



Department of Conservation
Te Papa Atawhai

To: Penny Nelson, Director General of Conservation, as delegate of The Minister of Conservation

From: Darryn Ratana, Kaihautū, Regional Operations as Delegate of Director-General of Conservation

CC: Stephanie Bowman, Permissions Regulatory Delivery Manager
Clint Green, Deputy Chair, Tongariro and Taupo Conservation Board

Date: 17 March 2025

OBJECTION AND SUBMISSION SUMMARY RECOMMENDATION REPORT

1.0 APPLICATION DETAILS

Applicant: Whakapapa Holdings 2024 Limited

Permission Number: 118471-SKI

Permission Type: Notified Concession (lease and license)

Brief activity description:

Whakapapa Holdings 2024 Limited have applied to operate the Whakapapa Ski Area for a period of ten years. The application covers the Tongariro National Park - Whakapapa Ski Area

Main activities include:

- Lease over buildings with a license for all other land within the current ski area boundary.
- Aircraft use for Helicopters and Drones to support the day-to-day operation of the ski field.
- Filming may be used for advertising purposes within the Whakapapa Ski Area.
- Lease for six accommodation buildings within the Whakapapa Village that are currently occupied by Ruapehu Alpine Lifts Limited.
- Easement for water pipeline from the Waipuna Stream to the Whakapapa ski field.

2.0 PURPOSE

This report is provided pursuant to section 49(2)(d) of the Conservation Act 1987 (CA). It 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 recommendation, as the Director General's delegate, that I make to you in no way fetters your discretion in considering all the relevant issues of this application.

3.0 BACKGROUND

The application was received on 29 October 2024 and publicly notified on 18 December 2024 in the newspapers listed below and on the Department of Conservation website, with the notification period closing on 7 February 2025. The dates between 21 December and 10 January are not considered working days under the Conservation Act 1987. Public notification commences on the date of the first local newspaper (18 December 2024). Therefore, the notification period was 20 working days.

The application was advertised in the following newspapers:

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

529 objections and submissions were received. Originally 65 objectors/submitters asked to be heard, of which some of these evidentially withdrew due to various reasons or were unable to get hold off after multiple attempts via email/phone. The hearing panel heard 19 submitters over 3 days.

4.0 DETAILS OF HEARING

Date/Time: Monday 17 February 2025 from 1030am to Wednesday 19 February 12pm.

Location: Turangi (DOC Office) and online via MS Teams

Chair: Darryn Ratana, DOC Kaihautū, Regional Operations

Panel members:

Clint Green, Deputy Chair Tongariro Taupo Conservation Board
Stephanie Bowman, Permissions Delivery Manager

Objectors and Submitters that were heard:

- Megan Dimonzantos– Federated Mountain Clubs
- Michael Richardson
- Jason Platt
- John Sandford
- Debbie Evans and Russell Turnbull (Ruapehu Mountain Clubs Association)
- Sam Clarkson
- Robert Krebs (RAL Liquidation Committee)
- Paul Stieglbauer
- Sam Mayston
- Dave Bamford
- Patrick Dault (Destination Great Lake Taupo)
- Jo Kennedy (Visit Ruapehu)
- David Krebs
- Deane Hishon
- Ngati Haua Iwi Trust
- James Mackenzie
- Nicci Riley
- Michael-Webb Speight
- Paul Green (also on behalf of Allen MacKenzie and Project Tongariro)

Applicant’s representatives: Dave Mazey, Manager of Whakapapa Holdings 2024 Limited

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

529 written objections and submissions/comments were received as part of the public notification phase. Of the 529 submissions, 42 opposed the application, 18 were neutral and 469 supported the application. A summary of the submissions received can be found on [DOC-7889000](#). In the analysis below any direct quotes from submitters have been italicised.

	<i>Theme</i>	<i>Subtheme</i>
1	Statutory Planning	1a) Tongariro National Park Management Plan and Tongariro/Taupo Conservation Management Strategy 1b) Legislation including National Parks Act 1980 and Conservation Act 1987 1c) World Heritage Status of Tongariro National Park

2	Applicant	2a) Change from not-for-profit to commercial operation 2b) Comments on the applicant 2c) Comments on the applicant's financial status
3	Term of concession	3a) 10-year term 3b) 5-year review
4	Process	4a) Application - Insufficient information 4b) Timing of notification, hearings and concession process 4c) MBIE 4d) Contingent liabilities 4e) Another application for the DOC accommodation in Whakapapa Village
5	Nature and effects of Activity	5a) Use of aircraft/drones 5b) Effect of climate change on the ski area 5c) Environmental effects 5d) Filming 5e) Recreational benefits 5f) Lease of staff accommodation in Whakapapa Village
6	Treaty Relationships	6a) Section 4 of the Conservation Act 6b) iwi/treaty settlement
7	Stakeholders	7a) Life pass holders
8	Economic Considerations	8a) Economic development for local communities
9	Miscellaneous	9a) Snowmaking / Snow-max 9b) Carparking 9c) Public access 9d) Removal of infrastructure

6.0 ANALYSIS OF OBJECTIONS AND SUBMISSIONS/COMMENTS

[1] Statutory Planning

(a) Consistency with the Tongariro National Park Management Plan and Tongariro/Taupo Conservation Management Strategy

Submissions in support of the proposal noted that it is generally consistent with the Tongariro National Park Management Plan's (TNPMP) objectives and policies. Submitters emphasised the recognition the TNPMP gives to the national importance of the area for skiing, highlighting that the Plan provides for skiing related activities in the Whakapapa Area.

For example:

Rochelle Landl (submission 97)

WHL's concession application is clear, thorough, and in line with conservation legislation. It demonstrates respect for the Treaty of Waitangi and outlines the meaningful involvement of tangata whenua in getting to this point and in future. It reflects the goals of the Tongariro National Park Management Plan, with

balance given to conservation and recreational enjoyment while honouring cultural, historical, and ecological values. The application includes two independent reports: an ecological assessment and a landscape assessment integral to supporting this alignment.

Brent Walton (submission 481)

The application demonstrates a commitment to balancing recreational use with conservation and cultural values, ensuring the respectful use of the Whakapapa Ski Area. The application aligns with the Tongariro National Park Management Plan (TNPMP), which supports the ski area's operations while addressing ecological, cultural, and recreational values. The TNPMP emphasizes protecting the park's natural state, cultural heritage, and providing public enjoyment.

Submissions in opposition stated that the application is inconsistent with the Tongariro National Park Management Plan, of which one referred to inconsistency to Policy 2, Policy 7 and Section 5.2.14. Several submitters questioned the consistency with the TNPMP without providing further details as to why.

For example:

Rob van Duivenboden (submission 385)

The activity sought causes the road access to be closed due to their customers. Access is blocked for non-WH2024L mountain users. That is contrary to TNPMP policy 2 points 4,6,7,8, Policy 7 and section 5.2.14

Scott Cursons (submission 480)

I am concerned that just lip service is being proposed without any real commitment to engaging Iwi and following the Tongariro National Park Management Plan.

I recommend that all other comments summarised above relating to the consistency of the application with the TNPMP are **allowed** as a relevant consideration under section 17W(1) of the Conservation Act 1987.

The Minister must have regard to the consistency of the Application with the TNPMP, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider.

It is my view that the Application is broadly consistent with the relevant sections of the TNPMP. The Whakapapa Ski Area is primarily within an identified Amenities zone as identified in the TNPMP and plays an important part of the recreational mix of opportunities in the park. A more detailed analysis of the application against the TNPMP will be contained in the Recommendations and Decision Report.

(b) Consistency with Conservation legislation including the National Parks Act 1980 and Conservation Act 1987

Submissions in support of the proposal noted the general consistency of the application with relevant legislation.

For example:

Felix Dyer (submission 163)

Whakapapa Holdings 2024 Limited's application can be considered consistent with conservation principles if it prioritizes sustainable use, environmental stewardship, and public engagement. Activities that promote eco-tourism, enhance visitor appreciation of natural areas, and maintain the integrity of ecosystems align with the purpose of conservation under legislation such as the Conservation Act 1987. For instance, if the application includes measures to preserve native flora and fauna, minimize environmental impact, and incorporate educational elements, it demonstrates a commitment to balancing commercial operations with ecological preservation. Ensuring that the proposal supports the long-term health of the natural environment while fostering community connections would further strengthen its alignment with conservation values. However, the application could be deemed inconsistent with conservation goals if it poses significant risks to the environment or prioritizes profit over ecological integrity. Commercial activities that lead to habitat degradation, pollution, or harm to native species would directly conflict with the principles of conservation. Additionally, if the proposal fails to incorporate robust environmental impact assessments or mitigation strategies, it may fall short of meeting the obligations to protect and sustain natural resources for future generations. A transparent and evidence-based approach is essential to ensure that the application serves the dual purpose of supporting human use and preserving ecological integrity.

