



Concession Application Form 3a – Tenanting or using existing DOC structure/facility

The Department recommends that you contact the Department of Conservation Office closest to where the activity is proposed to discuss the application prior to completing the application forms. Please provide all information requested in as much detail as possible. Applicants will be advised if further information is required before this application can be processed by the Department.

This form is to be used when the proposed activity is the tenanting or use of any existing facility or structure that is managed by the Department of Conservation on public conservation land. Examples may include permanent use of historic building for a business or a community group; leasing a campground or lodge. For overnight stays in DOC huts, please fill in Form 4a. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

Please complete this application form, attach Form 1a or Form 1b, and any other applicable forms and information and send to permissions@doc.govt.nz. The Department will process the application and issue a concession if it is satisfied that the application meets all the requirements for granting a concession under the Conservation Act 1987.

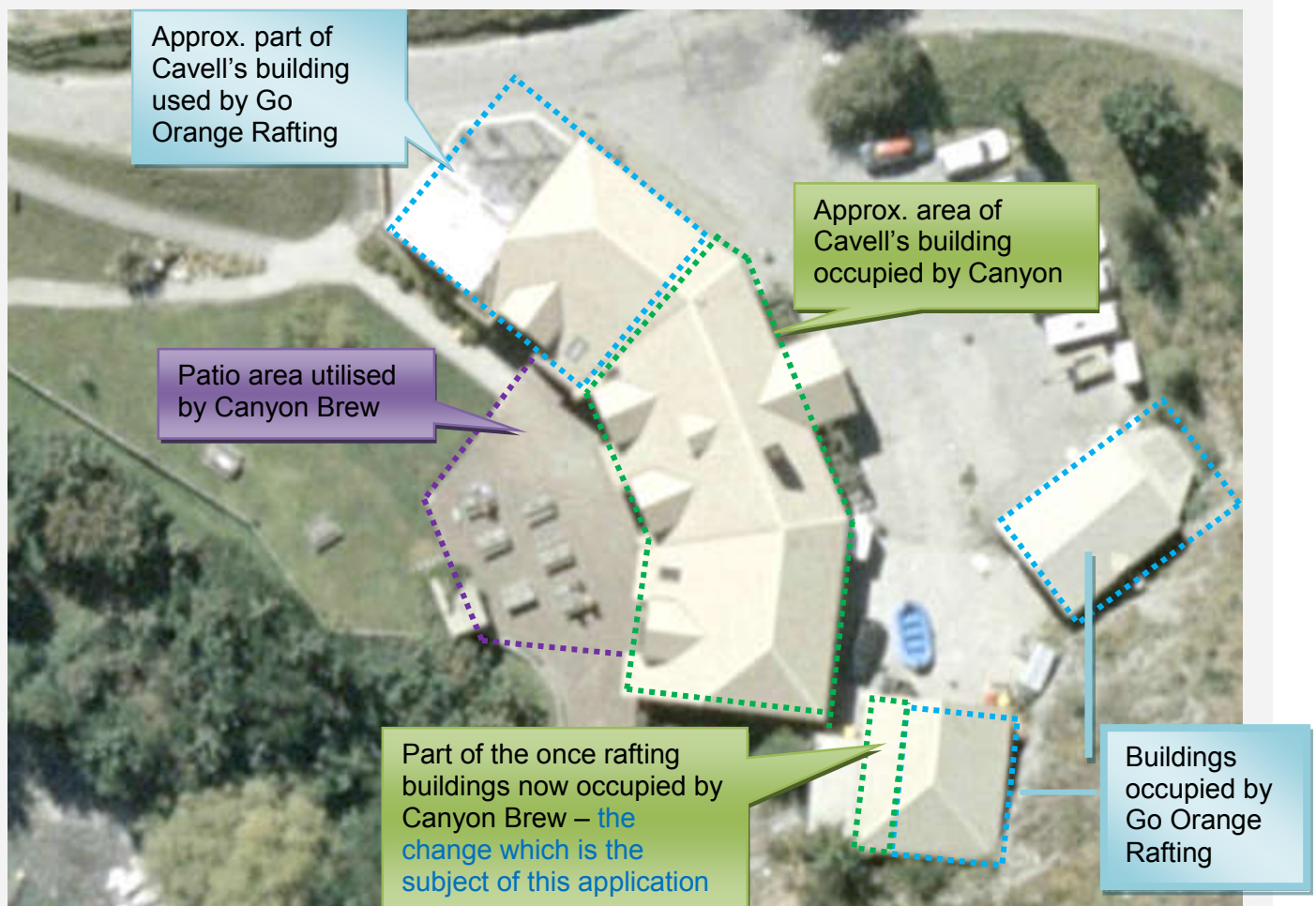
A. Description of Activity

Please describe the proposed activity in detail – where the site is located, what you intend to use the building for, whether you intend to make any changes to the infrastructure.

