

Kelvin Brown

From: roger deacon - [REDACTED]
Sent: Saturday, 8 April 2023 10:28 am
To: DNSubmissions
Subject: Remarkables concession. DOC 40yr extension

Re supporting NZ Ski Ltd concession for extension

We are FOR/supporting it le continued or extended, mainly as there are thousands of mountains in NZ with nothing

But NOT for any capacity to close or restrict road access outside ski season le vehicles or bikes

Roger Deacon
[REDACTED]

Ps I wonder if it is still going to be viable in 40 years time, Will Queenstown be on the coast ..

96118-SKI - Remarkables Ski Area

Submission of Carolin Perkins

I am a resident of Queenstown/Lakes. I am of Ngai Tahu descent.

Living in Wanaka, I most often ski at Treble Cone/Cardrona, but on occasion I ski at the Remarkables, something I hope to continue. My children are snowboarders and most of my extended whanau are skiers/snowboarders. I am also a trumper and a member of a local tramping club.

This is the first time I have made a submission on any matter. I am motivated to make this submission because of the Ngai Tahu objection to the associated lift development at the Remarkables Ski Field, and my assumption that they will also object to this application. I personally disagree with the Ngai Tahu position and do not feel that they represent my views or those of my close Ngai Tahu whanau in this respect.

It was reported in the press that *"The iwi said the 40-year concession was considered very lengthy and would result in a new generation being unable to connect to or benefit from a relationship with the mountain range, as had already occurred with the previous generation."*

I could not disagree more.

The Remarkable's operation in fact enhances the connection with the mountains, along with the associated benefits from being in the mountains. The ski operations provide for current and future generations a bond that would not or could not, in a practical sense, happen without them. This allows a wide range of people a mountain experience, with all the associated physical and mental health benefits this brings.

When I ski, I feel relaxed. I feel the freedom of being outdoors in a truly grand setting with incredible vistas. I feel both elation and happiness from the fresh air and exercise. I ski hard and feel a tired satisfaction at the end of the day. The ability to do this with both my immediate whanau and more extended whanau makes it even more meaningful and fulfilling. What draws us together is the commonality of skiing. The social connection plays an important role in the enjoyment and benefits.

Being on the lift gives one time to look around and appreciate the mountains. Skiing, experiencing, and learning about the mountains brings a deeper connection with a strong sense of privilege and respect. I know my family feel the same way.

Further, and regarding the Remarkables area specifically, the access provided by the ski operations gives benefits extending well beyond ski season alone. Driving up to the car park, enables hiking to Lake Alta or onwards to the tarns and into the Wye Creek valley beyond. I have seen young families tent at Lake Alta, while others have camped at the tarns - this only made possible by the road's easy access. These tramping experiences have the same profound affect as skiing. There is a sense of wonder, of communion with the environment, and a consequential physical, tangible and psychological benefit from being in these mountains.

Without successful ski operations, the Remarkable mountains would be virtually inaccessible for many, the mountains only seen from the valley below but missing the personal association and significance of having experienced their grand and beautiful proximity in the summer or winter.

OBJECTION OR SUBMISSION



Department of
Conservation
Te Papa Atawhai
New Zealand Government

A. Permission Application Number and Name of Applicant

96118-SKI: NZSki Limited

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 40-year term concession (lease, licence and easement) to manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Remarkables ski area. Located within the Remarkables Skifield Access Road and Rastus Burn Recreation Reserve, Queenstown.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	Queenstown Climbing Club Inc
Contact person and role of organisation	Mr Oliver Austin – President of the Queenstown Climbing Club
Email (Communication from DOC will be via email unless alternate contact requested)	queenstownclimbing@gmail.com
Alternate contact for all DOC communication	[REDACTED]
Phone/Mobile	[REDACTED]
Postal Address and Post Code	PO BOX 1994 QUEENSTOWN 9348

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

96118-SKI: NZSki Limited

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 40-year term concession (lease, licence and easement) to manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Remarkables ski area. Located within the Remarkables Skifield Access Road and Rastus Burn Recreation Reserve, Queenstown.

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	Mr Oliver Austin
Organisation	Queenstown Climbing Club Inc
Date	03/05/2023

D. Statement of Support, Neutrality or Opposition

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

E. Hearing Request

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

F. Objection or submission

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

1. Protection of permanent public access route(s) in concession area for year round recreational opportunities for all as per DOC Recreation Reserve Park Area statement.
2. Application to extend term to 40 years
3. Urbanisation of an alpine environment
4. Decommissioning/end of life process and responsibilities

My reasons for my objection or submission are:

Introduction

With more than 4400 members the Queenstown Climbing Club prides itself to be one the most active local outdoor clubs in the Queenstown region and members see the Remarkables mountains, which encompasses both the Rastus Burn Recreation Reserve and Kawarau Remarkables Conservation Area, as one of the main recreational areas. Members hike, climb, ski tour and snowshoe, as well as carrying out conservation work and educational activities within the Rastus Burn Recreational Reserve and Kawarau Remarkables Conservation areas year-round. The Remarkables is seen as the jewel of the Wakatipu where national and international visitors alongside local families and individuals, recreate on the Remarkables every year. It goes without saying that the conservation of this area and its values is paramount. The frequency and support of public (non-commercial) recreation on the Remarkables is rapidly increasing annually and these needs should be considered first and foremost.

The statement of purpose from DOC regarding the current Rastus Burn Recreation Reserve park category is;

"An area of land (or land and water) possessing open space, and outdoor recreational values especially suitable for recreation and sporting activities and the physical welfare and enjoyment of the public and for the protection of the natural environment and beauty of the countryside, including recreational tracks in the countryside. Public freedom of entry and access subject to such conditions as are necessary for the protection and well-being of the reserve and for the protection and control of the public using it. Management objectives for these areas are to conserve those qualities that contribute to the pleasantness, harmony and cohesion of the natural environment and to the better use and enjoyment of the reserve. Where there are other values identified, eg scenic, historic, archaeological, etc, these are also protected to the extent that they can be managed with the primary purpose of the reserve."