In addition, submissions in support still were concerned that the activity was inconsistent with the Conservation Act yet were of the opinion that the operation of a ski field can go hand in hand with good conservation practices.

For example:

Scott Cairney (submission 477)

I think that though the presence of a ski field in this location is inherently inconsistent with conserving the natural environment, the ski field is historical and I believe that WHL will commit to and follow through with improving the environment and allowing the two functions to coexist

Juliet Rowan (submission 405)

Skifields do not have to be inconsistent with conservation. People who ski and snowboard love nature and the outdoors by virtue of their sports, and are keener than many to ensure the care and protection of the environment in which they are active. Conservation and kaitiakitanga can be part of the ethos of the skifields on Mt Ruapehu. A great example on our doorstep is Cardrona, whose managers decided a couple of years ago on the removal of rubbish bins and single use plastic / non recyclable packaging from its cafes. Public habits have quickly adapted to the changes led by the skifield's managers. There is no reason Whakapapa Holdings can't adopt similar policies.

<p>I recommend that submitters' comments about the need for consistency with the legislation are allowed as a relevant consideration.</p>

The Minister must have regard to the consistency of the Application with the relevant legislation, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider, noting that this is an application in relation to a national park.

In my view the Application is broadly consistent with the purpose of the National Parks Act and relevant considerations under the Conservation Act and it would support the public's continued recreational use and enjoyment of a national park. The Recommendations and Decision Report will contain the Departments more detailed analysis of the Application against the relevant legislation.

(c) World Heritage Status of Tongariro National Park

Submitters supported the application on the basis that Whakapapa Holdings is an applicant who is aware of the complexities of operating within a National Park that has World Heritage Status.

For example:

William McLaren (submission 102)

Whakapapa Holdings 2024 Ltd appears to be a sound applicant that is aware of the complexities of operating within a National Park that has World Heritage status. They are not seeking expansion, but rather to maintain existing operations in a culturally sensitive and environmentally responsible manner, and to collaborate with the various stakeholders.

Nikki Riley (submission 510)

Thank you to the Department, DoC for taking the time to be inclusive and transparent in our wider community consultation, noting the dual Unesco as per Unesco's own definition, In 1993 Tongariro became the first property to be inscribed on the World Heritage List under the revised criteria describing cultural landscapes. The mountains at the heart of the park have cultural and religious significance for the Maori people and symbolize the spiritual links between this community and its environment. In this statement it could say for all people of Aotearoa, New Zealand.

I recommend that submitters' comments about World Heritage Status are **allowed** as a relevant consideration under section 17U(3) and section 17W(1) of the Conservation Act 1987. I recommend that these comments be **accepted** to the extent of being a relevant consideration but otherwise given limited weight.

It is my view that granting the Application does not compromise the World Heritage Status of the Park, as the ski field infrastructure was present on the mountain when World Heritage Status was conferred in 1993, and the Application is essentially an extension of existing operations. The Recommendations and Decision Report will contain a more detailed assessment of the purpose for which the land is held, including its World Heritage Status.

[2] Applicant

(a) Change from a not-for-profit model to a commercial operation

Submitters were opposed to the Whakapapa ski field being operated by a for-profit company, which they said was a change from RAL's model, raising concerns about privatisation of the National Park, and the ski field. This same matter was also raised in the Turoa ski field concession in 2024.

For example:

Michael Richardson, on behalf of the New Zealand Alpine Club (submission 466)

We disagree with a for-profit business enterprise being allowed to operate where a community based not-for-profit could provide a similar service. We also consider that should a for-profit entity be managing a commercial skifield on public conservation land, then they should be held to a higher standard than otherwise for maintaining and preserving the rights of others for safe and open access to the larger area.

Matthew Glenn (submission 450)

I believe the process has been VERY biased towards privatisation of the ski-field into a for-profit company. In doing so effectively stripping (stealing feels like it almost fits) significant assets and access permission from the New Zealand public. With little legitimate reasoning behind it. Along the way, it seems as though various government departments has worked very hard to avoid the New Zealand public and railroaded the process towards a for-profit company - seemingly 100% at the clear cost to community groups around the field and the New Zealand public in general.

Sam Clarkson (submitter 407)

Not-for-profit with appropriate contingency funds is the most sustainable model. I believe it is more closely aligned with both Iwi values and National Park values.

I recommend that the submitters' comments summarised above are **not allowed** as the merits of an alternative ownership model are not a relevant consideration for the Minister under the Conservation Act 1987 / National Parks Act.

(b) Comments on the Applicant

Submitters opposing the applicant raised concerns about the financial decisions made by the current operators, which have led to the financial difficulties of RAL. The current operators are seen as prioritizing profit over environmental care and community interests. There is also strong opposition to the privatization of the skifield, with a preference for a public stakeholder ownership model.

For example:

Nicole Smith (submission 396)

I am concerned about WHLs fiscal management given the track record of Dave Mazey - poor planning and decision making around gondola loan structure contributed greatly to RALs downfall.

Deon Andrews (submission 430)

I'm completely against the idea of privatisation of the ski field. The CEO broke RAL. I have after years of dealing with Mr. Mazes as an employee no faith that he will act with integrity. He and the board used underhand methods to gather a majority of shares which they have then used to drive their privatisation goals.

Supporters of Whakapapa Holdings 2024 Limited highlight their deep industry expertise, strong stakeholder relationships, and significant financial resources as key strengths. They believe WHL's operation of the ski area will bring substantial benefits to the local economy and community, while maintaining cultural sensitivity and environmental responsibility. There is also strong support for Dave Maze's leadership, given his extensive experience and positive reputation in the industry

For example:

Roger Tanner (submission 67)

Whakapapa Holdings headed by Dave Maze have a great understanding of The Mountain, the people, and have in the past successfully operated here.

Nick Matich (submission 98)

Dave Masey has a proven record (as past CEO) of good management, Iwi liaison, and good results on a successful not for profit business. I worked at RAL for six years and found Masey to be a very good boss.

I recommend that the submitters' comments are **allowed** as a relevant consideration under section 17S(f) and section 17U of the Conservation Act 1987.

The Minister must have regard to the ability of the applicant to undertake the activity under section 17S(f) and section 17U, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider. The Recommendations and Decision Report will contain the Department's assessment of the Applicant's ability to carry out the activity.

(c) Comments on the applicant's financial status

Submitters supporting the applicant see them as the best option to ensure that Whakapapa ski field can continue operating.

For example:

Debbie Thomson (submitter 56)

I'm in full support of this company being granted a licence to operate Whakapapa Ski Area. They have the experience and knowledge and are fully aware of the financial risks in operating a business in this alpine environment. The region needs Whakapapa Ski Area to be operating to sustain its businesses and livelihoods long term.

Others however, pointed out that there was a lack in visibility of the financial status of the Applicant, making it hard to comment on their financial status.

For example:

David Biegel (on behalf of Hutt Valley Tramping Club) (submission 464)

With the financials redacted in the application and nondisclosure agreements it is difficult to comment on the financial viability of the application and of WHL.

I recommend that the submitters' comments are **allowed** as a relevant consideration under section 17S(f) and section 17U of the Conservation Act 1987.

The Minister must have regard to whether the applicant has supplied sufficient information to determine the applicant's ability to carry out the competent operation of the proposed activity under section 17S(f) and section 17U, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider.

On the extent to which these comments are accepted, it is relevant for the Minister to take into account the Applicant's ability (including financial ability) to carry out the proposed activity. As recorded in the Recommendations and Decision Report, the Department has considered the financial information submitted by the Applicant and is satisfied that the Applicant is capable of carrying out the proposed activity.

[3] Term of Concession

(a) 10-year term

Submissions in support, opposition and with a neutral position voiced concern about the duration of the concession set for 10 years.

For example:

Debbie Buck (submission 43)

I suggest this concession be for more than ten years, such as twenty years. This will give the concession holder and other parties such as lodge operators, greater certainty and period for return on investment in their assets.

However, there were some that thought the 10-year license applied for was the right and appropriate duration and that it would allow for further progress on the settlement of Wai 1130 (Waitangi Tribunal Claim).

For example:

Geraldine McQueen (submission 468)

The term of the license applied for by WHL strikes an appropriate balance between providing operational certainty while allowing flexibility to address evolving cultural, environmental, and governance considerations, including those related to Treaty of Waitangi principles. A 10-year lease will enable further progress on the settlement of Wai 1130 (Waitangi Tribunal Claim), the establishment of a new governance structure for the Tongariro National Park, along with the development of an agreed Indicative Development Plan.

