

Applicant Information Form 1a Notified or Non-notified Process



Department of
Conservation
Te Papa Atawhai

New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenanted and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- DOC encourages electronic applications (e.g. typed Word document), rather than handwritten applications. Electronic applications are easier to read and less likely to be returned to you for clarification.
- If you need extra space, attach or include extra documents and label them according to the relevant section. Record all attachments in the table at the back of the application information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

If I need help, where do I get more information?

- Check the [DOC webpage for the activity you are applying](https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/)¹ for.

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the [Department of Conservation Office](#)² closest to where the activity is proposed. You can use [DOC maps](#)³ to identify which District Office you should contact. Or arrange a meeting with any of our [four offices that process concessions](#)⁴ – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are received, your application will be assessed by DOC. If your application is complete, DOC will begin processing.

If your application is incomplete it will be returned to you for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine whether DOC should extend credit to you and set up a DOC customer accounts receivable credit account for cost recovery. To make this assessment DOC will supply your information to a credit checking agency.

Note:

- Personal information will be managed by DOC confidentially. For further information check [DOC's privacy and security statements](#)⁵.
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the [DOC webpage for the activity you are applying](#)⁶ for.

DOC will invoice your processing fees after your application has been considered. If your application is large or complex, DOC may undertake billing at intervals periodically during processing until a decision is made. If you withdraw your application DOC will invoice you for the costs incurred up to the point of your withdrawal.

² www.doc.govt.nz/footer-links/contact-us/office-by-name/

³ <http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps>

⁴ <https://www.doc.govt.nz/get-involved/apply-for-permits/contacts>

⁵ <https://www.doc.govt.nz/footer-links/privacy-and-security/>

⁶ <https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/>

Your application will set up a credit account with DOC. See the checklist at the end of the form for the terms and conditions you need to accept for a DOC credit account.

Will my application be publicly notified?

Your application will be publicly notified if:

- It is a license with a term of more than 10 years.
- It is a lease.
- After having regard to the effects of the activity, DOC considers it appropriate to do so.

Public notification will increase the time and cost of processing of your application.

What does DOC require if my application is approved?

If your application is approved DOC requires:

- **Insurance** to indemnify the Minister of Conservation against any claims or liabilities arising from your actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the [Safety Plan](#)⁷ information on the DOC website for further information.

Note: DOC/Minister can vary the concession if the information on which the concession was granted contained material inaccuracies. DOC may also recover any costs incurred.

⁷ <https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/safety-plans/>

A. Applicant details

Legal status of applicant (tick)	<input type="checkbox"/> Individual (Go to ①)	
	<input checked="" type="checkbox"/> Registered company (Go to ②)	<input type="checkbox"/> Trust (Go to ②)
	<input type="checkbox"/> Incorporated society (Go to ②)	<input type="checkbox"/> Other e.g. Educational institutes (Go to ②)

①	Applicant name (individual)		
	Phone		Mobile phone
	Email		
	Physical address		Postcode
	Postal address (if different from above)		Postcode

②	Applicant name (full name of registered company, trust, incorporated society or other)		Alpine Huts NZ Limited	
	Trading name (if different from applicant name)			
	NZBN if applicable (to apply go to: https://www.nzbn.govt.nz)		Company, trust or incorporated society registration number	
	Registered office of company or incorporated society (if applicable)		C/- Tom Evatt & Co, Level 1, 151 High Street, Christchurch 8011	
	Company phone		Company website	
	Contact person and role			
	Phone		Mobile phone	
	Email			
	Postal address	PO Box 17543, Sumner, Christchurch	Postcode	8011
	Street address (if different from postal address)	Level 1, 151 High Street, Christchurch 8011	Postcode	8840

B. Pre-application meeting

Have you had a pre-application meeting or spoken to someone in DOC?

No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>

- If yes record the:

Date of DOC pre-application meeting	20 September 2024
Name of DOC staff member	Tony Preston, Janine Sidery, Diane Finn, Marianne Marot
Name of person who had the pre-application meeting with DOC	

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	<input type="checkbox"/>
Land use: Tenanting and/or using existing DOC facility/structure	3a	<input type="checkbox"/>
Land use: Use of public conservation land for private/commercial facility/structure	3b	<input checked="" type="checkbox"/>
Guiding/Tourism/Recreation: Watercraft activities	4b	<input type="checkbox"/>
Filming	5a	<input type="checkbox"/>
Sporting Events	6a	<input type="checkbox"/>
Marine reserves application form: Structure in a marine reserve	11a	<input type="checkbox"/>
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	<input type="checkbox"/>

Note: If the activity is not in this list check the activity on the DOC website to find the correct application form or book a pre-application meeting. Application forms that combine applicant and activity information on the DOC website include:

- [Aircraft activities](#)⁸
- [Easements](#)⁹
- [Land based guiding](#)¹⁰

⁸ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/>

⁹ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/>

¹⁰ <https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/land-based-guided-activities/>

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

No	<input checked="" type="checkbox"/>
Yes	<input type="checkbox"/>

- If yes, state which application forms:

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

Lawyer with experience and expertise in concessions. Involvement with establishment and operation of

Cass Valley Huts, Glenmore Station and Erewhon Hut, Mt Potts. Concessionaire – Concession No. 97715-OTH

F. Attachments

Attachments should *only* be used if there is:

- Not enough space on the form to finish your answer
- You have additional information that supports your answer
- You wish to make an additional request of DOC regarding the application.

Label each document clearly and complete the table below.

Section of the application form the attachment relates to	Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment
<u>Correct example</u> ✓ D	Locations	PDF	Trust Deed.
<u>Incorrect example</u> X <u>Table</u>	Doc1	Word	Table

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	<input checked="" type="checkbox"/>
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	<input checked="" type="checkbox"/>
I have completed the activity application form .	<input checked="" type="checkbox"/>
I have appropriately labelled all attachments and completed section F Attachments .	<input checked="" type="checkbox"/>
<p>I will email permissions@doc.govt.nz my:</p> <ul style="list-style-type: none"> • Completed applicant information form • Completed activity application form/s • Any other attachments. 	<input checked="" type="checkbox"/>

H. Terms and conditions for a credit account with the Department of Conservation

Have you held an account with the Department of Conservation before?	Tick
No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>
If 'yes' under what name	Alpine Huts NZ Limited

In ticking this checklist and placing your name below you are acknowledging that you have read and agreed to the terms and conditions for an account with the Department of Conservation

Terms and conditions	Tick
I/We agree that the Department of Conservation can provide my/our details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	<input checked="" type="checkbox"/>
I/We agree that any change which affects the trading address, legal entity, structure of management or control of the applicant's company (as detailed in this application) will be notified in writing to the Department of Conservation within 7 days of that change becoming effective.	<input checked="" type="checkbox"/>
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	<input checked="" type="checkbox"/>
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	<input checked="" type="checkbox"/>
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	<input checked="" type="checkbox"/>
I/We agree that the credit account provided by the Department of Conservation may be withdrawn by the Department of Conservation, if any terms and conditions (as above) of the credit account are not met.	<input checked="" type="checkbox"/>
I/We agree that the Department of Conservation can provide my details to the Department's Debt Collection Agency in the event of non-payment of payable fees.	<input checked="" type="checkbox"/>

Typed applicant name/s	Alpine Huts NZ Ltd	Date	
------------------------	--------------------	------	--

For Departmental use			
Credit check completed			
Comments:			
Signed		Name	
Approved (Tier 4 manager or above)		Name	



Department of
Conservation
Te Papa Atawhai

Concession Application Form 3b – Private/commercial facility/structures

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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

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

A. Description of Activity

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

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

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

Location:

Duncan Basin, Ben Ohau Range (*Figure 1(a) and 1(b)*)

