

February 2026

Use of Public Conservation Land Report (section 19)

For the referral application: **Queenstown Cable Car – Southern
Infrastructure Ltd (FTAA-2510-1124)**

Contents

1. Introduction.....	2
2. The referral application - summary	2
3. Public Conservation Land affected by the project	3
4. Existing arrangements for the public conservation land	5
5. Risks and potential liabilities to the Crown	8
6. Outcomes of consultation.....	9
7. Section 19(3) obligations.....	10
Appendix 1 – Active DOC administered concessions on Shotover River Sewage Treatment Conservation Area.	11
Appendix 2 – Access arrangements to Te Tapunui Queenstown Hill Reserve.....	12
Appendix 3 – Response from QLDC in relation to s19 consultation.....	13

1. Introduction

This report has been prepared for the Director-General of Conservation in accordance with section 19 of the Fast-track Approvals Act 2024 (the Act). It provides information in relation to the use of Public Conservation Land (PCL) as part of the consideration of the referral application for the Queenstown Cable Car (QCC) lodged by Southern Infrastructure Limited.

Section 19 of the Act requires that the Minister obtain and consider a report prepared by the Director General of Conservation (D-G). Statutory delegations are in place for the Department to provide the report on behalf of the D-G.

It is noted that the definition of PCL in the Fast-track Approvals Act (FTAA) means land to which either or both of the following apply:

- (a) the land is held, managed, or administered under the Conservation Act 1987, the National Parks Act 1980, the Reserves Act 1977, or the Wildlife Act 1953:
- (b) the land is listed in Schedule 4.

For this reason, DOC has liaised with other agencies including Queenstown Lakes District Council (QLDC) and Health NZ who hold, manage or administer land meeting this definition to inform this report.

2. The referral application - summary

The project (shown in Figure 1) consists of:

- Establishment and operation of a mass transportation cable car network in Queenstown and its surrounds, along two lines:
 - Airport – Town Centre Line connecting the Queenstown CBD with Queenstown Airport via Queenstown Hill, Lake Johnson, and Frankton.
 - Frankton – Ladies Mile Line extending eastwards from Frankton to the Ladies Mile urban area via either Route A or Route B.

Both alignments for the Frankton – Ladies Mile Line are included in this referral application.

- Nine passenger station buildings which include passenger amenities and operational infrastructure.
- Pedestrian overpass connectivity over State Highway 6 to Frankton Bus Hub from the proposed Five Mile Station, and from Queenstown Airport to Airport Station (Option B only)
- Electric bus parking and charging facility at Ferry Hill or Quail Rise station.

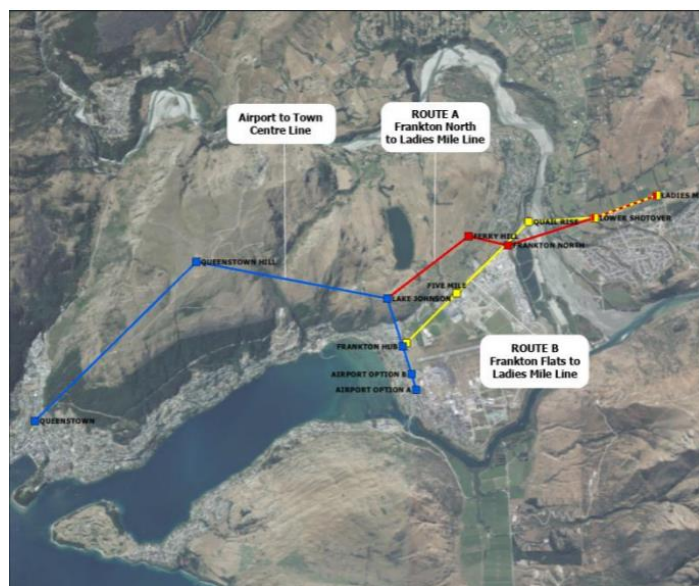


Figure 1: Schematic overview of the project and cable car alignment (provided by applicant)

3. Public Conservation Land affected by the project

Parts of the project, including cables, pylons and passenger stations, will or may be established on PCL as discussed below. Given the high-level nature of the information provided at referral stage, detail about the exact infrastructure proposed on specific PCL parcels is limited.

