



A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Anthony Hannon
Contact person and role of organisation	Anthony Hannon
Email (Communication from DOC will be via email unless alternate contact requested)	thannon@bancorp.co.nz
Alternate contact for all DOC communication	
Phone/Mobile	021 987 367
Postal Address and Post Code	41 Rock Isle Road Waiake Auckland 0630

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
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- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	Anthony Hannon
Organisation	Self
Date	18 October 2021

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:

My reasons for my objection or submission are:

I am very supportive of this application and believe that Cardrona Alpine Resorts Limited will be an exceptional steward of the Concession Area for DOC and New Zealand.

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.

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

How do I submit my objection or submission?

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OBJECTION OR SUBMISSION



Department of Conservation
Te Papa Atawhai
New Zealand Government

Submission 02

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)

N. T. CRAIG

Contact person and role of organisation

Email
(Communication from DOC will be via email unless alternate contact requested)

Alternate contact for all DOC communication

Phone/Mobile

Postal Address and Post Code

I wish to keep my contact details confidential

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

OBJECTION OR SUBMISSION



Department of
Conservation
Te Papa Atawhai

New Zealand Government

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter

N. T. CRAIG

Organisation

Date

19/10/21

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

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My reasons for my objection or submission are:

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

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A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR; Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)

C. A. CRAIG

Contact person and role of organisation

Email
(Communication from DOC will be via email unless alternate contact requested)

[Redacted]

Alternate contact for all DOC communication

[Redacted]

Phone/Mobile

[Redacted]

Postal Address and Post Code

[Redacted]

I wish to keep my contact details confidential

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

OBJECTION OR SUBMISSION



Department of
Conservation
Te Papa Ataturangi

New Zealand Government

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter

C. A. CRAIG

Organisation

Date

19/10/21

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).
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E. Hearing Request

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F. Objection or submission

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The outcomes that need to be addressed by this application are:
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A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Dara Shearer
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	
Alternate contact for all DOC communication	
Phone/Mobile	
Postal Address and Post Code	

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

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- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter	Dara Shearer
Organisation	
Date	19/10/2021

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

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My reasons for my objection or submission are:

The outcomes that need to be addressed by this application are:
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A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
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- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Simon Craig
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	[REDACTED]
Alternate contact for all DOC communication	
Phone/Mobile	[REDACTED]
Postal Address and Post Code	[REDACTED]

I wish to **keep my contact details confidential**

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A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
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- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter	Simon Craig
Organisation	
Date	19/10/21

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:

My reasons for my objection or submission are:

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.

G. Attachments

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OBJECTION OR SUBMISSION



Department of
Conservation
Te Papa Atahua
New Zealand Government

Submission 06

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)

Mark J Verbiest

Contact person and role of organisation

as above

Email

(Communication from DOC will be via email unless alternate contact requested)

Alternate contact for all DOC communication

Phone/Mobile

Postal Address and Post Code

I wish to keep my contact details confidential

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.



A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter	MJ Verbiest
Organisation	
Date	19/10/21

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:

[Empty text box for specific parts of the application]

My reasons for my objection or submission are:

I support the ongoing amenity and access for recreational purposes as has occurred for many years already, with minimal adverse environmental impacts having occurred.

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.

[Empty text box for outcomes to be addressed]

G. Attachments

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OBJECTION OR SUBMISSION



Department of Conservation
Te Papa Atawhai

New Zealand Government

Submission 07

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Richard Buddle
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	richard@buddle.co.nz
Alternate contact for all DOC communication	
Phone/Mobile	027 8142462
Postal Address and Post Code	

I wish to keep my contact details confidential

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.



A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter

Richard Buddle

Organisation

Date

20 October 2021

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:

[Redacted area]

My reasons for my objection or submission are:

Perceived tourism and local community advantages outweigh any detrimental environmental issues in keeping these skifields operational

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.

[Redacted area]

G. Attachments

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OBJECTION OR SUBMISSION



Department of Conservation
Te Papa Atawhai

New Zealand Government

Submission 08

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Hamish Wixon
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	hwixon@mccoywixon.co.nz
Alternate contact for all DOC communication	
Phone/Mobile	021 310 232
Postal Address and Post Code	570 Mount Barker Road Wanaka 9382

I wish to **keep my contact details confidential**

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A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.2 Your name

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Printed name of submitter or person authorised on behalf of submitter

Hamish Wilson

Organisation

Date

29/10/2021

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

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- 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:

My reasons for my objection or submission are:

In support of the continued operation of Treble Cone ski field.

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.

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Complete this form and email to DNSubmissions@doc.govt.nz. You may also mail your objection and submission to: Director-General, c/o Department of Conservation, Ōtepoti / Dunedin Service Centre, PO Level 1, John Wickliffe House, 265 Princes Street, Ōtepoti / Dunedin 9016. Attention: Kelvin Brown.



A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	JM Robinson
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	
Alternate contact for all DOC communication	
Phone/Mobile	
Postal Address and Post Code	

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

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- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	JM Robinson
Organisation	private
Date	3.11.21

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:

Lease terms to be shortened to 3 year term

My reasons for my objection or submission are:

This will enable public consultation on public access performance

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.

Shorten the length of the lease to be a 3 year term.. Any renewal will be to subject to public consultation on public access performance

G. Attachments

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Submission 10

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	David and Alison McConnon
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	[REDACTED]
Alternate contact for all DOC communication	
Phone/Mobile	[REDACTED]
Postal Address and Post Code	[REDACTED]

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	David and Alison McConnon
Organisation	
Date	4 November 2021

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:

My reasons for my objection or submission are:

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.

G. Attachments

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OBJECTION OR SUBMISSION

Submission 11



Department of Conservation
Te Papa Atawhai

New Zealand Government

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
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- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Tim Dennis
Contact person and role of organisation	
Email (Communication from DOC will be via email unless alternate contact requested)	
Alternate contact for all DOC communication	
Phone/Mobile	
Postal Address and Post Code	

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.



A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	Tim Dennis
Organisation	
Date	12 November 2021

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:

My background is in the advocacy and development of public access project across Otago. I am a former member and Chair of the Upper Clutha Tracks Trust and have submitted on numerous public access projects over the past 20 years. My submission relates specifically to this area of expertise.

1. I support the use of PCL for the ski area operations and believe the use is not inconsistent with the purposes for which the land is held and provides the public with access to skiing in a stunning environment. Long may it continue to support public enjoyment and public access to conservation land
2. I oppose the 30yr term
3. I support the application for a Right of Way over the ski area access road subject to conditions to allow for unrestricted public access
4. I oppose the 'exclusive' nature of the concession

My reasons for my objection and/or submission are:

1. The ski area is a fabulous example of PCL being used for many activities to benefit the wider public. I support its ongoing operation. Operation of the ski area allows the public to enjoy public conservation land that would otherwise be relatively hard to access and benefits a wide cross section of the community.
2. The 30yr term sought is in my opinion too long and the justification given is poorly supported with evidence. Skier numbers have remained very strong despite Covid-19 and the business is in a good position with skier numbers generally growing across the ski industry. I support a much shorter term. I suggest 5 or 10yrs with a further 5 or 10yrs right of renewal with the renewal rights subject to a review of how well CAR/TCIL caters for and implements effective public access. Public consultation with public access advocates would be appropriate in any review of conditions. As public access to PCL has changed dramatically over the past 10 years with increasing numbers of people wishing to ski tour, paraglide and so forth, it is likely this will continue to develop, and it is critical that DoC retains the ability to review public access requirements regularly over the term of the concession.

There are recent examples of access to PCL being restricted by ski operations (Round Hill is the most recent example) where for the sake of commercial efficiency or the ever present 'public safety' the public are excluded from crossing PCL by the concessionaire. TCIL has itself been guilty in 2021 of preventing the public gaining access to the Turk Traverse due to 'safety concerns'. It is not TCIL's role to keep the public safe beyond the ski area boundary. But yet TCIL prevents people from crossing the boundary.