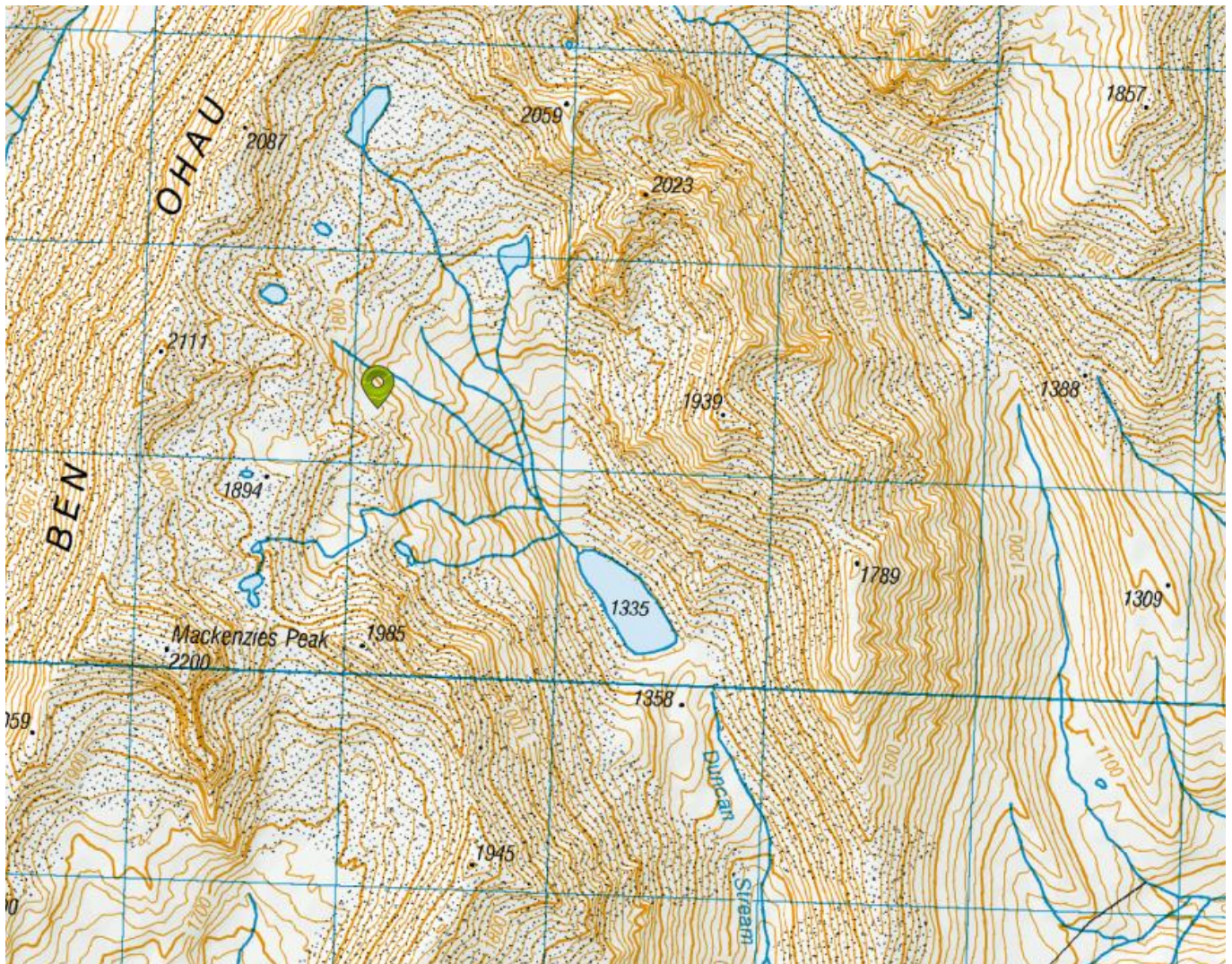


Figure 1(a): Proposed location – Lat -44.022323 Long 170.044413 1758m ASL

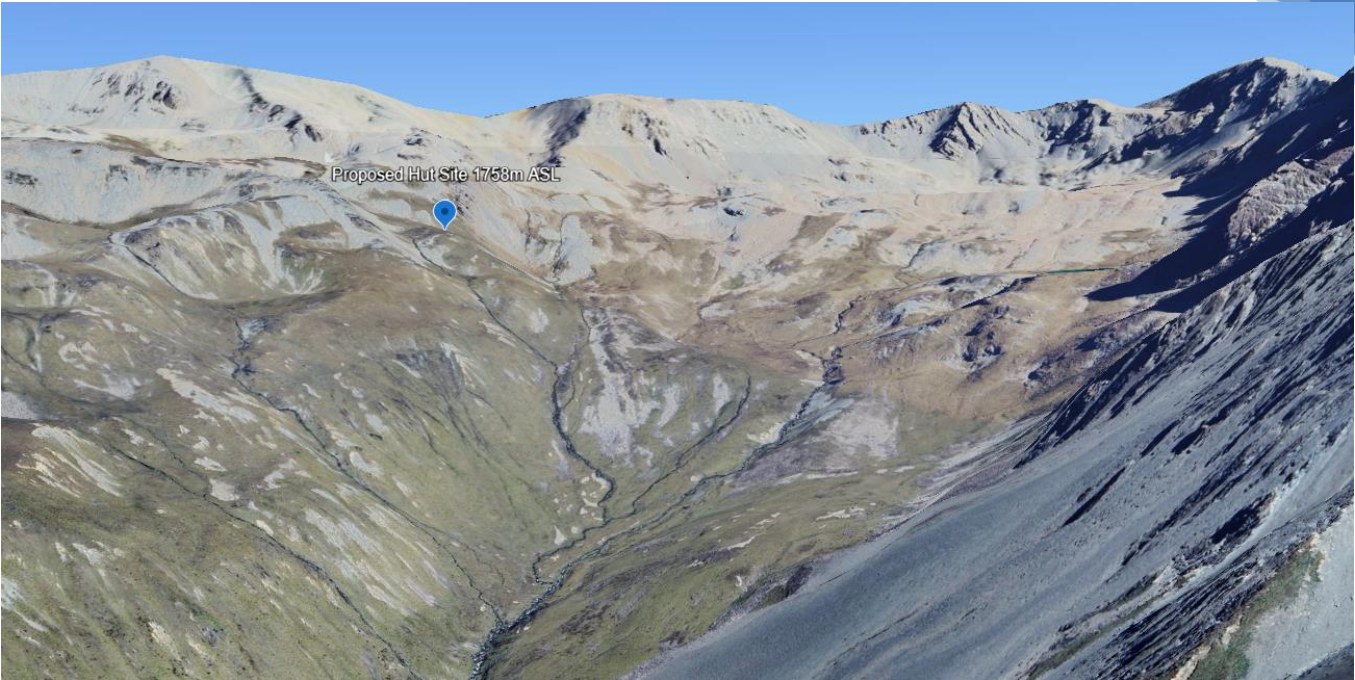


Figure 1(b): Proposed location - Google Earth

Legal description:

Title Reference 99705, Area A SO 16775 and is vested in the Crown (Figure 2)

A map view from a web application. On the left, a satellite map shows a mountainous area with a black outline indicating a specific land parcel. A blue pin is located within this outlined area. To the right of the map is a large body of water labeled "Lake Pukaki". A red line, likely a road, runs along the edge of the lake. The map is zoomed in on the outlined area.

Q Results

ListDetails

NO ITEM SELECTED

Property Details

Territorial Local Authority:

-

Reference:

99705 (Records Embodied In The Register)

Date Issued:

26 Jun 2003 (Status: Live)

Legal Description:

Area A SO 16775
Area A SO 16775

Territorial Local Authority:

-

Reference:

CBGN831299

Date Issued:

19 May 1971 (Status: Live)

Legal Description:

Land District:

Canterbury

Document Type:

Certificate of Title

Title Land Area:

-

Valuation Reference:

-

Land District:

Canterbury

Document Type:

Gazette Notice

Title Land Area:

-

Valuation Reference:

-

Figure 2

The site is located in the Ruataniwha Conservation Park, in the Southern Conservation Park Place Map 5.2 of the CMS.

Activity:**Lease for hut and associated facilities:**

An alpine hut for public use in Duncan Basin, Ben Ohau Range for up to 8 people for recreation accommodation, and toilet facilities. The facilities will be prefabricated and otherwise constructed on site. The hut will be available for booking by the public via a public website.

Construction waste will be removed from the site during and following completion of the hut.

The hut development will be undertaken in stages depending on demand for additional stages however it is considered necessary to future proof the development based on experience with Erewhon Hut. Subsequent stages may be subject to further consideration by the Decision Maker prior to development the intention being to signal now the potential extent of development.

*The hut measures 5.6m x 10m (55m²) – **Stage 1**, plus provision for an extension 4m x 10m (40m²) for storage and amenities – **Stage 2** – see Appendix 1 and Fig. 1 below. Stage 1 may be developed in 2 parts – **Stage 1(a)** being a 6-bunk cabin and lobby vestibule area, and **Stage 1(b)** being a second 4 bunk cabin including removing 2 bunks from Stage 1(a) so that the total number of available bunks does not exceed 8. The middle bunks shown on the plans will be removed so that the total number of bunks will not exceed 8.*

Stage 2 is for storage and amenities only and does not include additional accommodation.

The hut design is a traditional form with a pitched roof, is approximately 4m high and is clad in vertical corrugated type iron (Figure 2). The hut colour (all external cladding, joinery and trim) will be 'New Denim Blue' (TSR: 24%, LRV: 11%), 'KowhaiGlow' (TSR: 56%, LRV: 52%) or 'Pioneer Red' (TSR: 35%, LRV: 12%).

A separate toilet structure is proposed to be located nearby being approximately 1.2m x 2.4m. Waste will be flown out.

The hut will ultimately include 2 cabins – 4 bunks each accommodating up to 8 people.

Each cabin will include a sink for preparing food and washing dishes. Dish water will be discharged to ground and/or a soakage pit. Any other system is likely to freeze in the winter and be ineffective. Dish water will be minimal - no running water is proposed. Each sink will include a food strainer to collect food waste.

Toilet waste will be held in a holding tank under the toilet and will be flown out (by helicopter) as and when required. Toilet waste will be disposed of offsite at an appropriate facility.

Visitors are expected to take their own rubbish out.

The hut is for overnight accommodation for the public and for public access for recreation. It is not private accommodation. The hut will be open for bookings via a website. It is proposed to charge hut fees for bookings to pay for the hut and its upkeep.

Access will be by foot or other permitted means. Heli access will be via existing concessions. The application is for a lease for the hut site and associated facilities and does not include heli access.

Access is available via the existing Dusky Track/Baikie Hut Track. It is expected access will be covered in snow for most of the winter above 1400m and that most people will fly in and ski/walk out. It is not

proposed to undertake any track work nor is any infrastructure required for access.

The hut has been located to avoid any avalanche hazard. While it is not in an obvious avalanche path it is located in complex avalanche terrain and it is proposed to undertake a terrain assessment initially and avalanche assessment if such an assessment is ultimately required. See below – Avalanche Hazard.

Additional activities (for example guiding) will be undertaken pursuant to existing concessions, or an application maybe made for such additional activities.

The exclusive access sought relates to the hut and associated structures only.

Appendix 1: *Hut plan and elevations (Note: the middle bunks in each cabin will be removed on completion of the second cabin)*

Fig 1: *Erewhon Hut, Mt Potts (similar to proposed hut)*



Why:

Experience with the Cass Valley Huts and Erewhon Hut, Mt Potts has highlighted demand for this type of accommodation to access the backcountry for recreation – in particular for ski touring.

Duncan Basin is accessible via Mackenzie Stream, Duncan Stream/Baikie Hut or Boundary Stream/SH8 and is relatively close to existing heli operations located at Glentanner, Twizel and Tekapo. There are very few huts in the Ben Ohau Range and what huts there are, are located at low elevations and are not suitable for ski touring or back country recreation.

The site is well positioned for ski touring and winter recreation and has previously been identified as a potential commercial ski area. The site has been chosen using the following criteria:

- *Elevation: The hut is located above 1700m ASL which is likely to be above the snow line in any given year allowing visitors to ski to and from the hut.*
- *Views: Panoramic views of the upper basin looking north and to the lake below.*
- *Shelter: Relatively sheltered from the nor 'west and southerly avoiding saddles and ridge tops.*
- *Access: Relatively simple access avoiding steep and/or exposed terrain. The site is located in a prominent obvious drainage. Access from the hut to the ridge and surrounding terrain via relatively low angle ridges or slopes minimising exposure to avalanche hazards.*
- *Landscape: The hut is sited to avoid visually sensitive locations i.e. ridge tops, or isolated knolls in the basin, and sits against the topography on a knoll/moraine at the base of a shallow drainage it is surrounded by slopes which help absorb the visual effect.*
- *Water: Proximity to running water.*

The vision is to make Canterbury a destination for backcountry ski touring by providing a number of well-designed backcountry huts at altitude in relatively accessible locations in response to the increasing popularity of ski touring and the impact of climate change on existing ski areas in particular club and smaller ski areas potentially limiting opportunities in the future.

Given the relative isolation of suitable areas, capital investment required to open and operate a ski field, costs and difficulties associated with maintaining vehicle access, limited ski season, limited visitor numbers and climate change, it would likely be uneconomic to open and operate a traditional ski field at higher or alternative locations.

The CMS recognises that ski areas provide important snow sport opportunities and that these opportunities are increasingly under threat due to the effects of climate change and the failing economics of existing club fields. A fresh approach needs to be taken to continue to provide snow sport opportunities which is precautionary in so far as any infrastructure may ultimately be removed and is light in terms of its environmental footprint.

The increasing popularity of ski touring, demand for on the mountain accommodation to access backcountry, technological advances in and availability of ski touring equipment, make Duncan Stream an suitable location for the activity and viable as a backcountry ski area.

The activity gives snow sport enthusiasts the opportunity to book accommodation and stay on the mountain.

The activity does not involve modifying landforms or installing tows or other infrastructure normally associated with ski fields. The activity is largely in response to climate change and the growing demand for ski touring including on the mountain accommodation (given the effort typically involved in accessing ski touring terrain).

The structures will be prefabricated off site and flown in and assembled on site. No modification to landform or other infrastructure commonly associated with a ski field is proposed. The activity requires minimal capital investment which is precautionary in terms of ski area development consistent with the CMS.

