



Department of Conservation
Te Papa Atawhai

To: Aaron Fleming, Director, Southern South Island as Delegate of Minister of Conservation

From: Jo Gould, Statutory Manager, Northern South Island Region as Delegate of Director-General of Conservation

CC: Rebecca Beaumont, Permissions Manager

Date: 1 September 2023

OBJECTION AND SUBMISSION SUMMARY

RECOMMENDATION REPORT

1.0 APPLICATION DETAILS

Applicant: NZSki Limited

Permission Number: 96118-SKI

Permission Type: Notified Concession (Lease and Licence and Easement)

Brief activity description:

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.

The following items should be noted when considering the application:

- the application covers existing Remarkables ski area activities with the inclusion of:
 - (i) a base building and maintenance facility extension proposal, and
 - (ii) the installation of 3 additional snow fences;
- the application refers to three permissions that expire on 30 April 2043 that are not included in the application:
 - (i) Curvey Basin Lift, snowmaking and snow trail construction and operation of easement (ref OT-34109-SKI),
 - (ii) Lake Alta water take, pumps, pipeline and pumphouse easement (ref 49957-SKI),
 - (iii) carpark and road lease (ref OT-34108-SKI);
- the application shows the existing Shadow Basin passenger lift system in its current alignment. A separate application proposal to realign and replace this lift and associated infrastructure has been recently publicly notified and a hearing has been held.

Location: Remarkables Skifield Access Road and Rastus Burn Recreation Reserve, Queenstown.

2.0 PURPOSE

This report is provided pursuant to section 49(2)(d) of the Conservation Act 1987 (CA).

For clarification purposes, reference to submitter in this Report refers to all those organisations and individuals who submitted an objection or submission whether in support, neutral or, opposing the application. The submitter's statement of support, neutrality or opposition is clearly identified throughout this Report using the following terminology:

- Objection - a submitter objection/objector
- Submission - a neutral submitter/a submitter in support.

This Report provides you with:

- A summary of all objections and submissions/comments received:
- Recommendations to the extent to which:
 - objections should be allowed and
 - submissions/comments accepted.
- A recommendation on the application so you can decide whether or not to proceed.
- Any recommendations of actions as a result of those submissions e.g. special conditions, further information requests etc.
- Any recommendations on further information you may wish to obtain and consider.

The implications and extent of allowed objections and accepted submissions/comments are noted for you to assist you in forming a view 'before deciding whether or not to proceed with the proposal', pursuant to section 49(2)(e) of the Conservation Act 1987.

I note that any recommendations I make to you, as the Director-General's delegate, in no way fetters your discretion as the Minister's delegate in considering all the relevant issues of this application.

3.0 BACKGROUND

The application was received on 25 August 2021 and publicly notified in the following way:

- Saturday, 1 April 2023 – DOC website; Otago Daily Times
- Thursday, 6 April 2023 – Mountain Scene; Wanaka Sun

with the notification period closing on 3 May 2023.

Other information

Link to application on DOC website¹: [NZSki Limited: Have your say \(doc.govt.nz\)](#)

[DOC-7337846](#): List of Submitter's (spreadsheet).

¹ [DOC-7337846](#): Spreadsheet with link to complete application documents

Appendices

- APPENDIX 1: SUMMARY OF ALL OBJECTIONS AND SUBMISSIONS (NUMBERED 1-5)
- APPENDIX 2: SUMMARY OF OBJECTORS APPEARING AT HEARING - Record of Comments from Objectors or Submitters at Hearing (includes questions from the Chair)
- APPENDIX 3: APPLICANT RIGHT OF REPLY – Applicant’s written response supplied after the Hearing.
Paul Anderson, for the applicant noted, when sending this to the Department that the notes *“were simply the notes I wrote to speak to at the hearings. Therefore they won’t include everything I may have said and indeed I may have chosen not to make some of the points in the notes.”*
- APPENDIX 4: NZSki UAV/Drone Policy, 15th March 2023.

Hearing Rules

The Hearing Rules included in the Hearing Agenda above were distributed to objectors or submitter’s wishing to be heard before the Hearing, and the Applicant.

The Rules have been excerpted below:

Hearing Rules

Note: already distributed to objector’s or submitter’s and applicant appearing at Hearing.

1. Only relevant matters under Part 3B of the Conservation Act 1987 can be considered.
2. The objector or submitter may only cover matters raised in their written objection or submission, including any clarification of and further information relevant to those matters.
3. Any new issues raised that were not covered in the written objection or submission will not be considered.
4. Objectors or Submitters may call expert witnesses provided their evidence is directly relevant to the written objection or submission.
5. No cross-examination will be allowed by any party.
6. The Chair may ask the objector or submitter or the applicant questions to clarify points.
7. The Advisory Panel may also ask the objector or submitter or applicant questions of clarification, but only with permission of the Chair.
8. At the end of the Hearing the applicant has the right of reply, but only to clarify points they consider have been misunderstood / misrepresented, or to propose solutions to matters raised.
9. The applicant may not reiterate the merits of the application, re-present or expand on their application, or introduce new information.
10. Lawyers or a proxy may represent the applicant or any objector or submitter.

4.0 DETAILS OF HEARING

Date/Time: Wednesday, 24 May 2023 from 9:30am to 10:39am.

Location: Virtual through 'Microsoft Teams' by invitation

Chair: Jo Gould, Statutory Manager, Northern South Island Region

Panel members: No panel for this Hearing.

Permissions Advisor processing application and present: Kelvin Brown, Permissions Advisor, Land Regulatory Delivery Team, Ōtepoti/Dunedin Service Centre.

Statutory Support staff present: Jenny McNally, Statutory Support Officer, National Operations and Regulatory Services, Land Regulatory Delivery Team, Ōtepoti/Dunedin Service Centre.

Other DOC staff present to observe hearing only: John Roberts (Statutory Manager, Southern South Island Region), Kate Hamilton, Ranger Community, Regional Operations, Whakatipu-wai-Māori District Office; Ben Fielding, Permissions Advisor, Land Regulatory Delivery Team, Ōtepoti/Dunedin Service Centre.

Apologies: Oliver Austin, President on behalf of Queenstown Climbing Club Incorporated (QCC) (Objection 3) sent an apology that QCC would be unable to attend Hearing; Debbie Jamieson, Queenstown and Central Otago Senior Reporter, representing Stuff.