Round Hill has over the past 3 seasons prevented ski tourers from accessing the Richmond Ranges from the Round Hill Access road or ski area. Round Hill has also sought an exclusive lease (see <https://www.doc.govt.nz/get-involved/have-your-say/all-consultations/2019/applications/application-for-a-lease-by-tekapo-ski-field-limited/>) but seems to have forgotten that it is PCL and public access needs to be respected. Round Hill is also a signatory of the FMC/NZAC Backcountry touring code (refer <https://fmc.org.nz/2019/04/18/backcountry-touring-access-guidelines-published/>) but ignores this fact when dealing with the public. Demonstrating that unenforceable codes have limited value when commercial interests are at play.

There have also been recent issues with public access to The Remarkables Ski Area and at Coronet Peak where in both cases ski area management have prioritised operations over allowing continued public access. While there are many great examples of public access from ski areas (e.g. Craigieburn, Broken River, Cheesman, Ohau) these exist purely on the good will of the ski area operators with little or no legally enforceable protocols or code.

3. The access road is an essential part of the operation of TC and I support the granting of an easement. However, I oppose any exclusive rights over the access road. In the past access to the road has been strictly controlled by TCIL to the public's detriment. Any Right of Way should not give TCIL any rights to close the road except in very limited circumstances (e.g. Avalanche control work above the road in winter).

It's a public road for all intents and purposes and similar public access provisions should be maintained as they are for say the Coronet Peak Road. While this creates some additional management challenges for TCIL it works for Coronet Peak so I am sure it can work here too. Securing the public's right to use the access road is critical to ensuring enduring public access to PCL in this area.

4. TCIL seeks an exclusive lease to operate the ski area and for summer activities. They provide no detail as to why they need this or how they will manage this while still providing public access to PCL. While CAR and TCIL are signatories to the FMC/NZAC Backcountry Ski Touring code (See comments in Point 2 above), this has no legal basis and relies on 'good will' of TCIL management. I oppose the exclusive lease as this severely limits public access to PCL at the discretion of TCIL. Instead TCIL should only get exclusive use to the physical structures on the PCL. This leaves public access powers with the Department (Crown) and not with a commercial entity that is primarily driven by commercial imperatives. Additionally, TCIL should not be able to exclude the public from leaving the ski area to access PCL beyond the ski area. At present it can appear to be a 'who you know' at TCIL as to if TCIL will let you access back country areas during the winter season.

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.

2. The term should be amended to 5yrs with a right of a further 5 or 10yrs subject to a review of the successful implementation and provision for full public access. This review would require public consultation with public access advocates to ensure TCIL has adequately fulfilled its obligations to not restrict the public gaining access to and enjoyment of PCL. The terms of the concession should include the FMC backcountry code being made enforceable by DOC on TCIL.

3. Grant a Right of Way but with no powers to exclude the public from use. Similar powers to the use of a legal public road should be implemented in any easement terms. The Right of Way should be non-exclusive.

4. The concession should not give TCIL (or CAR) exclusive use of PCL. The concession should be non-exclusive on the land but exclusive on all infrastructure as this is necessary to securely operate the ski area. As the recent examples of restrictions imposed on public access demonstrate ski areas abusing concessions on PCL by excluding the public in the basis of either public safety or commercial efficiency is not unusual,. The application does not set out how the public will retain use of the PCL area affected by the application or access to areas of PCL beyond the site but for which access across the application site is necessary. Any concession should include enforceable provisions for public access such as agreed in the FMC Backcountry Ski Touring code including review provisions to ensure TCIL uphold the values for effective public access <https://fmc.org.nz/2019/04/18/backcountry-touring-access-guidelines-published/>

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
Backcountry touring access guidelines	pdf	FMC published guide

How do I submit my objection or submission?

Complete this form and email to DNSubmissions@doc.govt.nz. You may also mail your objection and submission to: Director-General, c/o Department of Conservation, Ōtepoti / Dunedin Service Centre, PO Level 1, John Wickliffe House, 265 Princes Street, Ōtepoti / Dunedin 9016. Attention: Kelvin Brown.

Backcountry touring access guidelines

How to behave when accessing the backcountry using ski field infrastructure

Talk to Ski patrol

It's in everyone's best interest to have open communication.

- Find out about snow and avalanche conditions and current ski field operations.
- If requested, leave your intentions and ensure you sign back in.

Respect the field

Everyone wants to have a good day out on the hill, a little respect goes a long way.

- Each mountain is different; always check out the field's website for advice and the latest updates before you leave home.
- Skin or hike where you are not a hazard to others on the field.
- Respect closed areas; they are closed for good reasons.
- Follow the field's advice about when and where to travel through the field, so that you are not exposed to dangerous ski field operations like avalanche bombing, de-icing, helicopters, snowmobile routes, winch groomers and cables, which can all kill.
- Find out the ski area's policy on leaving your vehicle there outside of operational hours.
- Do not interfere with field operations or be a nuisance.
- Respect the ski areas' generosity if they allow one-ride tickets.

Respect the backcountry

One step beyond the field boundary is the backcountry!

- Plan and prepare for your trip.
- Research private property boundaries (www.WAMS.org.nz); get permission before you go.
- Take an avalanche awareness course or consider hiring a guide.
- Check the avalanche advisory. (www.avalanche.net.nz)
- Always take shovel, beacon and probe, and ensure you know how to use them.
- Consider taking an emergency communication device, such as a personal locator beacon.
- Make room between people and other groups when travelling.
- Always tell a responsible person your trip plan, when you intend to return and when they should notify emergency services.
- Check in with that responsible person when you are safely off the mountain.
- Never travel alone in the backcountry.



www.FMC.org.nz

This guideline was published in April 2019 by the Federated Mountain Clubs of New Zealand, with support from the New Zealand Alpine Club.

The guideline received feedback and support from 23 Ski Areas throughout Aotearoa.



NEW ZEALAND
ALPINE CLUB

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
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- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Wanaka Paragliding
Contact person and role of organisation	Richard Van Nieuwkoop
Email (Communication from DOC will be via email unless alternate contact requested)	wanakaparagliding@gmail.com
Alternate contact for all DOC communication	
Phone/Mobile	021 040 3547
Postal Address and Post Code	PO Box 118, Wanaka, 9343

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.



A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	Richard Van Nieuwkoop
Organisation	Wanaka Paragliding
Date	14th November 2021

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. Submission

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

As Treble Cone's only commercial paragliding concession holder (80035-AIR), I have read this entire application with great interest and I'm happy to throw my support in behind it.

My reasons for my submission are:

As a commercial tandem paragliding operator, year around access up to takeoff is vital to my business and I know, full well, that the TC access road is difficult and expensive to maintain and improve. So having CARL, a high quality operation, backed by the resources and integrity of RealNZ, looking after the road and infrastructure gives me great confidence that we can continue to access and enjoy this great mountain for the next 30 years at least.

Also, the expansion of the concession to include summer time activities such as guided walks, weddings; parties and concerts is a huge step forward in my opinion, because it will open up the mountain to many more people, who may not ski or board, to experience in many different ways throughout the year. I fully support the application.

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.

G. Attachments

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A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Upper Clutha Tramping Club
Contact person and role of organisation	<i>Carol Brooks president</i>
Email (Communication from DOC will be via email unless alternate contact requested)	[REDACTED]
Alternate contact for all DOC communication	
Phone/Mobile	[REDACTED]
Postal Address and Post Code	[REDACTED]

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

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Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	Carol Brooks
Organisation	Upper Clutha Tramping Club
Date	14/11/21

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:

Allow access via the road and car park to walk in the conservation land

My reasons for my objection or submission are:

Access to DOC land at Treble Cone

The UCTC has on a number of occasions in recent years sought permission to drive to the Treble Cone base area carparks during the summer (off season) and from there to tramp to End Peak for a day outing.