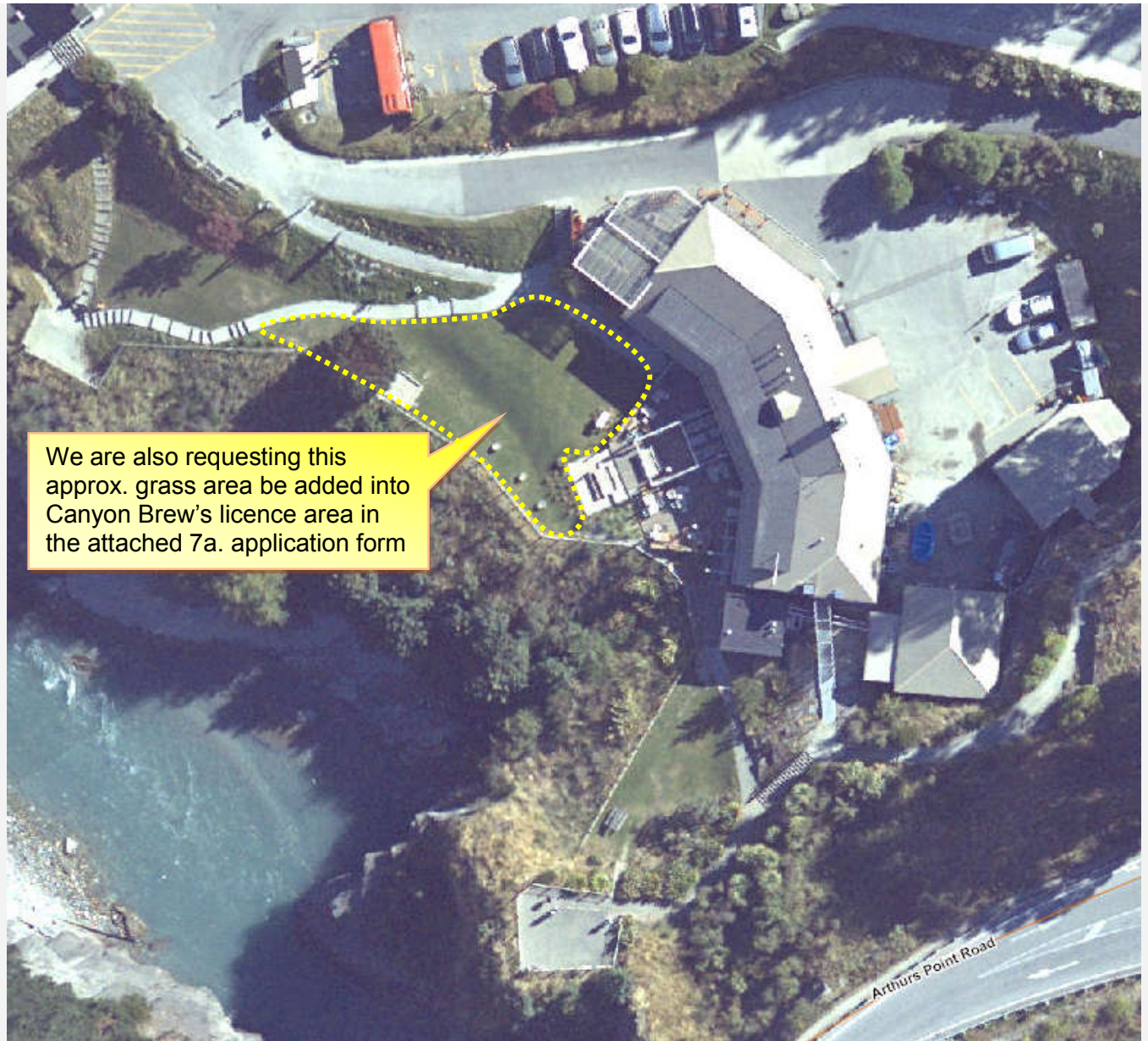
Please include the name and status of the public conservation land, the size of the area you are applying for and why this area has been chosen.

If necessary, attach further information including a map, a detailed site plan and drawings of proposal and label Attachment 3a:A1.

This is a Concession application to vary the existing Lease 59942-SER to provide for change in the area used by Canyon Brew (formally Canyon Food & Brew Co) at the Morning Star Beach Recreation Reserve Site. Specifically Canyon Brew wish to utilise about of one third of one of the rafting sheds for a canning plant.



Approximate areas of buildings occupied by Canyon Brew (excluding toilets)



The of reserve area utilised by Canyon Brew (mainly in the summer) on a non – exclusive daily basis

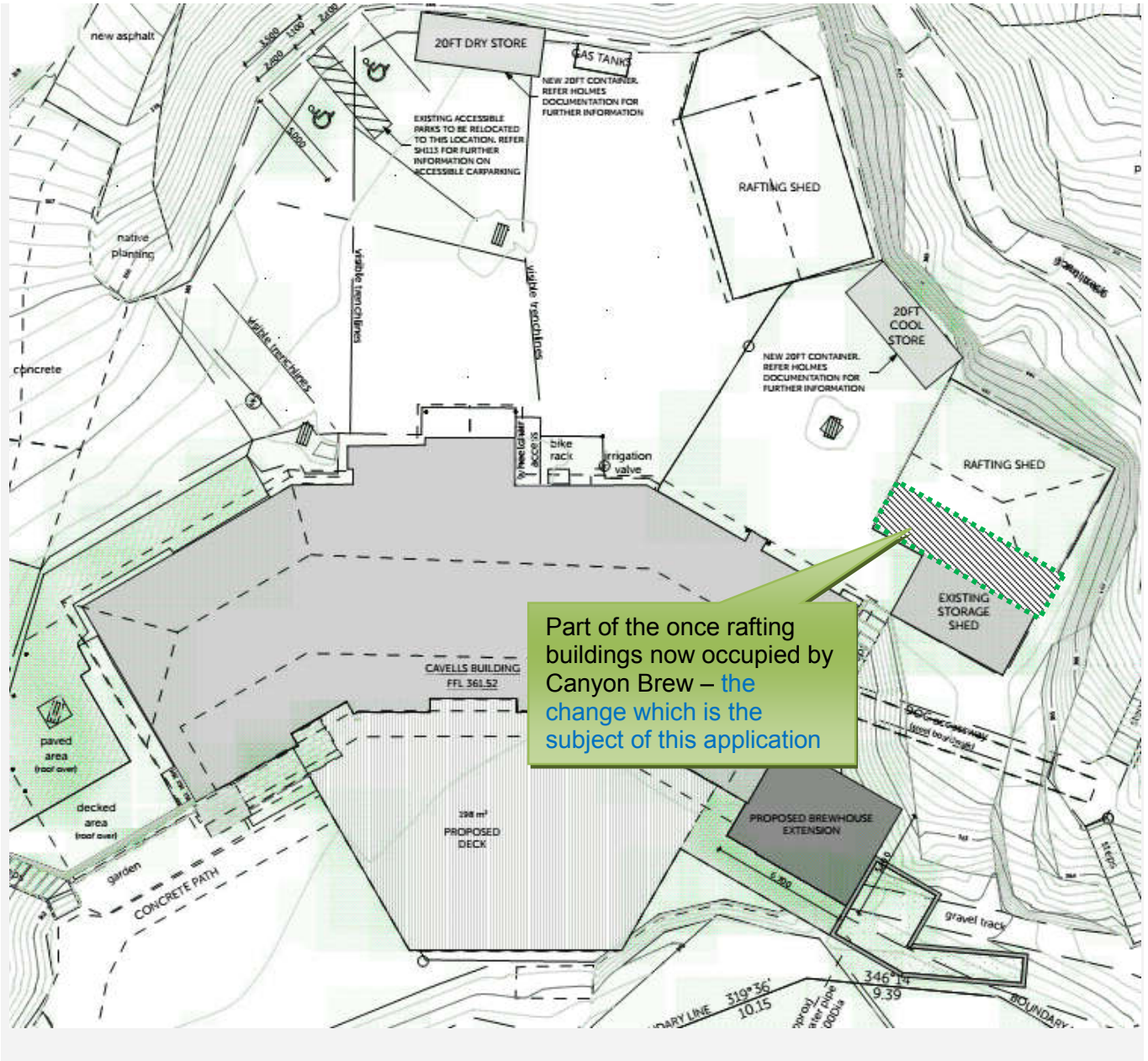




Photo of "beer" canning plant

The canning plant will be used approximately once a fortnight during normal business hours to can Canyon Brew beer. However it is likely that other microbrewers in the Queenstown area will utilise the canning plant, hence in the future it could be used up to three times per week.