Furthermore, the statement of purpose from DOC regarding the current surrounding Kawarau Remarkables Conservation Area park category is;

"An area of land (or land and water) containing predominantly natural systems, managed to ensure long-term protection and maintenance of biological diversity while providing recreational and visitor opportunities."

Summary of points

1. Protection of permanent public access route(s) in concession area for year round recreational opportunities for all as per DOC Recreation Reserve Park Area statement.
2. Application to extend term to 40 years

3. Urbanisation of an alpine environment

4. Decommissioning/end of life process and responsibilities

1. Protection of permanent public access route(s) in concession area for year round recreational opportunities for all as per DOC Recreation Reserve Park Area statement.

- a. Access road barriered and subject to unjustified access cost outside of NZSKI winter operational period
- b. Restricted access and road closures to public recreation area by NZSKI
- c. Restriction of access on public recreation reserve

We seek to remedy a recent access issue. Early 2020 saw NZSKI install a new toll gate, NZSKI security cameras by the gate and introduce a toll for vehicles to access the Rastus Burn Recreation Reserve and Kawarau Remarkables Conservation Area, access to this public land now feels monitored and under NZSKI control. These prohibitive measures should be reviewed and such controls removed along with the clause(s) within the concession allowing such actions.

The toll gate at the bottom of the Remarkables access road with a so far unjustified toll of \$10 per vehicle to access public land is prohibitive. We know first hand that this is impacting those who frequently recreate in the area on a regular basis. However, this financial segregation has reduced such opportunities for physical welfare and enjoyment, whilst also reducing opportunities for discovery and sharing the mountains with the next generation.

Further, the primary degrading usage of the access road is due to NZSKI operational traffic, asking the public to cover the costs of their operation in exchange for access is unreasonable. A meeting took place between DOC, QCC, FMC and NZSKI in 2018 asking NZSKI to justify the cost for public access and no evidence or justification has been given since but the toll has remained.

There have been instances of road closure for public access by NZSKI for Health and Safety reasons related to operations and also for inclement weather, this is not acceptable. Aside from periods of genuinely hazardous operations, the law relating to public access should apply and it should be open.

When there are hazardous activities being conducted where limiting access is absolutely necessary the adequate notice should be given, this was not the case most recently on February 13th 2023 where the access road was closed without notice. Further, contrary to NZSKI statements, no signage was present by the toll barrier, meaning members of the public paid to access and were stopped and turned around at the 9km mark. The club received communication on the 14th advising of this closure with no reason given but requested we inform our members.

During the winter season, public transition through the Rastus Burn Recreational Reserve and reach beyond, to avoid the commercial activities of the ski area, into the Doolans and Kawarau Remarkables Conservation area, for recreational activities such as ski touring, snowshoeing, hiking, winter/ice climbing and mountaineering/ski-mountaineering. NZSKI must not overbear and restrict these users from accessing public areas as they see fit. To note that both ski touring and snowshoeing on Coronet Peak are also restricted by NZSKI despite also being on public land.

NZSKI periodically referred to public land as "our mountain" (*see application document, appendix-m-drone-policy.pdf*). This is a concerning perspective from a private corporation operating on public land that would indicate false presumed ownership of an asset which belongs to the public, for whom DOC operates and manages on behalf of. This is also cause for insult to groups that consider this and surrounding areas to hold significant cultural and spiritual importance.

This can be further seen in NZSKI's drone policy whereby DOC's governance and control of airspace and drone usage in the reserve(s) is negated and decision making handed over to a private body with little interest in recreational public users and their experience of this public area. We believe having NZSKI as sole governance for permissions on drone usage in a public reserve goes against the principles that DOC operates by and would contribute negatively to the experience of recreational users in this area, drones are intrusive, cause noise

pollution and detract from the visual amenity and distinct experiential qualities of this area and the surrounding Remarkables Conservation Area. DOC should remain in charge and there is no clear reason why a specific exception should be allowed for NZSKI. Any additional constraints NZSKI wishes to administer should be additional to DOC's primary administration. Having additional authorities on this would be detrimental to any possible policing and "content creation" of this manner could increase the likelihood of other users following suit. Drone usage in the Remarkables is arguably already an issue without this.

To note that NZSKI operations typically last around 3 months per year and NZSKI's concession must not take precedence over public interest, who recreate in these areas year-round.

2. Application to extend term to 40 years

Extended duration of application in a changing environment (40 years over 30 years).

The given justifications for the 40-year term are irrelevant. Any application could make similar claims, making such claims typical and not exceptional. NZSKI states in its application document *"Snow forecast modelling for the number of days with depths of snow exceeding 30cm at The Remarkables (top section of the ski area) will gradually drop from the 1990s average of 105 days to 87 days by 2040 and to 75 days by the 2090s, with mid-range emissions. That drops to 85 days by 2040 and 58 days by 2090 with a high emissions scenario"* (3-concession-application-form-3b, Attachment 3B: 1 – Other Information, 7. Climate change and sustainable business practices).

This indicates that while NZSKI are seeking to significantly increase capacity we must look to the future and see:

- snowfall is in decline
- the operational season will become shorter
- demand on finite natural resources in the Reserve will increase such as;
 - potable water drawn from Rastus Burn
 - sewerage treatment requirements
 - water drawn from Lake Alta (outside of the Reserve) for snowmaking
 - increased traffic (human and mechanical) and operations within a sensitive alpine environment
- effects on wildlife such as declining avifauna

For these reasons, especially in the face of an ever uncertain environment and future, the term for this application should not be extended beyond that of 30 years, in contrast, it is our opinion that it should be shorted, so as to better serve the long-term usage and outcomes of this Reserve while minimising adverse effects. Reflecting over the previous concession period shows us how much can change in such a period of time and these changes are now happening at a greatly accelerated rate.

3. Urbanisation of an alpine environment

Reserves Act 1977 Section 17, item 2(c) states *"It is hereby further declared that, having regard to the general purposes specified in subsection (1), every recreation reserve shall be so administered under the appropriate provisions of this Act that—those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved"*

This statement can be interpreted in many ways, NZSKI could argue that they add to the enjoyment of the reserve, but this is by means of monetising a recreational activity that occurs in this reserve regardless of their presence, alongside many other recreational activities and users.