The current arrangement requires the following: a club member must log on as a 'Contractor' on the mountain web site and read the safety plan; text the mountain manager a day prior to visiting the mountain; note and use the access code to open the gate at the bottom of the access road; stay clear of any site works; text the mountain manager on departure from the mountain and leave the gate locked.

We have readily maintained a safe distance from any on mountain construction works. A courtesy call to the mountain management should alleviate any concerns they may have regarding compliance with their health and safety obligations.

The Club would much prefer open access to the mountain road and carparks and from there to the DOC estate during all off season daylight hours. The Treble Cone management may need to change security arrangements (e.g. by installing security cameras at the base area) and to post appropriate separation from machine or building work in progress on the mountain. Road works may well necessitate road closure.

The Club would greatly appreciate better access arrangements for our day tramps from the base area cararks.

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.

Greater ease over summer period

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'.

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A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

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- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Douglas Patterson On behalf of Southern Hang gliding and Paragliding Club
Contact person and role of organisation	<i>Douglas Patterson Sites co-ordinator</i>
Email (Communication from DOC will be via email unless alternate contact requested)	dougpatterson@live.com.au
Alternate contact for all DOC communication	admin@southernclub.co.nz
Phone/Mobile	0220445232
Postal Address and Post Code	15a Mcfarlane Terrace, Wanaka, Otago 9305.

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	Douglas Patterson
Organisation	Southern Hang gliding and Paragliding Club
Date	30/10/21

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:

carry out aircraft activities (use of helicopters and drones).

Acknowledgement of Hang gliding and Paragliding launch locations within the reserve is not documented or adequately allowed for. This is a recreational activity that has existed within the reserve for over 30 years.

My reasons for my objection or submission are:

The Southern Hang gliding and Paragliding club have used the Pub Corner launch area for approximately 30 years to launch and fly from. The Treble Cone area and above is a well known area for thermal and cross country flying.

Free access to helicopters and drones could clash with and endanger Paraglider and Hang glider pilots in the area.

Discussion as to how we will ensure safe operations can continue for both activities is required.

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.

Acknowledgment of the area that has been used for Paragliding and Hang gliding activities for 30 years, prior to this application by CARL / TC.

An area to be marked on the application as an area for ongoing Paragliding and Hang gliding launch and landing on the access Rd and lower parking area.

Or,

another agreeable area set aside that is suitable for this recreational pursuit to continue.

G. Attachments

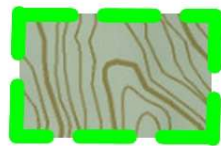
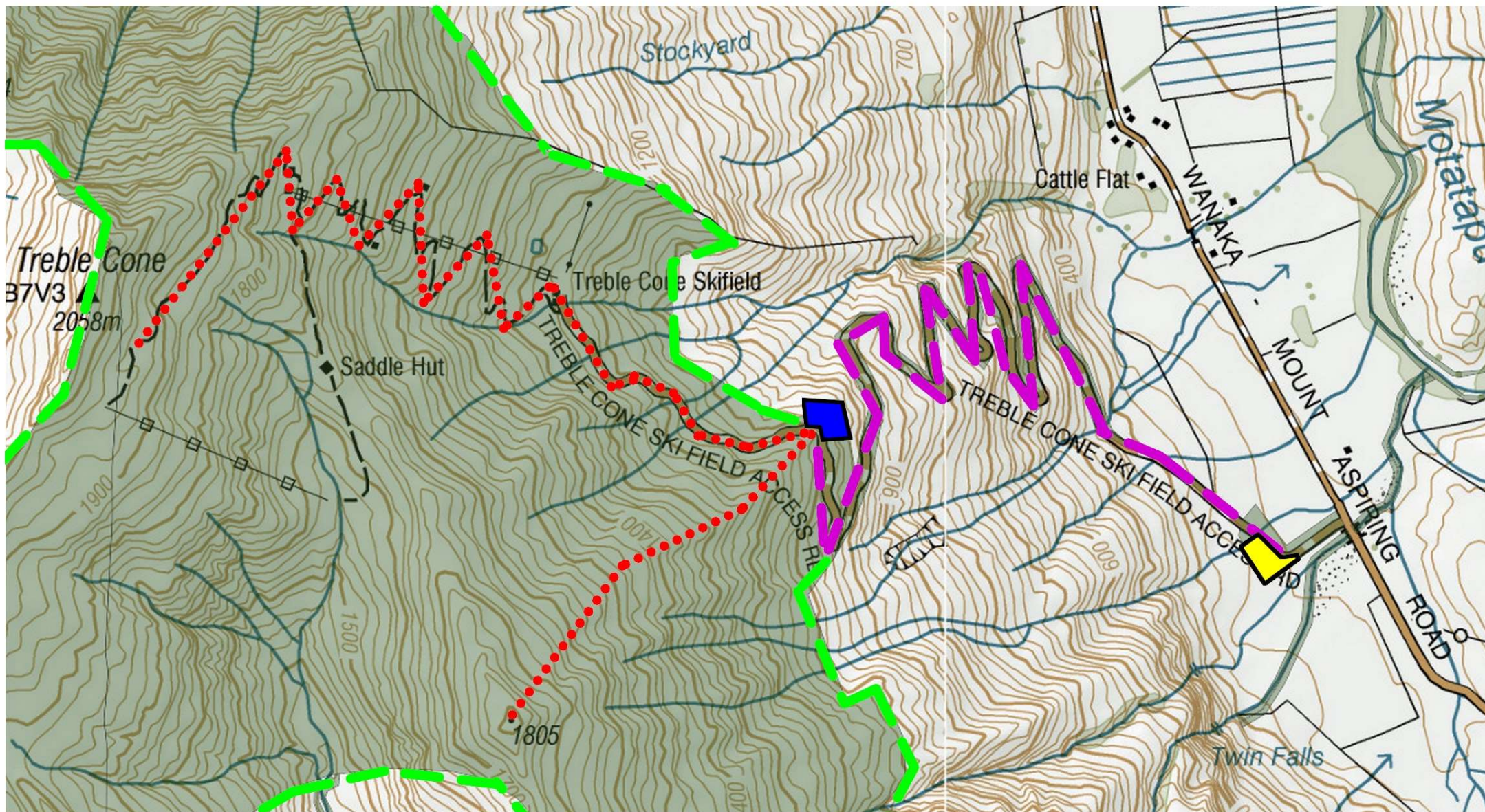
If you are using attachments to support your objection or submission clearly label each attachment, complete the table below and send in your attachments with this 'objection or submission form'.

Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment
Launch and landing areas currently used.	PDF	Current launch and landing areas
Thermal and xc fly zone in the Motatapu recreational area and the Matukituki valley.	PDF	Area of current cross country, hang gliding and paragliding flying ,including the Motatapu recreational reserve.

How do I submit my objection or submission?

Complete this form and email to DNSubmissions@doc.govt.nz. You may also mail your objection and submission to: Director-General, c/o Department of Conservation, Ōtepoti / Dunedin Service Centre, PO Level 1, John Wickliffe House, 265 Princes Street, Ōtepoti / Dunedin 9016. Attention: Kelvin Brown.