While the proposed hut has been imagined primarily for ski touring, the hut will be available year-round.

Ski areas are recognised in the CMS as providing intensive use recreational experiences for visitors. These ski areas are increasingly under threat due to their relatively low elevation.

Huts are synonymous with the backcountry as evidenced by the network of existing huts. Unfortunately, many of these huts are poorly maintained (due to a lack of resources) and not suitable for use for ski touring or winter recreation due to their lower elevation, and poor (if any) insulation and heating.

The CMS recognises that ski fields are vulnerable to climate change and may look to expanding their winter and summer visitor activities both on the fields and nearby. Policy 2.2.9 states that: where practicable, encourage non-skier and/or non-ski season visitor use of the ski field, and visitor use beyond the ski field consistent with outcomes at Place, recognising the need for a facilities which cater for summer and winter activities.

Ski areas provide important alpine opportunities. These opportunities are increasingly under threat due to the effects of climate change and the failing economics of existing club fields. A fresh approach needs to be taken to continue to provide these opportunities which is precautionary in so far as any infrastructure maybe ultimately be removed and is light in terms of its environmental footprint. Increasing summer use (of the existing hut) will help support the long-term viability of these areas and associated facilities.

The activity does not involve modifying landforms and is essentially ancillary to the hut including enhancing the user experience.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

Most, if not all of the sites suitable for ski touring accommodation are located inside public conservation land being over and above 1,700m. The site is relatively accessible and more backcountry than it is remote.

Suitable sites are limited by access – walk in/out or fly in/walk out, avalanche hazard, weather patterns, suitable terrain, aspect and elevation, and proximity to existing heli operators for construction.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility?

NO

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? (*Exclusive occupation requires a lease which requires public notification of the application*)

YES – the proposed structures will effectively preclude others from using the footprint of the structures while the structures are in place (unless they have booked accommodation).

E. Technical Specifications (for telecommunications sites only)

N/A

F. Term

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

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

Up to 30 years. A reasonable term is required to generate a return on the initial investment and make the most of the proposed facilities. If the activities are no longer used or required, they will be removed.

G. Bulk fuel storage

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

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

NO

H. Environmental Impact Assessment

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

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

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

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
Duncan Basin, Ben Ohau Range, Ruataniwha Conservation Park	Alpine and subalpine plant communities	No effect on plant communities.	The hut, shed and toilet will be prefabricated off site and assembled on site minimising construction activity on site. Holes for foundations will be dug by hand and piles used to minimise ground disturbance. Waste will be removed from the site. The site is essentially rock and scree/moraine with little or no vegetation likely to be disturbed. The hut will be used predominantly in winter when the ground is covered in snow.
	Recreation values – snow sports.	Positive effect on recreational values.	Currently it is a long walk into the area to access for a day trip. There are no huts located in the Ben Ohau Range. Ohau Snow Fields is predominantly for downhill skiing and at a lower elevation. Accommodation will likely result in increased use of the area for ski touring including to access the northern Ben Ohau Range.
	Landscape values.		The effect on landscape values is likely to be minimal. The hut will only be visible to those accessing the area likely for snow sports in the winter and to use the hut. The hut and shed are relatively small and the modest design and use of materials typical of backcountry huts.

I. Other

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

Consultation:

No consultation has occurred on the basis the application will be publicly notified following which the application may be amended to address concerns raised through that process.

Landscape Values:

The Ben Ohau Range has high inherent natural landscape values. The site is located within the glaciated upper mountain consisting of glacially derived tarns and cirques, and associated steep scree covered mountain slopes typical of the upper 1000m of the Ben Ohau Range; more gentle mid-shelf areas as well as minor ice formed shelves alternating within predominantly steep but variable terrain of scree, exposed bedrock, and pockets of snow tussock on the lower slopes.

Impressive rocky bluffs and outcrops intervening with rocky scree are a feature of the upper slopes.

Small structures as proposed are all but lost in the landscape and will only be visible to those venturing into the upper slopes and likely visiting the hut.

Any potential adverse landscape or visual effects of the activity are very low.

Any adverse effects brought about by the activity will largely arise from the simple fact that a built element has been introduced into a landscape where none currently exist. Remediation and mitigation are therefore not considered relevant. Avoidance, however, is relevant to the proposal. Techniques of 'avoidance' are listed below:

- The location avoids prominent ridges or skylines. The location of the hut is on a ridge within the basin itself due primarily to avoid avalanche hazards. The intention is to ensure the hut is partially visible from the approach to guide visitors.*
- There are no tracks proposed which would expand any effects of the built changes to the landscape. But for the proposed structures the landscape will not be modified and the structures ultimately removed (or able to be removed).*
- Substantial excavations are not required as the hut is on piles, raised above the ground.*
- The structures are small. The size and scale of the structures is truly subservient to the high inherent values contained within the landscape.*

Backcountry huts are iconic in the New Zealand landscape. They espouse practicality, integrity and site sensitivity. They weather desert-like droughts, nor-west blizzards, heavy snowfalls, driving southerlies and torrential rain. They are a lighthouse to those who venture into the backcountry. They epitomise what it means to be in the backcountry and enhance any backcountry experience.

Indigenous Plant Communities and Notable Flora:

The area is comprised primarily of medium to large angular blocks of undifferentiated greywacke. Occasional patches of finer material allow for small patches of vegetation to survive and grow.

The structures are located on land largely devoid of vegetation and otherwise limited to individual plants.

At this altitude and given the small footprints and course rocky nature of the site it is unlikely plants listed as threatened or uncommon will be found.

Structures will be sited to avoid or minimise impacts on vegetation. Vegetation which is disturbed will be relocated to similar areas and preserved.

No tracks or other earthworks are proposed.

The area is described as having high conservation and recreation values hence its inclusion in the Conservation Estate including as part of the tenure review for Pukaki Downs.

Vegetation and landforms are described in terms of altitudinal environments rather than site specific information being available consistent with the scale and nature of the area.

Legal Access:

Legal access to the site is available via the Dusky Track/Baikie Hut Track up Duncan Stream or alternatively Boundary Stream on conservation land off SH80.

Public access to the area (including vehicle access to Baikie Hut) was identified through the tenure review process as being necessary to enable access into the Duncan/Twizel Valley for recreation.

Recreational Activities:

Currently activities in the Ben Ohau Range, particularly in winter, are limited due to there being no huts. The hut will provide accommodation for the public and enhance recreational opportunities and activities in the area.

Recreational activities in the area – particularly in winter, have been limited in part due to limited access and lack of suitable huts. Pukaki Downs was identified through the tenure review process as “lending itself ideally to ski touring and ski mountaineering activities” including numerous multi day trips. The area is popular for ski touring, heliskiing, tramping and hunting and identified as having further potential to be enjoyed by larger numbers of people given that access was controlled. The establishment of a hut in Duncan Basin will encourage more people to visit and recreate in the area as envisaged through the tenure review process including in part as justification for retaining land for conservation and recreation purposes.

Duncan Valley was identified as a potential site for a commercial ski area.

Avalanche Hazard:

The hut has been initially assessed in accordance with DOC’s Avalanche Danger Rating System for DOC Backcountry Huts (Don Bogie, 2007) and located to avoid any avalanche hazard. The average angle from the hut site to potential release zones is at most 16 degrees. An angle of 20 degrees is considered to be a reasonably conservative maximum runout. There is no evidence of avalanche debris in proximity to the hut site – for example boulders, and the site is located on a raised knoll/small ridge/moraine with drainage either side of the site, and at the base of relatively shallow terrain.



Photo 1: Looking north west from below the proposed site located on a small ridge/knoll at the base of a shallow drainage to the south west.



Photo 2: Looking west to the site including access. It is proposed the hut be partially visible from the base to help guide visitors and is accessible following lower angle slopes depending on conditions.

Conservation Management Strategy:

Recreational use on public conservation land is encouraged in the CMS including providing backcountry destinations for the recreation needs of the backcountry community.

The Department manages a well-established network of visitor facilities and recreational opportunities, which is complemented by concessionaire facilities and services. Increased participation in recreation is to be pursued at destinations where DoC can partner with others, including concessionaires.

Ski fields are recognised as being vulnerable to climate change and rising operational costs. This scenario mirrors an international trend and suggests a precautionary approach is needed for proposed ski field developments and terrain modification, especially for the more-vulnerable fields, to minimise abandoned structures and adverse landscape effects. The CMS encourages partnership with concessionaires to maintain a ski field's recreational opportunity. The proposed activity is targeted at backcountry skiers who operate independently with no requirement for staffing or infrastructure other than accommodation. The activity is a very low impact operation which has been conceived with climate change and raising operational costs in mind, while providing a recreational opportunity for backcountry skiers and boarders.

The Ben Ohau Range is zoned 'Backcountry' and 'Remote' – the Remote visitor management zone being beyond the Backcountry zone forming the wilder lands of the interior of the Ben Ohau Range. The site is within the 'Remote' zone – presumably due simply to its altitude. It is anticipated that visitors using the hut will move between the zones.

Predominant visitor groups in the Backcountry and Remote Zones include backcountry comfort seekers, backcountry adventurers and remoteness seekers.

Ski tourers are increasingly venturing into the backcountry and remote areas for their recreation.

The proposed hut is essentially a basic hut however has been designed and fitted out with ski tourers in mind for winter recreation in an extreme environment allowing visitors to venture into remoter areas and wait out storms in relative comfort.

The desired visitor experience is to get away in relatively small groups (necessary for safety) with limited or no interaction with other groups. The hut is targeted at individuals and groups exercising considerable self-reliance and backcountry skills.

Preferred maximum party sizes for remote visitor zones is 8. The application is for up to 8 bunks.

Typical visitor interactions are one other party per day likely limited to the party using the other cabin - first thing in the morning or at the end of the day.

Stage 2 will not include additional beds - available beds will be capped at 8.

To put this in context existing alpine huts include the following number of beds:

- *Mueller Hut – 28*
- *Caroline Hut – 12*
- *Plateau Hut- 33*
- *Pioneer Hut – 12*
- *Centennial Hut – 20*
- *Tasman Saddle Hut – 14*
- *Kelman Hut - 14*

The hut is located in a 'Green' Aircraft access zone including a heli-ski overlay. Heli-ski concessions are typically granted on a one operator per block basis pursuant to Policy 3.6.5 of the CMS. No heli-ski concession is being sort. The CMS does not preclude other activities in heli-ski blocks (simply other heli-ski operations for safety reasons).

The activity is consistent with the CMS.

Mackenzie District Pan:

It is envisaged that if a concession is granted then it will be subject to obtaining the necessary regulatory approvals including resource consents as required.

Duncan Stream is a 'Site of Natural Significance' due to it containing examples of high altitude glacially derived

tarns and cirques typical of the upper 100m of the Ben Ohau Range.

Buildings in areas identified as a Site of natural Significance or on any land above 900m² (other than mustering huts less than 50m² in gross floor area) require resource consent.

Canterbury Land and Water Regional Plan:

While the intention is to fly solid waste out, pit and composting toilets are a permitted activity provided they meet the relevant conditions in rules 5.14 – 5.16.

