



**Date:** 11 December 2024

**To:** Ruth Issac, Deputy Director-General Policy and Regulatory Services

**CC:** Stacey Wrenn, Stef Bowman, Damian Coutts

**From:** Lynette Trewavas, Senior Permissions Advisor

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**Subject:** Recommendation to Publicly Notify Concession Application

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## Context

The purpose of this memo is to make a decision to publicly notify the applications relating to Whakapapa ski field.

## Background

On 29 October 2024 Whakapapa Holdings 2024 Limited (WHL) submitted an application for the Whakapapa Ski field. They have applied for ten-year concessions for the following:

- 118471-SKI – Lease and licence for the Whakapapa ski field, with a lease over buildings and structures with a licence for all other land within the current ski area boundary. This application also includes filming and aircraft activities.
- 118472-ACC – A lease for six staff accommodation buildings within the Whakapapa Village that are currently occupied by Ruapehu Alpine Lifts Limited (RAL) but not authorised by a concession.
- 118473-OTH – Easement for water pipeline and associated structures from the Waipuna Stream to the Whakapapa ski field.

WHL is not seeking to make any significant changes to the activities currently undertaken by RAL.

Section 17SC of the Conservation Act 1987 requires the Minister/delegate to publicly notify an application for: a) a lease; or b) a licence for a term of more than 10 years; or c) if having regard to the effects of the licence they consider it appropriate.

Public notification occurs at the start of the concession process to enable all views to be considered and assessed prior to the substantive decision being made. The Department's approach is to ensure that the application is sufficiently complete such that members of the public can understand what is being applied for and are able to engage in a meaningful way.

## Discussion

### Application complete

It is considered the applications adequately include all the information set out in s17S. No issues arise about whether the application lacks required information (s 17SA); or is obviously inconsistent with the Act (s 17SB).

The Tongariro District Operations team and Permissions teams have reviewed the application and consider all required information is included to proceed to notification. Consequently, it is considered the public will be able to adequately understand the activity.

✓ There are some areas where small clarifications may be required during the processing of the applications. Examples of these are further information on events, vehicles, management of walking tracks and aircraft. These clarifications will be sought; however, it is considered that members of the public would be able to understand the proposed activity without these clarifications. For further information refer to [DOC-7833892](#).

#### Cultural information

The application includes a Cultural Impact Assessment (CIA) prepared by Ngāti Hikairo ki Tongariro Whakapapa. Cultural Impact Assessments have not been prepared by or on behalf of other Treaty partners with an interest in the land. These include Ngā Waihua o Paerangi Trust, Te Korowai o Wainuiārua Trust, Ngāti Haua, Te Patutokotoko and Ngā Tāngata Tiaki o Whanganui. Instead WHL propose to work with these Treaty partners to create a Cultural Impact Assessment and/or Relationship Agreement over the next two years, if their application is successful, which may be included as conditions of any concession.

WHL have commenced engagement with all Treaty partners listed above, although it is noted some Treaty Partners have been engaged more than others.

The Department acknowledges each of the listed Treaty Partners have interest in the Maunga and by extension the concession activities operating upon it. Accepting the application with a CIA from Ngāti Hikairo ki Tongariro Whakapapa but not the other Treaty partners should not be interpreted as the Department considering Ngāti Hikairo ki Tongariro Whakapapa as the only iwi entity with an interest over the land.

✓ The Department has informed all Treaty Partners of the receipt of the application but does not consider a Cultural Impact Assessment from each Treaty Partner to be a requirement of accepting an application and proceeding to notification under section 17SC of the Conservation Act 1987. It is one method of determining cultural values, but the values of each Treaty partner can also be determined through meaningful engagement, including through the formal notification and submission process.

#### Section 15(6) Te Awa Tupua (Whanganui River Claims Settlement) Act 2017

The Department is aware that tributaries of Te Awa Tupua are located within the application area and has informed the office of Te Pou Tupua that the application has been received and will soon be notified. The Department's correspondence with the office of Te Pou Tupua offers the opportunity for direct engagement, so as to enable the Department to understand how the activities might impact upon the Te Awa Tupua Status and Tupua te Kawa, the intrinsic values that represent the essence of Te Awa Tupua. This engagement opportunity is additional to the office of Te Pou Tupua's ability to submit on the application through the formal notification process,

✓ The Deputy Director-General Treaty Relationships has confirmed to the Office of Te Pou Tupua that he/the Department will be in touch, after the application has been notified, to discuss and agree the next steps, including how the office of Te Pou Tupua wishes to be engaged.

#### Public notification

Public notification must conform with the requirements of s 49(1) of the Act – the application must appear in some newspaper circulating in the area where the subject matter of the application is situated **and** at least once in each of 4 daily newspapers published in Auckland, Wellington, Christchurch and Dunedin. Where the application concerns matters which are

only of local or regional interest the Minister can elect not to place adverts in the national newspapers.

✓ Because of the widespread public interest in the application, it is considered that it should be publicly notified in the 4 local papers noted below plus the 4 daily newspapers published in the 4 cities mentioned above.

Section 49(2) of the Act sets out the process for public notification and how the Director-General must consider the objections or submissions. This will be followed.

✓ We intend to notify the applications on 16 December 2024. However, as the first local newspaper (Ruapehu Bulletin) will not publish the notification until Wednesday 18 December, the 20 working days will not start until that date. This will result in the 20 working day public notification finishing on 7 February 2025.

### Recommendation

1. It is recommended you agree the application is complete in terms of section 17S of the Conservation Act 1987

☒ Agree / Disagree

2. Agree the application is ready for public notification

☒ Agree / Disagree

3. Agree to insert a public notice setting out the requisite matters in s 49(2) noted above in the following publications with notification for a period of 20 working days.

- New Zealand Herald (Auckland) - 16 December 2024
- The Post (Wellington) - 16 December 2024
- The Press (Christchurch) - 16 December 2024
- Otago Daily Times (Dunedin) - 16 December 2024
- Ruapehu Bulletin - 18 December 2024
- Taupo Turangi Herald - 19 December 2024
- Taumarunui Bulletin - 19 December 2024

☒ Agree / Disagree

4. Agree to publicly notify the application on the Department's website (but noting that this is not a requirement under s 49)

☒ Agree / Disagree