Objectors and Submitters that were heard:

1. Karen Leacock, General Manager – **New Zealand Alpine Club Incorporated (NZAC)** - Objection 4
2. Jan Finlayson, Immediate Past President on behalf of **Federated Mountain Clubs (FMC)** – Neutral Submitter No 5

Applicant's representatives: on behalf of NZSki Limited: Paul Anderson (NZSki CEO), Louise McQuillan (GM, Technical Operations), Ross Lawrence (Remarkables Ski Area Manager), Mark Somerville (Remarkables Ski Area Assistant Manager)

Media presence: No media attended the Hearing.

Chair background to Hearing

I provided a brief explanation of concession process and explained that the application is notified, and the Department no longer prepares a first determination report ahead of notification. My role as Chair is to have no predetermined perspective on the application and is here to listen to objections or submissions and provide a Recommendation Report for the Decision Maker to consider during deliberations on whether to proceed with the proposal and if so, whether to approve or decline the application. The Hearing Chair provided the following summation:

"The purpose of the hearing is for you to speak to your submission, including any clarification of and further information relevant to those matters.

The output of the hearing is a report from me that identifies those objection or submission points that can be considered under Conservation legislation and which cannot be considered.

In that regard a DOC hearing is quite different to an RMA hearing. In the case of a DOC hearing, my report does not make a decision to approve or decline the application, rather just recommends the points from the submissions that can be considered. For example, matters occurring off pcl such as the economic benefit to the local community is not something that a decision made under the Conservation Act can consider, while the effects of the activity occurring on pcl is.

Additionally, DOC hearings are designed to occur nearer the front end of the application process, before any consideration is made, so as to allow the decision to be informed by matters that the department may not otherwise have thought of.”

Process after the hearing: (as read by Chair)

“A Recommendation Report will be prepared by the Chair as the Director-General’s delegate, and this will be forwarded to the Minister’s representative (the Decision Maker).

This Recommendation Report makes recommendations on the objections or submissions received and the extent to which they should be allowed or accepted pursuant to section 49(2)(d) of the Conservation Act 1987.

The Decision Maker will consider the recommendations before deciding whether or not to proceed with the proposal (section 49(2)(e)).

If it is decided to proceed with the proposal, a Decision Support Document will be prepared for the Decision Maker to make a decision on the application.”

No date was given for this Recommendation Report to be sent to the Minister’s delegate. The Decision Maker’s decision and the relevant reports will be put on the DOC website.

5.0 SUMMARY OF KEY POINTS FROM OBJECTIONS AND SUBMISSIONS/COMMENTS - BOTH WRITTEN AND AT THE HEARING

5 written objections or submissions were received as part of the public notification phase. These were made up of 2 submissions supporting the application, 2 objecting to the application and one neutral submission.

6.0 ANALYSIS OF OBJECTIONS AND SUBMISSIONS/COMMENTS

A summary of each objection or submission is attached to this report as Appendix 1 & 2. In the analysis below any direct quotes from objections or submissions and the Applicant's right of reply have been *italicised*.

These issues have been documented below under the following issue headings:

Issue	Description
1	Information and detail provided in application on base building extension
2	Road access and toll
3	Access during construction of base building extension
4	Drone use
5	Term

Note: The order of numbering for each issue is for easy reference, it does not mean one issue has more importance over another.

Issue 1 **Information and detail provided in application on base building extension**

The submission point that there is a lack of information on the base building is accepted.

At the hearing the applicant accepted the need to submit a separate concession application for the base building given the lack of detail available in the application under consideration. The applicant explained the base building footprint was included in this concession application whilst still at the concept stage to be transparent about future plans during anticipated term of this concession application.

The applicant provided a copy of written notes after the hearing by email on 24th May 2023. In a further email Paul Anderson for the applicant clarified these notes “...were simply the notes I wrote to speak to at the hearings. Therefore they won’t include everything I may have said and indeed I may have chosen not to make some of the points in the notes.”

Recommendation **Information and detail provided in application on base building extension**

I recommend that the objections **be allowed** to the extent that under section 17S(a) of the Conservation Act the Applicant is required to provide a “*description of the proposed activity*”. The Minister should have regard to an objection that the applicant has not provided enough information of the proposal on public conservation lands and waters, and if necessary, may request information, especially as this information may impact on Matters to be considered by the Minister under section 17U, in particular 17U(1). The Minister may request further information considered necessary to enable a decision to be made or may commission report or advice (section 17SE).

Section 17U(2) provides that: “*The Minister may decline any application if the Minister considers that - (b) there are no adequate methods or no reasonable methods for remedying avoiding or mitigating the adverse effects of the activity, structure, or facility*”. The Minister should have regard to an objection that there are no adequate methods to remedy or mitigate adverse effects.

The following recommendations are made:

1. EITHER ask the applicant to withdraw the part of the application that contains the base building and maintenance facility extension proposal OR decline that part of the application.
2. Ask the applicant to submit a separate application for the base building.
3. Potential adverse effects on landscape values should be addressed in the application for the base building.

Issue 2 **Access and road toll**

The submission points on access and road toll are **allowed** and submitters' comments **accepted**. An easement for a ski field access road is part of this application. There is the potential for the conditions of the new easement to provide for a road toll. Broader access issues for visitors (including non-skiers) is also a relevant matter.

Submitter comments in support of the application highlighted the benefit of access provided by the ski field in enabling hiking to Lake Alta and beyond and noted this extends well beyond the ski season.

Submitters commented on the summer road toll for vehicles. Objections were made to the road toll and submitters sought free access to the public up the road year-round and removal of the toll and road barrier.

At the hearing the applicant said the road toll for vehicles using the road in summer contributes to road maintenance. There is no road toll fee for pedestrian or bicycle access.

Submitters accepted the access road may need to be closed temporarily for safety reasons but sought clear signage of any closures and advance notification.

Submitters sought one-up lift passes to facilitate back-country access beyond the ski field.

Regard needs to be given to the Otago Conservation Management Strategy 2016² (**Otago CMS**), Part 3.25 Ski fields, in particular policy 3.25.4:

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.

One submitter commented on the issue of congestion on the road and sought solutions to addressing this congestion before any expansion takes place. Solutions such as shuttles from Queenstown and the base of the mountain were suggested.

Recommendation - Access and road toll

I recommend the objections **be allowed** and the submitters' comments **be accepted** to the extent that these objections and submissions/comments are a relevant consideration under section 17Z of the Conservation Act 1987.