Rodger Baker (submission 474)

The term of the license applied for by WHL strikes a well-considered and appropriate balance, ensuring both operational certainty and the flexibility necessary to address a range of evolving cultural, environmental, and governance considerations over time. This carefully determined lease period allows WHL to maintain stability in its operations, providing a clear framework for planning and delivering on its commitments. At the same time, it allows ample room for adaptation and responsiveness to changing circumstances, including those relating to the ongoing evolution of cultural practices, environmental stewardship, and governance frameworks. Importantly, the proposed 10-year lease term acknowledges and respects the dynamic nature of the issues associated with Treaty of Waitangi principles and their application within the context of the Tongariro National Park. By allowing for a significant yet flexible period of operation, the lease will enable continued collaboration with tangata whenua and support the gradual resolution of matters tied to cultural and legal considerations. It reflects a forward-thinking approach that respects the principles of partnership, participation, and protection as outlined in the Treaty. Moreover, this term provides sufficient time for important ongoing developments, such as the further progress on the settlement of Wai 1130 (Waitangi Tribunal Claim). The 10-year lease will also accommodate the establishment of a new governance structure for the Tongariro National Park.

Submitters, regardless of their stance on the application, expressed similar concerns about the proposed term. They noted that a longer term would offer greater certainty for both the operator and users, encourage more investment in the ski area, and allow more time for the return on capital investment. Other submitters were of the opinion that Whakapapa Holdings should get a right of renewal for the concession period.

For example:

John Moynihan (submission 42)

I am unaware of the reasons behind the company applying for only a 10 year concession. I would expect / hope that if approved this would come with some rights to renew / extend.

Hamish Bell (submission 46)

It is extremely short - when contrasted against the likely capital commitment required within a challenging operating environment - previous license granted was much longer. would support a longer license term

To the extent that submitters are suggesting that you should now grant a longer term than that applied for by WHL, I recommend that those comments are **not allowed**, as that does not form part of the application under consideration.

To the extent that submitters are raising a concern that a 10-year term indicates that WHL will not make adequate investments, or is insufficiently committed, I recommend that those comments are **allowed**.

I recommend that these comments be **accepted** to the extent of being relevant for the Minister to consider, as these comments are potentially relevant to WHL's ability to carry out the proposed activity (s17S(f)) and compliance with the Tongariro National Park management Plan (S17W(1)). The Recommendations and Decision Report will describe the background to, and reasons for, the proposed 10-year term.

(b) 5-year review

One submitter raised concerns about the proposed review halfway through at year 5 of the concession and the need to review public health and safety matters on an annual basis, rather than a 5-yearly basis.

For example:

Janine Kerr (submission 307)

Important to stress the need that health and (public) safety measures are maintained and constantly reviewed (at least yearly, not just as part of the 5-year review) with regards to the volcanic activity threat.

I recommend that the submitters' comments regarding the 5-year review are **allowed** and **accepted** to the extent that it will be relevant for the Minister to consider the proposed terms and conditions of the concession, including whether the proposed terms and conditions are sufficient to manage the effects identified under section 17U(1) of the Conservation Act 1987 and obligations under relevant Treaty settlement legislation. The Recommendations and Decision Report will contain more information about the proposed 5-year review.

[4] Process

(a) Application - Insufficient information

Submitters in opposition considered that the application lacks sufficient information to enable them to evaluate it and were critical of the fast process of the concession. Many submitters missed information on why WHL only applied for a 10-year concession.

For example:

Gabriele Schmidberger (submission 36)

I would like more information about the reason for a lease and the lease conditions.

Jason Platt (on behalf of Ruapehu Skifields Stakeholders Association (RSSA)) (submission 455)

The RSSA's view which is shared by the majority of its members, is that this fast-tracked concession application is a foregone conclusion and the concession will be granted against the wishes we believe of most local Iwi and Hapu, and clearly as a poor alternative. During this process the Crown has not only managed to divide the local ski community, but more importantly done immense damage to Iwi and Hapu relationships within the Ruapehu region. The Crown's poor conduct and lack of commitment to Iwi and Hapu in this matter under the Treaty of Waitangi Act 1975 will surely add to a litany of historical grievances to be addressed in the upcoming TNP settlement. Ultimately, we would suggest this seriously undermines DoC's reputation in the eyes of many New Zealander's and highlights the dangers of unbridled power.

Michael Richardson (on behalf of the New Zealand Alpine Club) (submission 466)

We note the environmental assessment does very little to discuss the impacts of pests on the area. Other than mentioning the hare, there is no mention of other mammalian species (such as rodents) that occupy wherever humans go. There are significantly more bird species present on the mountain in summer than has been stated, such as Southern black-backed gulls/karoro. We expect that a concession for operating buildings should ensure that pest control is included as a part of any lease.

Debbie Buck (submission 43)

The amount of information about the concession is light ie why is the proposed concession 10 years and not longer, is this the standard term for this type of concession?

I recommend that submitters comments about inadequate information be **allowed** as relevant. The Minister should have regard to whether the applicant has supplied sufficient information (s 17S) and, if necessary, may request further information under sections 17SD or 17SE. You may decline the application if you consider the information available is insufficient or inadequate to enable you to assess the effects of the proposed activity, including the effects of any proposed methods to mitigate adverse effects (s 17U(2)).

I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider. The Recommendations and Decision Report will include further advice to you on the sufficiency of information.

(b) Timing of public notification, hearings and concessions process

Submitters in opposition raised concerns that the "negotiation and consultation" period was too short to allow appropriate consideration of the application by submitters and the Department. They commented that the application process overall had been too fast or "rushed" and unfairly being ran over the Christmas period.

Lyn Thomas (submission 8)

Having the consultation over the Christmas period makes it difficult for organisations to submit. Clubs have finished for the year, and many do not have committee meeting till Feb 2025.

Robert Krebs (submission 507)

Time was compressed being over the Christmas holidays and Waitangi Day.

Michael Richardson (on behalf of the New Zealand Alpine Club) (submission 466)

We believe that the information on operations is very limited for a new concession application of this nature. We consider that the Pure Turoa Concession has set a worrying precedent in allowing very significant concessions to be rushed through. This is detrimental to the wider process...

In contrary, others were satisfied with the comprehensiveness of the process and were of the opinion that enough time had been allowed for the public notified concession.

For example:

Brent Walton (submission 481)

The statutory timelines have been adhered to and the WHL application is thorough and detailed. The expectation from those stakeholder groups opposing the application who are wanting access to the redacted financial information is commercially naive.

Colin MacPhee (submission 160)

Too slow. Need to create certainty for this organisation, to ensure a successful 2025 ski season.

William McLaren (Submission 102)

The concession process is comprehensive and detailed, with multiple steps designed to ensure that all relevant factors are considered before a decision is made. The process includes significant requirements for information from the applicant, and opportunities for consultation with DOC staff and Treaty partners. It also includes ongoing monitoring to ensure that the concession is operating in accordance with its conditions.

Marie-Camille Putinier (submission 126)

WHL's concession application is clear, thorough, and in line with conservation legislation. It demonstrates respect for the Treaty of Waitangi and outlines the meaningful involvement of tangata whenua in getting to this point and in future. It reflects the goals of the Tongariro National Park Management Plan, with balance given to conservation and recreational enjoyment while honouring cultural, historical, and ecological values. The application includes two independent reports: an ecological assessment and a landscape assessment integral to supporting this alignment. Publicly notified on 16 December 2024, stakeholders have been allowed sufficient opportunity to provide input and will have further opportunity to in the upcoming public hearing.

Submitters also suggested that the consultation and process was not transparent, and that there was a lack of consultation with affected groups (e.g. users of the mountain).

For example:

Mike Lanigan (Submission 490)

I think MBIE and the and the liquidators have ignored some voices. Particularly not consulting Iwi properly. Also ignoring the collective Life Pass Holders (as a group) who are also creditors to RAL.

Nick Matich (submission 98)

I am worried that if there is any Maori/Iwi opposition that DOC will be unbalanced in their appraisal of other people's opinion, due to their woke attitude to pleasing Maori, regardless of (probable) overwhelming support from other parties.

Joseph Huband (submission 489)

Dave Mazey et al have Not engaged with the loyal skiing community and have NOT shown this large group of 10's of thousands any respect, or given us their time, so therefore they will fail in their business venture.

Carrie Irvine (submission 478)

As a stakeholder impacted by the liquidation of RAL (life pass) I have been engaged throughout and am very happy with the consultation and consistency of process being applied to the concession application.

Submitters in support stated that the consultation requirements had been met, or that they trusted that consultation had been or was being undertaken appropriately.

I recommend that submitters' comments regarding the timing of the public notice and hearing process are **not allowed**, as the process was compliant with the notice and hearings provisions in section 49 of the Conservation Act 1987.