Canterbury Air Regional Plan:

The site is not in a Clean Air Zone. Rule 7.82 provides that the discharge of contaminants into air from a small-scale heating Appliance – i.e. a log burner, is a permitted activity provided the site is 2ha or greater in area.

Building Consent:

It is envisaged that if a concession is granted then it will be subject to obtaining the necessary regulatory approvals including a building consent.



Department of
Conservation
Te Papa Atawhai

Concession Application Form 3b – Private/commercial facility/structures

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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

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

A. Description of Activity

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

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

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

Location:

The site is located at the head of Second Waterfall Stream, below Mt Toby, Two Thumb Range (see Figure 1(a) and 1(b)) identified as Parcel 3484172 and is vested in the Crown (see Figure 2):

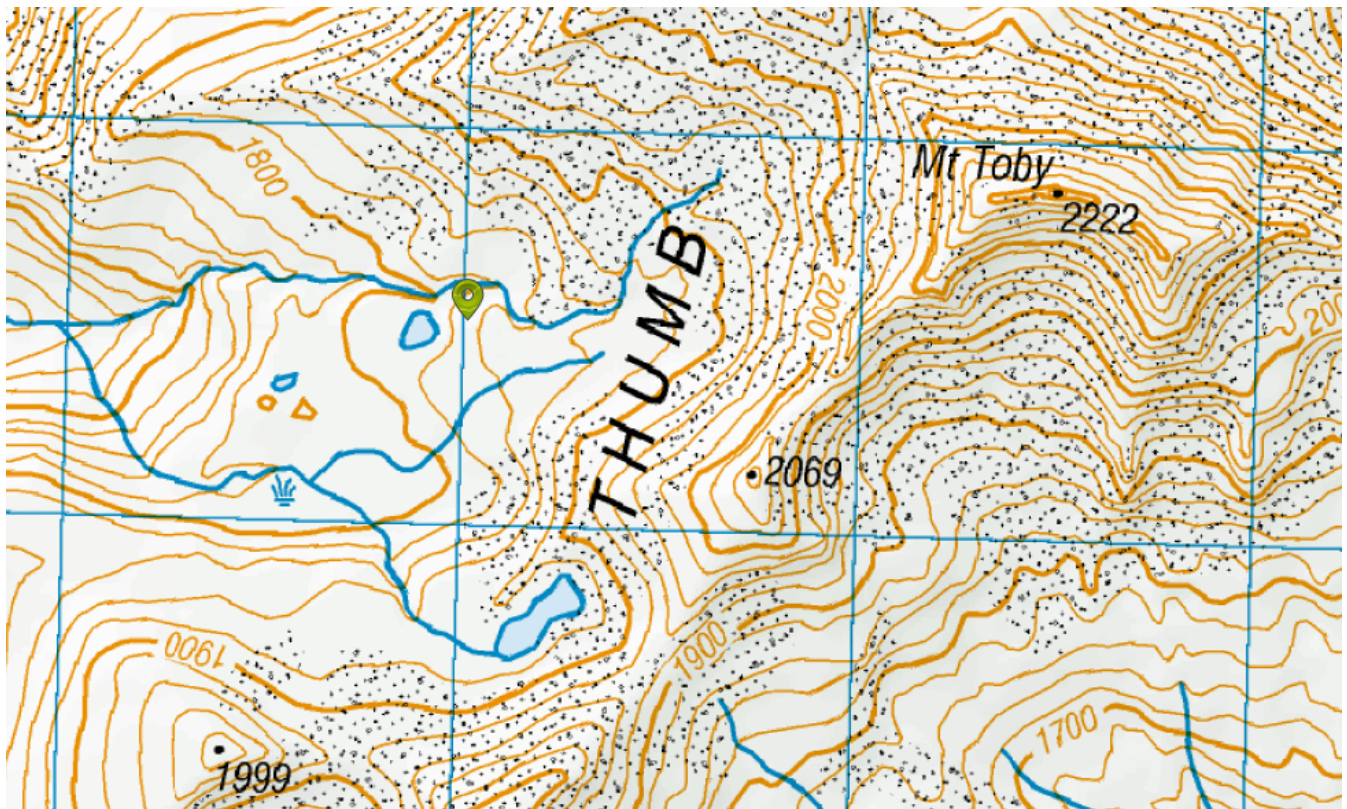


Figure 1(a): Proposed location – Lat -43.676097 Long 170.692778 1830m ASL



Figure 1(b): Proposed location - Google Earth

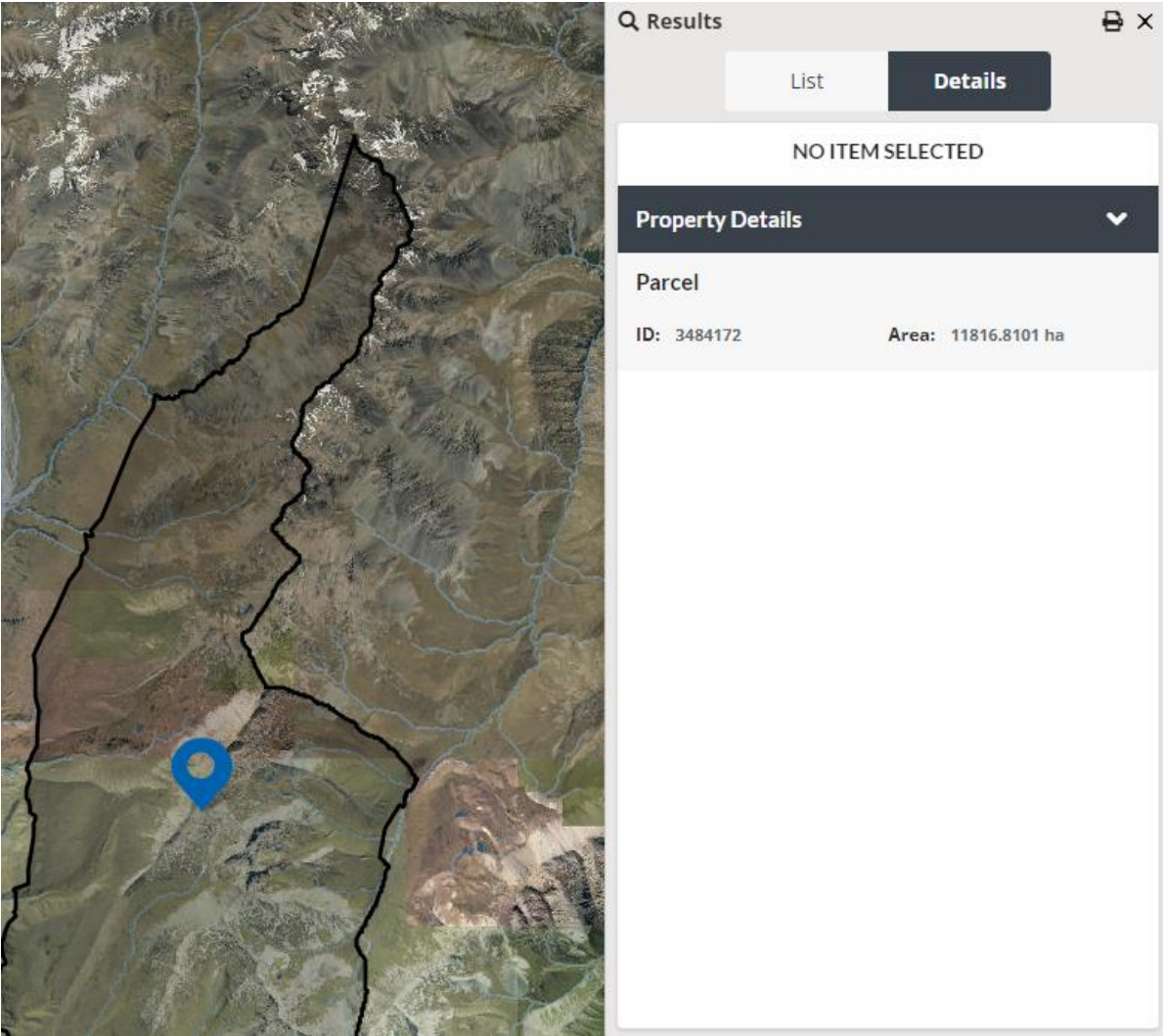


Figure 2:

The site is located in the Te Kahui Kaupeka Conservation Park in the Southern Conservation Park Place Map 5.2 of the CMS.

Activity:

Lease for hut and associated facilities:

An alpine hut for **public use** at the Mt Toby site initially for up to 12 people (with provision for up to 16 people following completion of Stage 2) for recreation accommodation, a shed and toilet facilities. The facilities will be pre-fabricated and otherwise constructed on site. The hut will be available for booking by the public via a public website.

Construction waste will be removed from the site during and following completion of the hut.

The hut development will be undertaken in 3 stages depending on demand for additional stages however is considered necessary to future proof the development based on experience with Erewhon Hut. Stages 2 and 3 may be subject to further consideration by the Decision Maker prior to development the intention being to signal now the potential extent of development.

The hut measures 5.6m x 10m (55m²) – **Stage 1**, plus provision for an extension 4m x 10m (40m²) for storage, amenities, a vestibule area and/or additional bed space (maximum 4 additional beds) – **Stage 2** – see Fig. 1 below.

The hut design is a traditional form with a pitched roof, is approximately 4m high and is clad in vertical corrugated type iron (Figure 2). The hut colour (all external cladding, joinery and trim) will be 'New Denim Blue' (TSR: 24%, LRV: 11%), 'KowhaiGlow' (TSR: 56%, LRV: 52%) or 'Pioneer Red' (TSR: 35%, LRV: 12%).

A separate toilet structure is proposed to be located nearby being approximately 1.2m x 2.4m. Waste will be flown out.

A shed – 4m x 5m – **Stage 3**, is proposed for the storage of water, firewood, gas bottles, rubbish, equipment and otherwise serve as a utility shed including potential use as a day shelter. The shed will be clad in recycled corrugated iron or Colorsteel 'Sandstone Grey' (LVR 27%) or similar. See Fig 2: Shed Oblique

The hut will include 2 cabins – each with 6 bunks accommodating up to 6 people (12 in total) plus provision for an extension for storage, amenities and/or an additional 4 bunks.

Each cabin will include a sink for preparing food and washing dishes. Dish water will be discharged to a soakage pit. Any other system is likely to freeze in the winter and be ineffective. Dish water will be minimal - no running water is proposed. Each sink will include a food strainer to collect food waste.

Toilet waste will be held in a holding tank under the toilet and will be flown out (by helicopter) as and when required. Toilet waste will be disposed of offsite at an appropriate facility.

Visitors are expected to take their own rubbish out.

The hut is for overnight accommodation for the public and for public access for recreation. It is not private accommodation. The hut will be open for bookings via a website. It is proposed to charge hut fees to pay for the hut and its upkeep.

Access will be by foot or other permitted means. Heli access will be via existing concessions. The

application is for a lease for the hut site and associated facilities and does not include heli access.