The Minister is to have regard to relevant provisions under section 17U, in particular section 17U(1)(b) "*effects of the activity, structure, or facility*" and the Otago CMS, Part 3.25 Ski fields, in particular policy 3.25.4.

I make the following recommendations:

² Otago Conservation Management Strategy 2016 incorporating the 2022 partial review: [otago-cms-2016-volume-1.pdf \(doc.govt.nz\)](https://doc.govt.nz/documents/otago-conservation-management-strategy-2016-including-2022-partial-review)

1. Consider differential pricing for summer road toll fees, such as a summer pass at discounted cost for local residents and tramping club / Federated Mountain Club members.
2. The methodology for calculating the road toll to be transparent.
3. Consider requiring NZSki to offer one-up lift passes as a condition.
4. Encourage NZSki to continue engaging with recreational users.

Issue 3 **Access during construction of base building expansion**

The submissions on the issue of providing and maintaining access during construction of the base building expansion are **accepted**. Closure to public access during construction could negatively impact on recreation values.

At the hearing the applicant accepted the need to submit a separate application for the expansion of the base building. This application should address access during construction, including ways to minimise impacts on recreational access such as only closing access when active construction activity is underway and ensuring closures are well advertised in advance. Consideration could be given to providing access during weekends.

Recommendation - access during construction of base building expansion

I recommend the objections **be allowed** and the submitters' comments **be accepted** to the extent that the Minister is to have regard to provisions of section 17U, in particular section 17U(1)(b) "*effects of the activity, structure, or facility*".

The following recommendations are made:

1. EITHER ask the applicant to withdraw the part of the application that contains the base building and maintenance facility extension proposal OR decline that part of the application.
2. Ask the applicant to submit a separate application for the base building and propose ways to minimise impacts on recreational access during construction.
3. In making a decision on the application for the base building expansion the decision-maker should consider conditions to maintain public access during construction.

Issue 4 Drone use

Submissions on drone use are accepted. Submitters noted concern that the application sought control of drones by NZSki.

Drones are treated as aircraft and require a concession (permit) from the Department of Conservation before being used on any public conservation land.

After the hearing, on 19 June 2023, NZSki provided its updated UAV/Drone policy (dated 15th March 2023) by email (see Appendix 4).

NZSki's drone policy says recreational drone use is prohibited at Ski Areas. In relation to "Third party drone use" the policy says "Commercial companies can apply to fly a drone at the ski area. A film permit from DOC must be obtained before the Ski Area Manager can approve the use of a drone. Examples of third parties may include ski equipment brands, advertisements, television shows etc." The reference to 'film permit' contains the following link: [Filming: Running your business or activity \(doc.govt.nz\)](https://www.doc.govt.nz/permissions/permissions-and-conditions/filming/running-your-business-or-activity/).

NZSki should be advised that the link in the Drone Policy should be to the following page on the DOC website: [Drone use on conservation land: Apply for permits \(doc.govt.nz\)](https://www.doc.govt.nz/permissions/permissions-and-conditions/filming/running-your-business-or-activity/).

Despite the incorrect link in NZSki's drone policy, the policy is clear that Department of Conservation permission is required before a drone is used for commercial purposes.

NZSki's application includes the use of helicopters associated with the management of the ski area. Drone use is referred to in the context of filming (creation of marketing and promotional material) by NZSki to endorse ski area activities.

Recommendation - Drone use

I recommend the objections be **allowed** and comments **accepted** to the extent that the Minister is to have regard to relevant objections in accordance with the provisions of section 17U, in particular section 17U(1)(b) "*effects of the activity, structure, or facility*".

I make the following recommendations:

1. Ask NZSki to insert the link to 'Drone use on conservation land' from the DOC website into their drone policy to replace the link to "Filming: Running your business or activity" to ensure the policy is clear that permission from the Department of Conservation is required for any commercial drone use.
2. If this concession is granted to NZSki it needs to provide for drone use for Ski Area business and management purposes.

Issue 5 **Term**

Submissions on the term of the concession are **allowed**.

The objections requested consideration be given to the length of term of the activity, especially in the face of climate change. This can be considered by the Minister in the context of a precautionary approach in accordance with policy 3.25.2 in the Otago CMS.

Policy 3.25.2 in the Otago CMS says:

3.25.2 Should in considering the development of new and existing authorised ski fields apply a precautionary approach to the approval of new structures, accommodation facilities and terrain modification and consider both the likely effects of water use (for snow-making), the likely longevity of the field in the face of climate change, and any appropriate land remediation and facility removal costs should the ski field cease to operate.

In the context of concerns about term, submitters suggested DOC set an appropriate bond informed by a fully-costed ski infrastructure removal plan to ensure decommissioning and remediation of the site.

Recommendation - Term

I recommend the objections **be allowed** and the submitters' comments **be accepted** to the extent that these objections and submissions/comments are a relevant consideration under section 17Z of the Conservation Act 1987.

The decision-maker on the application must be satisfied that exceptional circumstances exist pursuant to section 17Z(1) and section 17Z(3)(a) of the Conservation Act 1987 for a term exceeding 30 years to be granted.

The Minister is to have regard to relevant provisions under section 17U, in particular section 17U(1)(b) "effects of the activity, structure, or facility" and the Otago CMS, Part 3.25 Ski fields, in particular policy 3.25.2.

The following recommendations are made:

1. Consider whether exceptional circumstances exist such that a 40-year term is appropriate, in particular in relation to the potential effects of climate change and the likely effects of water use for snow-making.
2. As the opportunity arises, align the term of other Remarkables Ski Area concessions to this 'substantive' concession.
3. Consider setting a bond for decommissioning and remediation of the site.
4. Seek further information from the applicant on the full costs of removing ski infrastructure and remediating the site.

7.0 APPLICANT'S REPLY

At the hearing the applicant gave a verbal response which was followed up by a written reply included in Appendix 3. The applicant's responses have been referenced where relevant in the above discussion points on the objections and submissions received. They are also discussed in the final recommendations in this Report.

8.0 OVERALL RECOMMENDATIONS

I have made recommendations to you in respect of the extent to which objections should be allowed and submissions/comments accepted in section 6.0 in this Report. These, in no way, are the entire list of matters that must be considered in the decision document when assessing the application.

Recommendation 1 – Confirm the objection or submission analysis

I recommend the above analysis of objections or submissions in section 6 be approved.