Below lists the project areas¹ which relate to land held under either the Conservation or Reserves Act.

Conservation Act 1987

- O1 Conservation Area - Shotover River Sewage Treatment (Section 4 SO 409393) and a Marginal Strip – Kawarau River (Crown Land Block III Shotover Survey District Area A Survey Office Plan 2481).

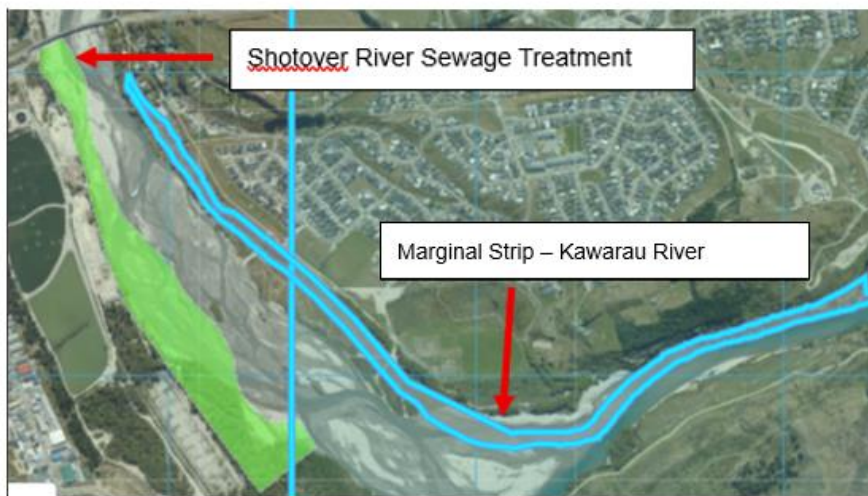


Figure 2: PCL affected by the project – Conservation Act only (Source: DOC GIS)

Reserves Act 1977 – Vested in Queenstown Lakes District Council (QLDC).

While the following reserves meet the definition of PCL for the purposes of the FTAA, they are not administered by the Department, however, they are Crown-derived.

- O2 - Shotover Bridge/Delta Reserve (Recreation Reserve)
- R1 and R2 - Queenstown Hill Commonage/Te Tapunui Queenstown Hill Reserve (Recreation Reserve)
- R3 – R7 Recreation and Local Purpose Reserves
- R9 – Queenstown Events Centre (Recreation Reserve).

¹ For consistency and clarity, the applicants' numbering conventions from Appendix 11 'Reserves Planset' (R1 – 9 and O1 - 2) have been adopted in the analysis below.