To the extent that submitters are concerned that the Department has taken insufficient time to consider the application, the Minister of course needs to be satisfied that he has sufficient information and advice from the Department to make a proper decision. However, in my view, it is not necessarily relevant to compare the length of time spent on this application compared with other applications. I also note this application is for the continued operation of the ski field, but for a much shorter term. The Department has devoted significant resource to considering this application in a shortened time frame. Accordingly, I recommend that submitters' comments regarding the time required for the concession process to be completed are **not allowed**, as the process meets the requirements of the relevant legislation.

(c) MBIE

Submissions referenced the process which has occurred since RAL went into voluntary administration, and subsequent liquidation, including DOC and MBIE's involvement. Submitters expressed concern at the way the process had been run, including poor consultation with stakeholders, the perceived dominance and lack of transparency by MBIE and a lack of consideration of alternative options. Submitters raised concern over whether DOC had a conflict of interest in the RAL liquidation process. A whole of government holistic approach was sought.

For example:

Benedict Uy (submission 197)

The process was quite corrupt. The decision was already made before anything was officially decided, possibly by MBIE. The current owner has previously run Whakapapa and did not care for the area. The split of Turoa and Whakapapa have made it less likely for the areas to flourish - Pay more for less.

Breda Matthews (submission 446)

MBIE's modelling of the SkyWaka was wrong, their financing was flawed, their policies during and after COVID have exacerbated and extended the problems directly. The amount of taxpayer money that has been poured into a liquidation process and likely a privatisation of the ski fields is a disgrace. I am shocked to see a further loan of tax payer money to a private entity even being considered

Daniel McGowan (submission 496)

Bullied by MBIE and total waste of taxpayer money spent on receivers and liquidators (could have been better used to support RAL).

I recommend that submitters' comments regarding MBIE process for assessing commercial bids are **not allowed** as they were part of the liquidation/insolvency process, which occurred separately and before the concession application. As such, they are not within the scope of the application under consideration and are not a relevant consideration for the Minister under the Conservation Act / National Parks Act.

(d) Contingent liabilities

Submitters raised particular concern at the insolvency process and the cost implications for the taxpayer.

For example:

Rebecca Simpson (submission 212)

\$35 million in tax payers money has been pumped into the insolvency process. This cost could have been completely avoided or reduced to a fraction of that amount if Crown forgave its debt to the public benefit entity The public right to enjoyment of the national park is becoming less affordable to the everyday Kiwi with the splitting of the skifields and increased cost of lift tickets. Kiwis are paying more \$\$\$ for less services. And then selling off assets which all us skiers have paid for over the years (especially us life pass holders) for \$1 to private entities who are interested in profits rather than keeping the mountain

affordable for every New Zealander is wrong. The whole process feels like a scam. It was only because of the forced government travel restrictions that led to RAL getting into trouble, they should instead be investing the \$35 million into letting them continue to run.

For example:

John Mulrennan (submission 429)

The whole liquidation and receivership process has been a fundamental failure. Look at the PTL Concession shambles and iwi rail-roaded. During the Watershed meeting I watched in amazement that MBIE allowed DOC to swing the 72% DOCA support by trumping it with their fictitious \$100m bill for clearing Mt Ruapehu of any ski infrastructure. That unqualified potential \$100m bill would only come to play if no solutions could be found. It should not have been allowed to be included. To date more Taxpayer funds have been wasted on legal costs, than the value of the original debt, that should have been simply forgiven and the DOCA accepted.

I recommend that submitters' comments that a restructured RAL would be a better option are **not allowed** because the Minister must consider the application that has been lodged in accordance with the relevant legislation. As noted above, it is not relevant to the Minister's assessment of WHL's application to consider the idea that RAL should have been able to continue in operation in the longer term.

(e) Another application for the DOC accommodation in Whakapapa Village

One submitter pointed out how he had submitted an application to the Department in which he expressed interest in the DOC buildings / accommodation in the Whakapapa Village that form also part of the WHL application. It was mentioned to the submitter, prior to the hearings, that at the time the submitter showed interest in the accommodation, the Department had already accepted an application for the Whakapapa ski field. Applications are considered in the order they are received which means we can accept but cannot start processing another application until a decision has been made on the first application.

I recommend that submitters' comment on the lodging of another application for the buildings in the Whakapapa Village is **not allowed** because the Minister must consider solely the application that has been lodged. As noted above, it is not relevant to the Minister's assessment of WHL's application to consider another application that has been made after WHL's application had been received.

[5] Nature and Effects of Activity

(a) Use of aircraft and drones

Several submitters raised concerns with the inclusion of aircraft/drone use in the concession. Several submitters pointed out to the management plan of the National Park, and to hold the ban on drone use.

Allan MacKenzie (submission 523)

Tongariro National Park is one of two national parks in nz with restrictions on aircraft noise. The management plan provides for very limited aircraft use for avalanche control. The proposed use of drones for ski patrol sweeps is unacceptable in the context of the management plan and unnecessary. Canadian skifield operators do not use drones. I oppose slackening of existing rules.

Karen Dady (submission 133)

National Park permitted activity only - please hold on to the ban on drone use.

Several submitters (either in opposition or support) were concerned that while the applicant indicates drones will be used for safety management, the concession may allow for blanket use of drones for other reasons.

For example:

Tim Leahey (submission 53)

I am also concerned about the use of helicopters and drones for other than essential maintenance and rescue tasks as they seriously damage the ambience of that beautiful place. I am concerned that the demand to use helicopters by rich listers spoils the enjoyment of the mountain by others.

Paul Green (submission 520)

I am concerned at an apparent broad increase of planned helicopter use and intention to use drones, as a daily occurrence. There are significantly additional impacts - visual and noise here and I ask that DOC limit the use of aircraft and/or drones as to what is stated in the TNP Management Plan.

Others were supportive of drones and commended them for their minimal impact and noise reduction compared to other aircrafts.

For example:

Scott Tansley (on behalf of Geoworx Limited t/a Two Rivers Ohakune) (submission 400)

Minimisation is key, the use of drones rather than helicopters will have an impact, we need to use technology to be more effective and to deliver better outcomes for international guests, but also to allow our North Island population to have a break from daily life, reset and refocus and enjoy what is a truly magical mountain..... Excessive use of helicopters would be a concern, but the documentation states use of drones and qualified operators. I have no issues with this.

David Dyer (submission 59)

Logical to me. Drones are of minimal impact and noise disruption (assuming this activity is occasional and not all the time)

Other submitters were of the opinion that aircraft activities should only be allowed for safety operations.

For example:

Marie Lynghaug (submission 516)

Drone and helicopters should be used only for safety operations

I recommend that the submitters' comments are **allowed** as a relevant consideration sections 17U(1) and 17ZF Conservation Act 1987. The Minister must have regard to the effects of an activity under s17U(1)(b), and any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity under 17U(1)(c).

I recommend that the comments be **accepted** to the extent of being relevant to the Minister's consideration. The Recommendations and Decision Report will include the more detailed assessment and analysis, and proposed mitigation measures.

(b) Effect of Climate change on ski area

Several submitters who both supported and opposed the application highlighted the effects of climate change, which could potentially change the areas where skiing is possible in the future.

For example:

Anna Collet (submission 3)

Whakapapa is dying and soon will not be viable as a ski field due to climate change - and this is being worsened by the willful ignorance and poor management of the environment at the maunga by this company.

Matthew Parkin (submission 121)

Climate change will impact activities on Ruapehu likely increasing the attraction to the area from its pure beauty.

Timothy Fletcher (submission 397)

The main purpose of my submission is to emphasize that the future of skiing on Ruapehu is limited because of the increasing warming of the planet and hence the decline in the likelihood of having a good ski season, as so I think the main thrust of any lease needs to be for diversifying the use of the mountain, for both conservation and recreation purposes.

I recommend that the submitters' comments regarding future changes to the ski field operation are **not allowed** because they are not matters for decision as part of this application. Any future developments on the mountain will be subject to a separate works approval process and related processes, including any signed Indicative Development Plan.

Other submitters applauded the effort the Applicant had put in their application considering and managing the effects of climate change.

For example:

Sophie Tucker (on behalf of Federated Mountain Clubs of New Zealand Incorporated) (submission 454)
Application section 8.8, Climate Change. We are pleased to see the applicant considering the effects of climate change and how this will be managed. We encourage the applicant to expand on that thinking and would welcome the opportunity to work alongside them to help reduce the carbon footprint of recreation on the maunga.

I recommend that the submitters' comments regarding the sustainable operation of the ski field are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987. The Minister must have regard to the effects of an activity under s17U(1)(b), and any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity under 17U(1)(c), and I recommend that the comments be **accepted** to the extent of being relevant to the Minister's consideration.

(c) Environmental effects

Submitters supporting the application largely saw it as providing assurance that the sustainability and environmental effects would be managed in a reasonable way.