The justification for the expansion of the base building is based on peak numbers. The window during which these peak numbers are experienced is very small when viewed over an entire year and no other measures have been put forward to mitigate these peak loads other than to expand what is already an imposing building into something much larger, further imposing on the natural landscape. Encouraging higher peak demands rather than regulating these demands seems counter-intuitive in the context of conservation and protection of a public reserve. Other methods are being utilised in similar situations at neighbouring ski areas to regulate peak visitor

loads in commercial ski operation areas, namely “dynamic pricing”. (see crux article - <https://crux.org.nz/crux-news/dynamic-pricing-to-limit-numbers-at-cardrona-treble-cone>)

Initiatives other than expansion and increasing capacity would also alleviate the additional pressures on the finite natural resources which are utilised within the Rastus Burn Recreation Reserve and the Kawarau Remarkables Conservation area as well as increased wear and tear on the access road and traffic issues around State Highway 6. This expansion would likely also require additional car parking. Existing car parks along the road are already encroaching on the surrounding land. This action is already threatening climbing areas such as Rastus Burn Boulders (11km mark). Such encroachment must be monitored to minimise permanent change of landscape, ecology and terrain features.

4. Decommissioning/end of life process and responsibilities

Concern over increased infrastructure, usage and damage to the Rastus Burn recreation Reserve and surrounding Kawarau Remarkables Conservation Area due to commercial activities. Are any provisions in place for decommissioning of infrastructure or buildings?

Final note, the Reserves Act 1977 covers many reserve areas but Section 3 quite clearly conveys its purpose being the preservation of nature and public access.

The Queenstown Climbing Club believes that the decision in regards to NZSKI's concession renewal application should reflect:

- on the changing recreational demands, which are not NZSKI paying customers, within the Rastus Burn recreation Reserve and surrounding Kawarau Remarkables Conservation Area.
- on the increasing demand from NZSKI and consequential irreversible impact it has on the natural environment and the fragile alpine ecosystem.

We would like to be heard at the hearing to further share our concerns on this submission.

Ngā mihi,

Prepared by the Committee of the Queenstown Climbing Club.

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.

Please refer to comments above

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
Queenstown Climbing Club RE: NZSki Application for concession - 03052023	PDF	PDF document detailing Queenstown Climbing Club's submission

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.

Concession application by NZSki Limited for a lease, licence and easement within the Remarkables Ski Field Access Road and Rastus Burn Recreation Reserve, Queenstown

Submission by: Queenstown Climbing Club

03 May 2023

Introduction

With more than 4400 members the Queenstown Climbing Club prides itself to be one the most active local outdoor clubs in the Queenstown region and members see the Remarkables mountains, which encompass both the Rastus Burn Recreation Reserve and Kawarau Remarkables Conservation Area, as one of the main recreational areas. Members hike, climb, ski tour and snowshoe, as well as carrying out conservation work and educational activities within the Rastus Burn Recreational Reserve and Kawarau Remarkables Conservation areas year-round. The Remarkables is seen as the jewel of the Wakatipu where national and international visitors alongside local families and individuals, recreate on the Remarkables every year. It goes without saying that the conservation of this area and its values is paramount. The frequency and support of public (non-commercial) recreation on the Remarkables is rapidly increasing annually and these needs should be considered first and foremost.

The statement of purpose from DOC regarding the current Rastus Burn Recreation Reserve park category is;

"An area of land (or land and water) possessing open space, and outdoor recreational values especially suitable for recreation and sporting activities and the physical welfare and enjoyment of the public and for the protection of the natural environment and beauty of the countryside, including recreational tracks in the countryside. Public freedom of entry and access subject to such conditions as are necessary for the protection and well-being of the reserve and for the protection and control of the public using it. Management objectives for these areas are to conserve those qualities that contribute to the pleasantness, harmony and cohesion of the natural environment and to the better use and enjoyment of the reserve. Where there are other values identified, eg scenic, historic, archaeological, etc, these are also protected to the extent that they can be managed with the primary purpose of the reserve."

Furthermore, the statement of purpose from DOC regarding the current surrounding Kawarau Remarkables Conservation Area park category is;

"An area of land (or land and water) containing predominantly natural systems, managed to ensure long-term protection and maintenance of biological diversity while providing recreational and visitor opportunities."

Summary of points

1. Protection of permanent public access route(s) in concession area for year round recreational opportunities for all as per DOC Recreation Reserve Park Area statement.
2. Application to extend term to 40 years
3. Urbanisation of an alpine environment
4. Decommissioning/end of life process and responsibilities

1. Protection of permanent public access route(s) in concession area for year round recreational opportunities for all as per DOC Recreation Reserve Park Area statement.

- a) Access road barriered and subject to unjustified access cost outside of NZSKI winter operational period
- b) Restricted access and road closures to public recreation area by NZSKI
- c) Restriction of access on public recreation reserve

We seek to remedy a recent access issue. Early 2020 saw NZSKI install a new toll gate, NZSKI security cameras by the gate and introduce a toll for vehicles to access the Rastus Burn Recreation Reserve and Kawarau Remarkables Conservation Area, access to this public land now feels monitored and under NZSKI control. These prohibitive measures should be reviewed and such controls removed along with the clause(s) within the concession allowing such actions.

The toll gate at the bottom of the Remarkables access road with a so far unjustified toll of \$10 per vehicle to access public land is prohibitive. We know first hand that this is impacting those who frequently recreate in the area on a regular basis. However, this financial segregation has reduced such opportunities for physical welfare and enjoyment, whilst also reducing opportunities for discovery and sharing the mountains with the next generation.

Further, the primary degrading usage of the access road is due to NZSKI operational traffic, asking the public to cover the costs of their operation in exchange for access is unreasonable. A meeting took place between DOC, QCC, FMC and NZSKI in 2018 asking NZSKI to justify the cost for public access and no evidence or justification has been given since but the toll has remained.