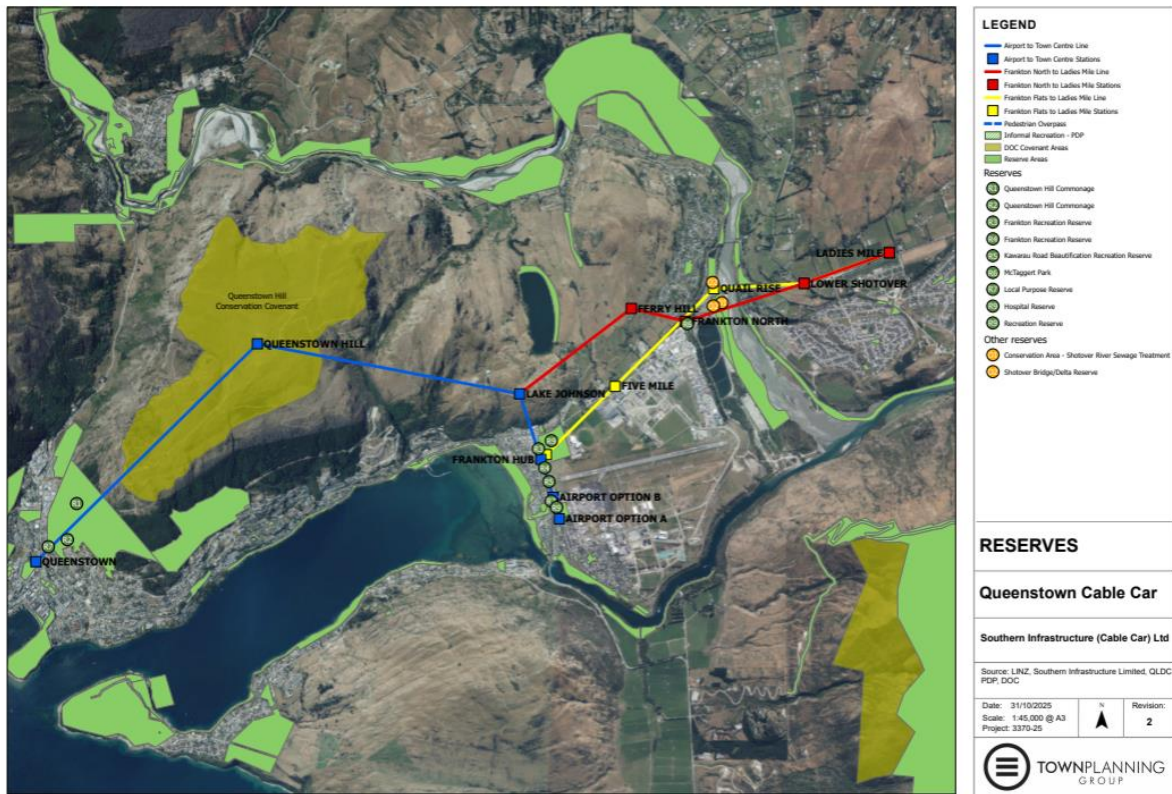


Figure 3: Public Conservation Land affected by the project – includes Conservation Act and Reserves Act land (Source: Application Appendix 11 Reserves Planset)

Further information which may be required

R8 Queenstown Lakes District Hospital: The application includes approximately 14 parcels of land within the Queenstown Lakes District Hospital precinct generally bound by Lucas Place and State Highway 6, which are included in the application as sites for the Airport Station (Option B).

While this land is identified by NaPALIS as Government Purpose (Hospital) Reserve, and the applicant has described these parcels as reserve land, the applicant’s supplied Record of Title describes the site as being held ‘In Trust as a Site for a Public Hospital’, suggesting that the reserve status under the Reserves Act 1977 may have been revoked at some stage. DOC has reached out to Te Whatu Ora / Health NZ who consider that these parcels do not have reserve status. DOC recommends that this matter be clarified through a Land Status Check. Should this project be referred, the applicant should engage directly with Te Whatu Ora / Health NZ prior to a substantive application being made.

4. Existing arrangements for the public conservation land

The below table reports on the matters set out in Section 19 (2)(a) of the FTAA.