Launch and landing areas currently used



Area of possible take-off

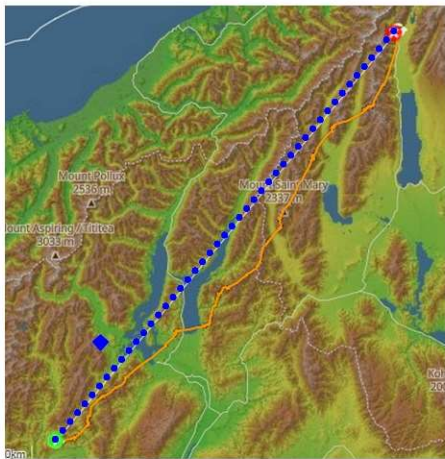
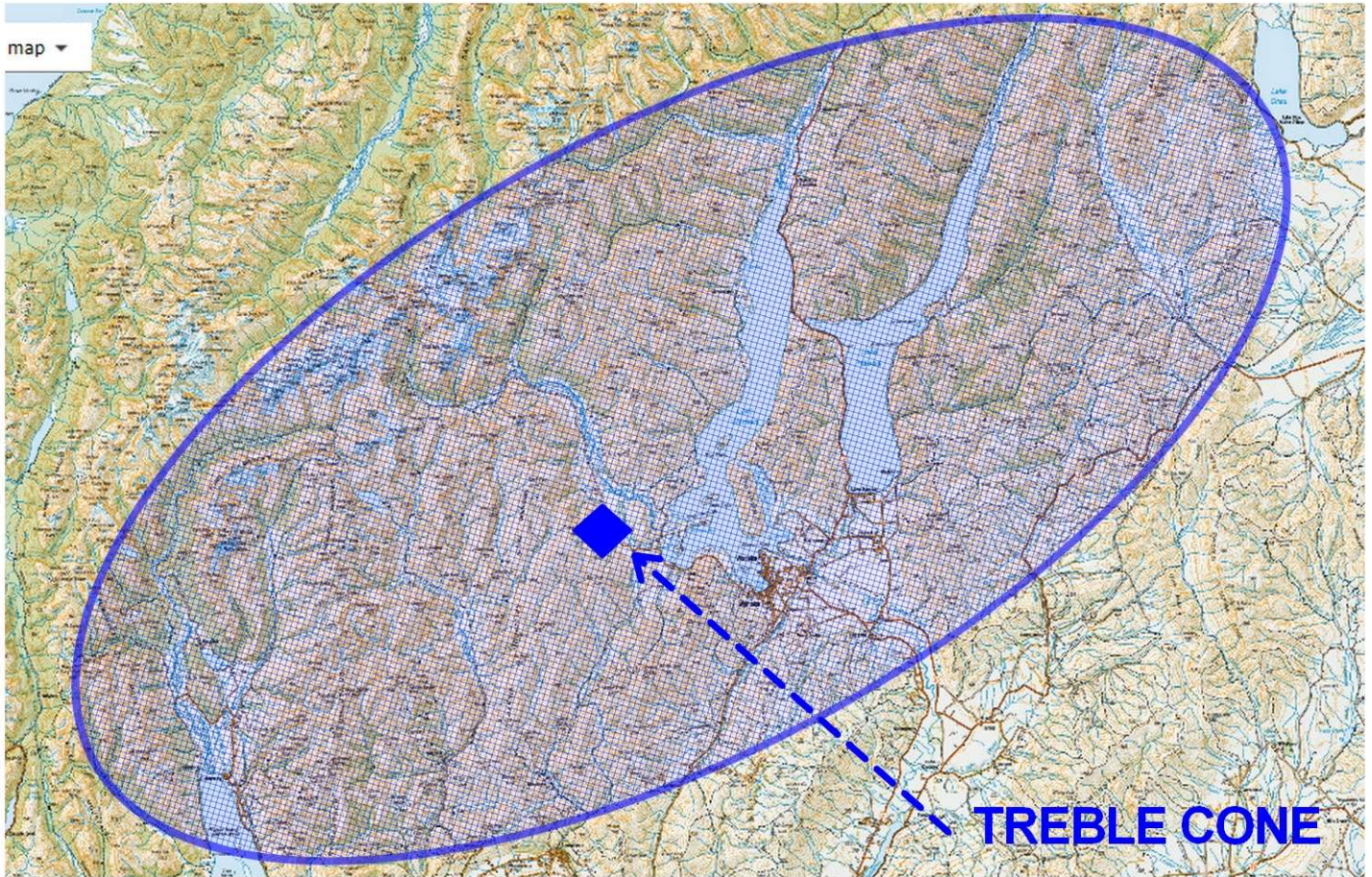
Road access to main take-off

Main hike to other possible take-off

Main take-off

Landing area

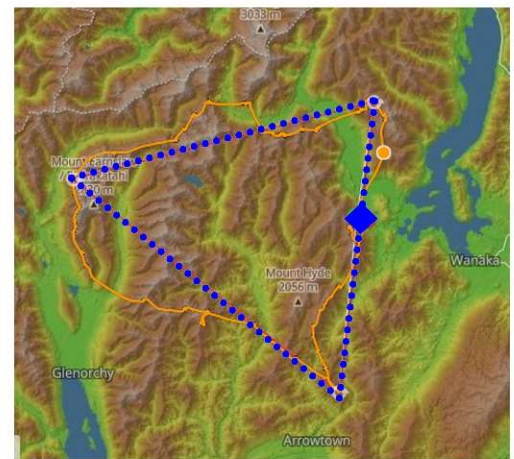
Hike&Fly and Cross-Country flights potential in and from the MOTATAPU and MATUKITUKI area



↑ 03/02/2021 flight from Queenstown to Mt Cook



↑ 21/10/2021 flight from TC to Aspinall peak



↑ 05/11/2021 Triangle flight from TC (Arrowtown / Mt Earnslaw / Mt Alta)



Hike and Fly in Mount Aspiring National Park





Submission 15

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	The New Zealand Hang gliding and Paragliding Association
Contact person and role of organisation	Nick Taber CEO
Email (Communication from DOC will be via email unless alternate contact requested)	[REDACTED]
Alternate contact for all DOC communication	[REDACTED]
Phone/Mobile	[REDACTED]
Postal Address and Post Code	[REDACTED]

I wish to **keep my contact details confidential**

Note: Your contact details will be not made public, but your name and organisation will be published. DOC will send you all submitter communications.

A. Permission Application Number and Name of Applicant

70749-SKI 88876-GUI 88877-AIR: Cardrona Alpine Resort Limited (CARL) and Treble Cone Investments Limited (TCIL)

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 30-year term concession (lease, licence and easement) to:

- (i) manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Treble Cone ski field;
- (ii) use Treble Cone ski field infrastructure to undertake winter and summer recreational activities and events, including guided activities;
- (iii) carry out aircraft activities (use of helicopters and drones).

Located in Motatapu Conservation Area, North Motatapu Conservation Area and, Conservation Area – Treble Cone Access Road, Wanaka.

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. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised on behalf of submitter	Nick Taber CEO
Organisation	The New Zealand Hang gliding and Paragliding Association
Date	15 th November 2021

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:

Easements and general use of public land

The New Zealand Hang gliding and Paragliding Association would like to highlight that the NZHGPA currently enjoys a good working relationship with CARL. However, thirty years is a long time in an evolving commercial operation obligated as a limited company to generate shareholder wealth on what is public land. Arrangements today, may not be what we experience tomorrow, especially if that business is sold on, in particular to an overseas investor who may not have the same regard; Ref Commerce Commission approval for the sale of Treble Cone Investments Ltd in 2019.

Note: Accepted buildings require to be leased, however the NZHGPA makes the following statement:

There should be no granting of a hierarchy of use over easements to a public area to a third party control, DOC have no social licence to opt out or pass over management control of who can access the use of public land for 30 years. Every New Zealander should be entitled to the enjoyment of unrestricted access to roam freely over or carry out recreational sports and adventure pursuits in their own backyard.

My reasons for my objection or submission are:

Please see the attached detailed application with mapping

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.

Unabated and non-restrictive access and enjoyment as a sporting organisation for the recreational sport of Hang gliding and Paragliding and other outdoor pursuits including but not restricted to tramping/hiking, mountain biking, back country skiing etc.