Foot access is available via existing tracks/routes including Coal River Easement, Stone Hut Easement, and Macaulay Valley Track. It is expected access will be covered in snow for most of the winter above 1400m. It is not proposed to undertake any track work nor is any infrastructure required for access.

The hut site has been assessed in accordance with DOC's Avalanche Danger Rating System for DOC Backcountry Huts (Don Bogie, 2007) and located to avoid any avalanche hazard. See below Avalanche Hazard.

Additional activities (for example guiding) will be undertaken pursuant to existing concessions, or an application maybe made for such additional activities.

The exclusive access sought relates to the hut and associated structures only.

Appendix 1: Hut plan and elevations

Fig. 1: Erewhon Hut, Mt Potts (similar to the proposed hut)



Fig. 2: Shed Oblique



Why:

Experience with the Cass Valley Huts and more recently Erewhon Hut at Mt Potts has highlighted demand for this type of accommodation to access the backcountry for backcountry recreation – in particular for ski touring.

Mt Toby is accessible from the north via Mesopotamia and from the south via Macaulay Valley Track, Stone Hut Easement or Coal River Easement and is relatively close to existing heli operations located at Mesopotamia, and Tekapo.

The site is ideally located for ski touring and winter recreation and provides an alternative route off the Te Araroa in the summer and shoulder seasons in an area which is widely regarded as being a highlight of the TA.

The vision is to make Canterbury a destination for backcountry ski touring by providing a number of

well-designed backcountry huts at altitude in relatively accessible locations in response to the increasing popularity of ski touring and the impact of climate change on existing ski areas in particular club and smaller ski areas potentially limiting opportunities in the future.

The CMS recognises that ski areas provide important snow sport opportunities including providing intensive use recreational experiences for visitors however that ski areas are increasingly under threat due to their relatively low elevation and the effects of climate change and the failing economics of existing club fields. A fresh approach needs to be taken to continue to provide snow sport opportunities which is precautionary in so far as any infrastructure may ultimately be removed and is light in terms of its environmental footprint.

Given the relative isolation of suitable areas, capital investment required to open and operate a ski field, costs and difficulties associated with maintaining vehicle access, limited ski season, limited visitor numbers and climate change, it would likely be uneconomic to open and operate a traditional ski field at higher or alternative locations.

The increasing popularity of ski touring, demand for on the mountain accommodation to access backcountry, technological advances in and availability of ski touring equipment, make Mt Toby an ideal location for the activity and viable as a backcountry ski area.

The activity gives snow sport enthusiasts the opportunity to book accommodation and stay on the mountain.

The activity does not involve modifying landforms or installing tows or other infrastructure normally associated with ski fields. The activity is largely in response to climate change and the growing demand for ski touring including on the mountain accommodation (given the effort typically involved in accessing ski touring terrain).

The structures will be pre-fabricated off site and flown in and assembled on site. No modification to landform or other infrastructure commonly associated with a ski field is proposed. The activity requires minimal capital investment which is precautionary in terms of ski area development consistent with the CMS.

In the event that climate change results in the activity being under used or redundant, structures will be for year-round accommodation or removed.

Huts are synonymous with the backcountry as evidenced by the network of existing huts. Unfortunately, many of these huts are poorly maintained (due to a lack of resources) and not suitable for use for ski touring or winter recreation due to their lower elevation, and poor (if any) insulation and heating.

The CMS recognises that ski fields are vulnerable to climate change and may look to expanding their winter and summer visitor activities both on the fields and nearby. Policy 2.2.9 states that: where practicable, encourage non-skier and/or non-ski season visitor use of the ski field, and visitor use beyond the ski field consistent with outcomes at Place, recognising the need for a facilities which cater for summer and winter activities.

Ski areas provide important alpine opportunities. These opportunities are increasingly under threat due to the effects of climate change and the failing economics of existing club fields. A fresh approach needs to be taken to continue to provide these opportunities which is precautionary in so far as any infrastructure maybe ultimately be removed and is light in terms of its environmental footprint. Increasing summer use (of the existing hut) will help support the long term viability of these areas and associated facilities.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

Most, if not all, of the sites suitable for ski touring accommodation are located inside public conservation land being over and above 1,700m.

Suitable sites are limited by access – walk in/out or fly in/walk out, avalanche hazard, weather, suitable terrain, aspect and elevation, and proximity to existing heli operators for construction.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility?

NO

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? (*Exclusive occupation requires a lease which requires public notification of the application*)

YES – the proposed structures will effectively preclude others from using the footprint of the structure while the structures are in place (unless they have booked accommodation).

E. Technical Specifications (for telecommunications sites only)

N/A

F. Term

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

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

Up to 30 years. *A reasonable term is required to generate a return on the initial investment and make the most of the proposed facilities. If the activities are no longer used or required, they will be removed.*

G. Bulk fuel storage

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

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

NO

H. Environmental Impact Assessment

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

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

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

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
Mt Toby, Two Thumb Range, Te Kahui Kaupeka Conservation Park	No known special features or biodiversity values.	No effect on biodiversity values.	The hut and ancillary structures will be pre-fabricated off site and minimising construction activity on site. Holes for foundations – 8 for the hut, will be dug by hand and steel portals used for foundations to minimise ground disturbance. Waste will be removed from the site. The site of the hut is essentially scree/moraine with little or no vegetation likely to be affected. The hut will be used predominantly in winter when the ground is covered in snow.
	Recreation values – snow sports.	Positive effect on recreational values.	Currently it is a long walk into to access the area for a day trip. There is limited opportunity for on the mountain accommodation in the area at elevations which support ski touring and split boarding. The club fields are set up for club members, are predominantly for downhill skiing and are at lower elevations. Accommodation will likely result in increased use of the area for snow sports and winter recreation.
	Landscape values.		The effect on landscape values is likely to be minimal. Huts are not an uncommon occurrence in the backcountry and often a welcome sight. Invariably they are destinations in and of themselves. The hut will only be visible to those accessing the area likely for snow sports in the winter and to use the hut. The hut is relatively small and the modest design and use of materials typical of backcountry huts. Landscape values in the area are derived from the overall impression and the presence of a hut will not detract from these values.

I. Other

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

Consultation:

No consultation has occurred on the basis the application will be publicly notified following which the application may be amended to address concerns raised through that process.

Landscape Values:

The site is located on the west-facing slopes of the Two Thumb Range in the Macaulay valley at c. 1830 m ASL at the head of Second Waterfall Stream. The dominant landform is the constant slope that is periodically incised by large streams, notably First Waterfall, Second Waterfall and Third Waterfall streams. The composition of the vegetation varies depending on altitude. The mid slopes are dominated by tall tussock land, and upper slopes - above 1700m dominated by rock and scree/moraine. The site is located on the boundary or transition between tussock and the rocky upper slopes. The area has high inherent landscape values due to the overall impression of naturalness and the dominance of tussocklands. Visual impacts are limited to isolated huts and access tracks. Memorable features of the area are the waterfalls that cascade from the ravine-like gullies.

Land uses that have the potential to adversely affect this unit are:

- Unsympathetic tracking or other earthworks on prominent slopes.*
- Subdivision that fragments the existing vegetation pattern.*
- The introduction of structures that compromise the backcountry character.*

The hut will be visible from within the immediate drainage and at relatively close distances. It will have no impact on the wider landscape or values.

Views of the Two Thumb Range are generally expansive and panoramic due to the lack of intervening landforms. The hut will not be visible in this context or detract from these views.

The hut is a quintessential backcountry hut in a quintessential Canterbury high country landscape.

Any adverse effects brought about by the activity will largely arise from the simple fact that a built element has been introduced into a landscape where none currently exist. Remediation and mitigation are therefore not considered relevant. Avoidance, however, is relevant to the proposal. Techniques of 'avoidance' include:

- The location of the hut is on the transition between tussock land and the rocky upper slopes of the Two Thumb Range.*
- The site avoids ridge or sky lines.*
- The hut will only be visible from within the immediate drainage. The intention is to ensure the hut is visible from within the drainage to guide visitors.*
- There are no tracks proposed which would expand any effects of the built changes to the landscape. But for the hut and ancillary structures the landscape will not be modified and the hut ultimately removed (or able to be removed).*
- Substantial excavations are not required as the hut is on piles, raised above the ground.*
- The size of the hut, shed and separate toilet shelter is very small. The size and scale of the structures is truly subservient to the high inherent values contained within the valley.*

Backcountry huts are iconic in the New Zealand landscape. They espouse practicality, integrity and site sensitivity. They weather desert-like droughts, nor-west blizzards, heavy snowfalls, driving southerlies and torrential rain. They are a lighthouse to those who venture into the backcountry. They epitomise what it means to be in the backcountry and enhance any backcountry experience.

Indigenous Plant Communities and Notable Flora:

The hut will be located on rock/moraine. There is no notable flora in the area or likely to be affected by the activity. Any vegetation which is required to be removed will be translated immediately adjacent to the relevant structure.

Fauna:

No lizard species have been sighted where the hut is proposed to be located. In any event disturbance to any habitat will be limited to post holes and highly unlikely to displace lizard species to the extent that they may be present.

Legal Access:

Legal access to the site is available via the Coal River Easement, Stone Hut Track, or via the Macaulay Valley Track and between the Second and Third Waterfall Stream, on Conservation land.

Recreational Activities:

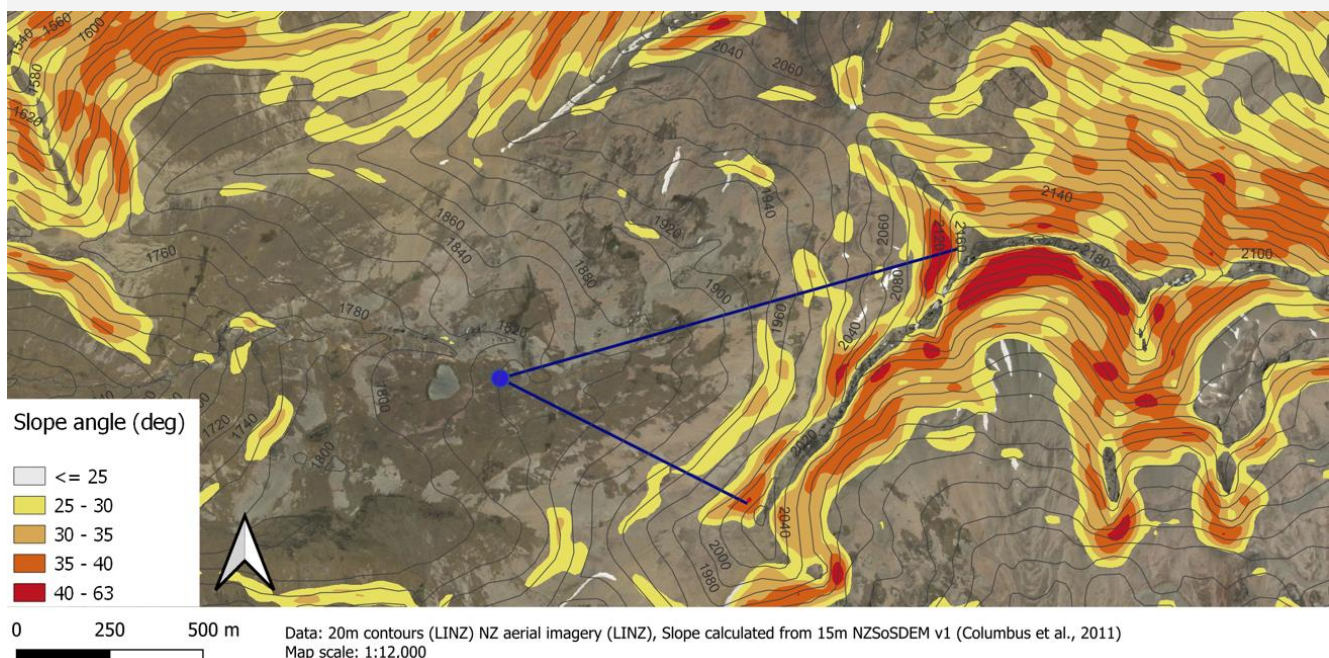
The Two Thumb Range is recognised as an area for ski touring and a key recreational activity in the area.