There have been instances of road closure for public access by NZSKI for Health and Safety reasons related to operations and also for inclement weather, this is not acceptable. Aside from periods of genuinely hazardous operations, the law relating to public access should apply and it should be open.

When there are hazardous activities being conducted where limiting access is absolutely necessary the adequate notice should be given, this was not the case most recently on February 13th 2023 where the access road was closed without notice. Further, contrary to NZSKI statements, no signage was present by the toll barrier, meaning members of the public paid to access and were stopped and turned around at the 9km mark. The club received communication on the 14th advising of this closure with no reason given but requested we inform our members.

During the winter season, public transition through the Rastus Burn Recreational Reserve and reach beyond, to avoid the commercial activities of the ski area, into the Doolans and Kawarau Remarkables Conservation area, for recreational activities such as ski touring, snowshoeing, hiking, winter/ice climbing and mountaineering/ski-mountaineering. NZSKI must not overbear and restrict these users from accessing public areas as they see fit. To note that both ski touring and snowshoeing on Coronet Peak are also restricted by NZSKI despite also being on public land.

NZSKI periodically referred to public land as "our mountain" (*see application document, appendix-m-drone-policy.pdf*). This is a concerning perspective from a private corporation operating on public land that would indicate false presumed ownership of an asset which belongs to the public, for whom DOC operates and manages on behalf of. This is also cause for insult to groups that consider this and surrounding areas to hold significant cultural and spiritual importance.

This can be further seen in NZSki's drone policy whereby DOC's governance and control of airspace and drone usage in the reserve(s) is negated and decision making handed over to a private body with little interest in recreational public users and their experience of this public area. We believe having NZSki as sole governance for permissions on drone usage in a public reserve goes against the principles that DOC operates by and would contribute negatively to the experience of recreational users in this area, drones are intrusive, cause noise pollution and detract from the visual amenity and distinct experiential qualities of this area and the surrounding Remarkables Conservation Area. DOC should remain in charge and there is no clear reason why a specific exception should be allowed for NZSKI. Any additional constraints NZSKI wishes to administer should be additional to DOC's primary administration. Having additional authorities on this would be detrimental to any possible policing and "content creation" of this manner could increase the likelihood of other users following suit. Drone usage in the Remarkables is arguably already an issue without this.

To note that NZSKI operations typically last around 3 months per year and NZSKI's concession must not take precedence over public interest, who recreate in these areas year-round.

2. Application to extend term to 40 years

Extended duration of application in a changing environment (40 years over 30 years).

The given justifications for the 40-year term are irrelevant. Any application could make similar claims, making such claims typical and not exceptional. NZSKI states in its application document *"Snow forecast modelling for the number of days with depths of snow exceeding 30cm at The Remarkables (top section of the ski area) will gradually drop from the 1990s average of 105 days to 87 days by 2040 and to 75 days by the 2090s, with mid-range emissions. That drops to 85 days by 2040 and 58 days by 2090 with a high emissions scenario"* (3-concession-application-form-3b, Attachment 3B: 1 – Other Information, 7. Climate change and sustainable business practices).

This indicates that while NZSKI are seeking to significantly increase capacity we must look to the future and see:

- snowfall is in decline
- the operational season will become shorter
- demand on finite natural resources in the Reserve will increase such as;
 - potable water drawn from Rastus Burn
 - sewerage treatment requirements
 - water drawn from Lake Alta (outside of the Reserve) for snowmaking
 - increased traffic (human and mechanical) and operations within a sensitive alpine environment
- effects on wildlife such as declining avifauna

For these reasons, especially in the face of an ever uncertain environment and future, the term for this application should not be extended beyond that of 30 years, in contrast, it is our opinion that it should be shorted, so as to better serve the long-term usage and outcomes of this Reserve while minimising adverse effects. Reflecting over the previous concession period shows us how much can change in such a period of time and these changes are now happening at a greatly accelerated rate.

3. Urbanisation of an alpine environment

Reserves Act 1977 Section 17, item 2(c) states *“It is hereby further declared that, having regard to the general purposes specified in subsection (1), every recreation reserve shall be so administered under the appropriate provisions of this Act that—those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved”*

This statement can be interpreted in many ways, NZSKI could argue that they add to the enjoyment of the reserve, but this is by means of monetising a recreational activity that occurs in this reserve regardless of their presence, alongside many other recreational activities and users.

The justification for the expansion of the base building is based on peak numbers. The window during which these peak numbers are experienced is very small when viewed over an entire year and no other measures have been put forward to mitigate these peak loads other than to expand what is already an imposing building into something much larger, further imposing on the natural landscape. Encouraging higher peak demands rather than regulating these demands seems counter-intuitive in the context of conservation and protection of a public reserve. Other methods are being utilised in similar situations at neighbouring ski areas to regulate peak visitor loads in commercial ski operation areas, namely “dynamic pricing”. (see *crux* article - <https://crux.org.nz/crux-news/dynamic-pricing-to-limit-numbers-at-cardrona-treble-cone>)

Initiatives other than expansion and increasing capacity would also alleviate the additional pressures on the finite natural resources which are utilised within the Rastus Burn Recreation Reserve and the Kawarau Remarkables Conservation area as well as increased wear and tear on the access road and traffic issues around State Highway 6. This expansion would likely also require additional car parking. Existing car parks along the road are already encroaching on the surrounding land. This action is already threatening climbing areas such as Rastus Burn Boulders (11km mark). Such encroachment must be monitored to minimise permanent change of landscape, ecology and terrain features.

4. Decommissioning/end of life process and responsibilities

Concern over increased infrastructure, usage and damage to the Rastus Burn recreation Reserve and surrounding Kawarau Remarkables Conservation Area due to commercial activities. Are any provisions in place for decommissioning of infrastructure or buildings?

Final note, the Reserves Act 1977 covers many reserve areas but Section 3 quite clearly conveys its purpose being the preservation of nature and public access.