With respect to the vehicle movements associated with the operation of the canning plant, there will be additional deliveries associated with delivery of the cans and other packaging materials associated with canning. Such deliveries will be infrequent, approximately once a fortnight.

Canyon Brew Beer made on site will either be canned or kegged and is presently sold through Go Orange and Real Journeys outlets such as the "Milford Haven" (Milford Sound), "TSS Earnslaw" (Lake Wakatipu) and Colonel's Homestead (Walter Peak). With the introduction of the canning plant it is likely Canyon Brew Beer will be sold on other Real Journeys vessels such as the overnight vessels in Milford Sound and Doubtful Sound, accordingly the volume of beer dispatched from Canyon Brew is likely to increase. Nonetheless the we do not envisage this will result in significantly more vehicle movements as Canyon Brew will likely use a large truck and ship brew to Real Journeys store in Te Anau for distribution to Real Journeys and Go Orange Fiordland vessels.

Moreover the vehicle movements associated with Canyon Brew canning are minor compared to the Go Orange rafting vehicle movements at this site.

Do you believe you need to exclude others from the structure or facility? **YES / ~~NO~~**
(Exclusive occupation requires a lease which requires public notification of the application)

If **yes**, please answer the following 3 questions, if no please go to the next section:

Is exclusive possession necessary to protect public safety? **YES / ~~NO~~**

Is exclusive possession necessary to protect physical security of the activity? **YES / ~~NO~~**

Is exclusive possession necessary for the competent operation of the activity? **YES / ~~NO~~**

If the answer to any of the above is yes, then provide details and supporting evidence and label Attachment 3a:A2.

Go Orange needs to provide security for its equipment and chattels, especially with respect to the brewery and canning plant. Go Orange has several thousands of dollars worth of equipment on site which needs to be kept secure, especially after hours. In addition Go Orange needs to restrict public access from the canning plant back of house areas for safety reasons because there are freight vehicles with limited visibility to the rear manoeuvring around the back of the building and because of the safety risks associated with the operation of a beer canning plant.

B. Term

Please detail the length of the term sought (i.e. number of years or months) and why.

Note: An application for a concession for a period over 10 years must be publicly notified, an application for a concession up to 10 years will not be publicly notified unless the adverse effects of the activity are such that it is required, or if an exclusive interest in the land is required.

16 years - until 31 December 2036 as per 59942 - SER.

C. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

LOCATION ON PUBLIC CONSERVATION LAND

Morning Star Beach Recreation Reserve specifically 1 Arthurs Point Road, Queenstown.

SPECIAL FEATURE OR VALUE

Go Orange Rafting Base and Canyon Brew are located within the Morning Star Beach Recreation Reserve which does not have high conservation values. The land which is the site of this application is significantly modified, being either built on, hardened, or grassed. When viewed from Arthurs Point Road the site and surrounds appear as a cluster of development and contain very little signs of naturalness. The landscape in the immediate and wider area is constrained by the Shotover River, Arthurs Point Road, Edith Cavell Bridge and the topographic character of the river canyon. The main river gorge carves through outcrops of schist, while fine mica gives the river its silty colour. The wider canyon however displays exceptional views up the Shotover River. Accordingly we contend that the only special feature of the site is the adjacent Shotover River and its gorge.

The vegetation on the reserve is dominated by introduced woody weed species, notably sycamore, broom, blackberry, hawthorn and larch. The site also contains mature introduced pine trees. Some indigenous plant species are present naturally such as prickly shield fern and *Muehlenbeckia australis*, along with and scattered matagouri. However, there are no significant stands of indigenous species in the reserve. Given the lack of natural indigenous communities, the ecological values of the site are low.

POTENTIAL EFFECTS OF YOUR ACTIVITY ON THE FEATURE OR VALUE

As stated above this is an application for a lease of an area already occupied by Go Orange (for their rafting base and Canyon Brew) therefore the effects of this proposal are all known to a large extent because the rafting base and café have been operating at this site for in excess of 25 years.

Cumulative effects of development on the landscape

The proposed continued change in occupation of the site by Canyon Brew will not introduce elements inconsistent with the natural character of the site and surrounding landscape. Neither the outdoor decking or storage building, pedestrian paths, vehicle access ways nor the 'Cavell's' building will compromise the remaining natural character of the site, with the Morning Star Beach Recreation Reserve being characterised by similar structures utilised by Shotover Jet.

In consideration of the site and wider Morning Star Beach Recreation Reserve, it is not considered that the proposal will result in any effects which will breach any threshold relating to the site's ability to absorb infrastructure. Furthermore, it is not considered that the proposal will result in degradation of natural values or inappropriate domestication of the landscape because of the significantly modified nature of the site.

Potentially adverse visual effects

Morning Star Beach Recreation Reserve is accessible to the public so a range of views of the development can be obtained. Due to the location of Arthurs Point Road above the site and the nature of the access or egress onto Edith Cavell Bridge, the visibility of the site is limited. Also neighbouring residential properties are interspersed above the site and are well shielded from views. No residential neighbour will be affected by the proposal.

Use of the outdoor area with its decking will be visible from Arthurs Point Road, however this will not represent any change compared to the status quo. Moreover the storage buildings are behind the Cavell's building which shield views of the storage buildings. The site is visible from the opposite side of the Shotover River but the far side of the river is not readily accessible, nevertheless views from the far bank of the river will not be any different from what are gained from the present development on site. The nature of the cluster of buildings in this location is such that the additional storage buildings will appear consistent with the environment.

Further given the sloped nature of the area between the Cavell's building and the Shotover River, most of the Rafting Base infrastructure will not be visible from the Shotover River itself, consequently we do not believe this proposal will have any adverse effects on the adjacent Shotover River.

