# 9. APPROVALS RELATING TO THE RESOURCE MANAGEMENT ACT 1991

## 9.1 INTRODUCTION

Clauses 5-7 in Schedule 5 of the Act set out the information requirements for a substantive application for approvals required under the RMA. This includes:

- **A description of the proposed activity, including a description and map of the proposed location**:[148]

  This is addressed in Section 3 of this report, with maps included in **Part C** of the application documents.

- **Confirmation that the application complies with Section 46(2)(a), (b), and (d) of the Act (regarding completeness and scope):**[149]

  In accordance with section 46 if the Act,[150] this substantive application for the Remarkables Ski Field Expansion Project:

  - Has been developed to adhere to the requirements of section 42 of the Act;[151],[152]
  - Includes the information required in section 43 of the Act (as described in Section 9.2 of this report), and is specified in sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the Act;
  - Is for a listed project;[153]
  - Does not involve an ineligible activity; and[154]
  - NZSki will pay the application fee as required by the Act.[155]

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148 Schedule 5, Clause 5(1)(a) & (b) of the Act.

149 Schedule 5, Clause 5(1)(c) of the Act.

150 Steps by EPA after substantive application lodged.

151 Section 46(2)(a)(i) of the Act.

152 Section 46(2)(a)(ii) of the Act.

153 Section 46(2)(b) of the Act.

154 Section 46(2)(c) of the Act.

155 Section 46(2)(d) of the Act.

- **The full name and address of each owner of the site and of land adjacent to the site, and each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry:**[156]

  This is addressed in Section 2, with a list of the relevant land owners and occupiers included in **Part I** of these application documents.

- **A description of any other activities that are part of the proposal to which the consent application relates:**[157]

  Section 3 contains a detailed description of all aspects of the Project.

- **A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates:**[158]

  This information is addressed in Section 4 and **Part H** of this report.

- **An assessment of the activity against Sections 5, 6 and 7 of the RMA:**[159]

  An assessment of the project against the purpose and principles of the RMA is set out later in this report, in Section 9.2.

- **An assessment of the activity against any relevant provisions of the following documents:**[160]

  - **A national environmental standard;**
  - **Other regulations made under the RMA;**
  - **A national policy statement;**
  - **A regional policy statement or proposed regional policy statement;**
  - **A plan or proposed plan; and**
  - **Iwi management plans.**

  The project is assessed against the provisions of these documents later in Section 9.3 of this report.

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156 Schedule 5, Clause 5(1)(d) of the Act.

157 Schedule 5, Clause 5(1)(e) of the Act.

158 Schedule 5, Clause 5(1)(f) of the Act.

159 Schedule 5, Clause 5(1)(g) of the Act.

160 Schedule 5, Clause 5(1)(h) of the Act.

- **Information about Treaty settlements that apply in the area covered by the consent application:**[161]

  Information about applicable Treaty settlements is included in Section 9.3.21 of this report.

- **A list of any relevant customary marine title groups, protected customary rights groups, or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011:**[162]

  Not applicable.

- **The conditions that the applicant proposes:**[163]

  A suite of proposed conditions is included in **Part H** of these application documents.

- **A copy of the notice required under Section 30 of the Act:**[164]

  A copy of the letter from Otago Regional Council is included in **Part E** of these application documents.

- **An assessment of the activity's effects on the environment:**[165]

  Section 6 and the technical assessments provided in **Part B** of these application documents provide a comprehensive assessment of the Project's effects on the environment.

- **If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under the RMA):**[166]

  A detailed rules assessment for approvals required under the RMA, which includes an assessment of all the relevant permitted activities, is provided in **Part G** to this report.

The following sections of this report address the relevant statutory planning matters required to be addressed by the provisions of Schedule 5 of the Act. This section then addresses the decision-making criteria set out in Schedule 5 (Clause 17) of the Act.

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161 Schedule 5, Clause 5(1)(i) of the Act.

162 Schedule 5, Clause 5(1)(j) of the Act.

163 Schedule 5, Clause 5(1)(k) of the Act.

164 Schedule 5, Clause 5(1)(l) of the Act.

165 Schedule 5, Clause 5(4) of the Act.

166 Schedule 5, Clause 5(5)(a) of the Act.

## 9.2 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

### 9.2.1 Overview

Schedule 5, Clause 5(1)(g) of the Act requires an assessment of the Project against sections 5, 6 and 7 of the RMA. While promoting sustainable management is the purpose of the RMA (as per section 5 of the RMA), that is not the purpose of the Act, and sustainable management considerations must be given less weight in the Panel's overall evaluation of facilitating the delivery of infrastructure and development projects with significant regional or national benefits.[167]

The Panel must 'take into account' Part 2 (purpose and principles), Part 3 (duties and restrictions under the RMA) and Part 6 (resource consents) of the RMA, while giving the greatest weight to the purpose of the Act.[168,169]

### 9.2.2 Section 5 of the RMA

The purpose of the RMA is to promote the sustainable management of natural and physical resources. In this regard, the Project will enable the social and economic wellbeing by providing a world class multi-valley ski area that will attract local and international visitors cater to both the existing and future visitor demands for ski tourism in the district and region. This is discussed further in Section 6.2 of this report.

It is considered that, with the environmental mitigations and compensation proposed as part of the Project, the Project will safeguard the life-supporting capacity of air, water, soil and ecosystems.

The avoidance, remediation or mitigation of adverse effects does not require that there be no residual effects on the environment. Instead, section 5 (2)(c) of the RMA contemplates adverse effects, the acceptability of which depend on and need to be assessed in the context of each application. Sections 6 and 7 of this report provide details on the measures proposed by NZSki to avoid, remedy or mitigate the actual and potential effects of the project on the environment and to manage effects on the wellbeing of people in accordance with section 5 of the RMA. Further, conditions proposed by NZSki are in **Part H** of this application.

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[167] Schedule 5, Clause 17(1)(a) of the Act.

[168] Schedule 5, Clause 17(1)(b) of the Act.

[169] It is noted that a substantive application need not include an assessment of the application against these sections / parts of the RMA (aside from sections 5, 6 and 7 of the RMA). Schedule 5(5) of the Act does not reference Parts 3 or 6 of the RMA.

### 9.2.3 Sections 6 and 7 of the RMA

With respect to the relevant matters in sections 6 and 7 of the RMA, the following points are pertinent:

- Section 6(e), section 7(a) and (aa) of the RMA are all relevant to the Project, and NZSki has been engaging with Te Rūnanga o Ngāi Tāhu and the Kā Rūnaka for the region, Te Rūnaka o Moeraki, Kāti Huirapa ki Puketeraki, Te Rūnaka o Ōtākou, Waihōpai Rūnaka, Te Rūnaka o Awarua, Te Rūnaka o Ōraka-Aparima, Hokonui Rūnaka form the Kā Rūnaka ki Ōtākou who represent mana whenua interests with respect to the Project;
- The Project is not "inappropriate" in the context of section 6(a) or (b) of the RMA and the various Project elements have been designed to preserve the natural character of the wetlands, rivers and their margins and to protect the outstanding natural landscape of the Rastus Burn and Doolans Basin as far as practicable – while enabling the economic and social benefits of the Project to be realised. It is acknowledged that the Project will result in natural character and landscape related effects within the Doolans Basin in particular, given the naturalness of the landscape. However, these effects will be confined to a very small part of the wider outstanding natural landscape;
- The careful management of effects associated with the Project will ensure that areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected (including through the implementation of the Biodiversity Compensation Project to address residual effects) in accordance with section 6(c);
- The Project will not create any additional constraints on public access within the Rastus Burn catchment, along the Doolans Creek or any other surface water body affected or influenced by the Project (section 6(d));
- There are no scheduled sites of historic heritage identified in the Rastus Burn or Doolans Basin, and therefore will not adversely affect historic heritage (section 6(f));
- Particular consideration has been given to the management of significant risks from natural hazards in the technical assessments commissioned by NZSki, and it is considered that there are appropriate factors of safety in the design of the various elements of the Project. It is also noted that natural hazard risks are inherent in ski related activities, given the alpine location where they operate (section 6(h));
- The amenity values of the Project area, and broader areas adjacent to the Project, will be maintained by the imposition of recessive colours for infrastructure, Doolans Bottom Terminal, Doolans Mid Station, Doolans Return Terminal, Doolans Control Rooms, Treatment Plant Infrastructure, Conveyor Lifts and Pump Stations. In addition, building footprints and envelopes will be fixed to safeguard amenity values (section 7(c));

- Thorough investigations have been commissioned by NZSki to ensure efficient use and management of all natural and physical resources related to the Project especially with respect to on-site treatment infrastructure (section 7(b));
- Based on the conclusions outlined in Section 6.7 of this report, it is considered that particular regard has been given to the intrinsic values of ecosystems and to the maintenance of the quality of the environment (sections 7(d), (f) and (g));
- Potential effects on ecosystems, including freshwater and terrestrial ecology, are described in Section 6.4 and 6.6 of this report (section 7(d));
- The Project will not have any effects on trout or salmon (section 7(h)); and
- The effects of climate change have been considered throughout this report and in the various technical reports, attached in **Part B** of these application documents (section 7(i)). Notably, the expansion into a southerly facing basin will provide further resilience to the effects of climate change.

### 9.2.4 Section 8 of the RMA

While under the Act, section 8 of the RMA need not be addressed in this section, for completeness it is noted that NZSki is not a "person exercising functions and powers under the RMA" for the purpose of Project. That said, NZSki has attempted to undertake engagement with iwi in good faith and in a manner that reflects the scale and significance of the Project. This work is and will continue to be ongoing throughout the life of the Project.

### 9.2.5 Summary

Overall, and based on the technical assessments that have been commissioned by NZSki, it is considered that the Project will promote the sustainable management of natural and physical resources in accordance with sections 5, 6 and 7 of the RMA.

## 9.3 RELEVANT PLANNING DOCUMENTS

### 9.3.1 Overview

Clauses 5(1)(h) and 5(2) of Schedule 5 of the Act require an assessment of the Project against relevant RMA planning documents. An assessment of the Project against these documents must include an assessment of the Project against any relevant objectives and policies (the rules are addressed in Section 4 and **Part G** of the application documents). The relevant statutory planning documents are considered to be:

- Resource Management (Measuring and Reporting of Water Takes) Regulations 2010;

- Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ("**NES Freshwater**");
- Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (**"NES Air"**);
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("**NES Soil**");
- Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007 ("**NES Drinking Water**");
- Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 ("**NES Electricity Transmission**");
- National Policy Statement for Freshwater Management 2020 (**"NPS-FM"**);
- National Policy Statement for Indigenous Biodiversity 2023 ("**NPS-IB**");
- National Policy Statement for Natural Hazards 2025 ("**NPS-NH**");
- Proposed Otago Regional Policy Statement (**"Proposed RPS"**);
- Operative Otago Regional Policy Statement ("**Operative RPS**")
- Regional Plan: Water for Otago (**"Water Plan"**);
- Queenstown Lakes Proposed District Plan ("**Proposed Plan**");
- Queenstown Lakes Operative District Plan ("**Operative Plan**");
- Central Otago District Plan ("**CODP**"); and
- Water Conservation (Kawarau) Order Act 1997 ("**Water Conservation Order**").

In addition to the above, it is understood that there are two iwi management plan that is applicable to the Project area - Kāi Tahu ki Otago Natural Resource Management Plan 2005 and Ngāi Tahu ki Murihiku Natural Resources Plan. These plans are also addressed later in this section of the substantive application.

### 9.3.2 Resource Management (Measuring and Reporting of Water Takes) Regulations 2010

The Doolans Creek Right Branch water take proposes a consumptive water take of 30 l/s, therefore the Regulations apply to the proposal. NZSki propose to adopt the water take monitoring (data logging a pulse from the flow meter in 15-minute increments) as prescribed within Regulations 5-8, therefore the proposed take will be compliant with the regulations.

### 9.3.3 National Environmental Standards for Freshwater

**Overview**

The NES Freshwater came into effect September 2020 and was most recently amended in January 2026. The NES Freshwater sets requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems, including, activities within or adjacent to wetlands, reclamation of rivers, and activities that could affect fish passage. The requirements in the NES Freshwater operate as rules.

**Natural Inland Wetlands**

As described in Section 4.2.1 of this substantive application, the Project involves several activities that require resource consent under the NES Freshwater associated with the construction of specified infrastructure in proximity to natural inland wetlands. In accordance with Clause 45, a resource consent must not be granted unless the consent authority has first:

- Satisfied itself that the construction of specified infrastructure will provide significant national or regional benefits; and
- Satisfied itself that there is a functional need for the specified infrastructure in that location; and
- Applied the effects management hierarchy.

Specified infrastructure has the meaning given by the NPS-FM, that is: "regionally or nationally significant infrastructure identified as such in a National Policy Statement, the New Zealand Coastal Policy Statement, or a regional policy statement or plan".