Recommendation 2 – Seek further information on the application

That the Decision Maker may wish to seek further information from the applicant as recommended in section 6 above.

Recommendation 3 – Assessment of Otago CMS 2016

That the Decision Maker carry out a comprehensive assessment of the application against all relevant Parts of the Otago CMS, based on the variety of matters referred to throughout this Report.

Summary

With regard to the three recommendations above, if the Minister's delegate decides whether or not to proceed with the proposal pursuant to section 49(2)(e) after considering the contents of this Report, a Decision Support Document (DSD) will be prepared consolidating all relevant information on the application to allow the Minister to deliberate and make a decision. The DSD contains feedback from third parties such as iwi and Conservation Board, DOC district office and technical staff contributions and assessments, analysis of objections or submissions and views heard at the hearing, and statutory analysis.

I recommend that consideration of any perceived incompleteness, insufficiency or inadequacy of the application be considered as part of the Minister's consideration of the DSD, as the Minister would need to be satisfied that the provisions of Part 3B of the Conservation Act 1987 have been met to enable a decision to be made on the application-



Jo Gould, Statutory Manager, Northern South Island Region
as Delegate of the Director-General of Conservation as Chair of the Hearing Panel

Date: 1 September 2023

Recommendations:

1. Note the summary of objections and comments received during the public notification process:

Yes / ~~No~~

Comments:

2. Note the recommendations as to the extent to which objections should be allowed and submissions should be accepted:

Yes / ~~No~~

Comments:

3. Note the recommendations on further information to be considered:

Yes / ~~No~~

Comments:

4. Note the recommendations for actions/further considerations as a result of submissions contained in Section 6 of this Report:

Yes / ~~No~~

Comments:

5. Having considered the contents of this report, I agree that this proposal can proceed pursuant to section 49(2)(e) of the Conservation Act 1987:

Agree / ~~Disagree~~

Comments:



Aaron Fleming, Director, Southern South Island
as Delegate of the Minister of Conservation

Date: 11 September 2023

SUMMARY OF APPENDICES

APPENDIX 1: SUMMARY OF ALL OBJECTIONS AND SUBMISSIONS (NUMBERED 1-5)

APPENDIX 2: SUMMARY OF OBJECTORS APPEARING AT HEARING - Record of Comments from Objectors or Submitters at Hearing (includes questions from the Chair)

APPENDIX 3: APPLICANT RIGHT OF REPLY – Applicant’s verbal and written response during Hearing

Note: Applicant also supplied a hard-copy of its response after the hearing which included comments on other objections and submissions.

APPENDIX 4: NZSki UAV/Drone Policy, 15th March 2023

APPENDIX 1: SUMMARY OF ALL OBJECTIONS AND SUBMISSIONS (NUMBERED 1-24)

Sub#	Name / Organisation	Support /Neutral/ Oppose	Objection or Submission
1	Roger Deacon	Support	<p>Re supporting NZ Ski Ltd concession for extension</p> <p>We are FOR/supporting it le continued or extended, mainly as there are thousands of mountains in NZ with nothing</p> <p>But NOT for any capacity to close or restrict road access outside ski season le vehicles or bikes</p> <p>Ps I wonder if it is still going to be viable in 40 years time, Will Queenstown be on the coast.</p>
2	Carolin Perkins	Support	<p>I am a resident of Queenstown/Lakes. I am of Ngai Tahu descent.</p> <p>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.</p> <p>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.</p> <p>It was reported in the press that <i>“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></p> <p>I could not disagree more.</p>

		<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
3	Queenstown Climbing Club Incorporated (QCC) Oliver Austin, President	<p>Oppose</p> <p>Specific parts of the application that this objection relates to are:</p> <ol style="list-style-type: none"> 1. Protection of permanent public access route(s) in concession area for all 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

QCC

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

QCC

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.

QCC

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*).

QCC

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>)

QCC

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.

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

	QCC		<p>https://www.qldc.govt.nz/media/rh0nyuxb/s0806-qpl-t13-greenawayr-evidence.pdf</p> <p>DOC Categories of conservation land table https://www.doc.govt.nz/globalassets/documents/about-doc/role/managing-conservation/categories-of-conservation-land-table.pdf</p> <p>Kawarau/Remarkables Conservation Area recreational values https://www.doc.govt.nz/globalassets/documents/getting-involved/consultations/2020/kawarauremarkables-conservation-area-reclassificaiton/kawarau-remarkables-recreational-values.pdf</p> <p>DOC Procurement strategy for roading activities https://www.doc.govt.nz/about-us/our-policies-and-plans/roading-strategy/</p> <p>DOC policies and plans https://www.doc.govt.nz/about-us/our-policies-and-plans/</p> <p>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.htm</p>
4	New Zealand Alpine Club (NZAC) Karen Leacock, General Manager	Oppose	See Appendix 2 (Hearing Notes)
5	Federated Mountain Clubs (FMC) Allen Brent, Vice-President	Neutral	See Appendix 2 (Hearing Notes)

APPENDIX 2: HEARING NOTES

Record of Comments from Objectors or Submitters at Hearing (includes questions from the Chair)

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
<p>New Zealand Alpine Club Incorporated (NZAC)</p> <p>Submission 3</p> <p>(Oppose)</p>	<p>The specific parts of the application that this objection relates to are: We support most of this application. We specifically object to (explained in the attached document):</p> <ol style="list-style-type: none"> 1) Base building expansion 2) Access road terms 3) Concerns around general access to be noted 4) Lease term <p>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.</p> <p>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.</p> <p>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.</p> <p>Thank you for the opportunity to submit on the above concession application, and please find our submission below.</p> <p>We wish to be heard on our submission.</p>	<p>NZAC represented by Karen Leacock, General Manager:</p> <ul style="list-style-type: none"> • Although noted as an objection 80% of application supported recognising importance of ski area. • Thanked NZSki for information and recognises importance of recreation. • Application lacks detail. <p><u>Base building expansion</u></p> <ul style="list-style-type: none"> • Lacks detail on visual impact and concerned at “urbanisation” of alpine areas. • Appreciate that building is not large enough and needs to be expanded. • Identify that this is the only opportunity for NZAC to commend on expansion and that it will be left for the Departments consideration. <p><u>Doolans</u> Appreciate not part of application however building expansion tied to economic model of future expansion into Doolans. NZAC would vigorously oppose any expansion into Doolans.</p> <p><u>Carpark</u> Challenges for recreationalists to gain access with overcrowding and congestion on road and at carparks – public transport options?</p>