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
NZHGPA Submission Application for a lease, licence, and easement for Treble Cone ski field (70749-SKI, 88876-GUI, 88877-AIR) – NZHGPA Objection and support to SHGPA and FMC Submissions	PDF	New Zealand Hang gliding and Paragliding Association objection to (TCLI & CARL) and support to Southern Hang gliding and Paragliding Club Submission (SHGPC) and the Federated Mountain Clubs (FMC)

How do I submit my objection or submission?

Complete this form and email to DNSubmissions@doc.govt.nz. You may also mail your objection and submission to: Director-General, c/o Department of Conservation, Ōtepoti / Dunedin Service Centre, PO Level 1, John Wickliffe House, 265 Princes Street, Ōtepoti / Dunedin 9016. Attention: Kelvin Brown.



New Zealand Hang Gliding Paragliding Association

Attention: Kelvin Brown
Department of Conservation
Ōtepoti/Dunedin Service Centre
DNSubmissions@doc.govt.nz

15 November 2021

Dear Kelvin,

Application for a lease, licence, and easement for Treble Cone ski field (70749-SKI, 88876-GUI, 88877-AIR) – NZHGPA Objection and support to SHGPA and FMC Submissions

The NZHGPA wish to be heard in support of this submission

Introduction

The New Zealand Hang gliding and Paragliding Association (NZHGPA) was formed as an incorporated society in 1973 and advocates for the backcountry recreational access for hang gliding and paragliding flying on behalf of over 1500 members from 11 Regional Clubs. The NZHGPA member interests on the land are diverse and include other adventure and sporting activities like tramping/hiking, mountaineering, snow activities (including ski touring, kiting, and snow-shoeing inside and outside of the proposed concession area and mountain-biking. The local regional club is the Southern Hang gliding and Paragliding Club and they have current controlled access arrangements to and from hang gliding and paragliding sites within the area being applied for by TCIL and CARL, (The SHGPC is also making a submission).

The Terms of Lease

The NZHGPA is concerned that the information supplied to submitters to base decisions on is a general overview of the applicants' requirements and is somewhat unknown in this application for a lease, licence and easement for Treble Cone ski field, as to what will be included in the final concession document, rather it only serves to form a preliminary discussion to writing a concession, as a submitter this round of consultation should not be viewed as a social licence. For full transparency the NZHGPA would like to see a second round of consultation built into the process to review the yet to be drafted actual agreement between DOC, TCIL and CARL before final sign off.

The NZHGPA requests that any lease, licence and easement for Treble cone ski field is not at the expenses and sole use of the ski field operator and DOC should ensure as far as possible changes are made in a way that will avoid having a chilling effect on other adventure activities or unnecessarily restricting public access to outdoors and recreation activities. The NZHGPA would like to make the point that there is no hierarchy of control placed upon DOC easements over land, and this should be made clear within the concession. The NZHGPA accepts the need for exclusive occupation of the ski field buildings and other sensitive infrastructure and acknowledges that the best way to achieve this is by way of a lease.

[Redacted signature block]

30 years is a long time, most Government Landscape and Conservation Plans are for a period of 10 years. Therefore, any concession should align with a preferred timeframe of 10+10+10 rights of renewal with a management review at each renewal term to ensure public access and rights to the land are being upheld and do not go unchecked. Furthermore, the concession should also include conflict resolution provisions to ensure that the expansion of commercial activities does not detract from or conflict with public recreational rights.

Hang-gliding and paragliding – Site Specific

The Motatapu Conservation Area is a highly sought-after and utilised location for hang gliding and paragliding. Pilots take off from the ski field and land in the valley, or sometimes undertake more ambitious longer-distance flights, see map at Annex 1. Recreational hang gliding undertaken by licensed pilots has the same or less impact as tramping,

The Motatapu Conservation Area is also used by commercial hang gliding and paragliding operations, under their own concessions.

The Southern Hang gliding and Paragliding Club (SHGPC), has protocols such as a Safe Operating Plan for paragliding access. However, there are also historical take off areas designated for paragliding/hang gliding on public conservation land and areas of interest for the future, that would include Hike and Fly access to other launch sites, see Map at Annex 2. These will need to be clearly marked on the license documents to ensure that public access to and over them is maintained.

FMC Submission

The NZHGPA is an affiliated member of the Federated Mountain Club (FMC), and as such shares similar outdoor adventure interests and the concerns made in the following extracts headed in blue from the FMC submission of 15 Nov 2021, are relevant to NZHGPA access;

Activity-specific issues

Cardrona Alpine Resort Limited states: *We will work collaboratively with the Department and other concessionaires to ensure public access to these conservation areas is maintained. Nonetheless, Cardrona Alpine Resort must reserve the right to close the access road and the Ski Field for health and safety purposes such as avalanche risk management.*

This statement does not give FMC full confidence that CARL is aware of the privilege inherent to operating on public conservation land, which in this case includes the access road. 'Health and safety' closures need to be linked to actual objective risks, and not to obtain commercial advantage. Therefore, the regime for operating the access road, and obtaining access on it, particularly during the summer months, is of critical importance for Federated Mountain Clubs.

We note that CARL claims ownership of the road:

All the infrastructure that is the subject of these Treble Cone applications is Cardrona Alpine Resort owned infrastructure consequently this proposal will not result in any effects on Department of Conservation infrastructure.

[REDACTED]

FMC submits that the following are essential starting points:

- public ownership of the relevant land must be a primary consideration in decision-making.
- relatedly, the Department of Conservation has a clear mandate to foster recreation under s6(e) of the Conservation Act 1987. This, also, must be a priority consideration in decision-making.

Therefore:

- triggers for closures must be material and well-described in the concession; closure periods must allow for road maintenance operations and associated ingress/egress only.

Appendix V of the easement application itself provides more recognition of the public access value of the road but does not acknowledge all the activities that occur on the land; for instance, hang gliding and paragliding are left off. Hang gliding and paragliding are acknowledged later, with mention of the road being used by the Southern Hang Gliding and Paragliding Club.

Activity-specific issues

Whilst ski fields on public conservation land are usually consistent with public recreational use, care must be taken in the detail of license, lease, and easement conditions in order to ensure that public rights of access are not unfairly impeded. FMC will be requesting specific conditions on the concession documents in order to ensure that public recreation thrives in the Motatapu Conservation Area.

Historically, there has been little conflict and much synergy between the ski field activities and recreational use, however, with the proposed extension of winter activities beyond the ski field boundaries (i.e. more heli-skiing), and increased summer use, there is potential for conflict if clear conditions are not established in the concession.

Below are FMC's comments on the likely effects of the concession application on recreational activities:

General access – easement

The concession application does not specify, nor ask for, specific public access provisions. At present, this operates via a Health and Safety app, within a Health and Safety Policy. Creating a user account and password and registering allows a code to be issued to open the locked gate. FMC acknowledges that Treble Cone have traditionally been accommodating of summer access and have health and safety duties as a Person Conducting a Business or Undertaking.



This covers use of the road to access public conservation land, but given the potential for conflict with the proposed guided activities, FMC requests that:

- the easement document specifically provides for public access to pass and repass on foot and/or via vehicle over the road at will, subject to reasonable health and safety requirements.
- the easement specifically state that the health and safety provisions cannot be used to close access to the public whilst guided parties use the road or ski field concession area; if it is a genuine health and safety closure it applies to all parties equally.
- the existing access protocols be written into the easement document for the road, along with a dispute resolution mechanism and independent arbiter in the event of conflict.

Guided parties on the road must not gain preference through misuse of health and safety provisions on the easement. The easement provisions requested above will prevent this situation from occurring.