The Proposed RPS defines regionally significant infrastructure as including:

> *(14) ski area infrastructure at Remarkables, Cardrona, Treble Cone and Coronet Peak...*

The Project involves the use and development "ski area infrastructure" therefore falls within scope of the NPS-FM definition. applied the effects management hierarchy.

In relation to the above, the Project:

- Section 6.2 of the Substantive Application discusses the significant economic benefits such as a GDP contribution in of $197 million (high-growth scenario), potentially generating 4,443 seasonal jobs within 10 years (high-growth scenario) and will result in the delivery of regionally significant infrastructure accommodating up to 6,000 skiers per day.

- Careful consideration has been given to largely avoid placement of ski infrastructure such as gondola towers within natural inland wetlands and where this is not practicable a suite of comprehensive measures will be in place to maintain the hydrological function and connectivity of all wetlands. Where wetland crossings are required to cross any waterbody the design of these features will be assessed by a suitably qualified and experienced hydrologist and wetland ecologist and provide certainty to the ORC that the design will not alter natural flows or ecological connections.
- The effects management hierarchy has been applied including avoidance measures built into the design through an iterative process to maintain ecological integrity of natural inland wetlands. This has resulted in the avoidance of wetland features, and where this is not possible crossings have been deliberately sited at narrow points to minimise disturbance to the extent practicable. When assessing the potential effects of the proposed works on wetlands in accordance with the effects management hierarchy, the following is noted:
  - The risks to wetlands will be minimised as far as practicable through avoidance with works occurring within these features to only where there is a functional need;
  - The conditions reinforce measures to minimise effects through provision of detailed design information, hydrological assessment and expert review, prevention of discharges of contaminants through implementation of erosion and sediment measures, avoidance of changes to wetland hydrology, exacerbation of flood risk, changes to natural drainage patterns and prevention of erosion and instability.
  - Where temporary works are required to construct a wetland crossing, the pre-construction condition of the natural inland wetland will be recorded to be returned to its original condition (bed profile and hydrological regime) within 14 days of the construction activity commencing. All works proximate to natural inland wetlands will avoid encroachment by construction vehicles and machinery unless it is necessary and the vehicles and equipment have been cleaned and modified to avoid damage to the wetland. In addition, all vegetation for removal must be reinstated along with all debris, material and equipment being removed from the site and all crossings maintained in perpetuity and in accordance with standard engineering practises to a safe and serviceable standard.

For the reasons outlined above, the Consent Authority should be satisfied that the Clause 45(6) requirements have been met.

**Passage of Fish Affected by Structures**

Due to the altitude of the site and the natural geographical barriers that existing within the relevant waterbodies, no fish are present within the proposed works areas. This has also been confirmed by eDNA sampling.

The application seeks resource consent for the placement and use of culverts and a Tyrolean weir within the bed of a river that would otherwise require resource consent pursuant to Regulation 71(1) and Regulation 73(1). The primary issues of concern under the regulations relate to fish passage, culvert design, monitoring and maintenance. In this instance, there is no fish present at the location of the weir nor within the streams where the five culverts will be placed. Notwithstanding, and the design for each culvert will accommodate the natural flow of sediment and flood flows, not cause flooding, erosion or other adverse effects. The information required to be provided to Otago Regional Council by Regulations 62 and 63 will be provided for the culverts and one weir placed in the bed of a river requiring resource consent, and conditions have been proposed pertaining to ongoing monitoring and maintenance in accordance with the requirements of Regulation 69(2).

### 9.3.4 National Environmental Standard for Air Quality

The NES Air came into effect in June 2011. The NES Air sets out ambient air quality standards for a number of contaminants for the protection of public health - including fine particulates ($PM_{10}$), sulphur dioxide ($SO_2$), carbon monoxide (CO) and nitrogen dioxide ($NO_2$). It applies where people are likely to be exposed for periods commensurate with the relevant assessment averaging period. The NES Air also includes concentration limits and the specified number of occasions that those concentration limits may be exceeded within any year.

The standards specified in the NES Air, along with the ambient air quality guidelines for Air Zone 3 of the Otago Air Plan within Rule 16.3.15.1 to 16.3.15.5 are complied with, and any concentrations of $PM_{10}$, CO and $SO_2$ and $NO_2$, associated with any air discharges from the Project relating to the emergency diesel generators are expected to remain within the relevant standards.

While the Project includes new generators being established within Car Park 3, the specifications of these generators in terms of air quality discharges will not be known until detailed design is complete. A separate air discharge permit will therefore be sought for the discharges associated with the generators at a later date.

### 9.3.5 National Environmental Standard for Assessing and Managing Contaminants in Soil

The NES Soil came into effect in January 2012. The NES Soil seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed. If necessary, affected land will need to be remediated or the contaminants contained to make it safe for human use.

As set out earlier in this substantive application, in Section 4, resource consent is not required under the NES Soil. For completeness, the CEMP includes content and performance indicators in the event of accidental discovery of contaminated land to manage risk to human health and construction workers during development.

### 9.3.6 National Environmental Standard for Sources of Human Drinking Water

The NES Drinking Water came into effect in June 2008. The NES Drinking Water sets requirements for the protection of sources of human drinking water from contamination. A human drinking water source is a natural water body that is used to supply a community with drinking water.

The NES Drinking Water applies to resource consent applications for activities located upstream of an abstraction point of a registered drinking water supply. The regulations of the NES set out specific regulatory requirements for regional councils with regard to the granting of water permits or discharge permits, activity status under the council's regional plans for certain activities and certain circumstances in which consent conditions must be applied to a granted application.

Earthworks and temporary damming of the Rastus Burn Stream are proposed upstream of the existing abstraction point for the Rastus Burn drinking water supply. All earthworks and streamworks in the Rastus Burn will be undertaken in accordance with a certified CEMP and ESCP, informed by both hydrological and ecological input. This will ensure the proposed activities will not be likely to introduce or increase the concentration of any determinants or aesthetic determinants at the abstraction point.

There are no registered drinking-water supplies within the Central Otago District (within the Doolans Creek Right Branch) downstream of the proposed abstraction point. Accordingly, these regulations are not applicable to the water take permit being sought. As such, it is considered that the application is consistent with the regulations of the NES Drinking Water.

### 9.3.7 National Environmental Standard for Electricity Transmission Activities

The NES Electricity Transmission came into effect in January 2010. The NES Electricity Transmission sets requirements for the operation, maintenance, upgrading, relocation or removal of existing transmission lines.

The proposed electricity upgrades relate to the infield ski-field electricity network and require no changes to the existing Aurora operated transmission spur line. The electricity upgrades are entirely focused on enhancing the internal electricity distribution network within the Rastus Burn into the new basin area with no proposed modifications to the external mains power supply regime.

Accordingly, the regulations within the NES Electricity Transmission are not applicable.

### 9.3.8 National Policy Statement for Freshwater Management

**Overview**

The NPS-FM came into effect on 3 September 2020 and was last amended in December 2025 and encompasses Te Mana o te Wai, a concept referring to the fundamental importance of water, recognising that protecting the health of freshwater protects the health and wellbeing of the wider environment. In effect, the NPS-FM seeks to adopt a water-centric approach to freshwater management.

The sole objective of the NPS-FM is:

> *...to ensure that natural and physical resources are managed in a way that prioritises:*
>
> *(a) first, the health and wellbeing of water bodies and freshwater ecosystems;*
>
> *(b) second, the health needs of people; and*
>
> *(c) third, the ability of people and communities to provide for their social, economic and cultural wellbeing, now and in the future.*

Central to the NPS-FM is the concept of Te Mana o Te Wai, which is described as:

> *a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.*

Te Mana o Te Wai encompasses six principles relating to the roles of tangata whenua and other New Zealanders, these are:

- **Mana whakahaere:** the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and wellbeing of, and their relationship with, freshwater.
- **Kaitiakitanga:** the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations.

- **Manaakitanga:** the process by which tangata whenua show respect, generosity, and care for freshwater and for others.
- **Governance:** the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and wellbeing of freshwater now and into the future.
- **Stewardship:** the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations.
- **Care and respect**: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

Section 5.2 of this substantive Application outlines the engagement undertaken with Kā Rūnaka. The potential freshwater cultural effects are examined in Section 6.3 of this application with conditions proposed to avoid, remedy and mitigate adverse effects in conjunction with creation of a mana whenua advisory group. The mana whenua advisory group will ensure that Kā Rūnaka can continue to exercise Kaitiakitanga and Manaakitanga with respect to the freshwater related aspects of the Project that fall within their takiwā.

In respect of the NPS-FM policies, those of most relevance to this application are discussed in detail below.

**Policies 1 and 2**

Policy 1 of the NPS-FM seeks to ensure that freshwater is managed in a way that gives effect to Te Mana o te Wai. Policy 2 seeks to ensure that tangata whenua are actively involved in freshwater management and Māori freshwater values are identified and provided for.

In accordance with Te Mana o te Wai, the activities proposed as part of the Project have been designed to avoid and minimise impacts on the health and mauri of waterways, wetlands and tarn features, as summarised in Section 6.6.

Provided the recommended conditions of consent are complied with, including measures to protect the water quality from construction activities via implementation of robust erosion and sediment controls, maintaining the hydrological function and connectivity of wetlands, adherence to maximum take rates, providing minimum residual flows and streambank remediation with native carex/tussock grasses the health and wellbeing of freshwater and the wider environment is appropriately provided for.

Engagement with Kāi Tahu has occurred in good faith to date and will continue as the Project progresses. To further support meaningful collaboration and culturally appropriate management outcomes, NZSki has proposed multiple consent conditions which relate to

the establishment of a mana whenua advisory group, enabling mana whenua representatives to provide ongoing advice and input into implementation, management measures, and matters relevant to Kāi Tahu values associated with the Project. NZSki is open to continuing engagement with Kā Rūnaka and Te Rūnanga to recognise matters relating to freshwater and cultural values and has recently sought to establish the mana whenua advisory group.

**Policy 3**

Policy 3 of the NPS-FM requires that freshwater is managed in an integrated way that considers the effects of the use of land and development of land on a whole of catchment basis, including the effects on the receiving environments.

While this policy is focused on actions to be undertaken by the regional councils, it is noted that the technical assessments commissioned by NZSki have considered the actual and potential effects of the Project on land and freshwater resources in an integrated manner. This includes considering the potential effects of the Project at both a localised scale, and project wide scale, as set out in Section 6.6 of this report.

While freshwater, as referred to in the NPS-FM includes groundwater, there are no direct references to groundwater or groundwater management within the policies of the NPS-FM. Notwithstanding this, the cumulative effects of the Project with respect to freshwater matters (including groundwater) have been canvased in detail by e3s (2026a, b, c, d, and g). Overall, integrated management of freshwater is therefore at the centre of NZSki's management approach, not just for the Project, but its wider operations.

**Policy 5**

Policy 5 of the NPS-FM relates to the National Objectives Framework ("**NOF**") and ensuring the health and wellbeing of degraded water bodies and freshwater ecosystems is improved, and that where water is not degraded it is maintained or improved (if the community chooses).

The NOF directs how councils must set objectives, policies, and rules about freshwater in their regional plans. They must do this by establishing freshwater management units across their regions and identifying the values that communities hold for the water in those areas. Councils are required to maintain or improve water quality within their region.

Sub-part 2 of the NPS-FM sets out the approach regional councils must follow in setting freshwater objectives, attributes and limits for individual water bodies. The NPS-FM requires that regional councils must consider freshwater values and how they should apply to local

or regional circumstances. Appendix 1A of the NPS-FM sets out compulsory national values, while other values to be considered are set out in Appendix 1B.

There are four compulsory national values, as follows:

> Ecosystem Health;

> Human contact;

> Threatened Species; and

> Mahinga Kai.

Appendix 2 of the NPS-FM sets out the attribute tables that are applicable to a waterbody and are related to the compulsory national values of ecosystem health and human contact.

While the Otago Regional Plan: Water is yet to implement the NOF and Freshwater Management Units ("**FMU**"), the site has been identified as within two FMUs in the Proposed RPS – the Rastus Burn is within the 'Upper Lakes Rohe' FMU, and the Doolans Basin is within the 'Dunstan Rohe' FMU. Attributes requiring limits and attributes requiring action plans have been taken into account in this substantive application and within the relevant technical reports contained in **Part B** of these application documents.

In respect to wastewater, the Wastewater Discharge Impact Assessment concludes that the wastewater generated as a result of the Project, while increasing wastewater flows, will result in a nutrient loading and water quality commensurate with the existing wastewater discharge, which has acceptable effects, with no increase in the scale or intensity of effects to that which is currently occurring in the catchment. The Doolans Freshwater Ecology Assessment and Wastewater Discharge Impact Assessment have concluded that any discharges within the Doolans Creek Right Branch, unnamed wetlands or watercourses as assessed in Section 6 of the application will have minor effects and are unlikely to impact on the ability to achieve the applicable freshwater objectives and compulsory national values.