Creation of noise

Noise, vibration and lighting from vehicles will remain relatively consistent with the status quo as detailed above. It is expected that such noise effects will not be prominent outside of the site. In addition the vehicle movements associated with rafting are confined to the daylight hours, accordingly the adjacent residential areas will not be adversely affected.

With respect to the noise effects of the canning plant it will be operated during working hours 0900 till 1700 Monday to Friday, however it is unlikely the canning plant will be operated for the whole day. It is proposed that one canning run will be undertaken per day including canning set up (sterilising cans and equipment), packaging and clean up. It is unlikely the canning plant will be heard outside the building. Refer the following 'You Tube' clips that demonstrate the operation of similar micro-canning machines and the corresponding noise levels.

<https://www.youtube.com/watch?v=W7Wc4nvBQhs>

<https://www.youtube.com/watch?v=VqzclwnTyjw>

<http://www.microcanner.com/videos.html>

Effects on Intrinsic and Conservation Values

No significant intrinsic and nature conservation values will be adversely affected by the proposal. In particular, it is noted that there are no indigenous ecosystems within the immediate vicinity of Cavell's building that will be damaged, and the proposal will not establish any introduced vegetation that has a high potential to spread and naturalise.

Risk of Fire

The area the building is located on is hardened and mostly cleared of vegetation, and in the unlikely event of a fire it would be confined to Go Orange plant and it is not likely a fire would spread to adjacent vegetation or equipment.

Potential chemical contamination

Vehicles servicing the site could leak oil when on site, however most of the vehicles servicing these facilities spend time parked up on tar seal or concrete on site or in Queenstown hence such a leak would not contaminate the ground. Also such a leak would be readily detected because most of the vehicles servicing the property only park on hardened surfaces. There will be no other chemicals stored on site that could cause contamination.

Weed introductions from seeds / plant materials carried into area

The proposed lease area has been hardened, accordingly we do not believe weed / plant introductions are an issue in this location. Also the vehicles accessing the reserve are road vehicles and it is unlikely they would have been in locations to pick up any plant materials.

Disturbance of soils, vegetation, invertebrates, lizards, frogs or nesting birds

The proposed lease area has been hardened and gravelled. During the proposed installation of the storage containers some soil or clay will be disturbed to install the foundations. Nonetheless, as stated above there will be only a limited amount of earthworks undertaken and because the site of the extension is mainly developed, it is unlikely there will be significant disturbance of invertebrates, lizards, frogs or nesting birds.

The ongoing occupation of the facility will not result in significant disturbance of soils, vegetation, invertebrates, lizards, frogs or nesting birds. However, some vegetation mainly landscaping plants, may need to be kept cut back over time to retain access to these facilities but this vegetation trimming will be minor.

Degradation of Historic or Archaeological sites

There are no known historic or archaeological sites in the immediate area adjacent to the proposed lease area.

Natural waterways or bodies of water adversely affected by activity

The Shotover River is adjacent to the proposed lease area, nevertheless there will be no contaminants or hazardous chemicals kept on site to result in any discharges which could impact on the water quality of this river.

Spreading *Didymosphenia germinata*

We do not believe the occupation of the proposed lease area could contribute to spreading Didymo. Didymo is already present in the Kawarau and Shotover Rivers¹, the main rivers utilised by Go Orange Rafting.

Displacement of other users or negative impacts on other users

As previously stated this site is already in use by Go Orange and Canyon Brew (owned by Go Orange) including the outdoor areas at this site, and apart from a minor building extension, this occupation will not change significantly with this proposal and therefore the displacement of other users of the reserve will likewise remain unchanged. Also the existing and ongoing use of the café's outside deck and lawn does not exclude the public thus the public are not displaced by these outdoor activities.

D. Bulk fuel storage

Under the Hazardous Substances and New Organisms Act 1996 (HSNO Act) 'Bulk fuel storage' is considered to be any single container, stationary or mobile, used or unused, that has a capacity in excess of 250 litres of Class 3 fuel types. This includes petrol, diesel, aviation gasoline, kerosene and Jet A1. For more information on Hazardous Substances, go to:

<http://www.business.govt.nz/worksafe/information-guidance/legal-framework/hsno-act-1996>

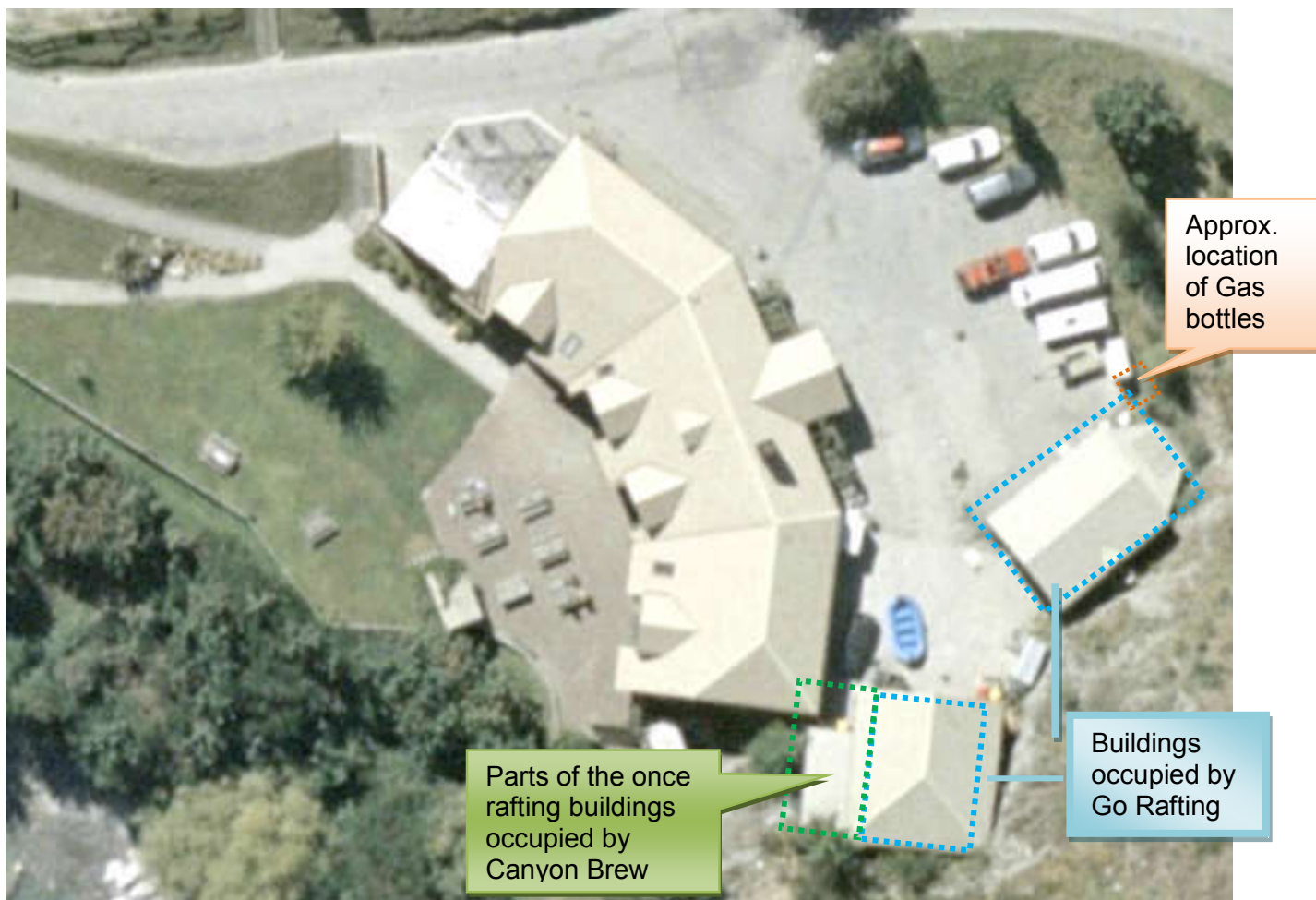
Do you intend to store fuel in bulk on the land as part of the activity?