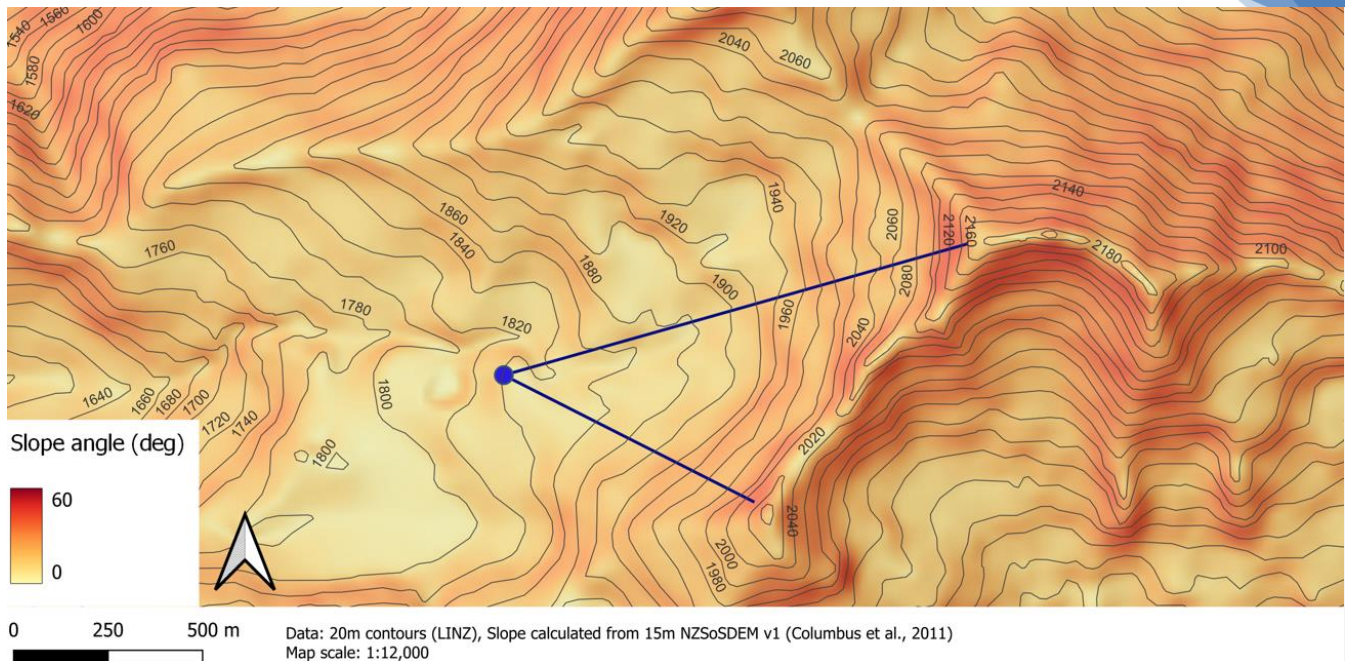
Avalanche Hazard:

The site is not considered to be in an avalanche path or subject to avalanche hazard.

The slope to the north of the site is not steep enough to generate an avalanche. The alpha angle to Mt Toby is 14.8 deg. It has a rise of 335 meters over a run of 1271 meters. There is a pocket of terrain above 40 degrees in the upper region of the peak.

The alpha angle to Point 2069 to the southeast of the site is 14.1 degrees with a rise of 186 meters over a run of 740 meters. It also has a small area with a slope angle over 30 degrees (up to about 38 degrees).





An alpha angle of 20 degrees is considered to be a reasonably conservative maximum runout. There is no evidence of avalanche debris in proximity to the hut site – for example boulders, and the site is located on a raised knoll some distance from slopes >25 degrees with significant drainage either side. The site is not considered ‘at risk’ from an avalanche. A terrain assessment and/or avalanche assessment will be undertaken if required however based on an initial assessment of the terrain it is not considered necessary.



Photo 1: Looking north towards the proposed hut site. Note there is a significant (deep) drainage between the proposed site and ridge to the north (which is not steep enough to generate an avalanche). The terrain immediately east of the proposed site is flat to shallow as it gradually rises towards Mt Toby.



Photo 2: Looking east from just south of the proposed hut site towards Mt Toby.

Conservation Management Strategy:

Recreational use on public conservation land is encouraged in the CMS including providing backcountry destinations for the recreation needs of the backcountry community.

DOC manages a well-established network of visitor facilities and recreational opportunities, which is complemented by concessionaire facilities and services. Increased participation in recreation is to be pursued at destinations where DoC can partner with others, including concessionaires.

Ski fields are recognised as being vulnerable to climate change and rising operational costs. This scenario mirrors an international trend and suggests a precautionary approach is needed for proposed ski field developments and terrain modification, especially for the more-vulnerable fields, to minimise abandoned structures and adverse landscape effects. The CMS encourages partnership with concessionaires to maintain a ski field's recreational opportunity. The activity is targeted at backcountry adventurers and comfort seekers who operate independently with no requirement for staffing or infrastructure other than accommodation. The activity is a very low impact operation which has been conceived with climate change and raising operational costs in mind, while providing a recreational opportunity for backcountry skiers and boarders.

Ski tourers are increasingly venturing into the backcountry and more remote areas for their recreation.

Visitor Management:

DOC uses a combination of approaches to manage recreation, including destination management, visitor management zones, and visitor groups. The intent is to increase recreational use on public conservation lands. It is a holistic approach that considers marketing and the contribution of community and business to the visitor experience, and focuses on the predominant visitor groups accessing different destinations.

The purpose of visitor management zones is to plan for a range of recreation opportunities. Visitor groups are described in the 1996 Visitor Strategy and used to guide the application of visitor management zones and destination categories. These zones and categories ensure that visitors are able to seek out different locations to suit the type of experience that they want.

DOC first developed a Visitor Strategy in 1996. Since then, the context has changed considerably. Along with a significant increase in New Zealanders visiting areas managed for the public by DOC, there has been rapid growth and drastic fluctuation in the numbers of international visitors. There have also been changes in how visitors want to experience and connect with our natural, cultural and historic heritage on

public conservation lands. The Heritage and Visitor Strategy was promulgated in 2021 for everyday use by DOC staff to inform visitor and heritage management decisions.

The term of the CMS is from 2016 – 2026 and will no doubt be reviewed taking into account the significant changes in visitor management since 1996 and the Heritage and Visitor Strategy.

While the Heritage and Visitor Strategy sits beneath the CMS it is intended to help inform the approach to visitor management and the granting of concessions in accordance with the relevant legislative and statutory requirements.

The CMS recognises that some locations (with longstanding patterns of use) may not fit a standard zone, category and group model.

Where possible or appropriate, the Department seeks to collaborate or partner with others to maintain or better develop visitor opportunities on public conservation lands.

The extensive public conservation lands of Canterbury present an opportunity for more people to participate in recreation and in so doing to gain health benefits and an improved sense of wellbeing.

It is envisaged that visitor facilities and recreational opportunities are complemented by concessionaire facilities and services.

Increased participation in recreation will be pursued at destinations where the Department can partner with others, including concessionaires, or at Places that experience moderately high visitor numbers and can expect continuing demand.

Prescriptions for managing visitor management zones:

The site is located in a 'Backcountry' Visitor Management Zone.

Prescriptions for managing visitor management zones include for backcountry visitor management zones:

Preferred maximum party size: 15

Typical visitor interaction levels: 15 or less people seen per day for 'backcountry adventurer' tracks; and 40 or less people seen per day for 'back country comfort seeker' tracks

There is no definition for 'backcountry adventurer' or 'back country comfort seeker' and in any event the terms apply to tracks.

Specific policy requirements for Canterbury states:

General Policy 3.1.5: Manage recreational opportunities, including those provided by concessionaires, in accordance with the visitor management zones shown in Map 3 and as described in Appendix 12.

In interpreting the policies in the CMS the words 'will', 'should' and 'may' have the following meanings:

- a) policies where legislation provides no discretion for decision-making or a deliberate decision has been made by the Minister to direct decision-makers, state that a particular action or actions 'will' be undertaken;
- b) policies that carry with them a strong expectation of outcome without diminishing the constitutional role of the Minister and other decision-makers, state that a particular action or actions 'should' be undertaken; and
- c) policies intended to allow flexibility in decision-making, state that a particular action or actions 'may' be undertaken.

General Policy 3.1.5 does not require recreational opportunities 'will', 'should' or 'may' be carried out in accordance with the visitor management zone simply that they be carried out in accordance with the visitor management zone.

Discussion:

The application is initially for a hut including 12 bunks with provision for an extension including an additional 4 bunks (if there is demand), bringing the total potential number of bunks and potential visitors to 16.

The proposed booking system is for visitors to book a cabin as opposed to a bunk and organise their own party. This is the preferred model and response to visitor expectations including the ability to book a cabin with people they know and are comfortable spending time with in a small space as opposed to sharing a cabin with strangers.

While in theory this might result in 16 visitors in the hut (following the completion of the extension), this is very unlikely in practice.

Cabins are typically booked by separate parties of 4 – 6 people. While groups smaller than the maximum number of beds are encouraged, additional bunks have been included so that more cost-conscious groups are able to spread the cost over more people. Parties are ultimately responsible for managing how many people in the party up to the maximum beds available.

Guides using the hut for example will typically include a party of 5 or less.

Even with the best intentions, parties wishing to spread the cost of the hut over the maximum number of beds will usually fall short due to some attrition in the party prior to the booking commencing due to changes in circumstances (bookings typically being made months out), weather, snow conditions, work, family or other commitments, health and other factors resulting in individuals in the party not being able to join the party. The greater the number in a party the more likely there will be some attrition.

An important part of the experience is the ability for visitors to book a cabin or the whole hut depending on their preferred experience including the number of people in their party.

The preference is ultimately for a total of 16 bunks. Where the hut is booked out by a single party, this might exceed the preferred maximum party size by 1 person.

The prescription is described as a 'preference' which infers a level of discretion over and above the inherent discretion available to the Decision Maker.