The Queenstown Climbing Club believes that the decision in regards to NZSKI's concession renewal application should reflect:

- on the changing recreational demands, which are not NZSKI paying customers, within the Rastus Burn recreation Reserve and surrounding Kawarau Remarkables Conservation Area.
- on the increasing demand from NZSKI and consequential irreversible impact it has on the natural environment and the fragile alpine ecosystem.

We would like to be heard at the hearing to further share our concerns on this submission.

Ngā mihi,

Prepared by the Committee of the Queenstown Climbing Club.

Reference Documents

DOC General Policy for National Parks

<https://www.doc.govt.nz/globalassets/documents/about-doc/role/policies-and-plans/general-policy-for-national-parks.pdf>

DOC Conservation General Policy

<https://www.doc.govt.nz/globalassets/documents/about-doc/role/policies-and-plans/conservation-general-policy.pdf>

QLDC Gondola Application 2017

<https://www.qldc.govt.nz/media/rh0nyuxb/s0806-ql-t13-greenawayr-evidence.pdf>

DOC Categories of conservation land table

<https://www.doc.govt.nz/globalassets/documents/about-doc/role/managing-conservation/categories-of-conservation-land-table.pdf>

Kawarau/Remarkables Conservation Area recreational values

<https://www.doc.govt.nz/globalassets/documents/getting-involved/consultations/2020/kawarauremarkables-conservation-area-reclassification/kawarau-remarkables-recreational-values.pdf>

DOC Procurement strategy for roading activities

<https://www.doc.govt.nz/about-us/our-policies-and-plans/roading-strategy/>

DOC policies and plans

<https://www.doc.govt.nz/about-us/our-policies-and-plans/>

Reserves Act 1977

<https://www.doc.govt.nz/about-us/our-role/legislation/reserves-act/>

<https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444305.html>



A. Permission Application Number and Name of Applicant

96118-SKI: NZSki Limited

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 40-year term concession (lease, licence and easement) to manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Remarkables ski area. Located within the Remarkables Skifield Access Road and Rastus Burn Recreation Reserve, Queenstown.

C.1 Objector or Submitter Information-

Submitter's name (list organisational name if submitting on behalf of a business, community group, etc.)	New Zealand Alpine Club Incorporated
Contact person and role of organisation	Karen Leacock – General Manager
Email (Communication from DOC will be via email unless alternate contact requested)	karen@alpineclub.org.nz
Alternate contact for all DOC communication	nationaloffice@alpineclub.org.nz
Phone/Mobile	027 545 7404
Postal Address and Post Code	PO Box 786 Christchurch 8140

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

96118-SKI: NZSki Limited

B. Name of Proposed Activity and Location(s)

To continue to occupy conservation land for a 40-year term concession (lease, licence and easement) to manage and control all activities related to the ownership, operation, repair and maintenance of the commercial Remarkables ski area. Located within the Remarkables Skifield Access Road and Rastus Burn Recreation Reserve, Queenstown.

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	Karen Leacock
Organisation	New Zealand Alpine Club
Date	3 May 2023

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:

We support most of this application.

We specifically object to (explained in the attached document):

- 1) Base building expansion
- 2) Access road terms
- 3) Concerns around general access to be noted
- 4) Lease term

My reasons for my objection or submission are:

Explained in the attached document

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.

Explained in attached document

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
NZAC submission NZSki Remarkables ski area	PDF	Background of NZAC, general support for application, specific concerns outlined with proposed conditions.

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.

NZAC submission on NZSki Remarkables lease, concession and easement application

May 2023



Background

This submission has been prepared by the New Zealand Alpine Club (hereafter The Club) in response to the concession application 96118-SKI: NZSki Limited.

The Club is the premier mountaineering and climbing club in New Zealand, and the SportNZ recognised National Recreation Organisation for climbers. It was established in 1891 and has a growing membership of over 4200. It has a proud tradition of training, education, advocacy and protection of New Zealand's mountains and crags, to allow recreationists to keep enjoying these magnificent resources.

The Club carries out many activities throughout the wider Southern Alps, and its members have a strong interest and historical affiliation with the Remarkables and the Rastus Burn Recreation Area. Members use and enjoy the area for rock climbing, walking, mountaineering, ski touring, climbing festivals and climbing instruction.

Thank you for the opportunity to submit on the above concession application, and please find our submission below.

We wish to be heard on our submission.

Club association with the Remarkables Ski Field

We recognise the importance of the Remarkables Ski Field to the Queenstown Lakes District as an economic driver in the area and a local recreation facility. Many of our members enjoy skiing at the commercial ski field during the season and some are employed in industries which rely on the tourism generated in the area. It contains worldclass facilities, a range of slopes for all abilities, and unrivalled views.

The New Zealand Alpine Club has a long association with the area. We have run courses on or adjacent to the ski area for many years and appreciate the ongoing cooperation of the ski field management in allowing us safe access to the space. We also have many trips which pass through the area both in summer for climbing, especially on Single and Double Cone, and in winter for skiing and ice climbing in the nearby Doolans and Wye Creek areas. These are some of the best climbing and ski-touring areas in the country and are extremely popular and highly valued with recreationalists for the quality of the routes, the natural beauty and intrinsic value of the area.

The access road, which is maintained by the ski field, is an essential part of this easy access which recreational users have enjoyed. It has allowed easy access to those who may not have been able to undertake some of these activities had the road been unavailable. The other amenities at the area are also often used by climbers and recreationalists passing through the area, such as the toilets and café.

Submission

In general, we support most of the application as presented. As above, we recognise the importance of the ski field for the area, providing both economic and recreational benefits.

However, we have a few key areas of concern and disagreement.

1) Base building expansion

The proposal lacks details around the expansion of the base building. While we understand the reasons for this and they seem sensible, we cannot support this proposal on the scant details which have been provided.