**Policy 6**

Policy 6 of the NPS-FM seeks to ensure that there is no loss to the extent of natural inland wetlands and that their values are protected. Policy 6 also promotes the restoration of natural inland wetlands. This policy is supported by clause 3.22 of the NPS-FM, which requires regional councils to include a new policy in their regional plans which guides how Policy 6 will be implemented at a regional level. Collectively, these provisions direct that wetland loss be avoided and their values protected, unless the regional council is satisfied that:

- The activity is necessary for the purpose of the construction or upgrade of specified infrastructure; and,
- The specified infrastructure will provide significant national or regional benefits; and
- There is a functional need to locate the activity in that location, and
- If a functional need exists, the effects of the activity are managed in accordance with the effects management hierarchy described in the NPS-FM. Specifically, the hierarchy requires:
    - Adverse effects are avoided where practicable;
    - Where adverse effects cannot be avoided, they are minimised where practicable;
    - Where adverse effects cannot be minimised, they are remedied where practicable;
    - Where more than minor residual effects cannot be avoided, minimised or remedied, aquatic offsetting is provided where possible;
    - If aquatic offsetting of more than minor residual effects is not possible, aquatic compensation is provided; and
    - If aquatic compensation is not appropriate, the activity itself is avoided.

The Project involves the development of ski area infrastructure, which is identified in the NPS-Freshwater as "specified infrastructure". There is a functional need for the Project to be located within the Doolans Basin, due to the need for the Project to be located within an alpine setting, and one that adjoins an existing ski area to enable efficient use of existing resources (being the reliance on the existing Remarkables Ski Area).

NZSki has committed to protecting any natural inland wetlands potentially affected by the Project from the early design phase. As detailed in Section 3, NZSki has sought to avoid siting infrastructure within natural inland wetlands in the first instance. Careful design has been undertaken to minimise effects on wetlands where practicable, including minimising the extent of any wetland crossing and using permeable access design to maintain hydrological functioning.

Further measures are proposed to mitigate effects and protect the wetlands, including sediment control, maintaining upstream drainage patterns to protect wetland hydrology, delineating wetlands within 10m of disturbance areas, and implementing relevant conditions set out in **Part H** of this application.

While these management measures will not strictly avoid the loss of wetland extent or value, such effects are being avoided and minimised where practicable. Offsetting of effects

is not available in this natural, undeveloped environment. When the quantum of loss is considered in the context of the wetlands present within the wider Project area and the Ecological District, the magnitude of the loss is considered by e3s to be low. Further details are provided in the supporting e3s reports included in **Part B** of this application.

The Biodiversity Compensation Package is intended to respond to the 13.8 ha of vegetation loss (including wetland) within the alpine project areas. Compensation is considered appropriate in the context of Policy 6, as all the reasonable and practical measures for addressing the matters set out in Clause 3.22 have been addressed.

**Policy 7**

Policy 7 of NPS-FM seeks to ensure the loss of river extent and values is avoided to the extent practicable. This is supported by clause 3.24 of the NPS-FM, which requires regional councils to include a new policy in their regional plans which guides how Policy 7 will be implemented at a regional level. Collectively, these provisions direct that river loss should be avoided, unless:

- There is a functional need to locate the activity in that location and in a way that causes loss of river extent and values; and
- If a functional need exists, the effects of the activity are managed in accordance with the effects management hierarchy described in the NPS-FM. Specifically, the hierarchy requires:
    - Adverse effects are avoided where practicable;
    - Where adverse effects cannot be avoided, they are minimised where practicable;
    - Where adverse effects cannot be minimised, they are remedied where practicable;
    - Where more than minor residual effects cannot be avoided, minimised or remedied, aquatic offsetting is provided where possible;
    - If aquatic offsetting of more than minor residual effects is not possible, aquatic compensation is provided; and
    - If aquatic compensation is not appropriate, the activity itself is avoided.

Similar to the discussion with respect to Policy 6 above, there is a functional need for the Project to be located within an alpine environment (for which a number of tributaries traverse). NZSki also focused on the avoidance of effects on tributaries within the alpine project area, through siting design.

The loss of river extent has been minimised to the extent practicable, to ensure residual effects are carefully controlled. This is achieved through the incorporation of best-practice methods for the protection of stream health (including the use of splash crossings over culverts), the provision of detailed engineering design and the inspection of structures by suitably qualified ecologists and hydrologists following the implementation of stream crossings. In addition, erosion and sediment control measures will be in place for the duration of works that will be carried out in low flow conditions, adhering to best-practise methodologies. Following works, rehabilitation of disturbed streambanks with tussock grasses will ensure appropriate restoration of river values.

Operationally, the imposition of residual flow requirements, abstraction limits and cessation of takes at low flows will maintain ecological regimes and protect downstream river health within the Nevis River in addition to the stream crossing and fish passage requirements to protect ecological connectivity and habitat.

Overall, NZSki has taken all practicable measures to avoid a loss of stream extent and value, and minimise effects where avoidance is not practicable. With the mitigation measures in place, the residual effects have been assessed by e3s as being low, particularly when considered at the district or regional level.

**Policies 9 and 10**

Protection of habitats of indigenous freshwater species, trout and salmon is the focus of Policies 9 and 10, respectively. The Doolans Creek Right Branch is naturally fishless at the weir site and contains no native fish or macroinvertebrates downstream due to the distance inland, elevation and barriers downstream and the Rastus Burn contains a naturally low macroinvertebrate diversity and is naturally fishless.

**Policy 11**

The efficient use of freshwater, the phasing out of existing over-allocation and the avoidance of future over-allocation is the focus of Policy 11 of the NPS-FM.

The proposed water take represents 1% of the available allocation and therefore can be taken as primary allocation and will only be taken during the months of May to October (inclusive). Consequently, the proposed water take meets the intention of Policy 11.

**Policy 12**

Policy 12 of the NPS-FM sets a national target for increasing proportions of rivers (and lakes) that are suitable for primary contact to at least 80% by 2030 and 90% no later than 2040. Based on the conclusions of the Doolans Freshwater Ecology Assessment, Rastus Burn Wastewater Assessment, and Roads & Crossings Assessment, the activities occurring as

part of this Project will not impede ORC's ability to achieve the requirements of Policy 12 of the NPS-FM.

**Policy 13**

The focus of Policy 13 of the NPS-FM is to ensure that the condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.

NZSki is proposing to undertake a comprehensive range of monitoring of its existing proposed and expanded operations with respect to water bodies and freshwater ecosystem, with action taken where freshwater is degraded and to reverse declining trends.

NZSki's proposed suite of monitoring as part of the Project, is detailed in **Part H** of this substantive application with regular reporting requirements to ORC proposed.

**Policy 15**

Enabling communities to provide for their social, economic and cultural wellbeing, in a manner that is consistent with the NPS-FM, is the focus of Policy 15.

As described in the preceding sections, the Project is being undertaken in a manner that is consistent with the relevant policy directives of the NPS-FM. It is estimated that the Project could support 81 annualised construction jobs,

Accordingly, the Project achieves the balance sought from Policy 15, and enables the community to continue to provide for its social and economic wellbeing in a manner that is consistent with the NPS-FM.

**Summary**

It is therefore considered that the Project is generally consistent with the provisions of the NPS-FM.

### 9.3.9 National Policy Statement for Indigenous Biodiversity

**Overview**

The NPS-IB came into force in 2023 and was last amended in December 2025. It provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally. The scope of the NPS-IB is limited to terrestrial

ecosystems (and some aspects of wetlands) and applies across all land types in New Zealand – on private and public land.[170]

Central to the NPS-IB is its objective:

> *(1) The objective of this National Policy Statement is:*
>
> *(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and*
>
> *(b) To achieve this:*
>
> *(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and*
>
> *(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and*
>
> *(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and*
>
> *(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and into the future.*

To achieve this objective, the NPS-IB contains several policies of relevance to the Project. An assessment of the project against these policies is detailed below.

**Policies 1 and 2**

Policy 1 seeks to manage indigenous biodiversity in a way that gives effect to the decision-making principles and takes into account the principles of the Treaty of Waitangi. Policy 2 seeks for tangata whenua to exercise kaitiakitanga for indigenous biodiversity in their rohe, including through:

- Managing indigenous biodiversity on their land; and
- Identifying and protecting indigenous species, populations and ecosystems that are taonga; and
- Actively participating in other decision-making about indigenous biodiversity.

[170] It is noted that the Resource Management (Freshwater and Other Matters) Amendment Act 2024 inserted a new section into the RMA that suspended certain provisions of the NPS-IB for a 3-year period (section 78 of the RMA). The suspended provisions relate to the identification of new areas of significant indigenous vegetation and significant habitats of indigenous fauna. These provisions are not relevant to this application as SNA's have already been identified by the Central Otago District Council and are mapped in the Central Otago District Plan, and so are 'NPS-IB SNAs" in accordance with the definition of SNA in the NPS-IB (being already mapped in a District Plan at the commencement of the NPS-IB).

The principles of the Treaty of Waitangi referred to in Policy 1 are centred around partnership, participation, and protection, which align with the goals of Policy 2.

NZSki respects Kā Rūnaka's relationship with The Remarkables and wider takiwā as a tangible and intangible representation of their whakapapa. The mauri of the natural environment, and its intrinsic connection to the wellbeing of people, culture, and future generations, is expressed through their ancestral lands and waters, taonga, mahinga kai, wāhi tapu, and other valued resources, including indigenous biodiversity.

As discussed earlier in this application, NZSki has undertaken engagement with Te Rūnanga and Kā Rūnaka on an ongoing basis since 2021 to support a collaborative and tikanga based approach through identification of cultural aspirations and concerns. This has included site visits, attendance at project briefings to provide an overview and environmental context to assist with their identification of cultural associations, values and key cultural impacts.

The proposed Mana Whenua Advisory Group will provide for enduring engagement including in development and implementation of management and monitoring plans and directly supporting the exercising of kaitiakitanga. The embedment of tikanga and mātauranga into project processes including in biodiversity-related planning ensures an ongoing partnership in identification, protection and management of indigenous biodiversity and taonga in alignment with Te Tiriti o Waitangi.

**Policy 3**

Policy 3 seeks to adopt a precautionary approach when considering adverse effects on indigenous biodiversity.

The Terrestrial Ecology Assessment has considered the actual and potential effects of the Project on terrestrial ecology values within the Project Area. NZSki understands that the Project area is a complex alpine environment and a precautionary approach has been taken – with the proposed conditions requiring delineation of the disturbance footprint, plant translocations, performance standards in respect of those translocations and ongoing monitoring requirements to ensure survival.

**Policy 4**

Policy 4 of the NPS-IB seeks to manage indigenous biodiversity to promote resilience to the effects of climate change. To the extent practicable, the Project has considered the potential climate related impacts within the Project area and will improve long term resilience to variable weather patterns.

**Policy 5**

Policy 5 requires that biodiversity be managed in an integrated way, within and across administrative boundaries.

The Project site is located within the administrative boundaries of ORC, QLDC and CODC. Although this policy is directed at councils, it is noted that engagement with the respective councils has been occurring as part of the preparation of this substantive application, which has included the sharing of Project information and responding to technical feedback.

**Policies 6 and 7**

Policy 6 requires significant indigenous vegetation and significant habitats of indigenous fauna to be identified as Significant Natural Areas ("**SNA**"), using a consistent approach. Policy 7 seeks to protect SNAs by avoiding or managing adverse effects from new use and development.

In the Rastus Burn (Queenstown Lakes District), the Project area is not identified as being in a mapped SNA in the Proposed District Plan. However, the Terrestrial Ecology Assessment identifies that certain vegetation communities impacted by the Project meet the significance criteria of the Proposed District Plan – snow tussock grassland, north facing tussock grassland, cushionfield, cushion bog, riparian wetland, seepage, rockfield, rocky outcrop and disturbed vegetation. These communities also meet the significance criteria of the NPS-IB.

In the Doolans Basin (Central Otago District), the entire Project area is located within three significant natural areas - SN18 Cone Peak, SN26 Glenroy and SN28 Wentworth. All impacted vegetation communities in the Central Otago District meet the significance criteria of both the Central Otago District and NPS-IB, as well as being mapped SNAs.

The assessment of terrestrial ecology effects in Section 6.4 of this substantive application identifies that the Project will result in:

> A moderate level of residual effects in respect to vegetation loss and fragmentation in the Rastus Burn and a high level of effect in the Doolans Basin;

> A moderate level of residual effects in respect of sedimentation of cushion bog, riparian wetland, seepage and snowbank vegetation communities;

> A moderate level of residual effects on high quality foraging habitat of karearea | New Zealand falcon in the Doolans Basin and a low level of residual effect on foraging habitat in the Rastus Burn;

- A high level of residual effects on nesting habitat for pihoihoi | New Zealand pipit below 1,700 m in the Doolans Basin;
- Moderate to high levels of residual effects on specific invertebrates, primarily due to habitat loss associated with vegetation clearance;
- Very-low level of residual effect on McCann's Skink in Doolan's Basin due to the extent of available habitat, wide geographic distribution and extent of population impacted;
- Moderate to high levels of residual effects on avifauna and invertebrates associated with construction noise.