Summer activities - tramping, mountain-biking (on the road), etcetera

The NZHGPA requests that public access on the ski field road be formalised into the easement documents. We wish to point specifically to potential for conflict if commercial mountain-biking is offered on the ski field trails. This relates, for example, to tramping and walking (if no guidance is provided), hang gliding and paragliders (walking to launch sites), and recreational mountain-biking on the access road. We request that:

- the concession includes conflict resolution provisions to ensure that the expansion of commercial activities does not detract from or conflict with public recreational rights.

NZHGPA Summary

The New Zealand Hang gliding and Paragliding Association would like to highlight that the NZHGPA currently enjoys a good working relationship with CARL. However, thirty years is a long time in an evolving commercial operation obligated as a limited company to generate shareholder wealth on what is public land. Arrangements today, may not be what we experience tomorrow, especially if that business is sold on, in particular to an overseas investor who may not have the same regard; Ref Commerce Commission approval for the sale of Treble Cone Investments Ltd in 2019.

Note: Accepted buildings require to be leased, however the NZHGPA makes the following statement:

There should be no granting of a hierarchy of use over easements to a public area to a third party control, DOC have no social licence to opt out or pass over management control of who can access the use of public land for 30 years. Every New Zealander should be entitled to the enjoyment of unrestricted access to roam freely over or carry out recreational sports and adventure pursuits in their own backyard.

Thanking you in advance for your consideration.

Yours sincerely,

[Redacted signature]

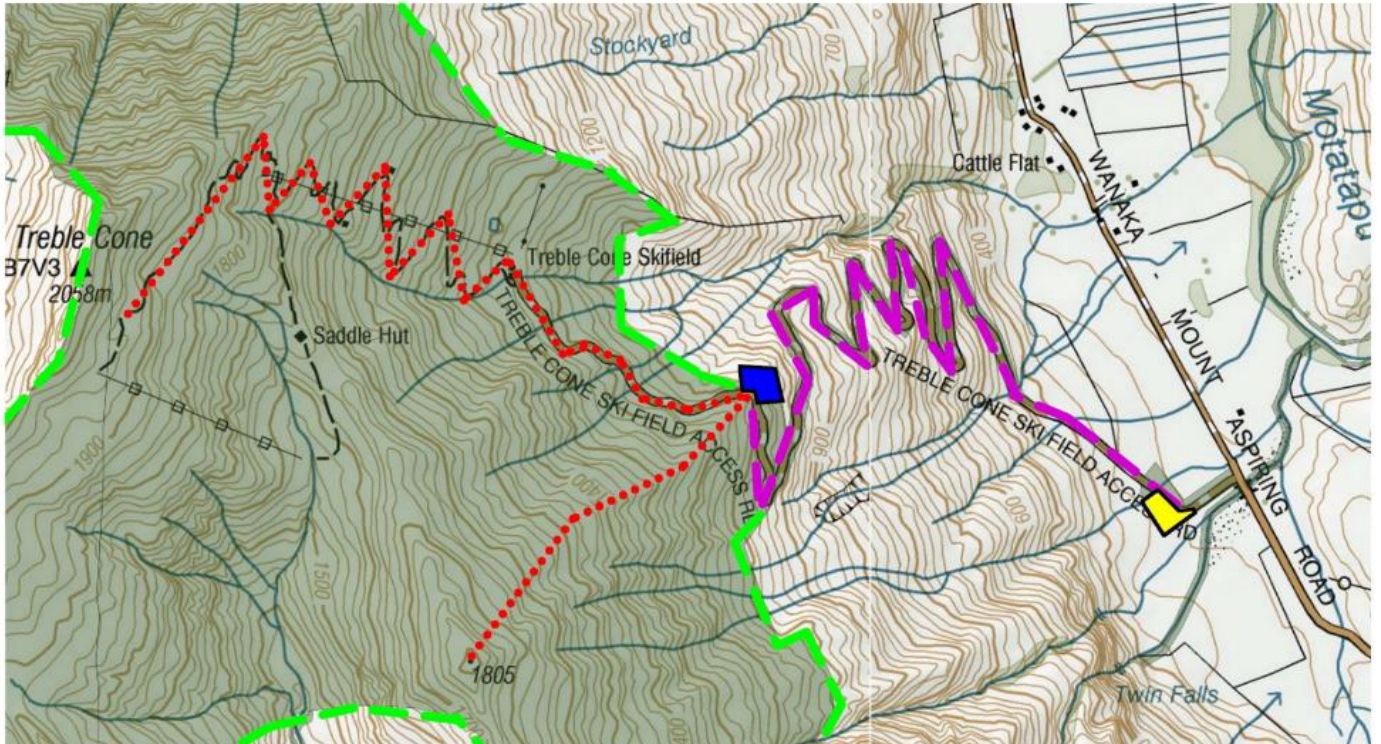
Nick Taber
CEO NZHGPA

[Redacted contact information]

Annex 1 – Launch and Landings



Launch and landing areas currently used



Area of possible take-off

Road access to main take-off

Main hike to other possible take-off

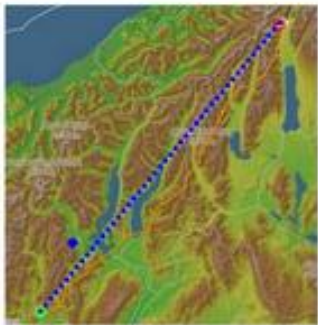
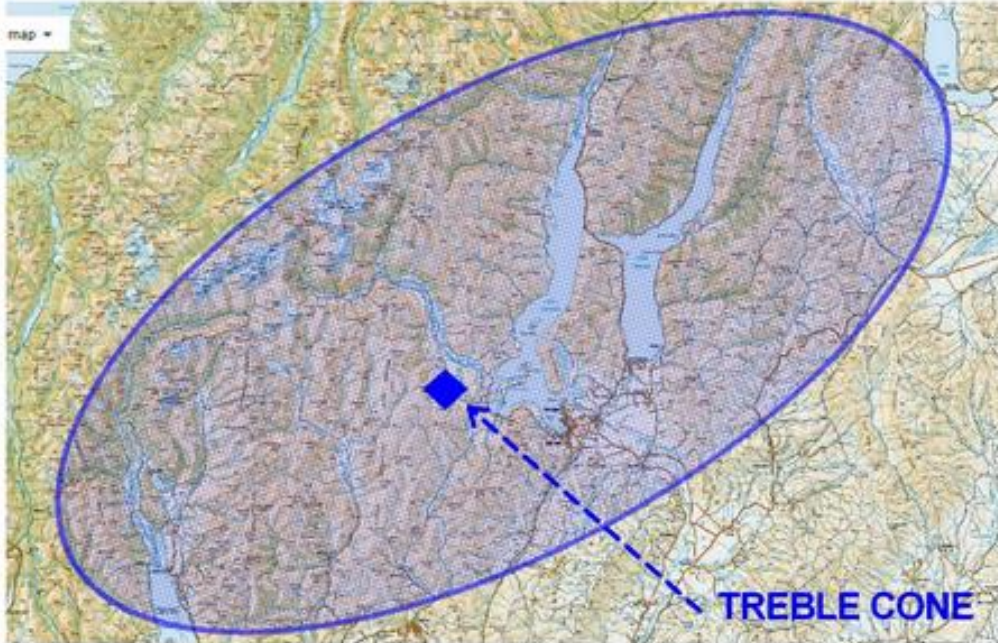
Main take-off

Landing area



Annex 2 - Hike and Fly Annex 2

NZHGPA Hike&Fly and Cross-Country flights potential in and from the MOTATAPU and MATUKITUKI area



↑ 03/02/2021 flight from Queenstown to Mt Cook



↑ 21/10/2021 flight from TC to Aspinall peak



↑ 05/11/2021 Triangle flight from TC (Arrowtown / Mt Earnslaw / Mt Alta)



Hike and Fly in Mount Aspiring National Park



Submission 16

Attention: Kelvin Brown
Department of Conservation
Ōtepoti/Dunedin Service Centre
DNSubmissions@doc.govt.nz



15 November 2021

Dear Kelvin,

Application for a lease, licence, and easement for Treble Cone ski field (70749-SKI, 88876-GUI, 88877-AIR)

We wish to be heard in support of this submission

Introduction

Federated Mountain Clubs was formed in 1931 and advocates for the backcountry and non-commercial outdoor recreation on behalf of over 21,000 members in 99 clubs. Our work has contributed significantly to the protection and ongoing robust management of much of the nation's public conservation land.