YES / NO

¹ <http://www.didymo.net/files/Didymo%20literature%20review.pdf>

If you have answered yes, then please provide full details of how and where you intend to store the fuel, and label any attachments including plans, maps and/or photographs as Attachment 3a:D. If your concession application is approved you will be required to provide a copy of your HSNO compliance certification to the Department before you begin the activity.

45kg LPG bottles are stored on site to supply gas to Go Rafting and Canyon Brew.



Approximate location of LPG bottles – used for water heating at Canyon Brew

E. Other

Is there any further information you wish to supply in support of your application? Please attach if necessary and label Form 3a:E

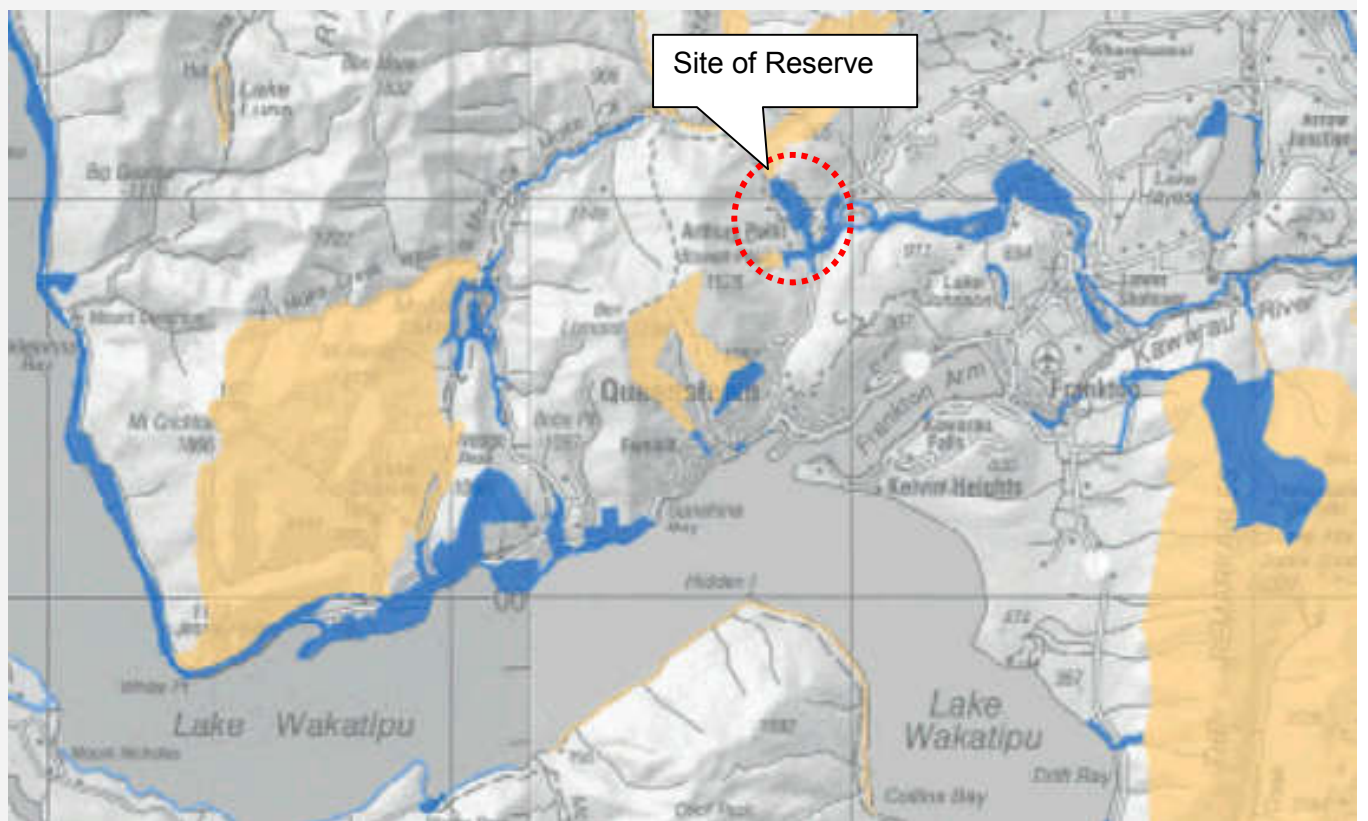
The Morning Star Beach Recreation Reserve is managed by the Department of Conservation on behalf of the Crown. The land was formalised as a Recreation Reserve in 1991, as Gazette Notice 1991, P.2665. The Morning Star Beach Recreation Reserve is considered a Special Place (30) within the Queenstown area, under the Otago Conservation Management Strategy, Chapter 10 (1998:359). The Conservation unit number is E41 122.