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
NZAC	<p>Club association with the Remarkables Ski Field</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Submission</p> <p>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.</p> <p>However, we have a few key areas of concern and disagreement.</p> <p>1) Base building expansion</p> <p>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.</p> <p>Our concerns about the expansion are:</p>	<p><u>General access</u></p> <ul style="list-style-type: none"> • Access is key underlying issue. • Carpark access during construction e.g. building expansion especially in summer when recreationalists carry out activities. • Support submissions by QCC & FMC with regard to access road for recreationalists and families to enjoy area. • Support ski area activities over winter. Robust plan needed to ensure access for others. • Free access all year round. • Added that NZSki good to work with. • Understand need for NZSki H&S. <p><u>Term</u></p> <ul style="list-style-type: none"> • 40-year term too long. No special circumstances to warrant 40-year term. • With climate change, 30-year term more appropriate. • Support FMC & QCC submissions as similar points of view. <p><u>Questions from Chair</u></p> <p>Q1. Regarding the base building expansion. Do you have any further thoughts or information to inform any decision?</p> <p>A1. A landscape mock-up (visual simulation) to make it clear what impact it would have on the landscape as it was hard to visualise based on the (line drawn) plans provided. NZSki's job to prove they have the finances and, the expansion will be fit for purpose. However, if reliant on</p>

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
NZAC	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>	<p>expansion into the Doolans message to NZSki is that NZAC would oppose the Doolans expansion.</p> <p>Q2. As I am not from this area, are there any areas in particular where your members would climb where looking back on the base building expansion it would cause a visual impact/disturbance?</p> <p>A2. I'm not from this area either so, I would have to support the QCC submission with their views an expertise on how to mitigate any visual impact.</p> <p>Q3. During construction what type of conditions could be imposed?</p> <p>A3. Base building area fenced off with access maintained to carparking and other access points. For DOC & NZSki to work through.</p> <p>Q4. Interested on your thoughts on a 30-year term versus 40-year term. Can you expand on the difference?</p> <p>A4. Need to ensure that NZSki's operation moving forward is creative i.e. need to consider carbon impacts and the need to do more snowmaking just to move further up the mountain. QCC conveyed this more clearly that NZSki need to be sustainable and creative in its operations and a 30-year term will make them be more conscious of this approach, especially if removal of infrastructure is required.</p>

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
NZAC	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>c) Much of the road damage will be caused in winter and from heavy vehicle use rather than light vehicle use in summer.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
NZAC	<p>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.</p> <p>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.</p> <p>4) Lease term The 40-year lease sought is a very long term.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
Federated Mountain Clubs (FMC) Submission 5 (Neutral)	<p>FMC</p> <ol style="list-style-type: none"> 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. 	<p>FMC represented by Jan Finlayson, Immediate Past-President:</p> <ul style="list-style-type: none"> • Pointed out the various statutory requirements e.g. s 49, s 6(e) of the Conservation Act 1987 and the Reserves Act 1977 s 17 & s 22 and the need for protection and preservation e.g. Lake Alta.

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
FMC	<p>It has been our privilege to represent their recreation and associated conservation kaupapa for over 90 years.</p> <p>3. FMC wishes to be heard on its submission.</p> <p>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.</p> <p>SUMMARY</p> <p>5. FMC submits neutrally on the application.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<ul style="list-style-type: none"> • Part 3B is a carve-out of the Conservation Act and as such priority given to, in particular the provisions of s 6(e). • At a high level, FMC not necessarily opposed to NZSki activities and improvements however, it is vital to protect public access to the mountain. • Any closures limiting access must be during key operational periods and involve substantive actions rather than normal operations, with proper notification. • There are gaps in the application with regard to the negative effects on conservation values. FMC believe these have not been properly addressed. • The carving up of NZSki’s applications for the Shadow Basin lift and other ideas put forward by NZSki such as the Doolan’s and tunnel do not allow proper and informed consideration of the overall localised and cumulative effects on summer activities i.e. the ability to consider all foreseeable components of activities carried out and proposed to be carried out by NZSki. • FMC recommend that the application be declined or withdrawn as the cumulative effects cannot be adequately considered. • The technical reports, although individually clear from a natural values perspective, as a collective they do not adequately cover-off accessibility to the Remarkables area. • Rock climbing, tramping, ski touring, nature watching, camping, walking, paragliding, are all activities that need to be fostered and promoted in accordance with s

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
FMC	<p>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.</p> <p>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.</p> <p>12. If DOC contemplates a 40 year term it requires additional information on remediation, so that an appropriate bond can be set.</p> <p>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:</p> <p style="padding-left: 40px;">a. These process issues are serious enough to raise legal risk unless DOC considers the two together; and</p> <p style="padding-left: 40px;">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.</p> <p>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.</p> <p>15. We would engage constructively in any such processes.</p>	<p>(e) of the Conservation Act 1987 (refer to para’s 16-20 in submission).</p> <ul style="list-style-type: none"> • FMC’s view of recreation – Locals (this is their backyard) & Kiwi’s (are the public of NZ). Tourists (internationality) – for a tourist this is essentially a foreign place with payment being made. FMC stand for recreation and sometimes it is a difficult distinction to make however the recreational interests of the public of NZ should be considered in the context of the conservation legislation (refer to para’s 21-25 in submission) and bullet-point below. • Emphasised policy 3.25.4 <i>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</i> (refer to para 24 in submission). <p><u>Access conditions (para’s 26-29)</u></p> <ul style="list-style-type: none"> • FMC want free year-round access. • Accept that public access closures to top carparks and rights of way may occur due to some weather related reasons however sometimes people need to decide for themselves. • Road toll – large commercial entities are blind to the post code and using reasons to charge e.g. sealing of the road is not justification to impose a road toll which is considered against the rights of the public (previous public pushback highlights this). <p><u>Reclassification</u></p>