FMC member interests on the land include tramping and mountaineering, snow activities (including ski touring, kiting, and snow-shoeing inside and outside of the proposed concession area), hang-gliding and paragliding, and mountain-biking.

Public access - general

Cardrona Alpine Resort Limited states: *We will work collaboratively with the Department and other concessionaires to ensure public access to these conservation areas is maintained. Nonetheless, Cardrona Alpine Resort must reserve the right to close the access road and the Ski Field for health and safety purposes such as avalanche risk management.*

This statement does not give FMC full confidence that CARL is aware of the privilege inherent to operating on public conservation land, which in this case includes the access road. 'Health and safety' closures need to be linked to actual objective risks, and not to obtain commercial advantage. Therefore, the regime for operating the access road, and obtaining access on it, particularly during the summer months, is of critical importance for Federated Mountain Clubs.

We note that CARL claims ownership of the road:

All the infrastructure that is the subject of these Treble Cone applications is Cardrona Alpine Resort owned infrastructure consequently this proposal will not result in any effects on Department of Conservation infrastructure.

FMC submits that the following are essential starting points:

- public ownership of the relevant land must be a primary consideration in decision-making.
- relatedly, the Department of Conservation has a clear mandate to foster recreation under s6(e) of the Conservation Act 1987. This, also, must be a priority consideration in decision-making.

Therefore:

- triggers for closures must be material and well-described in the concession; closure periods must allow for road maintenance operations and associated ingress/egress only.

Appendix V of the easement application itself provides more recognition of the public access value of the road, but does not acknowledge all the activities that occur on the land; for instance, hang gliding and paragliding are left off. Hang gliding and paragliding are acknowledged later, with mention of the road being used by the Southern Hang Gliding and Paragliding Club.

Activity-specific issues

Whilst ski fields on public conservation land are usually consistent with public recreational use, care must be taken in the detail of license, lease, and easement conditions in order to ensure that public rights of access are not unfairly impeded. FMC will be requesting specific conditions on the concession documents in order to ensure that public recreation thrives in the Motatapu Conservation Area.

Historically, there has been little conflict and much synergy between the ski field activities and recreational use, however, with the proposed extension of winter activities beyond the ski field boundaries (i.e. more heli-skiing), and increased summer use, there is potential for conflict if clear conditions are not established in the concession.

Below are FMC's comments on the likely effects of the concession application on recreational activities:

General access - easement

The concession application does not specify, nor ask for, specific public access provisions. At present, this operates via a Health and Safety app, within a Health and Safety Policy. Creating a user account and password and registering allows a code to be issued to open the locked gate. FMC acknowledges that Treble Cone have traditionally been accommodating of summer access, and have health and safety duties as a Person Conducting a Business or Undertaking.

This covers use of the road to access public conservation land, but given the potential for conflict with the proposed guided activities, FMC requests that:

- the easement document specifically provide for public access to pass and repass on foot and via vehicle over the road at will, subject to reasonable health and safety requirements.
- the easement specifically state that the health and safety provisions cannot be used to close access to the public whilst guided parties use the road or ski field concession area; if it is a genuine health and safety closure it applies to all parties equally.
- the existing access protocols be written into the easement document for the road, along with a dispute resolution mechanism and independent arbiter in the event of conflict.

Guided parties on the road must not gain preference through misuse of health and safety provisions on the easement. The easement provisions requested above will prevent this situation from occurring.

General access - license and lease area

FMC accepts the need for exclusive occupation of the skifield buildings and other sensitive infrastructure, and acknowledges that the best way to achieve this is by way of a lease.

Hang-gliding and paragliding

The Motatapu Conservation Area is a highly sought-after and utilised location for hang gliding and paragliding. Pilots take off from the ski field and land in the valley, or sometimes undertake more ambitious longer-distance flights. Recreational hang gliding undertaken by licensed pilots has the same as or less impact than tramping. The Motatapu Conservation Area is also used by commercial hang gliding and paragliding operations, under their own concessions.

The Southern Paragliding Club has protocols such as a Safe Operating Plan for paragliding access. However, there are also takeoff ramps (a structure) for paragliding on public conservation land, and plans for further structures. These will need to be clearly marked on the license documents to ensure that public access to and over them is maintained.

Snow activities

FMC members undertake many winter backcountry trips leaving from the ski field. These include ski-touring (board and ski), kiting, snow-shoeing, and mountaineering. Many of our members purchase a lift ticket to benefit from ski field access to higher terrain, whilst some cross the ski field under their own steam. Traditionally, the ski field provides direction to recreational users on a safe path to cross ski field terrain for access purposes, as well as a sign-in and -out system for backcountry use (particularly when vehicles are left in the carpark).

FMC acknowledges that access responsibilities across ski fields sit with both parties. In 2019, Treble Cone signed up to FMC's Touring Access Guidelines initiative:

<https://2k23oon2n0y1a7qaz1pyld31-wpengine.netdna-ssl.com/wp-content/uploads/2019/04/Backcountry-Touring-Access-Guideline-v2.2-FINAL-1-page-A4.pdf>

We are concerned, however, that with the extension of guided snow activities beyond the ski field boundary, the guided activity operators may wish for exclusivity and control over recreational users.

Guided users inside the skifield license and easement areas must be subject to the same health and safety provisions as other users, and in the winter, this usually means snow safety and patrol restrictions. Outside the license and easement area, guided users are the same as recreational users, except for their requirement to hold a concession.

With an increase in guided activities, there may be a need for the ski field to notify recreational users of what they might expect. It is a particular concern with mechanised over-snow vehicles encountering recreational parties. It is also useful in managing the effects of noise, noting that the CMS already allocates some heliskiing opportunities. The concession should specify a system for how recreational users can find this information on a day to day basis.

FMC requests that:

- the details of the long-held recreational sign-in and -out and access direction system be formalised and codified in the license agreement.
- the concession affirm the intent of the 2019 Touring Access Guidelines.
- the concession specify a system to advise recreationists on relevant ski field operations as per above.

Guided snow mobile excursions

FMC is concerned about the part of the application proposing up to 200 guided snowmobile trips per year. The Otago Conservation Management Strategy provisions quoted, which address over-snow vehicles within ski field boundaries for the purpose of ski-field management, are not the correct ones. It is clear that the concession applied for (guided snowmobile trips) is not relevant to the ski-field's management.

Measured against the appropriate provision in the CMS, 3.2.11, the part of the application proposing guided snowmobile trips falls far short.

Section 3.2.11 in the Otago CMS states: *May consider applications for one-off permits for over-snow vehicles in other areas of Western Lakes and Mountains/Nga Puna Wai Karikari a Rakaihautu Place, central Otago Uplands Place, Old Man/Kopuwai. Old Woman Range, and Garvie Mountains Place and Central Otago Drylands/Manuherikia Place subject to the following: is consistent with the purpose for which the lands and waters concerned are held; occurs when it is unlikely to disturb other users in the area; is of short duration (generally not more than one day); and can be demonstrated that there are no other suitable locations where the activity could occur.*

Given that this part of the application proposes up to 200 trips annually, it is clearly in conflict with the “*of short duration (generally not more than one day)*” provision in the Otago CMS. Disturbance of recreational users (ski-tourers and snow-shoers) would also be high and therefore in tension with Section 3.2.1.1. in the Otago CMS.