To address these residual effects that cannot be practicably avoided or mitigated – given the sensitive alpine environment and the functional need for ski related activities to locate in alpine environments – NZSki is proposing to design and implement a Biodiversity Compensation Package as described in Section 3 of the application documents (in addition to the implementation of a substantial number of mitigation measures).

Clause 3.10 of the NPS-IB sets out how effects on SNAs are to be managed, with Clause 10(2) identifying effects that must be avoided – unless specific exceptions are met. Clause 3.11 provides the exceptions framework for specific activities where Clause 3.10.(2) does not apply. For the construction or upgrade of specified infrastructure[171] that provides significant national or regional public benefit where:

- There is a functional need[172] or operational need[173] for the development to be in a particular location; and
- There are no practicable alternative locations for the development, [174]

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[171] The NPS-IB definition of specified infrastructure includes "regionally or nationally significant infrastructure in a … regional policy statement or plan." The Proposed RPS identifies "ski area infrastructure at Remarkables" as being regionally significant infrastructure. It is also noted that the Project will have significant regional benefits.

[172] The NPS-IB definition of functional need is "the need for a proposed activity to traverse, locate or operate in a particular environment because that activity can only occur in that environment". Clearly, there is a functional need for a ski field to occur in an alpine environment.

[173] The NPS-IB definition of operational need is "the need for a proposed activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characters or constraints." Again, it is considered there is an operational need for the Project to be located where proposed – given the existing ski activities within the Rastus Burn and the reliance on that existing infrastructure to support the expansion into the Doolans Basin.

[174] Given the Project relies on the existing ski field infrastructure in the Rastus Burn, and the need to expand into an adjacent alpine environment to enable the Project (all of which is identified as SNAs – as is the wider area in the Central Otago District), there are no practicable alternative locations.

Clause 3.10(2) does not apply, and any adverse effects on an SNA must be managed in accordance with the effects management hierarchy,[175] with an applicant being required to demonstrate how offsetting or compensation is being applied (including how the applicant has complied with the principles of offsetting/compensation in the NPS-IB). [176]

The Terrestrial Ecology Assessment and Ecology Memo provides detail on the avoidance, remediation and mitigation measures proposed by NZSki to manage the terrestrial ecological effects of the Project. The design of the BCP will partially address residual effects, and the principles of compensation will broadly be adhered to in the design of the BCP. This broad, rather than stringent adherence to the principles is appropriate in the context of the FTAA.

**Policies 8, 13 and 14**

Policy 8 of the NPS-IB seeks to recognise and provide for the importance of maintaining indigenous biodiversity outside of SNAs and Policy 13 seeks to promote and provide for the restoration of indigenous biodiversity. Policy 14 promotes increased indigenous vegetation cover in urban and non-urban environments.

Further to Policy 8, the NPS-IB requires that adverse effects on indigenous biodiversity which is not protected by an SNA be managed by applying the effects management hierarchy where those effects are significant.

The analysis undertaken in respect of Policies 6 and 7 is considered to equally apply to these policies. It is also noted that the effects on lizards are being managed through a comprehensive lizard compensation package within the alpine project areas.

The effects management hierarchy has been applied to the removal of indigenous vegetation from Car Park B in association with the Lower Remarkables Transit Hub. While the effects are not 'significant' in accordance with the Policy 8 directive, NZSki is proposing to restore the area immediately west and adjacent to the car park with high diversity grey shrubland, will look to avoid works occurring within the breeding season of indigenous avifauna and will prepare and implement a lizard management plan to address potential effects on lizards (noting that McCann's skink the most likely lizards present on site). With these measures in place, the discrete works occurring within the Lower Remarkables Transit Hub are entirely consistent with these policy directives.

[175] NPS-IB Clause 3.10(3).

[176] NPS-IB Clause 3.10(4).

**Policy 10**

Policy 10 seeks to recognise and provide for activities that contribute to New Zealand's social, economic, cultural, and environmental wellbeing.

As described in Section 3 of this Substantive Application, the primary objective of the Project is to provide a world class multi-valley ski area that will attract local and international visitors and cater to both the existing and future visitor demands for ski tourism in the district and region. This contributes to New Zealand's social and economic well-being.

The Project has also been designed to improve the overall resilience of the ski area to the effects of climate change and increasingly variable weather patterns. The Doolans Basin is also located on a south facing slope and therefore, has a heightened ability to retain snow, improving its longer-term resilience to the potential effects of climate change.

The conditions proposed in **Part H** of this application, show NZSki's commitment to include mana whenua in the Project by establishing a mana whenua working group who can share and advocate for cultural and Māori values. NZSki has proposed multiple consent conditions which relate to the establishment of the mana whenua advisory group, enabling mana whenua representatives to provide ongoing advice and input into implementation, management measures, and matters relevant to Kā Rūnaka values associated with the Project.

**Policy 15**

Policy 15 seeks to identify and manage areas outside SNAs that support specified highly mobile fauna to maintain their populations across their natural range. The Terrestrial Ecology Assessment includes consideration of highly mobile fauna – karearea |New Zealand falcon and pihoihoi | New Zealand pipit in particular. Conditions require that pre-construction surveys will be undertaken within the construction footprint and if present, nesting sites removed to avoid potential adverse effects on nesting birds and potentially viable eggs. Nest removal has been selected as the best approach, as it will encourage renesting within the same breeding season.

Lighting controls are also proposed to ensure that artificial construction lighting is not used during the breeding season.

**Policy 17**

Policy 17 seeks to ensure improved information and regular monitoring of indigenous biodiversity. The proposed conditions include the requirement for ongoing monitoring.

**Summary**

It is considered that the Project is generally consistent with the provisions of the NPS-IB. Although there is some tension in that the Project will result in terrestrial biodiversity effects (including on areas that meet the significance criteria in the NPS-IB) that cannot be avoided, remediated or mitigated, this is a largely unavoidable consequence of development in sensitive alpine environments. To address this, NZSki is proposing a number of compensatory measures to address residual effects, while enabling the social and economic effects of the Project to be realised. Such measures include the Biodiversity Compensation Project, funding of the boardwalk to Lake Alta and the establishment of research fund for threatened at risk lizards within the Remarkables and wider Hector Ranges, as described in Section 3 of the application documents.

### 9.3.10 National Policy Statement for Natural Hazards 2025

**Overview**

The NPS-NH came into force on 15 January 2026. The NPS-NH provides high level national direction on managing natural hazard risk, and applies to flooding, landslips, active faults and liquefaction.

Decision makers must give effect to the NPS-NH on and from the commencement date. However, local authorities are not required to initiate changes to RMA plans within a specific timeframe for the sole purpose of giving effect to the NPS-NH.

**Objective**

The NPS-NH contains a single objective which seeks that natural hazard risk to people and property associated with subdivision, use and development is managed using a risk-based proportionate approach. There are six policies which implement this objective. These are assessed below. It is noted that any consideration of natural hazards needs to occur in the context of ski related activities, which by their very nature, are undertaken in environment where natural hazards are inherently present and those activities manage the risk associated with hazards as part of daily operations.

**Policy 1 and Policy 2**

Policy 1 requires a risk matrix be used when considering natural hazard risk, while Policy 2 requires natural hazard risk be managed using an approach that is proportionate to that risk.

The Natural Hazard Assessment has used the risk assessment required by the NPS-NH and focused on the development in the Doolans Basin given that this is new infrastructure (introducing a new level of risk).

**Policy 3 and Policy 4**

Policies 3 and 4 provide the framework for managing natural hazard risk. Policy 3 is directive, requiring that where subdivision, use or development is assessed as having a very high risk, that risk must be avoided. Policy 4 sets out that where subdivision, use or development (including mitigation measures) will create or increase significant natural hazard risk on other sites, that risk must be avoided or mitigated using an approach that is proportionate to the level of natural hazard risk.

NZSki constantly manages risks as part of its normal operations on a day-to-day basis – natural hazards and the risk associated with natural hazards are inherent in operating and using a ski field in an alpine environment.

The Natural Hazards Assessment found that for the majority of new Project elements the risk ranges from low to medium. There is one Project element where the risk is assessed as being high – the ridge above Swan Lake which is subject rockfall risk (despite the mitigation measures proposed). The Natural Hazards Assessment also identifies the mitigation measures that have been built into the Project to reduce the risk associated with natural hazards as far as practicable.

No Project elements have been assessed as having a 'very high' risk such that the development needs to be avoided in accordance with Policy 3.

**Policy 5**

Policy 5 addresses the information requirements for making decisions on natural hazards, setting out that natural hazard risk assessments and decisions must be based on the best available information. The assessments and decisions must be made even when the information being relied upon is uncertain or incomplete. The comprehensive Natural Hazards Assessment has utilised the best information available, consistent with this policy.

**Policy 6**

Policy 6 requires that the potential impacts of climate change, to at least 100 years into the future, must be considered. The potential impact of climate change has been considered in the Project design and in all relevant technical assessments. The Natural Hazards Assessment provides a specific overview as to how the effects of climate change has been considered as part of the assessment (in section 3 of that assessment) and is not repeated here.

**Summary**

It is therefore considered that the Project is consistent with the provisions of the NPS-NH.

### 9.3.11 Proposed Otago Regional Policy Statement

**Overview**

The Proposed RPS was notified on 26 June 2021, and the decisions on the Proposed RPS were released in March 2024.

All appeals relating to the freshwater part of the Proposed RPS have been resolved via mediation. Mediation of appeals to the Environment Court for the non-freshwater parts of the Proposed RPS has occurred, resulting in several consent orders. The final consent order was issued on 20 March 2026 which related to urban form and development, therefore the Proposed RPS supersedes the Operative RPS in its entirety (noting, the Proposed RPS has not fully been made operative at the time of writing).

The Proposed RPS provides a vision and broad policy framework for all resource management in Otago. Regional plans and district plans as they develop over the next 10 years and beyond, are required to give effect to the Proposed RPS (once the provisions are fully operative).

**Mana Whenua**

Objective MW-O1 seeks that the principles of Te Tiriti o Waitangi are given effect to in resource management processes and decisions. Policy MW-P1 requires the promotion of awareness and understanding of the obligations of local authorities in regard to the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori. Policy MW-P2 follows a similar theme, requiring local authorities exercise their functions and powers in accordance with the principles of Te Tiriti o Waitangi, including by recognising the status of Kāi Tahu and facilitating Kāi Tahu involvement in decision making and recognising and providing for Kāi Tahu values.

Policy MW-P3 seeks that the natural environment be managed to support Kāi Tahu hauora, including by recognising that Kāi Tahu hold an ancestral and enduring relationship with all whenua and wai māori within their takiwā.

NZSki acknowledges the status of Kāi Tahu as mana whenua and recognises that Kāi Tahu hold an ancestral and enduring relationship with all whenua and wai māori within their takiwā, consistent with Policy MW-P3. While NZSki is not a local authority and does not itself exercise statutory powers under Te Tiriti, regard has been had to Kāi Tahu values and interests through recognition of cultural relationships, identification of potential effects on land and water, and the inclusion of appropriate safeguards and management measures.

**Integrated Management**

This section of the plan contains four objectives. These objectives seek the following:

> The management of natural and physical resources, by and for the people of Otago, in partnership with Kāi Tahu, achieves a healthy and resilient natural environment, including the ecosystem services it provides and supports the well-being of present and future generations; [177]

> The management of natural and physical resources embraces ki uta ki tai; [178]

> Otago's communities provide for their social, economic, and cultural well-being by using, developing or protecting natural and physical resources in ways that support the life-supporting capacity of the environment for future generations; and [179]

> Otago's communities, including Kāi Tahu, understand what climate change means for their future, and responses to climate change in the region. [180]

Policy IM-P3 supports these objectives by requiring recognition and provision for the relationship of Kāi Tahu with natural resources, including facilitating mana whenua participation in resource management processes and decision-making. Together, the objectives and policy promote inclusive resource management that recognises cultural relationships with whenua and wai, strengthens environmental resilience, and supports sustainable outcomes for the region.

Policies IM-P4 and IM-P5 direct that use and development contribute to healthy, resilient ecosystems and recognise the interconnected nature of natural and physical resources. The Project has been designed, and its effects assessed, using an integrated approach that recognises the linkages between landform modification, water resources, ecological systems, landscape values and operational activities across the alpine environment. Detailed technical assessments have informed the siting, scale and design of infrastructure to avoid or mitigate adverse effects and to maintain ecosystem function where practicable.

The management of uncertainties in resource management decision making is the focus of Policy IM-P6. This policy sets out that uncertainties are to be managed by using the best information available at the time, including scientific data and mātauraka Māori. All practicable steps are to be taken to reduce uncertainty and adopting a precautionary

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[177] Proposed RPS Objective IM-O1.

[178] Proposed RPS Objective IM-O2.