For example:

Blake Cameron (submission 234)

I believe the application has dealt with the important conservation requirements of the area in a fair and reasonable way that balances the commercial and environmental sustainability of the ski field operation

Emma Jenkins (submission 255)

At a practical level, the ski field is a well-established presence on the mountain, and has made many efforts to improve its environmental impact over the years. There's no doubt being on a sounder financial footing would help it continue to make improvements and the recent appointment of director tor Bridget Legnavsky, who made impressive strides at Cardrona with sustainability processes, suggests a new and dynamic presence for this aspect of operations.

William McLaren (on behalf of Rangatira Alpine Sports Club Incorporated) (submission 316)

The Whakapapa Holdings 2024 Ltd (WHL) application for a new lease and license to operate the Whakapapa Ski Area is consistent with the purpose of conservation. The application focuses on maintaining the existing infrastructure and preventing further disturbance. WHL is committed to environmental responsibility and cultural sensitivity which is important for the long-term sustainability of the ski area. The Club notes that the Whakapapa Ski Area is an ISO14001:2015 certified operation which provides structure and number of management systems to manage environmental impacts effectively. The club also supports the alignment of the application with the Tongariro National Park Management

Plan (TNPMP) and it is clear applicant is well versed in management plans and policies along with high level of cultural sensitivity.

Patrick Dault (on behalf of Destination Great Lake Taupo) (submission 441)

WHL's stewardship aligns with the principles of conservation through its commitment to responsible tourism practices that respect ecological and cultural values. The company's focus on kaitiakitanga (guardianship) and manaakitanga (hospitality) ensures that the park's integrity is preserved while enhancing visitor experiences. WHL also supports regenerative tourism initiatives, which contribute to environmental restoration and long-term sustainability.

Submitters also pointed out that a ski field concession does not have to be inconsistent with conservation objectives and provided some suggestions with regards to minimising rubbish.

For example:

Maureen Smith (submission 213)

There is no doubt that there is conflict between a skifield and its infrastructure and the pristine alpine environment. However, most skiers don't want rubbish or plastic polluting the national park. I still think both the skifield and the national park can be sympathetic to each other, as long as users are vigilant and protecting their ski experience. By this I mean, pack it in pack it out. Using what you take, no waste materials to fill bins. Being careful with your own equipment so there is nothing left behind each day. I notice the messages that are provided on the ski lift on the way up (Give Way, Look after your equipment etc.) I think there can be synergy between the pristine environment and the snow/ski/board outdoor experiences. Noted that no extra capital infrastructure is part of the application, and in fact removal of redundant buildings will occur. This could reduce maintenance costs overall.

Juliet Rowan (submission 405)

Skifields do not have to be inconsistent with conservation. People who ski and snowboard love nature and the outdoors by virtue of their sports, and are keener than many to ensure the care and protection of the environment in which they are active. Conservation and kaitiakitanga can be part of the ethos of the skifields on Mt Ruapehu. A great example on our doorstep is Cardrona, whose managers decided a couple of years ago on the removal of rubbish bins and single use plastic / non-recyclable packaging from its cafes. Public habits have quickly adapted to the changes led by the skifield's managers. There is no reason Whakapapa Holdings can't adopt similar policies.

<p>I recommend that the submitters' comments are allowed as a relevant consideration under section 17U(1) of the Conservation Act 1987. The Minister must have regard to the effects of an activity under s17U(1)(b), and any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity under 17U(1)(c).</p>

My recommendation is that the comments be **accepted** to the extent of being relevant to the Minister's assessment. Environmental effects and mitigation measures will be assessed in the Recommendations and Decision Report.

(d) Filming

Many of the submitters had no aversion against promotional filming on the mountain as proposed by WHL. Many acknowledged the benefit of promoting the area, its natural beauty and recreational values to visitors worldwide, and saw it as an essential part of the concession.

Jack Oldfield (submission 318)

The proposed filming activities for advertising purposes aligns with the principles outlined in the Tongariro National Park Management Plan. The activity will effectively showcase the unique natural and cultural heritage of the Park while promoting its recreational values. Furthermore, the proposal ensures that such activities are conducted in a way that respects the environment and cultural integrity of the area, adhering to high standards of conservation and responsible use.

Michael Winch (submission 78)

Filming for live webcams and advertising are essential parts of operating the ski field.

Reuben Cohen (submission 187)

The proposed filming activities for advertising and marketing purposes has been and will hopefully continue to be an integral part of the skifields operation. Without this there is no good way to market the ski area to locals, visitors and overseas tourists and I therefore see it as an essential part of the concession. The filming will also help to promote the national park and local region so its impacts will be felt far and wide, not just on the mountain by the skiing community. The proposal does also include points of note around how these activities will be undertaken and it is clear that they will be conducted with a professional standard, respect the environment and cultural sensitivity of the areas and be used for responsible purposes.

I recommend that submitters' comments regarding filming for promotional purposes are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987.

I recommend these comments are **accepted** as relating to the ability of the public to use and enjoy the area as defined in the National Parks Act.

(e) Recreational benefits

Submitters supporting the application saw it as fostering recreation, and public enjoyment of Mount Ruapehu for international and national visitors alike. Access to the National Park with world heritage status, public enjoyment, respect and appreciation of the natural environment and the cultural aspects of the Park were also described as benefits.

For example:

Nigel Little (submission 394)

This application aligns well with the objectives of the Tongariro National Park Management Plan, particularly by: Supporting public enjoyment of the park while preserving its natural and cultural values. -Maintaining key infrastructure necessary for recreational use. The Whakapapa Ski Area covers a small portion of the park and operates within the guidelines of the Management Plan, ensuring a responsible balance between use and conservation. Whakapapa Ski Area offers a variety of year-round recreational opportunities. In winter, it provides access to skiing and snowboarding, while in summer, it serves as a base for sightseeing and hiking. The infrastructure maintained by Whakapapa Holdings is crucial to enabling these activities, particularly for: Families and beginners looking for a safe and structured environment to learn skiing. Ski Club members and the general public who enjoy alpine recreation at different skill levels.

I recommend that submitters' comments regarding general recreational values are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987.

I recommend these comments are **accepted** as relating to the ability of the public to use and enjoy the area as defined in the National Parks Act.

(f) Lease of staff accommodation in Whakapapa Village

Several submitters pointed out to the importance of having staff accommodation on site for it being crucial for safety and essential for operations, hereby supporting the lease of staff accommodation in Whakapapa Village.

For example:

Reuben Cohen (submission 187)

As seen in the past and on WHL's application it is extremely important that some staff are able to live in close proximity to the skifield in the houses requiring a lease from DOC located in Whakapapa village. These staff are essential for the ski fields operation and public safety being so close they can respond to any major issues or incident out of hours first, as well as ensuring public safety in the event of severe weather patterns by providing guidance or assistance on the road and ski area.

Denise Cohen (submission 516)

WHL's intention to lease six houses in Whakapapa Village for staff accommodation is crucial for efficient operations and public safety. Having staff in close proximity ensures rapid response to operational needs and emergencies, maintaining the smooth functioning of the ski area. This reliability directly benefits Ski Racers by providing consistent access to well-maintained facilities essential for our programs.

Nikki Riley (submission 510)

These leases from my understanding are operational in nature and fundamentally required for health and safety roles ,eg road management and senior ski area management. I support that these buildings are included in the lease.

I recommend that submitters' comments regarding the lease of staff accommodation in Whakapapa Village are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987.
I recommend these comments are **accepted** as relating to the ability of the public to use and enjoy the area safely as defined in the National Parks Act.

[6] Treaty Relationships

(a) Section 4 of the Conservation Act

During the submission period, one submission was received from our Treaty Partners: Ngaati Haua Iwi Trust. The submitter, who was neutral, pointed out to the previous concession process with Pure Turoa and the failure of DoC to provide a process consistent with Section 4 of the Conservation Act 1987. It is worthwhile noting however that DOC has continued to engage with Treaty partners throughout and post the submissions process. The Recommendations and Decision Report will contain detailed analysis of Section 4, the Crown's Treaty settlement obligations, and the position of iwi/hapu.

Kuru Ketu (on behalf of Ngaati Haua Iwi Trust) (submission 463)

*We are again involved in a poorly run and insufficient process related to the operation of a ski field on Ruapehu Maunga... It is our view that DoC should be administering its functions and duties in a way consistent with Section 4 of the Conservation Act 1987 (**Act**) and in line with the conservation purpose DoC is established under....Not only is this the antithesis of section 4 of the Act, but it also repugnant to the relational framework established under the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (**Te Awa Tupua Act**) of which DoC has and continuous to play a targeted role in...they do signal that DoC has failed to camply with specific legislative requirements and duties, which lead to the very stark reality that there are sufficient grounds to decline the Application. Such an outcome may yet be avoided and our expectation (given where we are in the process) is that we play a key role in the drafting of the concession document itself.*

In terms of the substantive matters in the Application, Ngaati Haua Iwi Trust have concerns about the following:

- use of Snow-Max as part of the artificial snow making process
- review periods and procedures
- work approvals and other required reporting (including a Ngāti Hāua Impact Assessment)

To avoid repetition, abovementioned matters are mentioned elsewhere in the report (e.g. snowmaking see 9a) and extensively in the Recommendations and Decisions Report.