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
FMC	<p>THE IMPORTANCE OF REMARKABLES ACCESS</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<ul style="list-style-type: none"> • If area becomes a National Park, Scenic Reserve or Conservation Park - if one-up passes are desirable - is this not in the spirit of the letter and result in the haves and have nots. <p><u>Term (para’s 30-34)</u></p> <ul style="list-style-type: none"> • Nothing exceptional in application for 40-year term. • Grounds given would apply to any concession therefore not exceptional. • Equipment should last beyond 29 years. • Growth will be determined by demand v supply. • Ski field removal plan in the event of going belly up. <p><u>Cumulative (para’s 35-43)</u></p> <ul style="list-style-type: none"> • Impact on conservation values if permit 50% increase in numbers or 80% increase in resident (domestic) – self harming by 2053. • Need to consider impact on Rastus Burn flora & fauna and naturally declining vegetation as signalled by QLDC’s district plan resulting from damaged caused by increasing visitor numbers by current activities let alone future unknown ones – bits of the argument working against each other. <p><u>Landscape report</u></p> <ul style="list-style-type: none"> • Incremental and ad hoc modifications to tracks & trails and how to avoid Lake Alta. • How to mitigate impact of future growth. • How to assess landscape and visual effects on natural values that may result from any gradual and

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
FMC	<p>PROMOTING RECREATION</p> <p>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.</p> <p>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 <i>to the extent it is consistent with promoting the ongoing and nationally significant recreational activity mentioned above.</i></p> <p>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.</p> <p>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:</p> <p><i>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</i></p> <p>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</p> <p>Footnote ¹ NZAC is an FMC member Club</p>	<p>incremental applications – especially as NZSki fail to bundle.</p> <p><u>Drones (para 42)</u></p> <ul style="list-style-type: none"> • Commercial outfit should not have control over air space and DOC should remain in command with respect to drone use. <p><u>In summary</u></p> <ul style="list-style-type: none"> • No clear answer to lack of clarity on access. • Cumulative effects – no clear answer on increase in numbers and the impact on natural values and flora and fauna. • Lack of budling is legally risky. • Hence, FMC strongly suggest the withdrawal or decline of this application until these issues are sorted out. <p><u>Questions from Chair</u></p> <p>Q1. In terms of public access what are your thoughts on public access during construction of the base building?</p> <p>A1. Fencing off (operational bit ring-fenced). Land should still be able to be accessed and any areas fenced off should relate to “actual” operational work not just when NZSki might need to carry out work.</p> <p>Q2. Your thoughts on an appropriate term.</p> <p>A2. No more than 30 years. Snow is not looking good and more summer activities on bare ground will harm the land. Has the potential for abandonment.</p>

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FMC	<p>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.</p> <p>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.</p> <p>ACCESS CONDITIONS ARE REQUIRED</p> <p>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:</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>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.</p> <p>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.</p>	<p>Q3. You have highlighted areas where the Department should have regard to for a decision. Any other thoughts on what information may be missing?</p> <p>A3. Already flagged that there is nothing in application to address flora & fauna.</p> <p>Q4. Can you clarify the statement in para 20 <i>“But poor access provision can of its own present a danger to the recreationist, independent of whether NZSki is liable or not.”</i>?</p> <p>A4. Creates “haves and have nots” which could end up with people taking law into their own hands. Displacement if subject to commercial operation where people are shut in or out by barrier gates. Prioritise above a commercial operator – post code blind. History binds us together and recreationalists need to be prioritised to ensure grievances do not occur on socio economic lines and harm in any practical or physical way.</p> <p>Q5. Drones under DOC control.</p> <p>A5. DOC to take account of all drone activities rather than devolving to NZSki authorising drone use by third parties.</p>

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
FMC	<p>TERM</p> <p>30. Whereas the Shadow Basin application the Application made no attempt at <i>all</i> 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:</p> <ul style="list-style-type: none"> 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 cart a 40 year term. <p>Footnote ⁶ Refer section 2.3 of the Otago CMS 2016, from page 57. ⁷ See Form 3b, page 12.</p> <p>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.</p> <p>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.</p>	

Objector/ Submitter	Objection or Submission Summary	Comments at Hearing
FMC	<p>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.</p> <p>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).</p> <p>CUMULATIVE EFFECTS AND BUNDLING</p> <p>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”.</p> <p>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.</p> <p>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.”</p> <p>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</p>	

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FMC	<p>land. However, RMA-style treatment of bundling in Conservation Act contexts is entirely appropriate.</p> <p>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.</p> <p>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.</p> <p>41. Accordingly, FMC’s view is that:</p> <ul style="list-style-type: none"> 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). <p>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.</p> <p>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</p>	

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FMC	<p>DOC's role to ensure that a concessionaire's activity is financially optimised from its own perspective.</p> <p>OTHER ISSUES</p> <p>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.</p>	

APPENDIX 3: Applicant's verbal response during Hearing (written copy received)

Paul Anderson (NZSki CEO) introduced Ross Lawrence (Remarkables Ski Area Manager) and Louise McQuillan (GM, Technical Operations) and acknowledged that Mark Sommerville (Remarkables Ski Area Assistant Manager) was also present.

3B Remarks Hearing – NZSki Notes to DOC
Tuesday, May 23, 2023 4:25 PM

Ko Opuke toku Maunga
Ko Paharaaki toku Maunga
Ko Kawarau toku Maunga
Ko Paul toku ingoa
tena koutau, tena kautou, katoa

Introduce Louise and Ross

- Carolin Perkins
 - We agree with the points raised in Ms Perkins Submission
 - RE operation 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 happen without them
 - Allows a wide range of people a mountain experience, with all associated physical and mental health benefits this brings.
 - She also draws upon the benefits from social connections made with extended whanau while skiing.
 - And she also supports the ease of access we provide year-round: Access provided gives benefits beyond the ski season, only made possible by the easy road access.
 - Jo's whakataukī very appropriate

1. Public Access Concerns

Road

- We remain committed to maintaining public access using the ski area road to the PCL on which we operate
- NZSki maintains public access outside of the ski season except where it needs to be restricted for safety reasons. DoC and its concessionaires must comply with the HSWA legislation and in some circumstances it is required to temporarily restrict access due to H&S concerns
- The occasions where we do this are very limited compared with the vast majority of the time that the open is fully available for public use.
- Instances where the road has been restricted are
 - When it is blocked with snow and heavy machinery is clearing the road
 - Wind conditions cause poor visibility
 - Work is required on the road - for example culverts installed etc
- On these rare occasions, it is sensible and pragmatic to close the road. This is consistent with a national approach to road safety - it is also done by Waka Kotahi - think AKL harbour bridge closure in high winds, or QLDC restricting access to the Crown range during overnight snowfall) and in very limited operational

circumstances. We will always endeavour to maintain one land access during construction & maintenance with forward notice to relevant stakeholders.