The Morning Star Beach Recreation Reserve is also designated “frontcountry” under Otago Conservation Management Strategy in the Western Lakes and Mountains /Ngā Puna Wai Karikari a Rākaihautū Place. Accordingly Go Orange’s proposed activity is consistent with the outcomes for this visitor management zone. Refer CMS map below.

The Department of Conservation and two existing commercial companies operate within this reserve, Shotover Jet Ltd (Shotover Jet), Go Orange Rafting and Canyon Brew (now owned by Go Orange). These companies either have a Lease agreement or a Concession with the Department to occupy or operate from this reserve. The Department’s Wakatipu District Office garage and workshop are also on this site. There are five buildings within the reserve used for commercial purposes: Shotover Jet base building, Shotover Jet boat store, Shotover Jet maintenance, Cavell’s building and DOC workshop and storage.

The current Go Orange lease arrangements for the Cavell’s building are standard commercial leases utilising the Auckland District Law Society Deed of Lease not a DOC Concession document. Go Orange Limited requires a separate new commercial lease for the occupation of the site for operation of Go Orange Rafting. Go Orange is also seeking the Department’s guidance to determine the appropriate instruments to address not only our occupation of the building on site but the overall occupation of the site and access to the site and the Shotover River by Go Orange Limited.

Go Orange Rafting safety management is audited against the HSE regulations and the Safety Audit Standard for Adventure Activities 2013 and has a Maritime New Zealand Certificate of Compliance For Commercial Rafting issued pursuant to section 41 of the Maritime Transport Act 1994.





The Department recommends that you contact the Department of Conservation Office closest to where the activity is proposed to discuss the application prior to completing the application forms. Please provide all information requested in as much detail as possible. Applicants will be advised if further information is required before this application can be processed by the Department.

This form is to be used when your activity does not fall into any of the other categories. It is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

- If your application involves guiding clients on public conservation land eg walking, kayaking, 4WD, hunting, aircraft landings, please fill in Forms 4a, 4b and/or Form 4c as applicable.
- If your application includes building, extending or adding to any permanent or temporary structures or facilities on public conservation land, please also fill in Form 3b,
- If your application includes tenancy of any DOC managed buildings (other than overnight usage of huts) please also fill in Form 3a.
- If your application is for access across public conservation land please fill in Form 3c.

Please complete this application form, attach Form 1a or Form 1b, and any other applicable forms and information and send to permissions@doc.govt.nz. The Department will process the application and issue a concession if it is satisfied that the application meets all the requirements for granting a concession under the Conservation Act 1987.

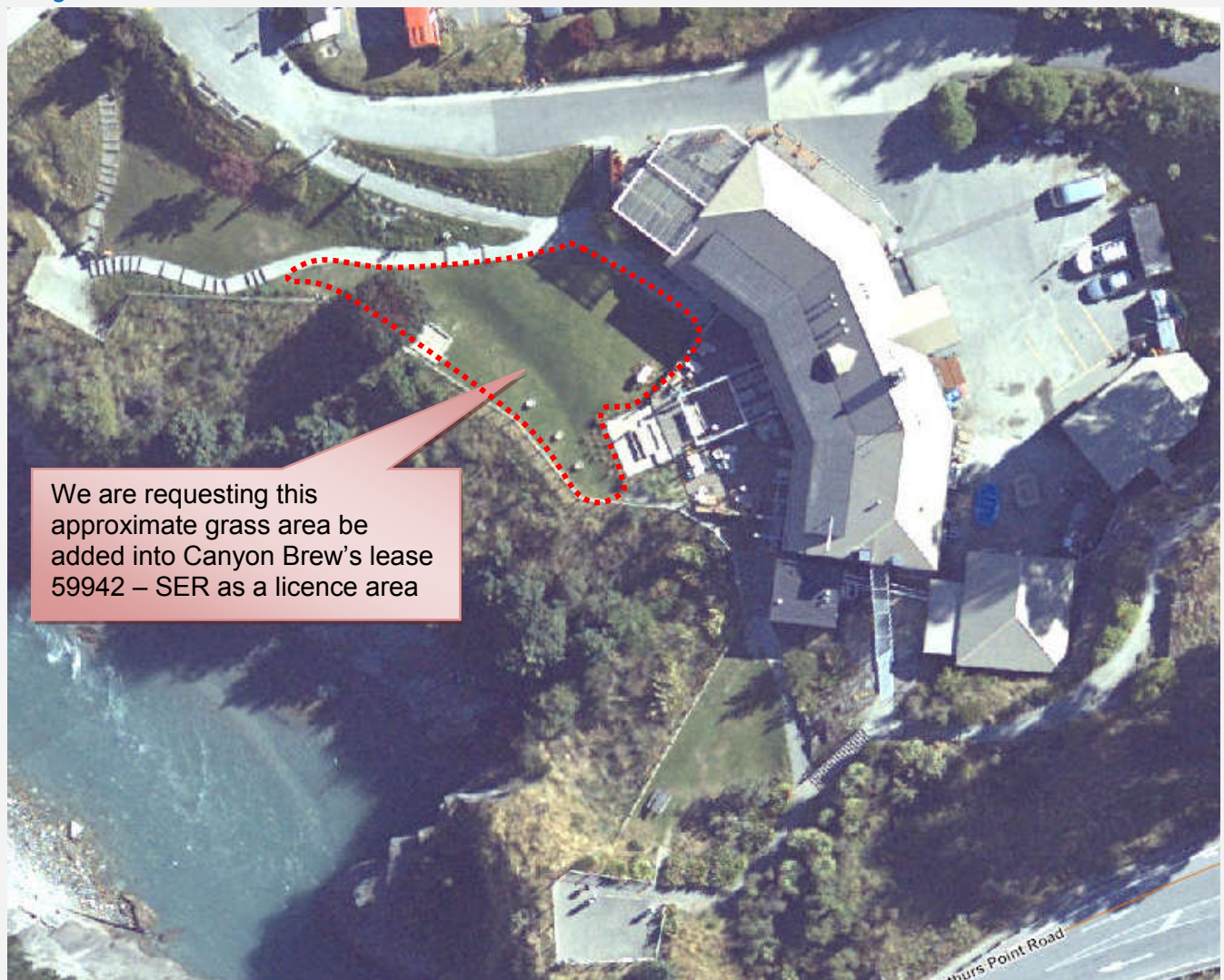
If you require extra space for answering please attach and label according to the relevant section.