Any comments from our Treaty Partners regarding our engagement with them on the concessions process are **allowed and accepted** to the extent that they are relevant to the consideration of a matter which is able to be considered within the legal framework, including section 4 of the Conservation Act 1987 and relevant Treaty settlement legislation. The Recommendations and Decision Report will contain detailed analysis of section 4, the Crown's Treaty obligations, and the position of iwi/hapu.

(b) iwi/treaty Settlement

Comments below relate to submissions that were not received from our iwi partners.

Debbie Evans (on behalf of Ngauruhoe Ski Club) (submission 356)

WHL has agreed to provide "good stewardship" on the maunga. The engagement with Iwi to date and through the first 5 years will ensure the development and application of "positive stewardship of the place".

David Biegel (on behalf of Hutt Valley Tramping Club) (submission 464)

We are also aware of the disappointment and frustration of some stake holders, including the RSSA and some Iwi, that their efforts and views have been ignored or disregarded

Sophie Tucker (on behalf of Federated Mountain Clubs of New Zealand Incorporated) (submission 454)

Application section 7.3, Whakapapa Stakeholders and Communities. We appreciate WHL acknowledging the level of consultation with community groups has been inadequate to date, and recommend that:

- a. appropriate plans are put in place and adhered to, to consult, acknowledge and respect mana whenua who Whakapapa to this place.*
- b. Clubs who hold facilities on the mountain are provided for in terms of access and are involved in decision-making*
- c. That FMC is consulted on matters related to public access and recreation.*

Submissions in support of the proposal noted their support of partnership and collaboration with iwi but did not believe this should delay the concession process.

Others commented that it was not their place to comment on.

I recommend that comments from submitters (other than iwi/hapu) regarding what is in the iwi interest, and matters under Treaty settlements, are **not allowed**.
The Department's section 4 obligation to give effect the principles of the Treaty of Waitangi and the Crown/Department's obligations under Treaty settlements are a matter to be addressed between the Department and iwi/hapu.

[7] Stakeholders

(a) Life pass holders

Submitters opposing the application voiced their concerns about the lack of consultation with the life pass holders as stakeholders of the Whakapapa Ski Area and that Life Pass holders were not provided for in the application.

For example:

Sarah Rodgers (submission 509)

There has been no actual consultation with all stakeholder groups by WHL, most noticeably and relevant to me, no consultation with life pass holders or ski club members. I'm sure there are other stakeholders who haven't been consulted either.

Mike Lannigan (submission 490)

I think MBIE and the and the liquidators have ignored some voices. Particularly not consulting Iwi properly. Also ignoring the collective Life Pass Holders (as a group) who are also creditors to RAL.

Joseph Huband (submission 489)

They refuse to look after the biggest skiing community; the Life Pass Holders, and are refusing to honour our Life Passes, therefore they have lost the support of thousands of the North Islands loyal Skiing community. Dave Mazey sold us our Life passes in 2016 and now is part of a private entity happy to rip us off! Shame on him for not getting the Life Passes onboard with WHL's vision for the future of skiing in the North Island. WHL will never be able to replace the thousands of intergenerational loyal skiers & snowboarders whom love Mt Ruapehu.

Deane Hishon (submission 38)

Although there seems to be a conclusion regarding Life Pass holders, there is a huge injustice regarding this group of people. It has been stated many times that the Life Pass group is the largest group of stakeholders, but they have been financially ignored. The Life Pass group are also tax payers and tax payers money has been used extensively throughout this process...

However, other life pass holders were of a different opinion and acknowledged that they have been consulted with throughout the process.

For example:

Judith Guccione (submission 472)

I have been impressed by their contact with stakeholders such as RMCA and life pass holders. They appear to have brought together some individuals with very relevant experience for similar situations. Also appear to have taken the time for whakawhanaugatanga with local iwi.

Carrie Irvine (submission 478)

As a stakeholder impacted by the liquidation of RAL (life pass) I have been engaged throughout and am very happy with the consultation and consistency of process being applied to the concession application.

I recommend that comments regarding the contractual rights of RAL's Life Pass holders in relation to WHL are **not allowed**, as 3rd party commercial interests are not a relevant matter for the Minister to consider under the Conservation Act 1987 / National Parks Act.

[8] Economic Considerations

(a) Economic Development for local communities

Submitters in support described the importance of the Whakapapa ski field for the local and regional economy and job opportunities. They considered that an operational ski field would benefit the local economy and community.

For example:

Sue Barlow (submission 281)

The economic benefits to the local community will be significant and the infrastructure will remain open and in use therefore using it for its intent. North Island skiing will continue reducing the need to travel overseas or to SI, this in turn will reduce carbon emissions

Keith Rountree (submission 283)

A successful ski operator is beneficial for the whole region, iwi and hapu, and all local communities. It brings economic benefits, enhanced tourism, jobs, business opportunities including those lead by iwi and hapu.

Submitters in support also urged for the application to be approved, to prevent any further economic degradation in the region.

For example:

Keith Rountree (submission 283)

At a time when business closures are driving up unemployment, house sales, and families moving away from the region (eg Ohakune), this application must be approved, encouraged and allowed to succeed. The Whakapapa Village area has become increasingly run down, derelict even. It deserves a future. Withholding this application would deny all those connected with the area that future.

Willie Aitken (submission 528)

The Ruapehu region has suffered greatly over the last five years with the global pandemic, the collapse of RAL and the Tangiwai mills closing in September 2024. The granting of Pure Turoa 's concession has been well received in Ohakune. The granting of a concession for WHL will further bolster the Ruapehu economy and give hope to loyal businesses particularly in National Park that have been hanging in there.

Debbie Evans (on behalf of Ngauruhoe Ski Club) (submission 356)

RAL is currently one of the larger employers in the region and the regional spend from visitors is estimated at \$100 million. The Whakapapa Ski Area is an integral part of the Ruapehu region's tourism economy. The successful operation of the ski field operator facilitates a significant economic benefit to local businesses and community livelihoods. The disruption of operations at the ski area in 2020, 2021, 2022 and 2023 has had a significant negative employment and financial impact to the wider community.

Amongst the submitters, there exists fear that the prices of skiing will go even further up due to a private operator operating the skifield, making the ski field expensive and inaccessible.

For example:

Aaron Thomas (submission 513)

Skiing will be more expensive with private operators.

Katie (submission 110)

Let's hope they keep prices affordable so all families can enjoy the ski fields. Currently it's expensive...Please keep skiing affordable for all families as currently it's a very expensive experience. Also, all schools in the area should have cheap passes available for them so they can have the opportunity to learn to ski.

<p>I recommend that submitters' comments summarised above relating to economic factors, both in support and opposition, are not allowed as these types of economic matters (excepting consideration of economic considerations in an active protection assessment under section 4 context) are not a relevant consideration for the Minister in the context of the National Parks Act and the Conservation Act 1987. (Although economic considerations in an active protection assessment under section 4 context can be considered.)</p>

[9] Miscellaneous

(a) Snowmaking/Snowmax

Kuru Ketu (on behalf of Ngaati Haua Iwi Trust) (submission 463)

...we have concerns about the use of Snow-Max as part of the artificial snowmaking process....the use of Snow-Max is opposed based on its environmental impacts, particularly to water bodies and biodiversity.

Michael Webb-Speight (on behalf of Ruapehu Ski Club Inc). Submission 440)

A key priority for WHL is snowmaking and snow grooming, using technology that is changing rapidly. WHL is committed to snowmaking and grooming which are critical to their objectives. The company also plans to address the need for replacing aging groomers and snow guns. These initiatives will support the rock garden as a viable area of the ski field

Jason Platt (on behalf of Ruapehu Skifields Stakeholders Association (RSSA)) (submission 455)

We do not believe that the application for concessions by WHL Limited is well aligned to the TNP Management Plan. WHL application for snowmaking. We note that WHL are intending to use Snowmax as per the highlighted excerpt below in their application for the snowmaking, even though Iwi and Hapu objected to the use of a Snowmax during the Turoa concession application

I recommend that the submitters' comments are **allowed** as a relevant consideration sections 17U(1) and 17ZF Conservation Act 1987. The Minister must have regard to the effects of an activity under s17U(1)(b), and any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity under 17U(1)(c).

I recommend that the comments be **accepted** to the extent of being relevant to the Minister's consideration. The Recommendations and Decision Report will include the more detailed assessment and analysis, and proposed mitigation measures.

