of renewal to the existing concession holder has a place, DOC should review its monopoly concession policy to open concessions of this type to a competitive tendering process subject to a broad range of performance criteria
7. A response to my email dated 05 February 2020, to which no reply has been received at the date of this submission (25 February 2020). This email is attached

Thank you for the opportunity to make this submission.

## G. Attachments

If you are using attachments to support your objection or submission clearly label each attachment, complete the table below and send in your attachments with this 'objection or submission form'.

Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment
Tourism Milford Concession Questions	PDF	Email questions regarding the concession

### How do I submit my objection or submission?

Complete this form and email to [DNSubmissions@doc.govt.nz](mailto:DNSubmissions@doc.govt.nz). You may also mail your objection and submission to: Director-General, c/o Department of Conservation, Director-General, c/o Department of Conservation, Level 1, John Wickliffe House, 265 Princes Street, Dunedin 9016 – Attention: Lisa Wheeler, Senior Permissions Advisor.