Land Area	Administration	Access and uses
<p>O1 Shotover River Sewage Treatment Conservation Area and marginal strip – Kawarau River</p>	<p>The <i>Conservation Area - Shotover River Sewage Treatment</i> (Section 4 SO 409393) is held pursuant to s25 of the Conservation Act (Stewardship Area) and the <i>Marginal Strip – Kawarau River</i> (Crown Land Block III Shotover Survey District Area A Survey Office Plan 2481) is identified as a Fixed Marginal Strip pursuant to s24(3) of the Conservation Act. Both parcels are administered by DOC. The Queenstown Trails Charitable Trust maintains the Queenstown Trail which runs through the land under a community management agreement with DOC. Activities of the Trust are governed by its Strategic Plan: <i>The Next Ten Years of Queenstown Trails 2023 – 2033</i>.</p>	<p>Public access is available to and through these parcels to the Shotover Riverbed and environs. Public access to the eastern riverbank is available through the Marginal Strip – Kawarau River, with pedestrian and vehicular access afforded via a gravel track from Old School Road. This area is subject to approximately 10 active easements, licences and permits, covering a range of activities including:</p> <ul style="list-style-type: none"> • Right of way access for gravel extraction; • Right to convey sewage to Shotover Riverbed • Construction of monitoring wells; • Research and collection permits for lichen; • Wildlife Act authorities to handle lizards for research or translocation purposes; • Wildlife Act authorities for trapping pests. • A table of these permissions is included in attachment 1. No DOC-issued permissions have been identified for the marginal strip – Kawarau River (Crown Land).
<p>O2 Shotover Bridge/Delta Reserve</p>	<p>These parcels are identified as Section 1 - 3 SO 409393 held in held in Record of Title 455331, and Area A Survey Office Plan 24812 held in Record of Title 829775. Section 1 - 3 SO 409393 are vested to QLDC as Recreation Reserve. Area A SO 24812 is vested in QLDC under s20(1) of the Public Works Act for a Sewage Pond and contains structures supporting this purpose.</p>	<p>Public access is afforded to and through this Reserve, which in provide access to the Shotover River and Historic Bridge, both highly patronised scenic and recreational destinations. QLDC recognises these parcels as comprising part of their <i>Blue Green Network</i> which supports ecological and riparian restoration. A carpark and section of the <i>Queenstown Trail</i> (Twin River Trail) cycle and pedestrian path, which is used by both recreational and commuter users, connects Queenstown, Arrowtown and the Gibbston Valley and runs through all parcels in this Reserve. Queenstown Trails Charitable Trust maintains the Queenstown Trail. Activities of the Trust are governed by its Strategic Plan: <i>The Next Ten Years of Queenstown Trails 2023 – 2033</i>. Gravel extraction activities are being undertaken on part of Section 3 SO 409393, in concert with the concessions granted to the <i>Conservation Area - Shotover River Sewage Treatment</i> (see Appendix 1), and as such public access is precluded for health and safety reasons on this portion of the site.</p>

Land Area	Administration	Access and uses
		<p>Area A SO 24812 forms part of the Queenstown Wastewater Treatment Plant, (held under the Public Works Act) and as such public access to part of this parcel is precluded. The western portion of this parcel contains a section of the Queenstown Trail (Twin River Trail) as well as gravel extraction activities as outlined above.</p>
<p>R1 and R2 Te Tapunui Queenstown Hill Recreation Reserve</p>	<p>This Recreation Reserve is vested in and administered by QLDC, subject to s 17 of the Reserves Act 1977. The following agreements are in place which support the management of Queenstown Hill Recreation Reserve:</p> <ul style="list-style-type: none"> • Te-Taumata-o-Hakitekura Ben Lomond & Queenstown Hill Reserve Management Plan (RMP) was adopted by Council in July 2025 and recognises the competing recreational demands on these highly prized reserve spaces. • Te Tapunui Queenstown Hill Reserve Restoration Management Plan 2025 was adopted by Council in September 2025, with a focus on eradicating wilding exotic tree species and replanting the site with a mixed species forest and tussock grassland. • Whakatipu Wildlife Trust's mission is to "create and maintain a predator free environment throughout the greater Lake Whakatipu area to enable our birds and other native wildlife to flourish". They maintain nearly 2000 traps in the district and a trap line in Te Tapunui Queenstown Hill Recreation Reserve. • Conservation Covenant 586535.4 applies to part of Te Tapunui Queenstown Hill Reserve (Lot 2 DP 351844, RT 670387) and is administered by DOC. The Queenstown Cable Car (QCC) referral application includes a variation to this Covenant. Although DOC has not sighted them, the application (Appendix 5 Table of 	<p>The QLDC Te-Taumata-o-Hakitekura Ben Lomond and Te Tapunui Queenstown Hill Reserve Management Plan identifies the Kerry Drive entrance and carpark as being the primary public entrance point to the Reserve, with an additional access point proposed from Tree Tops Rise. Te Tapunui Queenstown Hill Recreation Reserve features multiple walking and biking tracks. A carpark, purpose built pump track and bike jump park are located at the Kerry Drive entrance, operated under licence to the QMTBC. Unauthorised mountain biking tracks have also been developed within the Reserve. The Time Walk is a well utilised walking trail that leads up Te Tapunui Queenstown Hill to the Basket of Dreams sculpture and viewpoint, with spectacular scenery and extensive views of Lake Whakatipu, the Remarkables and Te Taumata-o-Hakitekura Ben Lomond Reserve. Please refer to Figure 5.</p>