(b) Carparking

Submitters in opposition to the Application objected to the proposed carparking situation and asked for reasonable public access so that everyone can enjoy their time on the maunga. Concerns were also raised that car park barriers would limit access for public visiting the Tongariro National Park who are not using the applicant's facilities.

For example:

Tim Palin (submission 165)

The carparking situation turned into a fiasco. singles or twins in cars would get free parking, but a carload of people might be turned away and incur a \$100+ fee to use the bus. Appalling. If you want people to make arrangement to ski on your field with small families, you absolutely cannot leave it to chance that they get to the whakapapa village gate to whether they get up. The buses should have been free, they were a shambles, and ruined the day. I won't plan a trip to the field if there is no workable plan here. Make all parking booked and paid for.

Michael Webb-Speight (on behalf of Ruapehu Ski Club Inc) (submission 440)

Ideally we would like to see WHL obliged to provide reasonable access to the lower mountain via the Rangatira Chairlift and dedicated clubbie carparking - both of which are significant factors for the viability of mountain clubs.

I recommend that submitters' comments regarding their concern of future operations are **not allowed** because they are not matters for decision as part of this application.

I recommend that submitters' comments regarding the public access of the skifield and the extent to which carparking enables this, are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987. I recommend these comments are **accepted** as relating to the ability of the public to use and enjoy the area safely as defined in the National Parks Act.

(c) Public Access

Several submitters pointed out that the ski field operator has consistently blocked access to non-ski field customers and raised their concern about this.

Michael Richardson (submission 466)

... the application does not look to offset the negative impact on other users. Specifically, the application is required to address the needs of all visitors to the area, but in practice there is only intend to address the needs of a potential customer base... Examples of impacts for consideration under this concession include:

- Blocking access - ski field operators routinely block access to non skifield customers to enable operations. Other user groups are expected to make all the compromises to enable comercial ski operators to optimise their operations. This ends up as a steady dimishment of access for alternative user groups. Examples are uphill walkers and skiers being told to avoid standard routes as this compromises the usable terrain for downhill skiers or vehicle users (skimobiles etc).

- Vehicle safety - historically commercial skifields have used high speed skimobiles for operational access. The justification of using high speed vehicles in a national park is very limited, and not best practices internationally. No other user group is allowed to use vehicles to make their operations easier, so a commercial ski operator should be subject to stricter controls than they have been historically. Snow groomers also have a 'might is right' approach to work they carried out on the mountain. Multiple other user groups who are in the area at night have to contest with snow groomers who do not have a policy for maintaining the health and safety of other users.

Another submitter pointed out to how the blocking of access to non-WHL mountain users is contrary to the Tongariro National Park Management Plan and are against exclusive possession to the concessionaire.

For example:

Rob van Duivenboden (submission 385)

The activity sought causes the road access to be closed due to their customers. Access is blocked for non-WH2024L mountain users. That is contrary to TNPMP policy 2 points 4,6,7,8, Policy 7 and section 5.2.14

Sophie Tucker (on behalf of Federated Mountain Clubs of New Zealand Incorporated) (submission 454)

We note that public access and recreational activities are only referred to in reference to the applicant's business activities. We do not support any provision of exclusive possession to the concessionaire within the National Park. It must be unquestionably clear, by using clear concession conditions, that public access

is to be fully retained for all the public, not just the concessionaire's paying customers. With regards to Tongariro National Park Management Plan 5.2.14, we note the policy regarding freedom of public access to ski areas. It would be our expectation that disruption to public enjoyment of the National Park is minimised. It would also be our expectation that any move to introduce bylaws is fully consulted with user groups, including FMC.

Kiri Te Wano (on behalf of Project Tongariro) (submission 527)

Access for other park users, such as trampers, climbers, ski tourers across public land should not be impeded by leases over outside areas (such as the Plaza). Public access to National Parks is a part of our culture and we strongly state our support for this principle to continue to be upheld by the landowner and the operator of the concession

I recommend that submitters' comments about the need for consistency with the legislation are **allowed** as a relevant consideration.

The Minister must have regard to the consistency of the Application with the relevant legislation, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider, noting that this is an application in relation to a national park.

In my view the Application is broadly consistent with the purpose of the National Parks Act and relevant considerations under the Conservation Act and it would support the public's continued recreational use and enjoyment of a national park. The Recommendations and Decision Report will contain the Departments more detailed analysis of the Application against the relevant legislation.

(d) Removal of infrastructure

Some submitters emphasized the importance of adhering to high standards in the removal of infrastructure from Whakapapa and Turoa ski areas, suggesting careful consideration of whether removal or camouflage is best.

For example:

Kiri Te Wano (on behalf of Project Tongariro) (submission 527)

Although the proposed removal of infrastructure from Whakapapa and Turoa ski areas is being managed by DOC's Ruapehu Projects Team - we would stress the need to be vigilant in ensuring that the highest possible standards of assessment and management are adhered to. We would also advocate for the most careful removal of old infrastructure, and consideration as to whether removal is the best option as opposed to permanent camouflage (as per old concrete footings).

Other submitters support the removal without replacement and stresses the need for environmental standards and qualified supervision, while one submitter notes that removing redundant buildings could reduce maintenance costs.

For example:

Paul Green (submission 520)

I welcome the intention of Whakapapa Holdings to not replace the chairlifts and facilities that are to be removed. I note this work is to be funded by DOC. I would like to stress the need for this work to be carried out to the highest environmental standards under the direction and supervision of someone suitably qualified and experienced.

Maureen Smith (submission 213)

Noted that no extra capital infrastructure is part of the application, and in fact removal of redundant buildings will occur. This could reduce maintenance costs overall.

I recommend that submitters' comments regarding their concern of future operations are **not allowed** because they are not matters for decision as part of this application. Any comments on the current redundant infrastructure are **not allowed** either, as they do not form part of the Application by WHL.

7.0 APPLICANTS REPLY

At the hearing the applicant supplied verbal reply, which is summarised below.

A summary of the verbal reply at the hearing can be found below:

The speaker thanks the panel and submitters for their efforts. They acknowledge that engagement has been more challenging than anticipated due to early non-disclosure requirements by liquidators and MBIE, which limited interaction with iwi and submitters. Despite perceptions, there was engagement with iwi, though it was not always visible or sufficient. The speaker emphasizes that engagement with iwi is an ongoing process and has offered structured governance agreements to iwi groups.

The speaker is comfortable applying for a 10-year term, despite the need for longer-term investment, to allow time to build understanding and consensus with stakeholders. They hope to develop a long-term vision within the first five years and may apply for a longer term if successful.

Lastly, the speaker addresses concerns raised by submitters that are outside the scope of the conservation act and other agreements, clarifying that there is no hidden agenda. They believe WHL will provide good stewardship, supported by positive feedback from the majority of commentary.

8.0 RECOMMENDATIONS

I have made recommendations to you in respect of the extent to which objections should be allowed and submissions/comments accepted. These are summarised below, to your convenience:

1a) Tongariro National Park Management Plan and Tongariro/Taupo Conservation Management Strategy

I recommend that all other comments summarised above relating to the consistency of the application with the TNPMP are **allowed** as a relevant consideration under section 17W(1) of the Conservation Act 1987.

The Minister must have regard to the consistency of the Application with the TNPMP, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider

1b) Legislation including National Parks Act 1980 and Conservation Act 1987

I recommend that submitters' comments about the need for consistency with the legislation are **allowed** as a relevant consideration.

The Minister must have regard to the consistency of the Application with the relevant legislation, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider, noting that this is an application in relation to a national park

1c) World Heritage Status of Tongariro National Park

I recommend that submitters' comments about World Heritage Status are **allowed** as a relevant consideration under section 17U(3) and section 17W(1) of the Conservation Act 1987. I recommend that these comments be **accepted** to the extent of being a relevant consideration but otherwise given limited weight.

2a) Change from not-for-profit to commercial operation

I recommend that the submitters' comments summarised above are **not allowed** as the merits of an alternative ownership model are not a relevant consideration for the Minister under the Conservation Act 1987 / National Parks Act.

2b) Comments on the applicant

I recommend that the submitters' comments are **allowed** as a relevant consideration under section 17S(f) and section 17U of the Conservation Act 1987.

The Minister must have regard to the ability of the applicant to undertake the activity under section 17S(f) and section 17U, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider. The Recommendations and Decision Report will contain the Department's assessment of the Applicant's ability to carry out the activity.

2c) Comments on the applicant's financial status

I recommend that the submitters' comments are **allowed** as a relevant consideration under section 17S(f) and section 17U of the Conservation Act 1987.

The Minister must have regard to whether the applicant has supplied sufficient information to determine the applicant's ability to carry out the competent operation of the proposed activity under section 17S(f) and section 17U, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider.