[179] Proposed RPS Objective IM-O3.

[180] Proposed RPS Objective IM-O4.

approach towards activities whose effects are uncertain, unknown or little understood but potentially significantly adverse, which may include the use of adapting management where appropriate. The Project responds to this policy through the preparation of a comprehensive suite of technical assessments that address the effects of the Project, and these assessments identify mitigation measures that have been included in the proposed conditions.

Policies IM-P7 and IM-P8 address the management of cross boundary issues and the effects of climate change, respectively. Similarly, Policy IM-10 requires the identification and implementation of climate change adaption and climate change mitigation methods for Otago. Pertinently, clause (2) requires the management of the establishment of new activities in areas subject to natural hazard risk from the effects of climate change. Policy IM-P12 provides a framework for activities that have climate change mitigation or climate change adaptation benefits.

The Project has been assessed in this broader regional context, recognising that its location within an alpine environment means potential effects (such as water use, natural hazards, landscape change and recreation patterns) may extend beyond administrative boundaries and therefore require integrated management (noting that the Project is partially in the Queenstown Lakes District and the Central Otago District). Relevant regional and district planning frameworks have been considered in this application to ensure consistency and coordination across boundaries, aligning with Policy IM-P7.

In relation to climate change, the Project acknowledges that alpine environments are particularly sensitive to changing climatic conditions, including altered snowfall patterns, increased weather variability, and heightened natural hazard risks. Consistent with Policies IM-P8 and IM-P10, the establishment and design of new activities have been informed by natural hazard and climate-related considerations to ensure development occurs only where risks to people, infrastructure and the environment can be appropriately managed.

The balance of the provisions in this section of the Proposed RPS requires:

> Resource management decisions to recognise and manage the impact of cumulative effects on the environment, and the opportunities available for future generations; [181]

[181] Proposed RPS Policy IM-P13.

> Regional and district plans to include provisions that sustain the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations and safeguard the life supporting capacity of the natural environment; and [182]

> Regional and district plans to recognise and provide for the role and use of natural and physical resources in a way or at a rate that supports the social, cultural and economic well-being of Otago's communities now and in the future.[183]

These provisions of the Proposed RPS emphasise the need for resource management decisions to take a long-term, integrated approach that recognises cumulative effects on the environment and the opportunities available for future generations. They require planning frameworks to sustain the potential of natural and physical resources and to safeguard the life-supporting capacity of ecosystems, while also enabling communities to provide for their social, cultural and economic wellbeing.

In the context of the Project, these provisions are addressed through comprehensive assessment of cumulative effects both within the wider alpine environment and in combination with existing development. The Project has been designed to consolidate development within an established ski area, apply robust mitigation and management measures, and avoid unnecessary fragmentation of natural systems. By recognising environmental limits, providing for adaptive management, and supporting long-term recreational and economic benefits while protecting ecological function, the Project aligns with the intent of these Proposed RPS provisions to meet present needs without compromising the ability of future generations to do the same.

**Air**

Objective AIR-O1 seeks that ambient air quality provides for the health and wellbeing of the people of Otago, amenity values and amenity vales, and the life supporting capacity of ecosystems.  Objective AIR-O2 seeks the localised adverse effects of discharges to air do not compromise human health, amenity values, mana whenua values and the life supporting capacity of ecosystems.

The policies implementing this objective require:

> The maintenance of ambient air quality; [184]

[182] Proposed RPS Policy IM-P14.

[183] Proposed RPS Policy IM-P15.

[184] Proposed RPS Policy AIR-P1.

- Where air quality is degraded, the improvement of ambient air quality; [185]
- Provide for discharges to air that do not adversely affect human health, amenity vales, mana whenua values and the life supporting capacity of ecosystems; [186]
- The management of adverse effects of discharges to the air, including by avoiding noxious or dangerous effects, managing discharges to air so they do not cause offensive or objectionable effects; and [187]
- Discharges to air not adversely affect mana whenua values. [188]

As detailed in **Part G** of this substantive application, there are no approvals being sought under the Air Plan for discharges to air. No discharges from building, construction activities, maintenance of motor vehicles and ski field machinery will discharge noxious, dangerous, offensive or objectionable material beyond the Site boundaries. Discharge of heat and energy from transmission lines and operation of building heating will be a permitted activity.

**Land and Freshwater**

*Freshwater*

Objective LF-WAI-O1 seeks that waterbodies and their health and well-being are protected, restored or improved where they are degraded, so that the mauri of those waterbodies is protected. Policy LF-WAI-P1 requires decision making affecting fresh water in Otago to prioritise:

- First, the health and wellbeing of waterbodies and freshwater ecosystems;
- Second, the health and needs of people interacting with water; and
- Third, the ability of people and communities to provide for their social, economic and cultural well-being, now and in the future.

Policy LF-WAI-P1 establishes a clear hierarchy for freshwater decision-making, prioritising the health and wellbeing of waterbodies and freshwater ecosystems, followed by the health and needs of people, and then the social, economic and cultural wellbeing of communities. The Project has been designed and assessed in accordance with this hierarchy, with a

[185] Proposed RPS Policy AIR-P2.

[186] Proposed RPS Policy AIR-P3.

[187] Proposed RPS Policy AIR-P4.

[188] Proposed RPS Policy AIR-P6.

primary focus on avoiding, remedying or mitigating adverse effects on water quality, flow regimes and instream values.

Effects on freshwater ecosystems are managed through careful siting of infrastructure, controls on earthworks and sediment, and appropriate treatment and disposal of wastewater and stormwater to ensure the life-supporting capacity of waterbodies is not compromised.

Policy LF-WAI-P2 requires the recognition to Kāi Tahu rakatirataka in respect of freshwater. This policy also requires rakatirataka be given practical effect to, including by facilitating partnership with mana whenua in respect of freshwater decision-making processes. Policy LF-WAI-P4 requires all decision makers give effect to Te Mana o te Wai.

As has already been discussed, NZSki acknowledges the enduring ancestral relationship of Kāi Tahu with wai māori and recognises that mana whenua are best placed to identify and express cultural values associated with freshwater. While NZSki is not the decision maker, engagement has occurred in good faith, and the Project provides mechanisms for ongoing involvement of mana whenua through the mana whenua working group (as described in the conditions of consent). The Project has been designed to prioritise the health and wellbeing of waterbodies and freshwater ecosystems, with human use and associated social, economic and cultural benefits provided for only where the life supporting capacity and mauri of waterbodies are safeguarded, consistent with the intent of Policies LF-WAI-P2 and LF-WAI-P4.

Policy LF-WAI-P3 requires that the management and use of freshwater and land be undertaken in an integrated approach that is consistent with tikaka and kawa. In accordance with this policy, the effects of the use and development of land is to be managed to maintain or enhance the health and wellbeing of freshwater and associated ecosystems. The Project has been assessed and designed using an integrated approach that recognises the close relationship between land disturbance, water quality, hydrology and ecological processes within the alpine catchments.

Objective LF-FW-O1A provides a framework for achieving the visions set for each FMU and rohe in the region, including:

> Waterbodies support healthy populations of indigenous species and Mahika kai that are safe for consumption;

> The interconnectedness of land, freshwater and coastal water is recognised;

> Fish passage is provided for;

- The form, function and character of water bodies reflects their natural characteristics and natural behaviours to the extent reasonably practicable;
- The relationship of Kāi Tahu is sustained;
- The health of the water supports the health of people and their connections with water bodies;
- Sustainable land and water management practices are provided for; and
- Freshwater is managed as part of New Zealand's response to climate change.

The Rastus Burn is within the 'Upper Lakes Rohe' FMU, and the Doolans Basin is within the 'Dunstan Rohe' FMU. There are no specific objectives or policies relating to these FMUs. In respect of Objective LF-FW-O1A, the Project, and the actual and potential effects on freshwater, will not impact upon the ability for the overarching outcomes of the objective being achieved.

Objective LF-FW-O9 seeks that wetlands are protected from inappropriate use and development, and where degraded, restoration is promoted. Policy LF-FW-P8 requires the identification and mapping of wetlands, and Policy LF-FW-P10A sets out how wetlands are to be managed, including by:

- By applying clause 3.22(1) to (3) of the NPS-FM to natural inland wetlands;
- Improving the ecosystem health, hydrological functioning and extent of wetlands that have been degraded, including by increasing the extent and condition of habitat for indigenous species and restoring hydrological processes; and
- Sustaining and enhancing Māori freshwater values.

In addition, Objective LF-FW-O10 seeks that the natural character of wetlands, lakes and rivers (and their margins) is preserved and protected from inappropriate use and development.

The Project has been informed by detailed ecological and hydrological assessments which identified and characterised wetlands, waterways and tarns within the Rastus Burn and Doolans Basin. Site selection and design have avoided, to the extent practicable, disturbance of the highest-value wetlands and tarns, thereby minimising effects on wetland extent, hydrological functioning and ecological integrity.

Hydrological assessment prepared by e3s (2026a) confirms that the proposed water take will result in only minor and short-duration reductions in stream water levels, with no sustained effects on seepage or riparian wetlands. The conversion of one alpine tarn to a

lined water storage reservoir will result in a high localised natural character effect, however, this effect is confined to the tarn footprint, with no downstream wetland hydrology affected.

Policy LF-FW-P6A recognises that it will take time to achieve the long term visions set out in the Proposed RPS. Policy LF-FW-P6A recognises that achieving the long-term freshwater visions set out in the Proposed RPS will take time and requires a progressive, staged approach. This policy is reflected in the Project's approach to freshwater management – particularly in respect of wastewater - which focuses on avoiding immediate adverse effects, implementing robust mitigation and management measures, and providing monitoring and adaptive management over time.

Policy LF-FW-P7 sets out that environmental outcomes, attribute states, environmental flows, levels and limits are to ensure that:

- The health and well-being of water bodies and freshwater ecosystems is maintained or, if degraded, improved;
- The habitats of indigenous species with life stages dependent on water bodies are protected and sustained,
- The habitats of trout and salmon are protected;
- Fish passage is provided for;
- Specified rivers and lakes are suitable for primary contact within the following timeframes:
    - by 2030, 90% of rivers and 98% of lakes, and
    - by 2040, 95% of rivers and 100% of lakes, and
- Resources harvested from water bodies including mahika kai and drinking water are safe for human consumption.

In respect to these policy directives:

- The technical assessments confirm that water quality in waterbodies impacted by Project activities will be maintained; and
- While the waterbodies that the Project interacts with are at such an altitude that fish are not present, it is not anticipated that the Project will impact downstream water quality where fish are present.

Policy LF-FW-P13 requires the preservation of the natural character and instream values of lakes and rivers, and the natural character of their beds and margins. The requirements of

this policy are considered in respect of Policy 7 of the NPS-FM (assessed earlier in this section). This policy also requires:

> Sustaining the form and function of a water body that reflects its natural behaviours;

> Controlling the use of water and land that would adversely affect the natural character of the water body; and

> The maintenance or enhancement of the values of riparian margins to support habitat and biodiversity, reduce contaminant loss to water bodies and support natural flow behaviour.

Where required, actions are to be promoted that restore natural character or instream values of lakes and rivers, or the natural character of their margins, including by:[189]

> Restoring a form and function that reflect the natural behaviours of the water body;

> Improving water quality or quantity where it is degraded,

> Increasing the presence, resilience and abundance of indigenous flora and fauna, including by providing for fish passage within river systems, and where necessary and appropriate, creating fish barriers to prevent incursions from undesirable species,

> Improving water body margins by naturalising bank contours and establishing indigenous vegetation and habitat, and

> Restoring natural connectivity between and within water systems.

The Project has been designed to sustain the form, function and natural behaviours of freshwater bodies by avoiding disturbance of the highest-value wetlands, waterways and tarns where practicable, and by carefully managing unavoidable interactions through design and mitigation measures.

The use of land and water is controlled through limits on the rate, timing and duration of water takes, erosion and sediment controls, and weed management measures to avoid adverse effects on instream values and natural character. Hydrological assessment confirms that proposed water takes result in only minor and short-duration changes to water levels and do not compromise downstream wetland or river functioning.

In respect to stormwater, adverse effects of direct and indirect discharges of stormwater to freshwater are to be minimised in accordance with Policy LF-FW-P15 by:

[189] Proposed RPS Policy LF-FW-P14.

- Requiring integrated catchment management plans for management of stormwater in urban areas;
- Requiring all stormwater to be discharged into a reticulated system, where one is made available by the operator of the reticulated system, unless alternative treatment and disposal methods will result in the same or improved outcomes for fresh water;
- Requiring implementation of methods to progressively reduce unintentional stormwater inflows to wastewater systems;
- Requiring that any stormwater discharges do not prevent water bodies from meeting any applicable water quality standards set for FMUs and/or rohe;
- Requiring the use of water sensitive design techniques wherever practicable;
- Promoting the reticulation of stormwater in urban areas where appropriate; and
- Promoting source control as a method for reducing contaminants in discharges and the use of good practice guidelines for managing stormwater.