The application of typical visitor interaction levels is perhaps more difficult given the distinction between backcountry adventurers and comfort seekers (and tracks) – neither of which are defined in the CMS. It is not clear what constitutes a back country adventurer or comfort seeker – both terms presumably defined in the original 1996 Visitor Strategy, or whether these terms apply more widely than 'tracks'.

Interaction levels are described as 'typical' suggesting they might be more or less on any given day.

The target visitor is a backcountry comfort seeker and to a lesser extent backcountry adventurer – generally a visitor looking for some time away with friends, away from crowds so they are not having to compete for fresh tracks, the opportunity for some solitude, a high level of comfort and some casual interaction with other visitors to the area or using the hut.

If the preferred maximum party size is 15, and typical visitor interaction levels are 15 or less people per day for backcountry adventurers, it is difficult to see how 16 might negatively impact interaction levels for either adventurers or comfort seekers.

If it is considered that the potential effect of 1 person over and above the preferred maximum party size and typical visitor interaction levels is more than minor or not in accordance with the prescriptions for managing visitor management zones, a special condition specifying the maximum number per party

would be acceptable. This would be simple enough to manage either by limiting bookings for the whole hut to a maximum of 15 people or managing the bunks available in the proposed 4 bunk cabin.

The preference is for 16 bunks without any special condition limiting party sizes to 15. The need for a special condition and limit could be reviewed prior to Stage 2 taking into account any changes to the CMS following its review in 2026.

Alternatively, taking a pragmatic approach, the potential for 16 people results in negative outcomes in terms of visitor experience then the conditions can be reviewed and a special consideration added as suggested above. Such a condition would impose a layer of management and administration which is unnecessary and inconsistent with the idea that visitors should be able to book a cabin(s) and determine their own numbers up to a maximum 16 in a party. It is doubtful third parties visiting the area – assuming the hut has been operational for at least 2 winters prior to embarking on an extension, would distinguish between a party of 15 or 16 and more likely a party of 16 would break up into smaller parties outside of the hut.

Given the term of the CMS is due to expire, significant changes in visitor management since 1996 - being the basis for the current preferred maximum party sizes and typical visitor interaction levels, the discretion inherent in the use of the words 'preferred' and 'typical', the very minor exceedance, and the uncertainty in the interpretation of the typical visitor interaction levels and application of the same, it would be unreasonable to limit the number of bunks to 15.

During discussions with DOC staff, attention was drawn to the Ombudsman's investigation and report into the granting of a concession to increase the numbers for overnight guided walkers from 24 to 40 in December 2014. The granting of that concession was considered unreasonable on the basis it flew in the face of limits set in the (then) newly promulgated Mt Aspiring Plan – limits for overnight walkers having been expressly set out in Policy 8.5.2 of the new plan. While there has been no suggestion as to the application of the Ombudsman's opinion to the application of the limits set out in the prescriptions for visitor management zones, for completeness it is worth noting that the findings concerned a policy with an express limit in a new plan including a direction that the Decision Maker 'should' only increase the numbers in exceptional circumstances, and should not be used as a precedent for the strict application of limits set out in prescriptions for visitor management zones.

Aircraft Access Zone:

The hut is located in a 'Orange' Aircraft access zone and is located just outside of a heli-ski overlay. Heli-ski concessions are typically granted on a one operator per block basis pursuant to Policy 3.6.5 of the CMS. No heli-ski concession is being sort.

The activity is consistent with the CMS.

Mackenzie District Plan:

It is envisaged that if a concession is granted then it will be subject to obtaining the necessary regulatory approvals including resource consents as required.

Buildings in on any land above 900m² (other than mustering huts less than 50m² in gross floor area) require a resource consent.

Canterbury Land and Water Regional Plan:

While the intention is to fly solid waste out, pit and composting toilets are a permitted activity provided they meet the relevant conditions in rules 5.14 – 5.16.

Canterbury Air Regional Plan:

The site is not in a Clean Air Zone. Rule 7.82 provides that the discharge of contaminants into air from a

small-scale heating Appliance – i.e. a log burner, is a permitted activity provided the site is 2ha or greater in area.

Building Consent:

It is envisaged that if a concession is granted then it will be subject to obtaining the necessary regulatory approvals including a building consent.



Department of
Conservation
Te Papa Atawhai

Concession Application Form 3b – Private/commercial facility/structures

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

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

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

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

A. Description of Activity

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

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

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

Application:

The application is for a variation to Concession No. 97715-OTH for an extension to the existing Erewhon Hut and Utility Shed.

Location:

Erewhon Hut, Mt Potts.

Activity:

Extension to existing Erewhon Hut: *A lean-to extension on the south elevation of the existing Erewhon Hut including 4 bunks and space for storage and amenities including a vestibule area and alternative egress on the lee side of the hut measuring 4m x 10m.*

The hut colour (all external cladding, joinery and trim) will be Colorsteel 'Pioneer Red' (LRV 13%) (www.colorsteel.co.nz/colours/).

The additional bunks will be for public use and will be available for booking by the public: alpinehuts.co.nz.

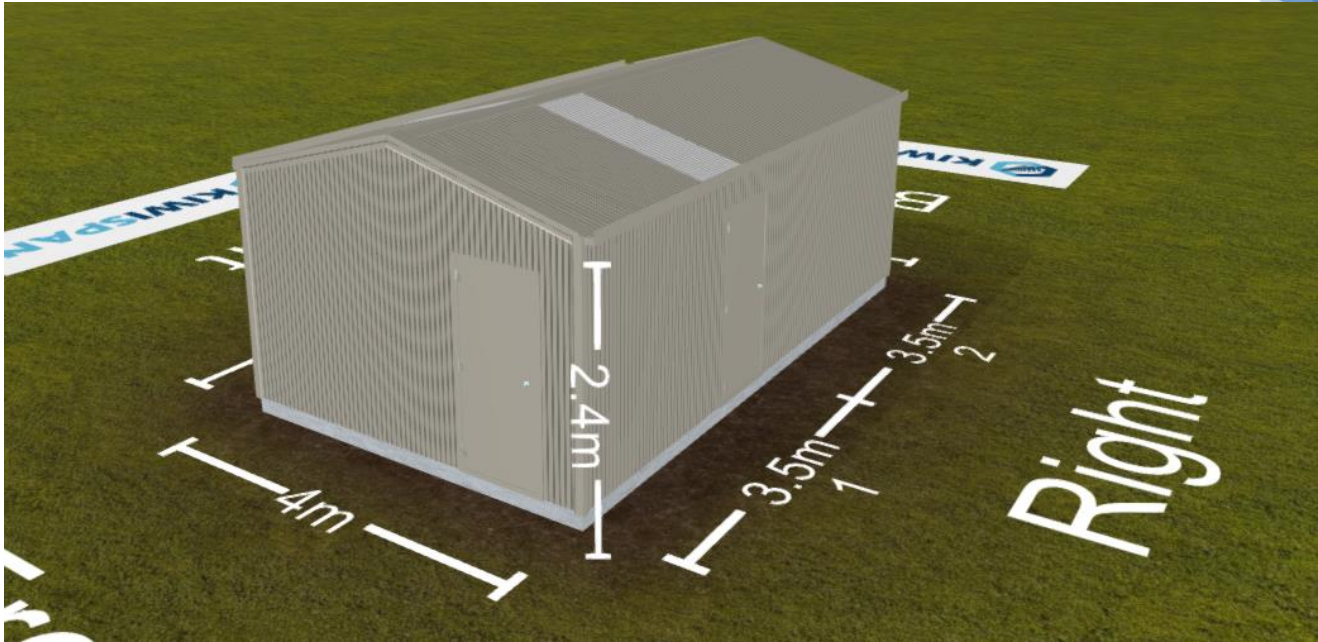
See Appendix. 1: Hut plan and elevations

Utility Shed: *A utility shed – up to 30 square metres, for storage and shelter. While initially it is proposed to construct a shed 4m x 5m a footprint of up to 30 square metres is sought so that the shed may be extended if and when required (including for day shelter) without the cost and delays associated with a notified application. The current concession includes a lease for a weather station 4m x 4m. It is proposed to surrender this in favour of the proposed shed.*

The shed will be clad in recycled corrugated iron or Colorsteel 'Sandstone Grey' (LVR 27%) or similar.

The development will be staged with the extension being Stage 1 and Utility Shed Stage 2. The timing between the stages will depend on demand.

Fig. 1: Shed Oblique



Why:

Erewhon Hut was completed in July 2024. Bookings for winter 2024 have been strong in particular given the late completion, and first season. Bookings for 2025 have by far exceed available beds.

While Erewhon Hut is intended to operate all year round, the hut was and remains primarily for ski touring in the winter.

In order to satisfy some of the demand without compromising the overall experience it is proposed to extend the existing hut adding an additional 4 beds including to provide accommodation for smaller parties. At the same time, it is proposed to build a vestibule on the south elevation including for storage and amenities and to provide alternative access on the lee side of the hut.

The intention is to extend the existing hut making use of the common facilities.

A utility shed is proposed to store rubbish, firewood, gas, tools, materials and equipment, and a tank for drinking water (an outside tank likely to freeze). The shed will provide temporary shelter for parties transitioning in and out of the hut including for day trippers and/or emergency shelter.

The increasing popularity of ski touring, demand for on the mountain accommodation, technological advances in and availability of ski touring equipment, and use of e-mountain bikes for access, make Mt Potts and Erewhon Hut an ideal location for a backcountry ski area.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

Most, if not all, of the sites suitable for ski touring accommodation are located inside public conservation land being over and above 1,500m – ideally higher.

There is an existing access road which can be used by walkers and e-mountain bikers to access the area

and avoids the need for any modification to the landform.

The site is recognised in the CMS as a ski area and a concession has previously been granted for a ski field.

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility?

NO

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? (*Exclusive occupation requires a lease which requires public notification of the application*)

YES – the proposed structures will effectively preclude others from using the footprint of the structure while the structures are in place (unless they have booked accommodation).

E. Technical Specifications (for telecommunications sites only)

N/A

F. Term

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

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

To coincide with the current concession being for to 30 years. A reasonable term is required to generate a return on the initial investment and make the most of the proposed facilities. If the activities are no longer used or required, they will be removed.

G. Bulk fuel storage

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

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

NO

H. Environmental Impact Assessment

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

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

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

Location on public conservation land	Special feature or value	Potential effects of your activity on the feature or value (positive or adverse)	Methods to remedy, mitigate or avoid any adverse effects identified
Erewhon Park/Mt Potts Ski Area	No known special features or biodiversity values.	No effect on biodiversity values.	The extension and shed, will be constructed off site minimising construction activity on site. Holes for foundations will be dug by hand and steel or timber piles used to minimise ground disturbance. Waste will be removed from the site. The structures will be located on what is essentially a rocky outcrop with little or no vegetation likely to be disturbed. The hut will be used in winter when the ground is covered in snow.
	Recreation values – snow sports.	Positive effect on recreational values.	The feedback in terms of the hut and location has been overwhelmingly positive justifying an extension and additional facilities such as the proposed shed. While the shed will be used primarily for storage, it is envisaged the shed will be used by parties transitioning in and out of the hut (overlapping bookings) and for day trippers for shelter.
	Landscape values.		The effect on landscape values is likely to be minimal. The area has been identified as a 'Ski Area' in the CMS with the likely expectation of infrastructure including tows, day lodges and implement sheds. The extension and shed will be viewed in conjunction with the existing hut – likely as a single structure or complex. The extension and shed are relatively small and modest design and use of materials typical of backcountry huts. Recognition of ski fields' location on public conservation land is readily apparent to visitors.