- The renewal of the concession would allow for this, conversely, if concession did not continue, safe and maintained road access would be lost
- The road crosses 2 km of private land, purchased and owned by NZSki at the bottom of the road. The road was constructed by NZSki costing well in excess of \$10m and is maintained by NZSki costing many hundreds of thousands of dollars annually.
- It is fair to ask a contribution for road from summer users. In winter this contribution is included within ski pass pricing. Other users get the advantage of using the road access and safely controlled ski area to access the wider Remarkables area. We have opted not to seek contribution from other road users during the winter season.
- For the benefit of the submitters, the road toll has been agreed with DOC and is a fair toll for the level of access benefit it provides. There are no restrictions or fee for pedestrian access across this land so there are those that choose to walk/run/bike up the road FOC and we will continue to support this.
- Operating a ski area safely will mean there are restrictions on public access that need to be placed otherwise we aren't meeting our HSWA duties. There are operational hazards that could cause serious harm (that are required for operations, eg winch grooming, avalanche control using explosives) where public access must be controlled/restricted to prevent injury to the public.

Uphill access

- Ski touring access will continue to be maintained with appropriate restrictions and warnings in place when avalanche control, grooming or other activities that create hazards are underway ▪ The request for one-up passes is noted and will be considered, however we do not believe it to be DOC's role to require concessionaires to provide specific guidance on what products should be offered on privately-owned assets.

Drones

- Drone users must get permission from DOC to operate a drone on conservation land. There are additional steps required with NZSki (HSWA duties to consult and co-operate) and show that all CAA regulations are met. Note this policy has been updated since the time of submission (Nov 2021). We will forward DoC the updated policy.

2. Term - extend term to 40 years

- DOC has accepted that in some instances, exceptional circumstances apply to ski area operations enabling a term of more than 30 years to be considered. Existing concessions like this include Mt Hutt, Whakapapa and Turoa.
- The exceptional circumstances are created by virtue of:
 - Large scale investment required to create a financially sustainable operation
 - Existence of infrastructure assets, which are long-lived and require constant renewal
 - The specificity of the assets means that the vast majority can't be sold or moved
 - These points mean that it is essential that the term of the concession preserves the concessionaire's incentive to invest in long-lived assets and aim for a fair return on that investment over a long period
 - The ability to invest in the long term enhances the ability to ensure the concessionaire has a net positive conservation impact on the PCL rather than needing to take short term decisions which may have a detrimental impact on conservation outcomes
- One only needs to look to the situation at Mt Ruapehu, where concessions were not renewed for many years. This meant that the concessionaire could not maintain their full asset renewal programme until the concession was renewed. Patronage and cashflows are then reduced and the long-term viability of the business is put at risk. Then the perfect storm happened when a period of repaid reinvestment was followed

by several poor snow years and consequently the business was put into administration. Lack of suitable tenure is a contributing factor to that tenuous situation.

- Our application makes it clear why a period of longer than 30 years is required.

3. Ongoing development

- Cumulative effects on Rastusburn from ski area operations have been outlined in the landscape and ecological assessments previously submitted to DOC, as part of a permission condition for the Sugar Bowl replacement.
- All infrastructure maintenance, replacement and development is done in accordance with the agreed terms of the concession and the effects of that are considered at the time of application.
- The Otago Conservation Management Strategy prefers ski area expansion adjacent to existing operations in preference to new ski areas being established.
- The base building expansion footprint was included within this concession application whilst still at concept stage as we wanted to be transparent about our future plans during the anticipated term of this concession application. The growth of our local community and the recreation value it places on skiing and snowboarding are important considerations in future expansion plans.
- We note that NZAC agreed the current building should be expanded as it is not large enough for our current operations
- We accept that given the limited detail available that we may need to submit a full and separate concession application for any expansion of the base building facilities.
- Any expansion into the Doolans will also be submitted separately, as the purposes for which the land in the Doolans is held need to be addressed through separate submission.
- Skiing and snowboarding is recreation - one of the submitters said

4. Ecological Impact

- Our goal is to leave the land better than it was that if we weren't there. We do this through extensive pest and weed eradication programmes, native revegetation and careful rehabilitation programmes
 - Because of this, the land is managed and therefore in a better condition than without our presence
- We wish to clarify the work that we currently do to improve the environment that we operate in:
 - Our ecological restoration and revegetation programmes – it just takes time for the vegetation to establish and regrow. All areas of vegetation can be rehabilitated over time. We follow the agreed rehabilitation protocols for the natural alpine environment for revegetation,
 - We want the environment, people and communities to benefit from the ski field activities
 - We continually review and improving the methods for seed collection and propagation, no seed is imported. ▪ We operate an extensive predator trapping programme for pest control.
 - We continue to implement a weed control programme
 - We are partners with the Kea Conservation trust to bring back the Kea – we provide funds for research and education and volunteer time for monitoring.
 - New or upgraded developments are positions away from watercourses wherever possible.



NZSki UAV/Drone POLICY

1. OBJECTIVE

The purpose of this policy is to outline NZSki Limited’s expectations around the use of UAV (unmanned aerial vehicles), hereinafter called ‘Drones at our Ski Areas.

This policy applies to all drone operators at Coronet Peak, The Remarkables and Mt Hutt, hereinafter called ‘Ski Area’.

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Issued by	GM Technical Operations		
Last updated:	15 th March 2023		
Distribution:	NZSki Intranet, All NZSki Staff, All drone users		
Change History:	Updated By:	Approved by:	Changes made:
	Mark Sommerville		Document Creation
March 2023	CP ASAM, HSA, Public Relations Advisor	GMTO	Updated maps and unified across three mountains



2. BACKGROUND

Drone use for Ski Area business purposes

In consultation with the Ski Area Manager, staff or contractors are permitted to operate a drone for business purposes. Business purposes may include but are not limited to, content for social media channels, marketing material or surveying an area of land.

Recreational drone use

You do not need a license to fly a drone in New Zealand. However, due to Department of Conservation (DOC) and Civil Aviation Authority (CAA) regulations, the recreational use of a drone is prohibited at all Ski Areas.

Third party drone use

Commercial companies can apply to fly a drone at the ski area. A [film permit from DOC](#) must be obtained before the Ski Area Manager can approve the use of a drone. Examples of third parties may include ski equipment brands, advertisements, television shows etc.