Land Area	Administration	Access and uses
	<p>Records of Title) identifies Land Covenants in deed and under s 240 of the RMA, as well as Consent Notices which apply to the title which includes the Conservation Covenant area. Various easements relating to the conveyance of service infrastructure (three waters, electricity, inter alia) apply to the Reserve.</p>	
<p>R3 – R6 Recreation and Local Purpose Reserves</p>	<p>Legally described as Section 12 and 14 Block XX TN, Section 17 Block XII TN of Frankton and Section 4 SO 544308 respectively, R3 is identified as a Local Purpose Reserve (Transport), R4 is identified as Recreational Reserve and R5 Local Purpose (Beautification). R6 is vested to QLDC as Local Purpose (Beautification). All parcels are administered by QLDC, either vested or appointment to control and manage.</p>	<p>These parcels flank Kawarau Road/ State Highway 6. A public transport hub, a playground and public toilet is located on R3. Council reports that these reserves provide road network buffers, support pedestrian and cycle access adjacent to roadways, with consequential public access to and through these reserves.</p>
<p>R7 Duncans Place Recreation Reserve</p>	<p>This parcel is legally described as Lot 6 DP 305684 and abuts Te Tapunui Queenstown Hill Reserve. This parcel is identified as Recreation Reserve and vested in QLDC.</p>	<p>This parcel appears to admit informal (albeit steep) public access to Te Tapunui Queenstown Hill Reserve at the termination of the Duncans Place roadway, as well as providing access to electricity wires that traverse Queenstown Hill.</p>
<p>R8 Hospital Reserve</p>	<p>As discussed above, the reserve status of these parcels, being legally described as Section 2-3, 5-7, 22-24 Block VIII and Section 2-3, 5-7, 22-24 Block IX and Block XIX Town of Frankton contained in Record of Title OT161/204, is unclear. These parcels are administered by Te Whatu Ora / Health New Zealand.</p>	<p>Public access is generally available through the parcels identified in the application as 'Hospital Reserve', although access to some parcels is limited due to hospital operations. These parcels are used for a range of functions in association with a public hospital.</p>
<p>R9 Queenstown Events Centre Recreation Reserve</p>	<p>This wider Queenstown Events Centre site is held in a combination of freehold title and reserve, however the parcels impacted by the proposal are legally described as Sections 5 and 6 Block XXXIII TN of Frankton, and are both classified as Recreation Reserve and administered by QLDC.</p>	<p>These parcels form part of the Queenstown Events Centre which contains a number of community and recreational facilities. The parcels affected by QCC contain Frankton Golf Centre; a multi purpose sports turf; and open space which Council submits is used for a range of community and cultural events.</p>

5. Risks and potential liabilities to the Crown

General caveats

This part of the report sets out general comments in relation to risks and potential liabilities to the Crown as required by Section 19 (2)(b) of the FTAA and specific comments pertaining to this application where possible.

It has not been possible to undertake an overly detailed analysis of all the risks and potential liabilities to the Crown that the project poses given the high-level nature of the information provided by the applicant and the statutory timeframes for this assessment. As previously mentioned, it is unclear in the application which specific activities are proposed in relation to specific land parcels. DOC commentary on Crown liabilities and risk is therefore presented at a high level.

As previously noted, while the reserves administered by QLDC meet the definition of PCL for the purposes of the FTAA, they are not administered by the Department, although they do have underlying Crown ownership. It is therefore acknowledged that there may be issues regarding risk and liability to council which are not addressed in this report. Again, DOC recommends that further engagement is undertaken with QLDC in relation to the application.

DOC is aware that QLDC has supplied s17 comments in relation to this referral application. Whilst DOC requested information from QLDC advising of all existing permissions relating to PCL it owns/administers, DOC was advised by QLDC that it would not be possible to provide complete records/information within the timeframe for this report.

For completeness, DOC notes that the provisions of s 42(4)(f)(l) and (m) of the Act do not apply, as the proposal does not include land exchange or access arrangements under the Crown Minerals Act 1991. The proposal does not include electricity infrastructure pursuant to s 24, and as such the requirements of s 13(4)(q) and (r) of the Act also do not apply.