A. Description of Activity

Please describe the proposed activity(s) in detail. Please include the name and status of the public conservation land, the size of the area you are applying for and why this area has been chosen. Please attach maps of the location and any detailed site plan, any drawings of proposal and label attachment 7a:A.

Go Orange Limited as the operator of Canyon Brew is making application to include the grassed area to the south west of the Cavell's building in the licence area for Canyon Brew at the Morning Star Beach Recreation Reserve, Queenstown. The area is utilised mainly during the summer months, (and has been for years) by Canyon Brew customers using informal seating such as bean bags and moveable picnic tables. Approximately 12 – 15 bean bags, 6 half barrels and up to 6 picnic tables will be scattered through this approximate 150m² area. NB the grass area is also used to store firewood for Canyon Brew's wood fired pizza oven.

This grassed area will mainly be used in the hours of daylight, that is during the warmest part of the day as an area to "laze" on during warm sunny days. Specifically the use of the outdoor area will be limited to between 0800 and 2200 hours as per the Canyon Brew Resource Consent RM170608. This grassy area is not used solely by Canyon Brew customers hence we do not require exclusive use of this part of the site. Refer photos below. We are making this request to allow us to vary the Canyon Brew Sale & Supply of Alcohol Act 2012 'On Licence' to enable Canyon Brew to serve patrons utilising the grassed area.

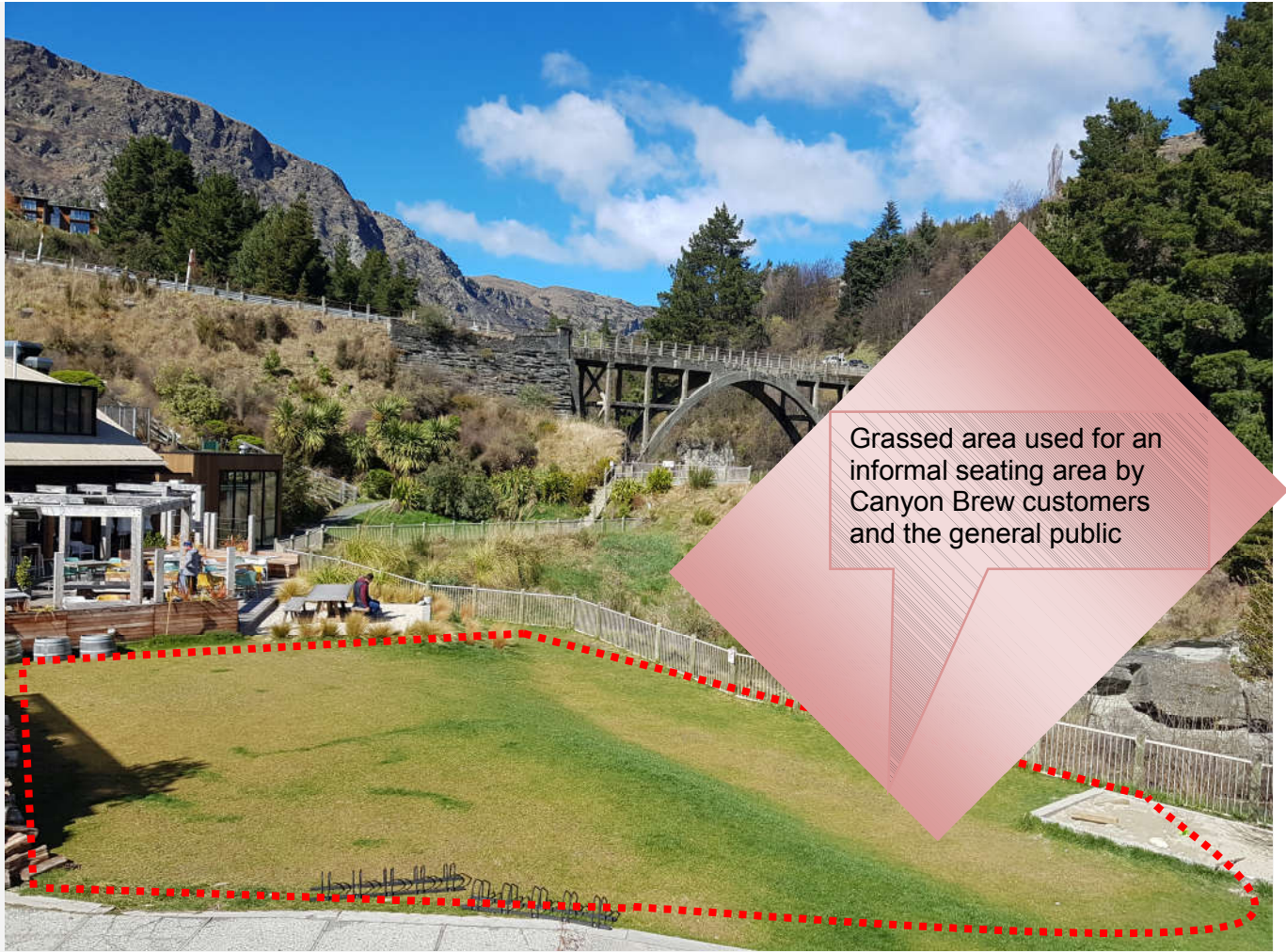


The reserve area utilised by Canyon Brew (mainly in the summer) on a non – exclusive basis



Approximate grassed area used as an informal seating area by Canyon Brew customers and the general public







NB because of the topography of the grassed area, the bean bags and picnic tables will be scattered immediately outside the café at the top of the slope and at the bottom of the slope adjacent the fence. The slope itself is often used to sit on as per one of the above photographs.

B. Term

Please detail the length of the term sought (i.e. number of years or months) and why. If you are applying for a one-off permit please state the specific dates and/or times sought.

Note: An application for a concession for a period over 10 years must be publicly notified, an application for a concession up to 10 years will not be publicly notified unless the adverse effects of the activity are such that it is required, or if an exclusive interest in the land is required.

Until 31 December 2036 as per 59942 - SER

C. Bulk fuel storage

Under the Hazardous Substances and New Organisms Act 1996 (HSNO Act) 'Bulk fuel storage' is considered to be any single container, stationary or mobile, used or unused, that has a capacity in excess of 250 litres of Class 3 fuel types. This includes petrol, diesel, aviation gasoline, kerosene and Jet A1. For more information on Hazardous Substances, go to: <http://www.business.govt.nz/worksafe/information-guidance/legal-framework/hsno-act-1996>

Do you intend to store fuel in bulk on the land as part of the activity?