The Project adopts a catchment-based and water-sensitive stormwater management approach that reflects the alpine environment and absence of a reticulated stormwater network. Stormwater design focuses on managing increased runoff from trails, roads and infrastructure, minimising flow concentration and scour, maintaining natural drainage paths, and protecting wetlands from sedimentation and hydrological change. Nature-based solutions are favoured, including sheet flow, splash crossings, vegetated swales and naturalised flow paths, to mimic pre-development hydrology.

Policy LF-FW-P16 requires all discharges containing sewage or industrial and trade waste be discharged into a reticulated wastewater system, as well as promoting source control as a method for reducing contaminants in discharges.

Wastewater management incorporates source control measures including separation of clean stormwater from wastewater, minimisation of wastewater volumes, and appropriate operational controls, consistent with this policy.

*Land and Soil*

There are three objectives in this sub section of the Proposed RPS. These objectives seek:

- The availability and productive capacity of highly productive land for primary production is protected from inappropriate use and development now and for future generations; [190]

[190] Proposed RPS Objective LF-LS-O11.

- The use, development and protection of land and soil safeguard the life supporting capacity soil, contributes to achieving environmental outcomes for freshwater and recognises the role of these resources in providing for the social, economic and cultural wellbeing of Otago's people and communities; and [191]
- Use and development in rural areas occurs in a way that provides for the ongoing use of rural areas for primary production and rural industry and does not compromise the long-term viability of primary production and rural communities.[192]

The Project is located within an established alpine ski area environment and does not involve land that is used for, or has potential for, primary production due to elevation, climate, slope and soil limitations. Accordingly, the Project does not result in the loss or fragmentation of highly productive land.

Policy LF-LS-P16A requires the reduction in impacts of pests, including wilding conifers. Construction and operational activities will include biosecurity controls, ongoing monitoring, and active management consistent with the TEMP and CEMP included in **Part B** of this application. NZSki's proposed pest management plan will also address potential effects should the Project result in an increase in pest presence on site.

Policies LF-LS-P16, LF-LS-P17 and LF-LS-P18 all address soil. These policies require:

- The maintenance of soil quality by managing both land and freshwater resources, including the interconnections between soil health, vegetative cover and water quality and quantity;
- The maintenance of the health and productive potential of soils, to the extent reasonably practicable, by managing the use and development of land in a way suited to soil characteristics; and
- The minimisation of soil erosion, and associated risk of sedimentation in waterbodies, resulting from land use activities.

In addition, Policy LF-LS-P19 requires the maintenance of the availability and productive capacity of highly productive land. As discussed earlier in this report, the Project site is located within an alpine environment and none of the land could be used for productive purposes.

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[191] Proposed RPS Objective LF-LS-O12.

[192] Proposed RPS Objective UFD-O4.

Policy LF-LS-P20 addresses land use change, requiring the promotion in land use of land management that support and improve:

> The sustainability and efficiency of water use;

> Resilience to the impacts of climate change;

> The health and quality of soil; or

> Water quality.

Similarly, Policy UFD-P7 sets out the management framework for the use and development in rural areas, requiring that use and development:

> Maintain rural areas as places where people live, work and recreate and where a range of activities and services are required to support these rural functions, and provide for social and economic wellbeing within rural communities and the wider region;

> Prioritises land-based primary production on highly productive land in accordance with the NPS-HPL, except if it provides for primary production, rural industry, and supporting activities, and recognises the importance of these activities to the social and economic wellbeing of Otago's communities; and

> Restricts the establishment of non-rural activities which could adversely affect, including by way of reverse sensitivity or fragmentation, the productive capacity of highly productive land, or existing or anticipated primary production and rural industry activities, except as provided for in (5) or the NPS-HPL.

The Project is located within an established alpine recreation environment where working and recreation already occur and contributes to the social and economic wellbeing of the district and wider region through tourism and employment, without displacing or constraining essential rural activities. The site does not contain 'productive' soils and does not impact the productive capacity of any highly productive capacity, in accordance with these policy directives.

The health and wellbeing of water bodies and freshwater ecosystems is the focus of Policy LF-LS-P21. This policy requires the maintenance (or improvement) in waterbodies and freshwater ecosystems to meet environmental outcomes set for FMUs by:

> Reducing or otherwise managing the adverse effects of direct and indirect discharges of contaminants to water from the use and development of land;

> Managing land uses that may have adverse effects on the flow of water in surface water bodies or the recharge of groundwater;

> Recognising the drylands nature of some of Otago and the resulting low water availability; and

> Maintaining or, where degraded, enhancing the values of riparian margins.

Based on the conclusions of the various technical assessments supporting this substantive application, the Project will not impact upon the ability to achieve any environmental outcomes.

Public access to and along lakes and rivers is to be provided for.[193] The Project will not materially alter the level of access to rivers or lakes within the Project area. To the extent that any access will be impacted, it will be for health and safety reasons (for example, during construction activities associated with the water take infrastructure.

**Ecosystems and Indigenous Biodiversity**

There are four objectives in the Proposed RPS in respect to ecosystems and indigenous biodiversity. The objectives seek to ensure that Otago's indigenous biodiversity is healthy, and the decline in condition, quantity is halted,[194] that restoration and enhancement activities result in an improvement in biodiversity,[195] that mana whenua exercise their role as kaitaki of Otago's indigenous biodiversity[196] and that the these objectives are to be achieved while providing for the social, cultural and economic wellbeing of people and communities.[197]

Policy ECO-P7 sets out that the provisions of this section of the Proposed RPS applies to all forms of indigenous biodiversity, except in certain circumstances.

Policy ECO-P1 implements Objective ECO-O3 which sets how Kāi Tahu's role as kaitiaki of Otago's biodiversity will be enabled, including by:

> Partnering with Kāi Tahu in the management of indigenous biodiversity to the extent desired by mana whenua;

> Working with Kāi Tahu to identify indigenous species and ecosystems that are taoka;

> Incorporating the use of mātauraka Māori in the management and monitoring of indigenous biodiversity; and

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[193] Proposed RPS Objective LF-LS-P22.

[194] Proposed RPS Objective ECO-O1.

[195] Proposed RPS Objective ECO-O2.

[196] Proposed RPS Objective ECO-O3.

[197] Proposed RPS Objective ECO-O4.

> Facilitating access to and use of indigenous biodiversity by Kāi Tahu, including mahika kai, according to tikaka.

Consistent with Policy ECO-P1, the Project recognises the role of Kāi Tahu as kaitiaki of Otago's biodiversity and acknowledges that Kāi Tahu are best placed to identify taoka species and ecosystems and to guide culturally informed management approaches. Engagement by NZSki has occurred in good faith and the Project framework provides for ongoing involvement where biodiversity values intersect with Kāi Tahu interests.

Policy ECO-P2 (which only applies to land covered by water, water bodies, or freshwater ecosystems that are not within a natural inland wetland if those areas are contained within a wider significant natural area[198]) sets out that significant natural areas are to be identified and mapped, and Policy ECO-P3 sets out how significant natural areas are to be protected, including by first avoiding the following adverse effects:

> Loss of ecosystem representation and extent;

> Disruption to sequences, mosaics, or ecosystem function;

> Fragmentation of significant natural areas or the loss of buffers or connections within an SNA;

> A reduction in the function of the significant natural area as a buffer or connection to other important habitats or ecosystems; or

> A reduction in the population size or occupancy of Threatened or At Risk (declining) species that use a significant natural area for any part of their life cycle.

This policy then seeks to protect indigenous species and ecosystems that are taoka by first avoiding adverse effects that result in any loss of taoka values identified by mana whenua.

The effects management hierarchy is to then be applied to activities impacting indigenous biodiversity.

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[198] Significant natural area is defined in the Proposed RPS as: *(a) any area that, after the commencement date, is notified or included in a regional plan or district plan as an SNA following an assessment of the area in accordance with Appendix 2 APP2 - Criteria for identifying areas that qualify as significant natural areas (SNAs); 53 and (b) any area that, on the commencement date, is already identified in a policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna (regardless of how it is described); in which case it remains as an significant natural area unless or until a suitably qualified ecologist engaged by the relevant local authority determines that it is not an area of significant indigenous vegetation or significant habitat of indigenous fauna.*

This policy then sets out that a prior to the mapping of significant natural areas and indigenous species and ecosystems that are taoka being identified and mapped, a precautionary approach must be adhered to.

Method ECO-M2 sets out that until significant natural areas are identified and mapped, local authorities must require ecological assessments to be provided with applications for resource consent that identify whether affected areas are significant natural areas in accordance with Appendix 2 - APP2 Criteria for identifying areas that qualify as significant natural areas ("**APP2**"). Where a local authority becomes aware that any area may be an area of significant indigenous vegetation or significant habitat of indigenous fauna that qualifies as a significant natural area, the local authority must conduct an assessment of the area in accordance with APP2 and then map that area as part of its next plan change or plan review.

While the Terrestrial Ecology Assessment has not assessed the vegetation communities within the Project area against APP2, this appendix is largely identical to the criteria in the NPS-IB. The analysis in respect of Policy 6 of the NPS-IB confirms that there are several vegetation communities within the Project area that meet the significance criteria of the NPS-IB – and therefore meet the criteria in the Proposed RPS.

Policy ECO-P4 sets out that the maintenance of biodiversity is to be achieved by following the sequential steps in the effects management hierarchy specified activities in significant natural areas, or where they may adversely affect indigenous species and ecosystems that are taoka (but are not highly mobile fauna) that have been identified by mana whenua as requiring protection. This policy applies to new use or development for the propose of the construction or upgrade of specified infrastructure[199] that provides significant national or regional public benefit that has a functional need or operational need to locate within the relevant significant natural area(s) or where they may adversely affect indigenous species or ecosystems that are taoka, and there are no practicable alternative locations.

Where areas of higher ecological value or indigenous vegetation occur, site selection and design have prioritised avoidance to the extent practicable. Where complete avoidance is not possible due to the functional and operational requirements of the ski-field infrastructure, effects are managed through a combination of minimisation and mitigation, with a BCP to be designed and implemented to address residual effects as far as practicable as described earlier in this section in relation to Policy 6 of the NPS-IB. The Project has regional public benefit in supporting recreation, tourism and economic wellbeing, and its

[199] The definition of specified infrastructure in the Proposed RPS is the same as in the NPS-IB, and therefore includes ski infrastructure associated with the Remarkables.

location within an established ski area reflects the lack of practicable alternative locations for this type of infrastructure.

Outside of significant natural areas, indigenous biodiversity is to be managed by all of the following:

> Applying the effects management hierarchy (in relation to indigenous biodiversity) to manage significant adverse effects on indigenous biodiversity and recognising and providing for the protection of significant indigenous biodiversity values identified under ECO-M2(4);

> Requiring the maintenance of indigenous biodiversity for all other adverse effects of any activity, and

> When significant indigenous biodiversity values are identified under ECO-M2(4), protecting those values in district plans.

Given the sensitive alpine location, effectively all biodiversity meets the significance criteria of the NPS-IB. In that respect, the analysis of Policy ECO-P4 is considered equally applicable here.

Policy ECO-P8 addresses the restoration and enhancement of indigenous biodiversity, seeking that the extent, occupancy and condition of Otago's indigenous biodiversity is increased, including by restoring and enhancing habitat for indigenous species and improving the health and resilience of indigenous biodiversity including ecosystem and species. To the extent practicable, the Project has been designed to protect biodiversity. Where this is unavoidable, management measures have been proposed to minimise effects and the implementation of the BCP will address residual effects by enhancing and restoring biodiversity outside of the Project area.

Policy ECO-P10 seeks to manage indigenous biodiversity and the effects on it from development in an integrated way, including by recognising the interactions between the terrestrial environment and freshwater. The comprehensive effects assessments informing the substantive application have considered the effects of the Project in an integrated manner.

Climate change is the focus on Policy ECO-P11, setting out that the resilience of indigenous biodiversity to climate change is to be promoted, including by maintaining and promoting the enhancement of the connectivity between ecosystems, and between existing and potential habitats, to enable migrations so that species can continue to find viable niches as the climate changes. As has already been described, climate change projections have informed the design of the Project. While there will be residual effects on biodiversity

values, this is largely unavoidable due to the nature of the alpine environment – effectively any new development in alpine areas will result in effects on significant biodiversity that cannot be fully avoided. To address this reality, while enabling the development which will have substantial regional economic, social and recreational benefits, NZSki is proposing to implement the BCP that will address residual biodiversity effects.