Night operations

A drone can only be used at night if it is a Shielded Operation. Shielded Operation means an operation of a drone within 100m of, and below the top of, a natural or man-made object.

Controlled airspace

Coronet Peak and The Remarkables have partially controlled airspace. Refer to maps below. Air Traffic Control must give authorisation to fly a drone in controlled airspace. You can apply for permission by visiting www.airshare.co.nz. You do not need permission to fly your drone in controlled airspace if your flight is a shielded operation.

3. TERMS OF USE

All drone operators must:

1. Have approval from the Ski Area Manager **48 hours prior** to any activity taking place.
2. Notify the Ski Area administration team of intended take off time and fly time **48 hours prior** to any activity taking place.
3. Designate a take-off and landing area at least 20m away from any ski runs, equipment or people.
4. Log your flight at least 48 hours in advance with [Airshare](#) if flying in controlled airspace in a non-shielded operation.
5. Abide by the Civil Aviation Authority (CAA) rules for unmanned aircraft.
6. Not fly within twenty metres of a chairlift line
7. Land immediately if other aircraft are nearby.
8. Take all practicable steps to minimise hazards to persons, property and other aircraft.



9. Maintain direct and dedicated visual contact at all times (e.g. not through binoculars, a monitor, or smartphone).
10. Not fly your drone higher than 120m (400 feet) above ground level.
11. Be courteous of other ski area users and not interfere with their experience on mountain.
12. Comply with all instructions from any ski area staff while operating within the ski field area.
13. Report all accidents, incidents and near misses to your NZSki contact immediately and if required, log this incident according to Civil Aviation Rule Part 12
14. Score 100% in our Drone Users Competency Check – **Scan QR code below**

4. SKI AREA MAPS

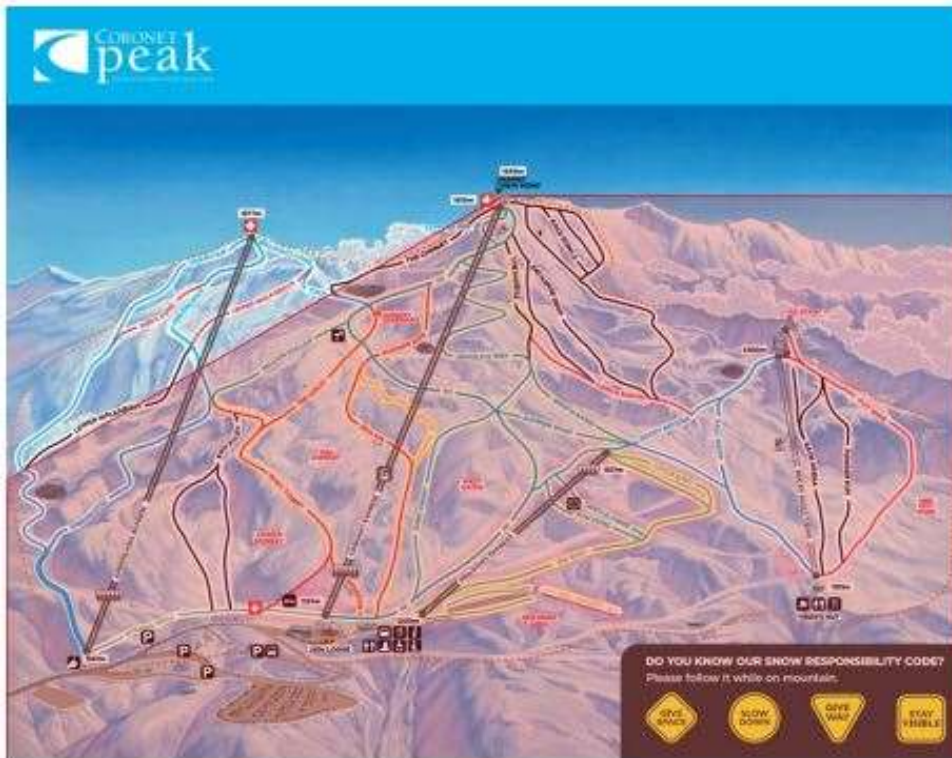
The below maps highlight controlled airspace over the Queenstown Ski Areas. If flying a drone within the red shaded areas, drone pilots must register their flight with Airshare.

REQUIREMENTS:

1. Complete the QR Code 48 hours prior to any activity taking place, refer to the form below.
You may be asked for further information including:
 - a. Your drone users' public liability insurance certificate.
 - b. A site-specific health and safety plan that outlines any risks you perceive and how they will be mitigated.
 - c. A location map that indicates what areas of the Ski Area you intend to be flying.
2. You must carry a record of your flight log including this flight and Air Traffic Control (ATC) provisional or full approval.
3. Your drone must be $\leq 25\text{kg}$ or you must carry a copy of your Part 102 certification.

The red transparent area indicates controlled airspace. These are managed by ATC and extend down to ground level.





4. TRAINING

Administration, Marketing, GMOs and SAMs are required to understand this policy and know how to administer. This Policy will be discussed with all NZski staff and contractors who will be flying a UAV during their Health & Safety induction.

5. REFERENCE DOCUMENTS

NZ Legislation - [Health and Safety at Work Act \(2015\)](#)

Civil Aviation Authority - [Drones | aviation.govt.nz](#)

Department of Conservation - [Drone use on conservation land: Apply for permits \(doc.govt.nz\)](#)

Drone user's competency check: Link [HERE](#) or QR code below





6. REGISTER WITH SKI AREA

Register at least 48 hours prior to your visit:		
Coronet Peak:	03 442 4620	admin@coronetpeak.co.nz
The Remarkables:	03 442 4615	admin@theremarkables.co.nz
Mt Hutt:	03 308 5074	admin@mthutt.co.nz
Full Name:		
Address:		
Phone contact (For immediate contact):		
Email:		
Holiday Accommodation (if applicable)		
Purpose for flying a drone at the Ski Area:		
Intended Flight Times	Take off:	Landing:
Footage will be posted / used for (please list URL's where the final footage will be posted):		
Airshare flight log details for this flight:		
I agree that the information disclosed above is both complete and correct and that I will always abide by the Drone Policy terms of use while flying at the Ski Area. I also agree that incomplete, incorrect information or failing to abide by the terms of use, will transfer the ownership of any files created by the drone and/or its user to NZSki Ltd immediately. This includes any uploaded material or any other form of distribution.		
Signed		Date