YES / NO

If you have answered yes, then please provide full details of how and where you intend to store the fuel, and label any attachments including plans, maps and/or photographs as Attachment 7a:C. If your concession application is approved you will be required to provide a copy of your HSNO compliance certification to the Department before you begin the activity.

D. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 7a:D.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

LOCATION ON PUBLIC CONSERVATION LAND

Morning Star Beach Recreation Reserve specifically 1 Arthurs Point Road, Queenstown.

SPECIAL FEATURE OR VALUE

Go Orange Rafting Base and Canyon Brew are located within the Morning Star Beach Recreation Reserve which does not have high conservation values. The land which is the site of this application is significantly modified, being either built on, hardened, or grassed. When viewed from Arthurs Point Road the site and surrounds appear as a cluster of development and contain very little signs of naturalness. The landscape in the immediate and wider area is constrained by the Shotover River, Arthurs Point Road, Edith Cavell Bridge and the topographic character of the river canyon. The main river gorge carves through outcrops of schist, while fine mica gives the river its silty colour. The wider canyon however displays exceptional views up the Shotover River. Accordingly we contend that the only special feature of the site is the adjacent Shotover River and its gorge.

The vegetation on the reserve is dominated by introduced woody weed species, notably sycamore, broom, blackberry, hawthorn and larch. The site also contains mature introduced pine trees. Some indigenous plant species are present naturally such as prickly shield fern and *Muehlenbeckia australis*, along with and scattered matagouri. However, there are no significant stands of indigenous species in the reserve. Given the lack of natural indigenous communities, the ecological values of the site are low.

POTENTIAL EFFECTS OF YOUR ACTIVITY ON THE FEATURE OR VALUE

As stated above this is an application for a Licence of an area already utilised by Canyon Brew customers for removable informal seating (mainly in the summer months) therefore the effects of this proposal are all known to a large extent because the café has been operating at this site for in excess of 25 years.

Cumulative effects of development on the landscape

The proposed use of the site by Canyon Brew will not introduce elements inconsistent with the natural character of the site and surrounding landscape; and compromise the remaining natural character of the site, with the Morning Star Beach Recreation Reserve being characterised by similar activities undertaken by the adjacent Shotover Jet operation. Moreover the bean bags, half barrels and picnic tables are not permanent furniture and are only used in summer months and in fine weather.

In consideration of the site and wider Morning Star Beach Recreation Reserve, it is not considered that the proposal will result in any effects which will breach any threshold relating to the site's ability to absorb change. Furthermore, it is not considered that the proposal will result in degradation of natural values or inappropriate domestication of the landscape because of the significantly modified nature of the site.

Potentially adverse visual effects

Morning Star Beach Recreation Reserve is accessible to the public so a range of views of the development can be obtained. Due to the location of Arthurs Point Road above the site and the nature of the access or egress onto Edith Cavell Bridge, the visibility of the site is limited. Also neighbouring residential properties are interspersed above the site and are well shielded from views. No residential neighbour will be affected by the proposal.

Use of the outdoor area will be visible from Arthurs Point Road, however this will not represent any change compared to the status quo. The site is visible from the opposite side of the Shotover River but the far side of the river is not readily accessible, nevertheless views from the far bank of the river will not be any different from what are gained from the present use of the site.

Further given the sloped nature of the area between the Cavell's building and the Shotover River, most of the grassed area which is the subject of this application, will not be visible from the Shotover River itself; consequently we do not believe this proposal will have any adverse visual effects on the adjacent Shotover River.

Creation of noise

Noise, vibration and lighting from people visiting the site will remain relatively consistent with the status quo. It is expected that such noise effects will not be prominent outside of the site. In addition use of the grassed area is confined mainly to the daylight hours and must cease by 10.00pm, accordingly the adjacent residential areas will not be adversely affected.

Effects on Intrinsic and Conservation Values

No significant intrinsic and nature conservation values will be adversely affected by the proposal. In particular, it is noted that there are no indigenous ecosystems within the immediate vicinity of Cavell's building that will be damaged, and the proposal will not establish any introduced vegetation that has a high potential to spread and naturalise.

Risk of Fire

The site is mostly hardened, mostly cleared of vegetation and the grassed area is kept mown. Consequently in the unlikely event of a fire it would be confined to Go Orange plant and it is not likely a fire would spread to adjacent vegetation or equipment.

Potential chemical contamination

The only vehicle that accesses the grassed area is a lawn mower which could leak fuel. However, the mower spends some time parked up on tar seal or concrete on site hence such a leak would be readily detected enabling a prompt fix. There will be no other chemicals stored on site that could cause contamination.

Weed introductions from seeds / plant materials carried into area

The proposed Licence area has been grassed, accordingly we do not believe weed / plant introductions are an issue in this location.

Disturbance of soils, vegetation, invertebrates, lizards, frogs or nesting birds

The proposed Licence area is grassed hence it is unlikely there will be significant disturbance of invertebrates, lizards, frogs or nesting birds as exotic grasses represent a monoculture that offers little habitat for invertebrates, lizards, frogs or nesting birds.

Degradation of Historic or Archaeological sites

There are no known historic or archaeological sites in the immediate area adjacent to the proposed licence area.

Natural waterways or bodies of water adversely affected by activity

The Shotover River is adjacent to the proposed licence area; nevertheless there will be no contaminants or hazardous chemicals kept on site to result in any discharges which could impact on the water quality of this river.

Spreading *Didymosphenia germinata*

We do not believe the occupation of the proposed Licence area could contribute to spreading Didymo; as Didymo is already present in Shotover River.

Displacement of other users or negative impacts on other users

As previously stated, this site is already in use by Go Orange and Canyon Brew (owned by Go Orange) including the outdoor areas at this site and this occupation will not change significantly with this proposal and therefore the displacement of other users of the reserve will likewise remain unchanged. Also the existing and ongoing use of the café's outside deck and lawn does not exclude the public, thus the public are not displaced by these outdoor activities.

E. Other

Is there any further information you wish to supply in support of your application? Please attach if necessary and label Attachment 7a:E.

Copy of Canyon Brew Resource Consent RM170608 is attached – NB this Resource Consent has been transferred into GO Orange name.