**Energy, Infrastructure and Transport**

*Infrastructure*

As has previously been described, the Project fits within the ambit of the definition of infrastructure in the Proposed RPS. This section of the Proposed RPS contains four objectives, the most relevant to the Project seek:

> Effective, efficient, safe and resilient infrastructure enables the people and communities to provide for their social and cultural well- being, their health and safety, and supports sustainable economic development and growth in the region, while adverse effects are managed; [200]

> Development of infrastructure and land use change is coordinated where appropriate; and [201]

> Regionally significant and nationally significant infrastructure are not compromised by subdivision, use and development. [202]

The policies that implement these objectives require:

> The recognition and provision of electricity distribution infrastructure; [203]

> Decision making on the allocation or use of natural and physical resources must take into account the functional needs and operational needs of nationally significant infrastructure and regionally significant infrastructure; and[204]

> Provide for upgrades to existing, and development of new, nationally significant infrastructure or regionally significant infrastructure while ensuring that it is designed to maintain functionality during and after natural hazard events, is resilient to potential

[200] Proposed RPS Objective EIT-INF-O4.

[201] Proposed RPS Objective EIT-INF-O5.

[202] Proposed RPS Objective EIT-INF-OX and Policy EIT-INF-P15.

[203] Proposed RPS Policy EIT-INF-P9A.

[204] Proposed RPS Policy EIT-INF-P10.

climate change effects, is coordinated with land use planning and its delivery, operation or use is efficient.[205]

The Project contributes to these outcomes by upgrading and expanding existing infrastructure within an established ski area to improve safety, resilience, operational efficiency and long-term viability, while avoiding unnecessary duplication or dispersal of infrastructure.

Development and land use change associated with the Project have been coordinated through integrated planning and assessment, ensuring alignment with existing infrastructure networks and servicing arrangements. The Project has regard to the functional and operational needs of regionally significant infrastructure, including electricity distribution and associated utilities, and ensures that these are recognised and provided for in decision-making. Infrastructure components are designed to be resilient to natural hazard events and potential climate change effects, informed by detailed hazard and climate considerations, and to maintain functionality during and after such events.

Policy EIT-INF-P13 is applicable to locating and managing the effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure. This policy sets out that when providing for new infrastructure:

- Avoid, as a first priority, locating infrastructure in significant natural areas and natural inland wetlands and rivers (among other areas not applicable to the Project);
- If it is not reasonably practicable to avoid locating in the above listed areas, because of the functional or operational needs of the infrastructure, manage the effects as follows:
  - For nationally significant infrastructure or regionally significant infrastructure:
    - Manage effects on significant natural areas in accordance with Policies ECO-P3, ECO-P4 and ECO-P5A;
    - Manage effects on natural inland wetlands or rivers in accordance with Policies LF-FW-P10A and LF-FW-P13; and
  - For all for all infrastructure that is not nationally significant infrastructure, or regionally significant infrastructure avoid adverse effects on the values that contribute to the area's outstanding nature or significance.

The Project involves regionally significant infrastructure and has been designed to avoid locating infrastructure within the highest value areas of significant natural areas, natural

[205] Proposed RPS Policy EIT-INF-P12.

inland wetlands and rivers where practicable. Where elements of the Project interface with sensitive environments, this occurs due to the functional and operational requirements of ski-field infrastructure, which is inherently land-extensive and location-dependent. In circumstances where avoidance is not reasonably practicable, the Project adopts an effects management approach consistent with Policy EIT-INF-P13 to the extent practicable – as described earlier in this section.

When considering proposals to develop or upgrade infrastructure, Policy EIT-INF-P14 sets out that decision makers must:

> Require consideration of alternative sites, methods and designs if adverse effects are potentially significant or irreversible; and

> Require consideration of the current and future effects of climate change.

The Project development has involved consideration of different locations, layouts, infrastructure configurations and servicing methods. The design of the Project set out in Section 3 reflects the functional and operational requirements of ski-field infrastructure, which is inherently location-specific and dependent on alpine landforms, snow reliability and access.

Actual and potential effects have been identified and addressed through iterative design refinement, avoidance of the most sensitive environments where practicable, and the adoption of mitigation and management measures where alternatives are constrained by operational need. Climate change considerations have been integrated into the Project through natural hazard assessment, engineering design standards, and operational flexibility, recognising increased climate variability and future risk profiles in alpine environments.

Finally, Policy EIT-INF-P17 requires that development infrastructure and additional infrastructure required to service existing, planned and expected urban growth demands in the short, medium and long term is provided for. The Project contributes to this outcome by upgrading and expanding established ski-field infrastructure to respond to current operational demands and forecast growth in alpine recreation and tourism. Infrastructure provision has been planned within an established development footprint and coordinated with servicing, access and network capacity considerations to ensure efficient long-term function.

*Transport*

The transport related provisions of the Proposed RPS, seek the following:

- There is an integrated air, land and water based transport network;[206]
- The transport system supports the movement of people, goods and services and is integrated with land use;[207] and
- The contribution of transport to greenhouse gas emissions is reduced, and communities are less reliant on fossil fuels for transportation.[208]

Policy EIT-TRAN-P21 sets out that the efficient and effective operation of the transport system is maintained by:

- Avoiding or mitigating adverse effects of activities on the functioning of the transport system;
- Avoiding the impacts of incompatible activities, to the extent reasonably practicable, including those that may result in reverse sensitivity effects;
- Avoiding or minimising the effects of activities and development so that the opportunity to adapt, upgrade or develop the transport system to meet future transport demand, is not compromised;
- Promoting the development and use of transport hubs that enable an efficient transfer of goods for transport and distribution across different freight and people transport modes;
- Promoting methods that provide more efficient use of, or reduce reliance on, private motor vehicles, including ridesharing, park and ride facilities, bus hubs, bicycle facilities, demand management and alternative transport modes; and
- Encouraging a shift to using renewable energy sources.

The Project has been informed by a comprehensive Transportation Assessment (Stantec 2026j), which confirms that while there are constraints within the existing state highway network, these are wider network issues for which this Project alone cannot address. Notwithstanding this, the access, circulation and traffic generation can be accommodated within the existing transport network (albeit with delays), subject to appropriate management and staged improvements, without compromising the overall safety or operational efficiency.

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[206] Proposed RPS Objective EIT-TRAN-O7 and Policy EIT-TRAN-P18.

[207] Proposed RPS Objective EIT-TRAN-O8 and Policy EIT-TRAN-P19.

[208] Proposed RPS Objective EIT-TRAN-O9 and Policies EIT-TRAN-P20 and EIT-TRAN-P22.

Consistent with Policy EIT-TRAN-P21, adverse effects on the functioning of the transport system are avoided or mitigated through the use of an existing access point and demand-responsive traffic management. Incompatible land uses and reverse sensitivity effects are avoided by locating and consolidating ski-related development within an established ski area and managing peak-period traffic through operational controls. The Project avoids compromising the ability of the transport network to adapt or upgrade over time by aligning short-term measures with anticipated long-term network improvements.

The Project actively promotes efficient transport modes by encouraging reduced reliance on private vehicles through ride-sharing, private buses, shuttle services and park-and-ride facilities, supported by a Travel Demand Management approach. These measures contribute to lower vehicle volumes, reduced emissions per visitor, and more efficient use of the transport system. Opportunities to support future shifts toward lower-emission transport and energy sources are also recognised.

**Hazards and Risks**

*Natural Hazards*

Objective HAZ-NH-O1 seeks that activities do not exacerbate natural hazard risk and are managed to reduce significant natural hazard risk. Objective HAZ-NH-O2 seeks that people, communities, property and other aspects of the environment are prepared for and able to adapt to the effects of natural hazards, including natural hazard risk that are exacerbated by climate change.

The policies that implement these objectives require:

- The identification of areas subject to natural hazards, using the best available information; [209]
- Within areas that are subject to natural hazards, assess the natural hazard risk as significant, tolerable or acceptable by determining a range of natural hazard event scenarios and their potential consequences; [210]
- The management of new activities within areas subject to natural hazards by achieving the following outcomes: [211]
    - Significant natural hazard risks are avoided;

[209] Proposed RPS Policy HAZ-NH-P1.

[210] Proposed RPS Policy HAZ-NH-P2.

[211] Proposed RPS Policy HAZ-NH-P3.

- When the natural hazard risk is tolerable, manage the level of risk so that it does not exceed tolerable; and
- When the natural hazard risk is acceptable, maintain the level of risk.

- Managing existing activities within area of natural hazard risk; [212]
- Using a precautionary approach where the natural hazard risk, either individually or cumulatively, is uncertain or unknown, but potentially significant or irreversible; [213]
- Protecting features and systems that provide hazard mitigation; [214]
- Prioritise risk management approaches that reduce the need for hard protection structures; [215]
- Locate and design lifeline utilities and facilities for essential / emergency services to maintain their ability to function during and after natural hazard events; [216]
- Protect hazard mitigation measures, lifeline utilities and essential / emergency services; and[217]
- Involve Kāi Tahu in decision making on the management of natural hazard risk affecting the values of wāhi tupuna.

As discussed throughout this report, a Natural Hazard Assessment has been prepared by Stantec (2026a). This assessment has considered natural hazard risks and has used the assessment to inform the siting, design and operation of development to ensure risks are appropriately managed – consistent with these policy directives.

*Contaminated Land*

The sole objective of this section of the Proposed RPS seeks that contaminated land and waste materials are managed to protect human health and do not harm Kāi Tahu values and the environment in Otago.[218] The policies require:

[212] Proposed RPS Policy HAZ-NH-P4.

[213] Proposed RPS Policy HAZ-NH-P5.

[214] Proposed RPS Policy HAZ-NH-P6.

[215] Proposed RPS Policy HAZ-NH-P7.

[216] Proposed RPS Policy HAZ-NH-P8.

[217] Proposed RPS Policy HAZ-NH-P9.

[218] Proposed RPS Objective HAZ-CL-O3.

- The identification of sites known or potentially contaminated; [219]
- Avoiding the creation of new contaminated land; and[220]
- The application of the principles of the waste management hierarchy.[221]

Policy HAZ-CL-P14 sets out how contaminated land is to be managed, including by:

- Assessing and, if required, monitoring contaminant levels and environmental risks,
- Protecting human health in accordance with regulatory requirements;
- Avoiding further or continuing effects, as the first priority, and only where avoidance is not reasonably practicable, mitigating or remediating, adverse effects of the contaminants on the environment; and
- Prioritising the identification and management of contaminated land at risk from the effects of climate change.

The Project has been assessed with regard to the potential for contaminated land, and the Project avoids all areas identified as HAIL sites.

The Project avoids the creation of new contaminated land through careful management of hazardous substances, fuels, wastewater and construction materials, supported by adherence to best-practice standards and management plans.

**Historical and Cultural Values**

*Wāhi Tūpuna*

The provisions of this section of the Proposed RPS seek that wāhi tupuna and their associated cultural values are identified and protected, [222] and that the rakatirataka of mana whenua over wāhi tupuna is recognised. [223]

NZSki acknowledges the significance of wāhi tupuna as places imbued with cultural, historical and spiritual meaning, and recognises that mana whenua is the appropriate authority to identify and articulate these values.

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[219] Proposed RPS Policy HAZ-CL-P13.

[220] Proposed RPS Policy HAZ-CL-P15.

[221] Proposed RPS Policy HAZ-CL-P16.

[222] Proposed RPS Objective HCV-WT-O1 and Policy HCV-WT-P1.

[223] Proposed RPS Objective HCV-WT-O2 and Policies HCV-WT-P2 and HCV-WT-P2A.

*Historic Heritage*

The sole objective relating to historic heritage seeks to ensure that historic heritage contributes to the region's character, sense of identity, and social, cultural and economic well-being, and people's understanding and appreciation of it is enhanced, and that it is protected for future generations against inappropriate use and development. [224] The subsequent policies set out the components of historic heritage that is to be recognised, [225] and that historic heritage is to be identified. [226] Policy HCV-HH-P5 sets out how historic heritage is to be managed.

The Project has been informed by a detailed Heritage Assessment, which has identified and evaluated historic heritage values within and in the wider context of the site, and confirms that no significant historic heritage features are located within, or are unlikely to be located within, the immediate development footprint. Notwithstanding this, accidental discovery protocols will be in place throughout construction to any unanticipated archaeological finds are appropriately protected and managed.

**Natural Features and Landscapes**

There is one objective and two policies that specifically address the identification and management of outstanding natural features and landscapes. These provisions require that the areas and values of Otago's outstanding natural features and landscapes are identified in accordance with applicable assessment guidance.[227] Where natural features and landscapes have been identified, these must be protected from inappropriate subdivision, use and development by: [228]

> Avoiding exceeding the landscape capacity of the natural feature or landscape,

> Maintaining the values that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding,

> Avoiding, remedying or mitigating other adverse effects; and

> Managing the adverse effects of infrastructure on the values of outstanding natural features and landscapes in accordance with EIT-INF-P13.

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[224] Proposed RPS Objective HCV-HH-O3.

[225] Proposed RPS Policy HCV-HH-P3.

[226] Proposed RPS Policy HCV-HH-P4.

[227] Proposed RPS Objective NFL-O1 and Policy NFL-P1.

[228] Proposed RPS Policy NFL-P2.