- FMC recommends declining the guided snowmobile excursions applied for.

Summer activities - tramping, mountain-biking (on the road), etcetera

FMC has requested that public access on the ski field road be formalised into the easement documents. We wish to point specifically to potential for conflict if commercial mountain-biking is offered on the ski field trails. This relates, for example, to tramping and walking (if no guidance is provided), hang gliding and paragliders (walking to launch sites), and recreational mountain-biking on the access road. We request that:

- the concession include conflict resolution provisions to ensure that the expansion of commercial activities does not detract from or conflict with public recreational rights.

Yours sincerely,

Jan Finlayson
President, Federated Mountain Clubs

Person acting:
Peter Wilson
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Submission on Cardrona Alpine Resort Limited and Treble Cone Investments Limited application to undertake summer and winter activity on public conservation land (prepared for Department of Conservation – Nov 2021)

The Commission is grateful for the opportunity to submit on the application by Cardrona Alpine Investment Limited (CARL) and Treble Cone Investments Limited (TCIL) for the on-going use of public conservation land for both winter and summer activities, including the operation of the Treble Cone ski field.

Introduction

The New Zealand Walking Access Commission Ara Hikoī Aotearoa (the Commission) is the Crown agent responsible for providing leadership on outdoor access issues.

The Commission's governing piece of legislation is the Walking Access Act 2008. The Commission works with community trails groups, iwi, landowners, and others to create access opportunities across the motu. Our role is to provide advice on free, certain, enduring, and practical access to the outdoors.

We administer a national strategy on outdoor access, including tracks and trails. We provide information to the public, oversee a code of responsible conduct in the outdoors, help to resolve access issues and negotiate new access.

We support the creation, maintenance, enhancement, and promotion of access, for recreation, for safety, health and wellbeing, and for environmental improvement.

Proposal

CARL and TCIL seek to continue and extend the reach of existing lease, license, and easement areas of public conservation land, for year-round recreation activity for a 30-year term on:

- Treble Cone Access Road Conservation Area (Carpark) - OT17C/552 – ID3053409/Section 2 – SO22995
- Treble Cone Access Road Conservation Area (Road) - ID 6874993/Section 12 – SO367599
- Motatapu Conservation Area (partial) – OT8C/243 – ID3096126/Pt Run 333A
- North Motatapu Conservation Area (partial) – ID3134294/Pt Run 444

Statutory context

All land in the application is designated Stewardship Land under s25 of the Conservation Act 1987. This states that “every stewardship area shall be so managed that its natural and historic resources are protected”.

S6(e) of the Conservation Act 1987 requires the Department of Conservation (DOC): “to the extent that the use of any natural or historic resource for recreation or tourism is not inconsistent with its conservation, to foster the use of natural and historic resources for recreation, and to allow their use for tourism”.

S2 of the Conservation Act 1987 covers terms used in the Act and includes:

- ‘lease’ that gives exclusive possession of the land, and
- ‘licence’ that gives non-exclusive interest in the land.

The application seeks areas for both lease and licence.

General context

The Motatapu and North Motatapu conservation areas are on the eastern flanks of the Harris Mountains, approximately 30 kilometres to the west of Wanaka, in the Queenstown Lakes District. Treble Cone is the highest point at 2058 metres elevation and Treble Cone Ski Field is located across parts of the Motatapu and North Motatapu Conservation Areas. In addition to winter ski activity, the Harris mountains provide hiking, mountain biking and sight-seeing opportunities and are a popular launching site for parapenting and hang gliding.

The road providing access to both conservation areas is known as the Treble Cone Ski Field Access Road. Although built to access ski terrain, its function and purpose today is wider.

Public access context

Access to the Motatapu and North Motatapu Conservation Areas is via parcel ID 3053409 (carpark area) and parcel ID 6874993 (Treble Cone Access Road).

The Conservation Resources Report (DOC, Nov 2002) for Cattleflat Station notes the access arrangement over the road as follows - “asides from safety, or reasons of misconduct the skifield (lessee) may not exclude the public from using the road (subject to paying a road toll) between 1 May and 30 September. Pedestrian access is free over this time...public access up the ski field is not available as of right during summer months”.

In contrast, the Commission notes that public submissions to the Crown Pastoral Land Tenure Review process (DOC, Sept 2003) for Cattleflat Station recommended year-round public access.

Public access by vehicle to the conservation areas is and has been historically constrained by a locked gate at the bottom of the access road. Currently, people can gain access by applying for permission on-line via the Zero Harm platform. In contrast, vehicle access to Coronet Peak and the Remarkables ski areas is unconstrained — albeit a \$10 toll is payable in summer months only on the Remarkables Road, as permitted by the lease.

This constraint of access over the Treble Cone Ski Field Access Road was the subject of a complaint to the Commission in late 2019. The Commission addressed this with both DOC and the lessee. In June 2020, DOC advised it had renewed the lease for two years in anticipation of the concession renewal application, now the subject of this submission.

Operating a commercial enterprise on public conservation land is a privilege that should not impinge on non-commercial public activity. The concession application process provides for a timely and necessary end to the exclusive capture and control that currently exists. Our view is that the application seeks to continue a consented, but in our view, inappropriate if not unlawful locked gate.

The Commission notes the Applicant refers to the right to close the conservation area access road and ski field area for health and safety purposes such as avalanche risk management. As an alpine environment, this risk is real and necessarily must be managed while the ski field is operating. However, the Commission does not view any closure as warranted unless extenuating and short-term circumstances, such as avalanche, fire or road works, warrant it. DOC has a role advocating for public access to the conservation area access road. It should ensure this public asset provides the people with the best access to public conservation land.

Recommendations

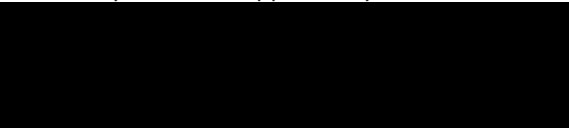
To enable and preserve the right of public access, the Commission believes that access over or to these areas of public conservation land must not be restricted through the issue of either lease or license. The Commission accepts that a toll may be appropriate for the Applicant to charge for vehicle access during the ski season. The commission also accepts that the conservation area access road may need to be closed in times of danger, such as avalanche, fire, or road maintenance. This is the only time a locked gate may be appropriate— otherwise, public access should be available.

The Commission recommends:

- The lease, easements, licences and concessions reflect the importance and primacy of public ownership of and access to or over the relevant land
- A non-exclusive licence is issued (as opposed to an exclusive use lease) where public access is expected, including the conservation area access road
- Excepting use of commercial infrastructure such as chair lifts and snow mobiles, unconstrained, free, certain and enduring public access is provided for on the conservation area access road and across Motatapu and North Motatapu Conservation Areas to facilitate year-round recreation activity
- The Treble Cone Ski Field Access Road is renamed as the Motatapu Conservation Area Access Road to more accurately reflect its wider purpose

- The term of easements providing for right of way over the car park, conservation areas access road and base-building parking area is five years. This recommendation is based on uncertainty of demand and use given there is no baseline recreational use data and recognising the unknown impacts of climate change
- The conservation area access road is regarded and referred to as public infrastructure – not as being owned by the licensee. Any improvements to the road should add to that public infrastructure
- The concession can include conditions that enable the licensee to charge a consented toll per vehicle during the period when the ski field is operating, in order to maintain the conservation area access road to agreed standards
- DOC actively manages the conservation area access road to ensure that appropriate access is available throughout the year and appropriate warning and signage is in place if the road is closed
- Access on foot over the conservation area access road will always be free and only restricted when the road is closed.

Thank you for the opportunity to submit.



Ange van der Laan

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