Risk of non-completion, failure, inability to remediate land

Partial non-completion or failure of activities on PCL resulting in land disturbance, contamination and sedimentation, hazards, stranded assets and infrastructure can create significant financial, legal, health and safety, and reputational risk for the Crown. It can also create significant demand on DOC resources in terms of staff time and operating budget with respect to Crown land, and upon local authorities in relation to other PCL. For example, if a project fails, the Crown or council will have to manage the land and impacted adjacent lands in accordance with the statutory purpose for which those lands are held, and this may require remediation of the land.

There may be reputational risk to the Crown, and for the fast-track process as a whole, if a granted proposal is not technically feasible or there is an inability to progress the proposal or any part of it, particularly if those parts constitute offsetting or compensation for effects. There may also be a reputational risk for the fast-track process if the process is abused, for example if there was no intention to progress the development but approval is used to, for example, inflate land value.

Issues to consider in this particular application include:

With respect to the authorisations sought pursuant to s 42(4)(e), being concessions under the Conservation Act 1987 and Reserve Act 1977, the following issues warrant consideration;

- Potential interactions between gravel extraction and sewage discharge activities and the proposal in relation to the Shotover River Sewage Treatment Conservation Area and Kawarau River – Marginal Strip.
- The interaction of the transmission lines on Queenstown Hill and any proposed airspace easements sought by QCC, as well as conflicts with consented activities and easements within QLDC administered public conservation land. Council submits that there are multiple permissions including resource consents

issued by QLDC for activities within their reserves, as well as unexplored interests and encumbrances on the sometimes-historic titles of parcels it administers. DOC recommends that prior to any substantive application being lodged, should the application be referred, the applicant undertake an analysis of existing permissions granted pursuant to the Reserves Act 1977 as well as the Conservation Act 1987 to identify potential conflicts between existing permissions and consented activities and the proposal, and engage in pre-lodgement consultation with QLDC directly.

- As previously noted, DOC also recommends that the reserves status of Queenstown Lakes District Hospital is clarified to ensure that any possible issues around risk and liability are adequately considered.

Frustration of pre-existing activities

If the fast-tracked activity frustrates pre-existing actors operating with lawful authority from carrying out activities on the land, the Crown is exposed to legal, financial and reputational risk. If a legal challenge succeeds against the Crown, the remedies a court may order will vary in accordance with the degree of frustration, the type of lawful authority the pre-existing actor was operating under and other contextual factors.

Frustration of concessions in the form of a lease, licence to occupy or easement may lead to an order for specific performance of the lease, licence to occupy or easement and / or monetary damages, and costs. It may also lead to pre-existing lessees suing the operators of the fast-tracked activity for nuisance or trespass. FTAA Schedule 6 cl 7(3)(b) states that approval must be declined if “giving effect to the approval would result in the conferral of an interest in land that is incompatible with an existing interest in land.”

Frustration of the activities of those operating under contracts or agreements with the Director-General of Conservation (entered pursuant to s 53(2)(i) Conservation Act 1987) in respect of the land may lead to an order for injunctive relief, specific performance, damages, and costs. DOC considers this risk to be low.

Frustration of concessions in the form of permits and other statutory authorisations that do not create an interest in land may lead to compensation orders and costs. Again, DOC considers the risk of this occurring to be low.

6. Outcomes of consultation

As part of the preparation of this report, DOC has consulted with the QLDC. Council has prepared a comprehensive response which is appended to this report, which includes;

- Technical memoranda from QLDC addressing property and infrastructure management, including transport and three waters servicing; and from QLDC's Parks and Reserves team canvassing the perceived impact of the QCC development and operation on Council reserves;
- Peer review(s) of applicants' Economic Assessment (QCC Appendix 13); Economics Assessment (Appendix 14); and Transport Assessment (Appendix 15).

While QLDC's submission may canvass matters beyond those specified in s19 of the Act, DOC has appended this information for completeness.

Key issues identified by QLDC

Generally QLDC considers the reserves affected by the proposal to be highly prized community assets, particularly Queenstown Events Centre which is located (in part) upon recreation reserve, and Te Tapunui Queenstown Hill Reserve that warrant protection. Council considers that other reserves, including the Shotover/ Delta recreation reserve and local purpose(s) reserves serve important roles in supporting pedestrian and cycling networks, and providing access to waterways, and that QCC poses a threat to the current public access, use

and enjoyment of these assets. Council has advised it would prefer an alternative alignment to QCC which avoids or reduces impact upon key reserve assets.