I. Other

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

Consultation:

Consultation was undertaken in respect of the original application. No consultation has been undertaken on this application on the basis the application will be publicly notified.

Conservation and Recreation Values:

Landscape values, indigenous plant communities and notable flora and fauna, and recreational values have been addressed in the original application for Erewhon Hut. The values are the same now as they were then. The effect of these values is nil to minimal.

Given the size of the extension it is unlikely this will result in cumulative effects of any consequence. While the shed is larger than lease area for the 4m by 4m weather station included in the current concession, it will not result in an additional structure.

Conservation Management Strategy:

There is an expectation in the CMS that Mt Hutt and Mt Potts ski fields will provide intensive use recreational experiences for visitors. The Mt Potts is currently under utilised despite being an idea location for ski touring due to the unavailability of accommodation.

Then intention is to promote Mt Potts as a ski touring destination by providing suitable facilities including accommodation and shelter.

Recreational use on public conservation land is encouraged in the CMS including providing backcountry destinations for the recreation needs of the backcountry community.

The Department manages a well-established network of visitor facilities and recreational opportunities, which is complemented by concessionaire facilities and services. Increased participation in recreation is to be pursued at destinations where DOC can partner with others, including concessionaires, or at Places that experience moderately high visitor numbers and can expect continuing demand.

Mt Potts is included in the 10 ski fields which are in the Southern Conservation Parks Place and is identified as a park-specific feature with values additional to the general description for the Place. The activity seeks to promote Mt Potts as an area for backcountry skiing and is consistent with the outcomes for the Place and Mt Potts specifically.

Ski fields are recognised as being vulnerable to climate change and rising operational costs. This scenario mirrors an international trend and suggests a precautionary approach is needed for proposed ski field developments and terrain modification, especially for the more-vulnerable fields, to minimise abandoned structures and adverse landscape effects. The CMS encourages partnership with concessionaires to maintain a ski field's recreational opportunity. The activity is targeted at backcountry skiers who operate independently with no requirement for staffing or infrastructure other than accommodation and shelter. The activity is a very low impact operation which has been conceived with climate change and raising operational costs in mind, while providing a recreational opportunity for backcountry skiers and boarders.

Visitor Management:

DOC uses a combination of approaches to manage recreation, including destination management, visitor management zones, and visitor groups. The intent is to increase recreational use on public conservation lands. It is a holistic approach that considers marketing and the contribution of community and business to the visitor experience, and focuses on the predominant visitor groups accessing different destinations.

The purpose of visitor management zones is to plan for a range of recreation opportunities. Visitor groups are described in the 1996 Visitor Strategy and used to guide the application of visitor management zones and destination categories. These zones and categories ensure that visitors are able to seek out different locations to suit the type of experience that they want.

DOC first developed a Visitor Strategy in 1996. Since then, the context has changed considerably. Along with a significant increase in New Zealanders visiting areas managed for the public by DOC, there has been rapid growth and drastic fluctuation in the numbers of international visitors. There have also been changes in how visitors want to experience and connect with our natural, cultural and historic heritage on public conservation lands. The Heritage and Visitor Strategy was promulgated in 2021 for everyday use by DOC staff to inform visitor and heritage management decisions.

The term of the CMS is from 2016 – 2026 and will no doubt be reviewed taking into account the significant changes in visitor management since 1996 and the Heritage and Visitor Strategy.

While the Heritage and Visitor Strategy sits beneath the CMS it is intended to help inform the approach to visitor management and the granting of concessions in accordance with the relevant legislative and statutory requirements.

The CMS recognises that some locations (with longstanding patterns of use) may not fit a standard zone, category and group model. For example, the CMS envisages that Mt Potts will provide intensive use recreational experiences for visitors.

Where possible or appropriate, the Department seeks to collaborate or partner with others to maintain or better develop visitor opportunities on public conservation lands.

The extensive public conservation lands of Canterbury present an opportunity for more people to participate in recreation and in so doing to gain health benefits and an improved sense of wellbeing.

It is envisaged that visitor facilities and recreational opportunities are complemented by concessionaire facilities and services.

Increased participation in recreation will be pursued at destinations where the Department can partner with others, including concessionaires, or at Places that experience moderately high visitor numbers and can expect continuing demand.

Prescriptions for managing visitor management zones

The site is located in a 'Backcountry' Visitor Management Zone.

Prescriptions for managing visitor management zones include:

Preferred maximum party size: 15

Typical visitor interaction levels: 15 or less people seen per day for 'backcountry adventurer' tracks; and 40 or less people seen per day for 'back country comfort seeker' tracks

There is no definition for 'backcountry adventurer' or 'back country comfort seeker' and in any event the terms apply to tracks.

Specific policy requirements for Canterbury states:

General Policy 3.1.5: Manage recreational opportunities, including those provided by concessionaires, in accordance with the visitor management zones shown in Map 3 and as described in Appendix 12.

In interpreting the policies in the CMS the words 'will', 'should' and 'may' have the following meanings:

- a) policies where legislation provides no discretion for decision-making or a deliberate decision has been made by the Minister to direct decision-makers, state that a particular action or actions 'will' be undertaken;*
- b) policies that carry with them a strong expectation of outcome without diminishing the constitutional role of the Minister and other decision-makers, state that a particular action or actions 'should' be undertaken; and*

- c) policies intended to allow flexibility in decision-making, state that a particular action or actions 'may' be undertaken.

General Policy 3.1.5 does not require recreational opportunities 'will', 'should' or 'may' be carried out in accordance with the visitor management zone simply that they be carried out in accordance with the visitor management zone.

Discussion:

The application is for an extension to an existing hut including 12 bunks for an additional 4 bunks, bringing the total number of bunks and potential visitors to 16.

The hut is currently separated into 2 cabins with 6 bunks in each cabin. It is proposed to add a third cabin with 4 bunks – for smaller groups. The current booking system is for visitors to book a cabin as opposed to a bunk and organise their own party. This is the preferred model and response to visitor expectations including the ability to book a cabin with people they know and are comfortable spending time with in a small space as opposed to sharing a cabin with strangers.

While in theory this might result in 16 visitors in the hut, this is very unlikely in practice. Cabins are typically booked by separate parties of 4 – 6 people. While groups smaller than the maximum number of beds are encouraged, additional bunks have been included so that more cost conscious groups are able to spread the cost over more people. Parties are ultimately responsible for managing how many people there are in a party up to the number of beds available.

Guides using the hut for example will typically involve a party of 5 or less. Even with the best intentions, parties wishing to spread the cost of the hut over the maximum number of beds will usually fall short due to some attrition in the party prior to the booking commencing due to changes in circumstances (bookings typically being made months out), weather, snow conditions, work, family or other commitments, health and other factors resulting in individuals in the party not being able to join the party. The greater the number in a party the more likely there will be some attrition.

An important part of the visitor experience is the ability for visitors to book a cabin or the whole hut depending on their preferred experience including the number of people in their party.

The preference is for a total of 16 bunks. Where the hut is booked out by a single party, this might exceed the preferred maximum party size by 1 person.

The prescription is described as a 'preference' which infers a level of discretion (over and above the inherent discretion available to the Decision Maker).

The application of typical visitor interaction levels is perhaps more difficult given the distinction between backcountry adventurers and comfort seekers (and tracks) – neither of which are defined in the CMS. It is not clear what constitutes a back country adventurer or comfort seeker – both terms presumably defined in the original 1996 Visitor Strategy, or whether these terms apply more widely than 'tracks'.

Interaction levels are described as 'typical' suggesting they might be more or less on any given day.

The target visitor is a backcountry comfort seeker and to a lesser extent backcountry adventurer – generally a visitor looking for some time away with friends, away from crowds so they are not having to compete for fresh tracks, the opportunity for some solitude, a high level of comfort and some casual interaction with other visitors to the area or using the hut.

If the preferred maximum party size is 15, and typical visitor interaction levels are 15 or less people per day for backcountry adventurers, it is difficult to see how 16 might negatively impact interaction levels for either adventurers or comfort seekers.

If it is considered that the potential effect of 1 person over and above the preferred maximum party size

and typical visitor interaction levels is more than minor or not in accordance with the prescriptions for managing visitor management zones, a special condition specifying the maximum number per party would be acceptable. This would be simple enough to manage either by limiting bookings for the whole hut to a maximum of 15 people or managing the bunks available in the proposed 4 bunk cabin.

The preference is for 16 bunks without any special condition limiting party sizes to 15. If, taking a pragmatic approach, this results in negative outcomes in terms of visitor experience then the conditions can be reviewed and a special consideration added as suggested above. This is not seen as necessary and would impose a layer of management and administration which is unnecessary and inconsistent with the idea that visitors should be able to book a cabin(s) and determine their own numbers up to a maximum 16 in a party. It is doubtful third parties visiting the area would distinguish between a party of 15 or 16 and more likely a party of 16 would break up into smaller parties outside of the hut.

Given the term of the CMS is due to expire, significant changes in visitor management since 1996 - being the basis for the current preferred maximum party sizes and typical visitor interaction levels, the discretion inherent in the use of the words 'preferred' and 'typical', the very minor exceedance, and the uncertainty in the interpretation of the typical visitor interaction levels and application of the same, it would be unreasonable to limit the number of bunks to 15.

During discussions with DOC staff, attention was drawn to the Ombudsman's investigation and report into the granting of a concession to increase the numbers for overnight guided walkers from 24 to 40 in December 2014. The granting of that concession was considered unreasonable on the basis it flew in the face of limits set in the (then) newly promulgated Mt Aspiring Plan – limits for overnight walkers having been expressly set out in Policy 8.5.2 of the new plan. While there has been no suggestion as to the application of the Ombudsman's decision to the application of the limits set out in the prescriptions for visitor management zones, for completeness it is worth noting that the findings concerned a policy with an express limit in a new plan including a direction that the Decision Maker 'should' only increase the numbers in exceptional circumstances, and should not be used as a precedent for the strict application of limits set out in prescriptions for visitor management zones.

To put the numbers in context existing alpine huts include the following beds:

- *Mueller Hut – 28*
- *Caroline Hut – 12*
- *Plateau Hut- 33*
- *Pioneer Hut – 12*
- *Centennial Hut – 20*
- *Tasman Saddle Hut – 14*
- *Kelman Hut – 14*

These are high alpine huts and (with the exception of Mueller Hut) more likely to be used by adventurers and remoteness seekers than comfort seekers. In contrast, Erewhon Hut is more likely to be used by comfort seekers and to a lesser extent adventurers including higher visitor interaction levels.

The activity is consistent with the CMS.