Our concerns about the expansion are:

a) The visual impact of a substantially larger building on the immediate area and also the natural views from the Queenstown basin. We acknowledge that this is already a highly modified area but submit that a substantially larger building will be vastly more visible from the Queenstown basin and would ask that every possibility to reduce this impact is made. The building would also impact on the natural values of those climbing in the nearby Single and Double Cone areas so again, minimising the size and visibility in any way possible is desirable. There is not enough information presented to assess these effects.

b) We accept that the current base building is not large enough for current operations and should be expanded. We also accept that it is prudent for NZSki to future-proof for growth in users when investing in this capital work. However, we would be strongly opposed to any future application of expansion of the ski field into the Doolans (or any other) area. We do not want to see a situation where the base building is expanded at large capital expense, and this expense then must be supported by an expansion of the ski field area. This would bring undue influence to any future permissions process and could leave the ski field financially vulnerable.

c) There is a current problem with road access. Expanding the base building will not address the congestion on the road. On powder days the congestion causes disruption to all users of the area. We would like to see sustainable solutions to the congestion in place before the expansion takes place, such as low-cost shuttles from Queenstown and the base of the mountain for accessing the ski area. This solution would need to be mindful of recreational users who may be operating out of ski field hours.

d) During building work, easy access to the conservation area must be maintained. There have been instances in the past when NZSki have reduced the access availability citing health and safety. While health and safety is obviously very important, the easy answer is often to just close the area. We would like to see consultation with stakeholders and a more nuanced approach to ensure that easy access to the area is maintained for recreational users at all times, and especially when the building work is taking place.

We do not have all the information needed to assess the above concerns but would hope that the Department can access this information. If all the concerns above were addressed adequately, we would support the proposal as is. However, as we lack the information to make an informed assessment, our current position is to support a more modest expansion of the base buildings with special conditions about maintaining access for the public to the conservation areas during construction.

2) Access road

NZSki maintains the access road as part of its operation of the ski field. In recent years it has chosen to impose a toll for summer use. It is currently within its right to do so. However, we think that the road should be free access to the public, year-round.

a) It is acknowledged that NZSki state that they spend a considerable sum on the road, and we commend the safety improvements which have been made.

b) In summer, the road use is largely light vehicles. Many are visiting families and local people. The road provides easy access to an area of great natural beauty and an important experience in the outdoors, on NZ conservation land.

c) Much of the road damage will be caused in winter and from heavy vehicle use rather than light vehicle use in summer.

d) It can be assumed, that while the road does provide excellent access into the conservation area, the company is also making a substantial profit from operating their ski field on conservation land.

We do not think that summer users should have to subsidise the maintenance of the road when NZSki are deriving significant profit from its operation on public conservation land (we assume). It creates a barrier for families and locals to access the area and we think it is unnecessary. While the toll is currently modest, this is not a guaranteed situation.

We recommend that the permissions documents are changed to allow free (un-tolled) access on the road and therefore secure access to the area for the public.

3) General Access

Recreational users may cross the ski field outside the hours of operation. This especially relates to ski-tourers. We acknowledge that this can cause challenges for commercial operators who may be operating winch-groomers or undertaking avalanche control work.

NZSki on the Remarkables has generally been reasonable about engaging with recreational users and ensuring useful solutions are met while also maintaining health and safety in their operations. We encourage NZSki to continue to engage with recreational users and the Club to ensure that we can maintain this relationship. We would like to see NZSki showing support to the local ski touring and climbing community by offering low-cost one-off lift passes to access the back country, which may also reduce the number of people wanting to access the area after hours.

Providing access to recreational users and working with national bodies to do so could be a special condition to ensure this good relationship continues into the future.

4) Lease term

The 40-year lease sought is a very long term.

We acknowledge the thinking that NZSki have done on reducing their climate impact and commend their initiatives to date. However, we find it concerning that their plan in the event of reduced snow fall is simply to provide more snow making facility and move operation higher on the mountain.

At some stage, it is likely that there will have to be a managed retreat or down-sizing of the skifield, although this is likely to be tested at other fields before affecting the Remarkables.

We would prefer to see a 30-year lease period. We think this will ensure that NZSki continue to focus on cost effective and climate sensitive solutions and will actively consider alternative scenarios to the continued growth and expansion of operations.

Attn: Director General, Department of Conservation
 Ōtepoti / Dunedin Service Centre
dnsubmissions@doc.govt.nz



3 May 2023

**Submission on Concession Application 96118-SKI by NZ Ski Limited
 Federated Mountain Clubs**

TO: Department of Conservation (DOC).

Tēnā koe

FMC

1. Federated Mountain Clubs (FMC) thanks you for this opportunity to submit on the [above concession application by NZSki Limited \(Application\)](#).
2. FMC proudly represents the interests of 99 tramping, climbing, white water, unpowered flying and other outdoor recreational clubs, which together have over 22,000 members. It has been our privilege to represent their recreation and associated conservation kaupapa for over 90 years.
3. FMC wishes to be heard on its submission.
4. Given recent experiences, including the recent Shadow Basin hearing, we remind DOC that hearings held under section 49 of the Conservation Act are lawfully to hear “objections”. Any hearing of this Application is not an opportunity for the applicant to fill factual gaps in the Application, to alter proposals, or to rebut any FMC or other submitters’ comments.

SUMMARY

5. FMC submits **neutrally** on the application.
6. Many of our members enjoy skiing, including at times at commercial downhill ski-fields. As such we would not oppose proposals to continue to operate the Remarkables Ski Field.
7. On the other hand, several specifics of the proposals and application process are concerning. As with the recent NZSki Shadow Basin application, we would support the Application only with guarantees of strong access protection conditions before, during and after construction of a new base building, including relating to road access, parking, and “one up” pass conditions. We submit that DOC can lawfully, and ought to, include such conditions.