While recognising the potential offered by QCC to reduce vehicle congestion within parts of the roading network, QLDC also considers that important aspects of the project have not been adequately addressed, including:

- Practical considerations such as the need for firebreaks through Te Tapunui Queenstown Hill Reserve, as well as the impact on the current practice of closing of the reserve during periods of increased wildfire risk
- Who would bear the long-term responsibility and costs for operating and maintaining the QCC and its associated infrastructure.
- The absence of nexus between a commercial activity (albeit one that supports public transport and reduces road congestion) and the stated purpose(s) of the reserve(s) impacted by the proposal, as well as the impact upon existing access to and enjoyment of publicly-owned land.

Other Matters

DOC considers there is conflation of the concessions sought under the Conservation Act compared with the Reserves Act in the applicant's referral application, and recommends pre-lodgement consultation with both DOC and QLDC prior to the lodgement of any substantive application informed by a greater level of detail, should the application be referred.

Conservation Covenant 586535.4 applies to part of Te Tapunui Queenstown Hill Reserve (Lot 2 DP 351844, RT 670387). DOC notes that the Record of Title also identifies additional covenants, easements and interests which relate to this parcel and it is recommended that a review of all relevant instruments be undertaken prior to the lodgement of any substantive application.

7. Section 19(3) obligations

Section 19(3) requires the reporting on matters required by sections 19(2)(a) and 19(2)(b) is prepared in consultation with every owner, administrator, or manager of the affected public conservation land who is not the Crown. Notwithstanding DOC's submission in relation to Queenstown Lakes District Hospital, which is vested in the Crown and operated by Te Whatu Ora / Health NZ, DOC has not identified any owner, administrator, or manager of the affected public conservation land who is not the Crown, or QLDC whose consultation comments are recorded above.

Although the applicant submits in Appendix 23.3 Key Consultation Correspondence that informal consultation with the landowners has been undertaken, DOC is not aware of the views of the Queenstown Hill Conservation Covenant landowner on the QCC, and this also needs to be addressed should the application be referred.

Appendix 1 – Active DOC administered concessions on Shotover River Sewage Treatment Conservation Area

Permission Number	Concessionaire Name	Term	Description	Permission Type
100614-OTH	Fulton Hogan Limited	09/01/2022 - 08/31/2027	Easement	Concession
53644-OTH	Queenstown Hardfill Management Company Limited	10/01/2017 - 12/31/2026	Easement	Concession
119760-OTH	Queenstown Lakes District Council	12/01/2025 - 12/31/2031	Licence	Concession
114884-FIL	Central Otago District Council	06/01/2025 - 05/03/2030	Permit	Concession
119498-OTH	Queenstown Lakes District Council	04/02/2025 - 04/02/2026	One-off Permit	Concession
48655-FLO	University of Otago Botany Department	07/20/2016 - 07/20/2026	Permit (High impact)	Research and Collection
71046-FAU	Individual	02/20/2019 - 02/19/2029	Permit (Low impact)	Wildlife Permits
93529-FAU	Individual	06/18/2021 - 06/17/2031	Permit (Low impact)	Wildlife Permits
64146-FAU	Ospri New Zealand Limited	05/11/2018 - 05/10/2028	Permit (Low impact)	Wildlife Permits

Appendix 2 – Access arrangements to Te Tapunui Queenstown Hill Reserve



Kerry Drive Entrance (Source: QLDC Draft Te-Taumata-o-Hakitekura Ben Lomond and Te Tapunui Queenstown Hill Reserve Management Plan)

Appendix 3 – Response from QLDC in relation to s19 consultation

The following documents were supplied by QLDC on 5 February 2026 in response to DOC's request for consultation pursuant to s19(3) of the Act;

- FTAA QLDC Comments Queenstown Cable Car Southern Infrastructure Ltd
- Appendices A to E
 - Attachment 1 to Appendix E