3a) 10-year term

To the extent that submitters are suggesting that you should now grant a longer term than that applied for by WHL, I recommend that those comments are **not allowed**, as that does not form part of the application under consideration.

To the extent that submitters are raising a concern that a 10-year term indicates that WHL will not make adequate investments, or is insufficiently committed, I recommend that those comments are **allowed**.

I recommend that these comments be **accepted** to the extent of being relevant for the Minister to consider, as these comments are potentially relevant to WHL's ability to carry out the proposed activity (s17S(f)) and compliance with the Tongariro National Park management Plan (S17W(1)). The Recommendations and Decision Report will describe the background to, and reasons for, the proposed 10-year term.

3b) 5-year review

I recommend that the submitters' comments regarding the 5-year review are **allowed** and **accepted** to the extent that it will be relevant for the Minister to consider the proposed terms and conditions of the concession, including whether the proposed terms and conditions are sufficient to manage the effects identified under section 17U(1) of the Conservation Act 1987 and obligations under relevant Treaty settlement legislation. The Recommendations and Decision Report will contain more information about the proposed 5-year review.

4a) Application - Insufficient information

I recommend that submitters comments about inadequate information be **allowed** as relevant. The Minister should have regard to whether the applicant has supplied sufficient information (s 17S) and, if necessary, may request further information under sections 17SD or 17SE. You may decline the application if you consider the information available is insufficient or inadequate to enable you to assess the effects of the proposed activity, including the effects of any proposed methods to mitigate adverse effects (s 17U(2)).

I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider. The Recommendations and Decision Report will include further advice to you on the sufficiency of information.

4b) Timing of notification, hearings and concession process

I recommend that submitters' comments regarding the timing of the public notice and hearing process are **not allowed**, as the process was compliant with the notice and hearings provisions in section 49 of the Conservation Act 1987.

To the extent that submitters are concerned that the Department has taken insufficient time to consider the application, the Minister of course needs to be satisfied that he has sufficient information and advice from the Department to make a proper decision. However, in my view, it is not necessarily relevant to compare the length of time spent on this application compared with other applications. I also note this application is for the continued operation of the ski field, but for a much shorter term. The Department has devoted significant resource to considering this application in a shortened time frame. Accordingly, I recommend that submitters' comments regarding the time required for the concession process to be completed are **not allowed**, as the process meets the requirements of the relevant legislation.

4c) MBIE

I recommend that submitters' comments regarding MBIE process for assessing commercial bids are **not allowed** as they were part of the liquidation/insolvency process, which occurred separately and before the concession application. As such, they are not within the scope of the application under

consideration and are not a relevant consideration for the Minister under the Conservation Act / National Parks Act.

4d) Contingent liabilities

I recommend that submitters' comments that a restructured RAL would be a better option are **not allowed** because the Minister must consider the application that has been lodged in accordance with the relevant legislation. As noted above, it is not relevant to the Minister's assessment of WHL's application to consider the idea that RAL should have been able to continue in operation in the longer term.

4e) Another application for the DOC accommodation in Whakapapa Village

I recommend that submitters' comment on the lodging of another application for the buildings in the Whakapapa Village is **not allowed** because the Minister must consider solely the application that has been lodged. As noted above, it is not relevant to the Minister's assessment of WHL's application to consider another application that has been made after WHL's application had been received.

5a) Use of aircraft/drones

I recommend that the submitters' comments are **allowed** as a relevant consideration sections 17U(1) and 17ZF Conservation Act 1987. The Minister must have regard to the effects of an activity under s17U(1)(b), and any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity under 17U(1)(c).

I recommend that the comments be **accepted** to the extent of being relevant to the Minister's consideration. The Recommendations and Decision Report will include the more detailed assessment and analysis, and proposed mitigation measures.

I recommend that the submitters' comments regarding future changes to the ski field operation are **not allowed** because they are not matters for decision as part of this application. Any future developments on the mountain will be subject to a separate works approval process and related processes, including any signed Indicative Development Plan.

5b) Effect of climate change on the ski area

I recommend that the submitters' comments regarding the sustainable operation of the ski field are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987. The Minister must have regard to the effects of an activity under s17U(1)(b), and any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity under 17U(1)(c), and I recommend that the comments be **accepted** to the extent of being relevant to the Minister's consideration.

5c) Environmental effects

I recommend that the submitters' comments are **allowed** as a relevant consideration under section 17U(1) of the Conservation Act 1987. The Minister must have regard to the effects of an activity under s17U(1)(b), and any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity under 17U(1)(c).

My recommendation is that the comments be **accepted** to the extent of being relevant to the Minister's assessment. Environmental effects and mitigation measures will be assessed in the Recommendations and Decision Report.

5d) Filming

I recommend that submitters' comments regarding filming for promotional purposes are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987.

I recommend these comments are **accepted** as relating to the ability of the public to use and enjoy the area as defined in the National Parks Act.

5e) Recreational benefits

I recommend that submitters' comments regarding general recreational values are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987.

I recommend these comments are **accepted** as relating to the ability of the public to use and enjoy the area as defined in the National Parks Act.

5f) Lease of staff accommodation in Whakapapa Village

I recommend that submitters' comments regarding the lease of staff accommodation in Whakapapa Village are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987.

I recommend these comments are **accepted** as relating to the ability of the public to use and enjoy the area safely as defined in the National Parks Act.

6a) Section 4 of the Conservation Act

Any comments from our Treaty Partners regarding our engagement with them on the concessions process are **allowed and accepted** to the extent that they are relevant to the consideration of a matter which is able to be considered within the legal framework, including section 4 of the Conservation Act 1987 and relevant Treaty settlement legislation. The Recommendations and Decision Report will contain detailed analysis of section 4, the Crown's Treaty obligations, and the position of iwi/hapu.

6b) iwi/treaty settlement

I recommend that comments from submitters (other than iwi/hapu) regarding what is in the iwi interest, and matters under Treaty settlements, are **not allowed**.

The Department's section 4 obligation to give effect the principles of the Treaty of Waitangi and the Crown/Department's obligations under Treaty settlements are a matter to be addressed between the Department and iwi/hapu.

7a) Life pass holders

I recommend that comments regarding the contractual rights of RAL's Life Pass holders in relation to WHL are **not allowed**, as 3rd party commercial interests are not a relevant matter for the Minister to consider under the Conservation Act 1987 / National Parks Act.

8a) Economic development for local communities

I recommend that submitters' comments summarised above relating to economic factors, both in support and opposition, are **not allowed** as these types of economic matters (excepting consideration of economic considerations in an active protection assessment under section 4 context) are not a relevant consideration for the Minister in the context of the National Parks Act and the Conservation Act 1987. (Although economic considerations in an active protection assessment under section 4 context can be considered.)

9a) Snowmaking / Snow-max

I recommend that the submitters' comments are **allowed** as a relevant consideration sections 17U(1)

and 17ZF Conservation Act 1987. The Minister must have regard to the effects of an activity under s17U(1)(b), and any measures that can reasonably and practicably be undertaken to avoid, remedy, or mitigate any adverse effects of the activity under 17U(1)(c).

I recommend that the comments be **accepted** to the extent of being relevant to the Minister's consideration. The Recommendations and Decision Report will include the more detailed assessment and analysis, and proposed mitigation measures.

9b) Carparking

I recommend that submitters' comments regarding their concern of future operations are **not allowed** because they are not matters for decision as part of this application.

I recommend that submitters' comments regarding the public access of the skifield and the extent to which carparking enables this, are **allowed** as a relevant consideration under sections 17U(1) of the Conservation Act 1987. I recommend these comments are **accepted** as relating to the ability of the public to use and enjoy the area safely as defined in the National Parks Act.

9c) Public access

I recommend that submitters' comments about the need for consistency with the legislation are **allowed** as a relevant consideration.

The Minister must have regard to the consistency of the Application with the relevant legislation, and I recommend that these comments be **accepted** to the extent of being relevant matters for the Minister to consider, noting that this is an application in relation to a national park.

In my view the Application is broadly consistent with the purpose of the National Parks Act and relevant considerations under the Conservation Act and it would support the public's continued recreational use and enjoyment of a national park. The Recommendations and Decision Report will contain the Departments more detailed analysis of the Application against the relevant legislation.

9d) Removal of infrastructure

I recommend that submitters' comments regarding their concern of future operations are **not allowed** because they are not matters for decision as part of this application. Any comments on the current redundant infrastructure are **not allowed** either, as they do not form part of the Application by WHL.



Darryn Ratana, Kaihautū, Regional Operations, Delegate of the Director General of Conservation as Chair of the Hearing Panel

Date: [17/04/2025]

Recommendation:

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:

Penny Nelson, Director-General of Conservation - Delegate of the Minister of Conservation

Date: [xx/xx/xxxx]