FMC – FEDERATED MOUNTAIN CLUBS

www.fmc.org.nz | President: Robin McNeill 021 516 366 | Vice-President: Allan Brent 027 306 2965
 Executive Officer: Danilo Hegg eo@fmc.org.nz Ph 027 339 2688
 Federated Mountain Clubs | PO Box 1604 | Wellington 6104 | New Zealand/Aotearoa

8. FMC has a well-known and longstanding interest in the Remarkables area. As with the Shadow Basin process, and despite public comments of a desire to work with the community going forward at that hearing, we were not approached by NZSki about this Application.
9. Again like the Shadow Basin process, the Application is non-serious in its treatment of recreational access, as we detail below, notwithstanding that the ski field is on public conservation land and enjoys only time-limited statutory privileges to keep it there.
10. This lack of engagement and lack of serious planning treatment chimes with our view that NZSki does not take recreational access seriously, making conditions all the more necessary.
11. Similarly, where the Shadow Basin application made no attempt at all to justify exceptional circumstances necessary for a 40 year term, merely calling such a term "appropriate", this Application makes no serious attempt, as we detail below. A 40 year term here means a 40 year term anywhere, which is unlikely to be lawful.
12. If DOC contemplates a 40 year term it requires additional information on remediation, so that an appropriate bond can be set.
13. Finally, and again just as with the Shadow Basin application, the "whole picture" of the Application is lacking. This time, our view is that:
 - a. These process issues are serious enough to raise legal risk unless DOC considers the two together; and
 - b. DOC does not have fair, accurate or adequate information of the true cumulative effects of the Application unless and until NZSki's plans for the Doolans basin are better finalised and shared.
14. As is concerningly common, and as with the Shadow Basin process, NZ Ski has not met prescribed application requirements and in our view, strictly, DOC cannot properly or lawfully consider the Application. It is our hope that DOC will act according to law, and require as a minimum further information of NZSki on conditions it proposes to guarantee recreational access before, during and after construction of the new base building. The better course of action would probably involve the withdrawal or decline of this application so as to better allow the open and full consideration of all potential and cumulative effects, and of NZSki's long-term plans for the Remarkables Ski field.
15. We would engage constructively in any such processes.

THE IMPORTANCE OF REMARKABLES ACCESS

16. FMC's key interest in the application is retaining and fostering improved access to the Kawarau/Remarkables Conservation area, including the Alta, Upper Wye and Doolans Basins, "Queen's Drive", "Telecom Tower" and Remarkables summit ridge areas – both during the ordinary operation of the Remarkables ski field and during any construction of any replacement infrastructure.
17. As FMC related in the previous process, and as un-related by NZSki, the climbing areas contain by far New Zealand's most popular opportunities for ice and mixed climbing, as well as some of our most accessible summer alpine rock climbing. The Basin country contains some of New Zealand's most popular ski-touring areas. Nearby areas routinely host snow instruction courses run by the Otago and Southland sections of the New

Zealand Alpine Club (NZAC).¹ The area also hosts the annual Remarkables Ice and Mixed Festival, New Zealand's biggest alpine climbing event.

18. As such, these areas are at the very foundation of the strength of the New Zealand alpine community. Free and ready access to these areas – in all seasons – is crucial to that strength. Such access includes some of New Zealand's only ready, all-year and low-avalanche-risk approaches to difficult ice and mixed alpine climbing, and extensive undeveloped ski basins. Previous NZSki construction at the Remarkables has affected the latter in particular – needlessly and avoidably.
19. The same area is also used by recreational free fliers of the New Zealand Hang Gliding and Paragliding Association (NZHGPA),² when daylight, weather and lifted civil aviation restrictions align. It is regarded as an iconic New Zealand “hike and fly” opportunity.
20. Finally, FMC accepts that NZSki has Health and Safety at Work Act 2015 considerations. However, those concerns go principally to NZSki's liability. To the extent NZSki is unclear on its obligations, it can and should work through those with the support of DOC and WorkSafe. But poor access provision can of its own present a danger to the recreationist, independent of whether NZSki is liable or not..

PROMOTING RECREATION

21. As an organisation, FMC wholeheartedly supports initiatives that promote low-impact outdoor recreation. Except at prosaic levels, this is not such an initiative, and on the contrary NZSki's application materials show scant regard for the low-impact recreation opportunities in the area.
22. Promoting recreation is also, of course, a DOC function over and above “allowing” tourism.³ While we are aware of views held by some in DOC that recreation and tourism cannot be easily distinguished, the law must be applied nevertheless. This is not a case where making the distinction is challenging – here the recreational interests described above can be readily distinguished from the ordinary visitor – or tourist – to the Remarkables Ski field. As such DOC's function in processing the Application is to allow the application *to the extent it is consistent with promoting the ongoing and nationally significant recreational activity mentioned above.*
23. It is perhaps illustrative that NZSki would link “the demand for recreational skiing facilities” to “population and tourism growth” in the same sentence.⁴ The effect is to run “recreation” and “tourism” together, which in turn paves the way to conditions *unconcerned* with any notion of promoting any true nationally significant recreation.
24. Yet the statutory landscape here is simple. Where there is a conservation management strategy, any concession granted must be consistent with it.⁵ The Otago Conservation Management Strategy 2016 (CMS) most relevantly provides:

3.25.4: Where practicable, encourage non-skier and/or non-ski season visitor use, and visitor use beyond the ski field consistent with the outcomes at Place
25. As with the Shadow Basin application, this Application does not appear to make any attempt to analyse the application against the recreation-related aspects mentioned in the CMS section on Western Lakes and Mountains/Ngā Puna Wai Karikari a Rākaihautū

¹ NZAC is an FMC member club.

² NZHGPA is also an FMC member Club.

³ Section 6(e) of the Conservation Act 1987.

⁴ See Form 3b, page 17.

⁵ Section 17W of the Conservation Act.

Place outcomes (E&OE). FMC's review of that part of the CMS found at least 10 relevant references to recreation, perhaps most notably one describing the Remarkables as having "outstanding" recreational values.⁶ The Application's high water mark is to note the contribution of the road to recreational access.⁷ Of course, FMC's proposals for access conditions aims to, and would, serve to greatly enhance that contribution.

ACCESS CONDITIONS ARE REQUIRED

26. Access conditions are required to allow the tourism usage contemplated by the Application in a manner consistent with recreation. In particular, conditions are required to:
- a. Guarantee strong access protection during construction of the base building, including as to parking near the top car parks;
 - b. Re-establish free year-round road access and top car-park access;
 - c. Create the requirement for "one up" passes to be sold.
27. We submit that DOC can lawfully, and ought to, include such conditions. If DOC grants the Application, it would be appropriate to work through these conditions with NZSki and all recreational submitters.
28. As to the road, the situation has muddled along for too long. NZSki, not the public, chose to seal the road. As such it must not be allowed, now, to use road maintenance as a justification to have the public pay to access their own lands.
29. Plainly, it is open to DOC to liaise with other agencies to resolve the tenure situation of the road, and to work on a public accessway that is free and open year round, with appropriate controls for winter safety when car parks are at their capacity.

TERM

30. Whereas the Shadow Basin application the Application made no attempt *at all* to justify exceptional circumstances necessary for a 40 year term, merely calling such a term "appropriate", this Application makes a lengthy but unserious attempt. Specifically:
- a. No NZSki authorisation would appear to expire outside a 30 year timeframe, such that NZSki has no legal expectation beyond that timeframe;
 - b. Issues of capital investment are raised, and it is plain that these are the real thrust. Yet these issues are outside the scope of COnservation Act considerations, and naturally every business investment ever made needs to be recouped – and in that regard the Application is entirely unexceptional; and
 - c. The Remarkables terrain and landscape itself is said to give rise to exceptional circumstances. While it certainly has outstanding recreational value and beauty, the terrain itself is not exceptional with respect to other New Zealand ski fields, indeed it is similar in providing for a range of terrain for a range of abilities. Similarly, as any skier knows, every field has its beauty and in this regard also the Remarkables does not stand out. This rationale would allow a Milford Sound pie

⁶ Refer section 2.3 of the Otago CMS 2016, from page 57.

⁷ See Form 3b, page 12.

cart a 40 year term.

31. FMC considers that granting a 40 year term to this Application, on these grounds, would bring DOC under serious pressure to grant 40 year terms for virtually any lease or licence application under or through Part 3B of the Act, with that pressure increasing in strength in proportion to the investment. That cannot be the correct usage of the provision.
32. In the context of climate change in particular, if DOC entertains granting a 40 year term, FMC suggests that it seeks further information from NZSki, including a fully-costed and full ski-field removal plan, such that an appropriate bond can be set.
33. The spectre of private infrastructure on public land being abandoned is live within a 40 year horizon, as Ruapehu developments show – where the main lease was renewed only about 10 years ago. It is not acceptable that the public be asked to take on those risks. Nor can it be merely assumed that new capital investors will be numerous, or of any possible group of investors, desirable for a PCL context.
34. We refer the decision-maker to Policy 3.25.2 of the Otago CMS, about which FMC can find no specific response from NZSki (E&OE).

CUMULATIVE EFFECTS AND BUNDLING

35. After the recent hearing of the NZSki Shadow Basin application, FMC made enquiries as to why DOC accepted that these two processes are being heard apart. We understand, and have on written record, that DOC have taken this approach at NZSki's "request".
36. It is all well for an applicant to make such requests, but what is less desirable is the uncritical acceptance of such requests. Consider the extreme case – NZSki applies for several hundred leases for individual chairlift towers, each with virtually no "effects" of its own. The claim is made during application process 3, after applications 1 and 2 were granted, that NZSki did not know application 3 was coming at earlier times, and that its plans for the length of the lift had since changed.
37. This hypothetical is of course absurd, but a less extreme version occurs in this Application nonetheless. We are told there are 17 permissions, some of concern here, some not, some for reasons of time, some for other reasons. Meanwhile, NZSki has stated public designs on Doolans basin, not of concern here – despite the very large base building "to cater for increased immediate and future demand."
38. It is for these kinds of reasons – of pulling apart and putting together different aspects of activities in various applications – that extensive case law on "bundling" and "unbundling" exists in Resource Management Act 1991 (*RMA*) contexts. *RMA*-style treatment of Conservation Act applications is inappropriate in many ways, as reflects the differing context of private interests using public land, and not their own private land. However, *RMA*-style treatment of bundling in Conservation Act contexts is entirely appropriate.
39. Bundling is generally considered appropriate where the activities for which consents are being sought overlap to such an extent that they cannot be realistically or properly separated. As is very plainly the case at the Remarkables Ski Field.
40. What matters is not the application but the "activity", and the actual and potential effects of the activity. The activity is not bits and pieces of infrastructure. It is operating, maintaining and expanding a ski field as a whole. Particularly in the context of NZSki's widely-known designs on the Doolans Basin, the treatment of this Application and the

Shadow Basin application indicates an NZSki pattern of making concession applications, and perhaps variations, piece-meal. As such, the “whole picture” is lacking in any one application process.

41. Accordingly, FMC’s view is that:
 - a. DOC will not treat cumulative effects lawfully unless it considers the effects of this Application and the Shadow Basin application together; and
 - b. Similarly, that DOC’s separate consideration would fall foul of rules relating to bundling, as applied with necessary modifications to Conservation Act processes; and
 - c. Relatedly, DOC does not have fair, accurate or adequate information of the true cumulative effects this Application contemplates unless and until NZSki’s currently contemplated expansion plans are also laid out (an issue that will lead DOC to section 17T issues).
42. Put another way, DOC courts serious legal risk in continuing to process either application on its current track. As such, FMC would welcome any course of action – probably involving the withdrawal or decline of this application – that better allowed the open and full discussion of NZSki’s long-term plans for the Remarkables Ski field.
43. FMC would engage constructively in such a process. We fully accept that such a course may alter the short-term financial proposition for NZSki in some small way, but it is not DOC’s role to ensure that a concessionaire’s activity is financially optimised from its own perspective.

OTHER ISSUES

44. Finally, FMC understands NZSki’s drone-related concerns. However in FMC’s view abdicating responsibility for aerial activity to a commercial activity will set an unacceptable precedent. Albeit in a different scenarios, FMC has raised these issues previously (for example over MBZ users group issues). DOC should retain control of drones at the Remarkables ski-field and nearby, and should heed NZSki’s concerns in this area.

Yours sincerely

Allan Brent

Vice-President, Federated Mountain Clubs