Policy EIT-INF-P13 addresses the location and management of effects associated with infrastructure, nationally significant infrastructure and regionally significant infrastructure[229] outside of the coastal environment. As a first priority, this policy requires that infrastructure be located outside of (among other areas), outstanding natural features and landscapes. If it is not reasonably practicable to avoid locating in outstanding natural features and landscapes because of a functional need[230] or operational need,[231] the adverse effects must be managed so that the adverse effects of the infrastructure on the values that contribute to the areas importance shall be:

> Remediated or mitigated to the extent practicable; and[232]

> Where they cannot be practicable remediated or mitigated, regard shall be had to offsetting and / or compensation of more than minor residual effects. [233]

The Project has been subject to detailed site selection and design processes that seek to avoid the most sensitive areas where reasonably practicable. However, the Project area is identified as being an outstanding natural landscape. As previously described in relation to the biodiversity provisions, there are clear functional and operational needs of the Project with ski-field infrastructure being inherently location dependent and must be situated within specific alpine landforms, elevations and catchments to operate effectively.

Where avoidance is not reasonably practicable, adverse effects on outstanding natural landscape values will be managed through appropriate mitigation approaches. This includes consolidating development within an established ski area footprint (where possible), careful siting and scaling of new infrastructure, design measures to reduce visual prominence, and controls on earthworks and vegetation disturbance. These measures remediate and mitigate adverse effects to the extent practicable. However, there will be effects on the

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[229] Regionally significant infrastructure: Means… (14) ski area infrastructure at Remarkables, Cardrona, Treble Cone and Coronet Peak. Ski area infrastructure is also defined in the Proposed RPS as infrastructure necessary for the operation of a ski area and includes: transport mechanisms (such as aerial and surface lifts, roads, and tracks); facilities for the loading or unloading of passengers or goods; facilities or systems for water, sewerage, electricity, and gas; communications networks; and snowmaking and snow safety systems (from clause 3.21(1) of the National Policy Statement for Freshwater Management 2020).

[230] Functional need: Means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment (definition from the National Planning Standards 2019).

[231] Operational need: Means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints (definition from the National Planning Standards 2019).

[232] Proposed RPS Policy EIT-INF-P13 (2)(iv)(I).

[233] Proposed RPS Policy EIT-INF-P13 (2)(iv)(II).

values of the outstanding natural landscapes, particularly within the Doolans Basin. The Landscape Assessment acknowledges these effects, and notes that the effects will be limited to a small part of the outstanding natural landscape within the Doolans area. Landscape related effects are discussed further later in this section in respect of the Proposed District Plan and Central Otago District Plan.

**Summary**

For the reasons detailed above, it is considered that the Project generally aligns with the relevant objectives and policies in the Proposed RPS. While there are some tensions between the Project and provisions, this is due to the functional and operational needs of the Project to be located in an alpine environment, where sensitive ecological and landscape values are present.

### 9.3.12 Operative Otago Regional Policy Statement

**Overview**

The Operative RPS became fully operative in March 2024. The Operative RPS will be superseded by the Proposed RPS as discussed in the previous section – given the final consent order on the Proposed RPS was issued in March 2026 and it is understood that there are no remaining appeals, no assessment of the objectives and policies of the Operative RPS been undertaken as more weight should be given to the objectives and policies of the Proposed RPS as those provisions are beyond challenge (despite not having been made fully operative at the time of writing).

### 9.3.13 Otago Regional Plan: Water

**Overview**

The Water Plan controls the use, development and protection of the freshwater resources, including the beds and margins of waterbodies, of the Otago Region. Since its notification in 1998, the Water Plan has been subject to several plan changes and variations.

**Kai Tahu ki Otago Water Perspective**

Section 4 of the Water Plan sets out the issues of significant concern of Kai Tahu, which includes:

- Traditional environmental management systems and values, which include mauri, tapu and rahui, have not been adequately recognised by planning and resource consent processes; [234]
- Significant loss of the traditional mahika kai resource and its supporting habitat, or loss of access to it, has occurred and could continue to occur; [235]
- Development and use of the beds and margins of lakes and rivers can result in adverse effects on waahi taoka and waahi tapu and Kai Tahu access to them; [236]
- Cross mixing of water from one catchment to another may adversely affect the mauri of the catchments; [237]
- Discharge of human waste and other contaminants to Otago's water bodies from point and non-point sources is an affront to Kai Tahu; [238]
- Many wetlands of significance to Kai Tahu have been lost, and their loss could continue;[239]
- The impact land use has had on adjacent water, particularly in lower catchment areas, has adversely affected Kai Tahu cultural and spiritual beliefs, values and uses; [240]
- Restoration and enhancement programmes may be required for water bodies and catchment areas suffering degradation due to developmental pressure; and[241]
- The traditional relationship of Kai Tahu and their associated values with the water resource has been overlooked in the monitoring of the region's water resources. [242]

These issues are addressed through objectives and policies in other sections of the Water Plan.

**Natural and Human Use Values of Lakes and Rivers**

The key relevant objectives and associated policies in the Regional Water Plan seek to:

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[234] Regional Water Plan Issue 4.13.1.

[235] Regional Water Plan Issue 4.13.2.

[236] Regional Water Plan Issue 4.13.3.

[237] Regional Water Plan Issue 4.13.4.

[238] Regional Water Plan Issue 4.13.5.

[239] Regional Water Plan Issue 4.13.6.

[240] Regional Water Plan Issue 4.13.7.

[241] Regional Water Plan Issue 4.13.8.

[242] Regional Water Plan Issue 4.13.9.

- Maintain or enhance the identified natural and human use values of lakes and rivers;[243]
- Maintain or enhance spiritual and cultural values and uses of significance to Kāi Tahu related to lakes and rivers;[244]
- Protect the natural character (natural flow, water level and ecology) of Otago's lakes and rivers and their margins from inappropriate use and development, providing for their sustainable use and development and avoid in preference to remedying adverse effects on natural character;[245]
- Maintain or enhance amenity values (aesthetic, cultural and recreational) and public access to and along the margins of lakes and rivers – with a preference to avoid instead of remedy adverse effects;[246]
- Avoid the loss of river extent and values unless there is a functional need and the effects are managed by applying the effects management hierarchy;[247]
- Avoid exacerbating natural hazards (flooding, erosion, land instability and sedimentation) or the creation of hazard associated with lakes and rivers;[248] and
- The Rastus Burn is identified within Schedule 1A containing ecosystem values and identified as containing a high level of naturalness (900 m asl) which is proposed to be maintained through no instream works. No other water bodies are identified with spiritual and cultural beliefs, values and uses of significance to Kāi Tahu (Schedule 1D), or heritage values are identified within the Project Site.

Part 6 of this Substantive Application considers any actual or potential effects on rivers and lakes within Rastus Burn and Doolans Basin. The Project has been designed to maintain at a minimum the natural and human use values of the rivers, wetlands and margins of the waterbodies affected by the Project. This has occurred through prioritisation of avoidance of effects on freshwater systems and associated values where practicable.

NZSki recognise Kai Tahu's interests in the Rastus Burn and the Doolans Creek and its tributaries and are committed to ongoing engagement through the development of the Project. The mana whenua advisory group (as proposed through the conditions of consent)

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243 Regional Water Plan – Objective 5.3.1 and Policy 5.4.2.

244 Regional Water Plan – Objective 5.3.2 and Policies 5.4.1 and 5.4.2.

245 Regional Water Plan – Objective 5.3.3 & Objective 5.3.6 and Policies 5.4.2, 5.4.5 & 5.4.8.

246 Regional Water Plan – Objective 5.3.4 & 5.3.5 and Policies 5.4.2, 5.4.6 & 5.4.9.

247 Regional Water Plan – Policy 5.4.2A.

248 Objective 5.3.8 and Policy 5.4.2.

provides a potential platform to ensure Kā Rūnaka's interested continue to be recognised and provided for, however acknowledges that Kā Rūnaka may wish to explore other options, which NZSki is open to discussing further with Kā Rūnaka in due course.

From a natural character and values perspective, the Project has sought to avoid or minimise direct instream works wherever possible, through an iterative siting and design process (as described in Sections 1 and 3). Notwithstanding, certain discrete infrastructure components that are limited in scale and extent and are vital to the successful construction and operation of ski field activities have a functional and operational (as identified within Section 10.3.8) need to be located within or directly interact with waterbodies. These include:

> The snow-making water reservoir within Tarn 3;

> The tyrolean weir within Doolans Creek Right Branch; and

> Wetland and water crossings (splash crossings and culverts).

Measures have been proposed within TEMP and conditions of consent pertaining to wetland and stream management seek to preserve hydrological function, minimise overall disturbance to these features and culminate in reinstatement of disturbed stream banks and riparian margins to protect and maintain natural character values and the associated visual, ecological and functional attributes of riparian environments.

Indirect effects such as sediment generation, changes to downstream water quality, or the introduction of biological nuisances or exacerbation of natural hazard risk, have been assessed. Given implementation of best-practice erosion and sediment controls and strict construction management measures and appropriate factors of design, the natural and human use values of rivers and lakes will be maintained with effects avoided where practicable.

Where residual effects on natural and human use values are unavoidable such as through reclamation of a natural tarn to create a snow-making reservoir, this has been appropriately compensated for. NZSki's commitment to funding of a boardwalk over the wetland leading to Lake Alta will result in maintenance and enhancement of natural and human use values and enhancement of amenity associated with Lake Alta through improved public access. The Project will not impact upon other recreational opportunities available in respect of the waterbodies present on site and does not propose to restrict legal access to any waterbody (unless required temporarily for health and safety) and there are no downstream uses that will be affected by the proposed activities.

Overall, the Project minimises the loss of river extent and the low magnitude of effect from freshwater activities (excluding the reclamation of the tarn) aligns with the objectives and policies relating to natural and human use values of lakes in rivers in Otago.

**Water Quantity**

The provisions applicable the proposed Doolans Creek Right Branch water take require:

- The retention of flows in rivers sufficient to maintain life supporting capacity and natural character; [249]
- The provision of water for the needs of the regions industries and community domestic water supplies; [250]
- The maintenance of long-term groundwater levels and water storage in aquifers; [251]
- The minimisation of conflict among those taking water; [252]
- To maximise the opportunity for diverse consumptive uses of water; [253]
- The minimisation of adverse effects on the quality of receiving water subject to inter-catchment transfer of water; [254]
- The recognition of the hydrological characteristics of water resources; [255]
- Ensuring that the quantity of water taken is no more than that required for its purpose and is from the nearest practicable source; [256]
- The promotion, and to give preference to, the take and use of water from the nearest practicable source; [257] and
- Providing an allocation regime for groundwater – including where groundwater is to be considered surface water from an allocation perspective, based on the level of connective-ness with surface water. [258]

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[249] Regional Water Plan Objective 6.3.1 and Policy 6.4.7.

[250] Regional Water Plan Objective 6.3.2.

[251] Regional Water Plan Objective 6.3.2A.

[252] Regional Water Plan Objective 6.3.3.

[253] Regional Water Plan Objective 6.3.4.

[254] Regional Water Plan Objective 6.3.5.

[255] Regional Water Plan Policy 6.4.0.

[256] Regional Water Plan Policy 6.4.0A and 6.4.0C.

[257] Regional Water Plan Policy 6.4.0C.

[258] Regional Water Plan Policies 6.4.1A, 6.4.2, 6.4.10A1 and 6.4.10A3.

The key provisions of relevance to the surface water take are assessed as follows:

- The proposed surface water take of 30 l/s or 41,240 $m^3$ annually, is within the available allocation (1% of available Nevis River catchment) and is a justified and efficient allocation limited to supply the needs of the site at the nearest practicable source. The purpose of the take is for consumptive potable water supply and snowmaking (to be returned to the catchment as snow on planned trails) providing for the expansion of regionally significant infrastructure, recreational enjoyment and amenity within an alpine environment.
- The ceasing of water takes during low flow conditions below 20 l/s will ensure residual flows and sufficient water instream through recognition of hydrological characteristics, flow variability and connectivity providing for aquatic ecosystems and natural character at the abstraction point and further downstream.
- A comprehensive measurement and reporting regime will include installation of water meters, use of data loggers and provision for telemetry to Otago Regional Council ensuring adherence to the allocation limits for the Nevis River Catchment.
- There are no lawful downstream water users or municipal water supply takes, competing, customary or recreational users that will be adversely affected by this take.

Based on the conclusions of the various e3 reports that address the proposed water take, the Project is consistent with these provisions.

**Water Quality**

The objectives and policies in this section of the Water Plan relating to the water quality of any discharges, seek:

- The maintenance of water quality in Otago rivers, wetlands, and groundwater, but the enhancement of water quality where it is degraded and promotion of the discharge of contaminants to land over water; [259]
- Avoidance of objectionable discharges of water or contaminants and enable the discharge of water and contaminants to water or land where it maintains water quality and supports natural and human use values including Kāi Tahu values; and[260]

[259] Regional Water Plan Objective 7.A.1 and Policy 7.B.1.

[260] Regional Water Plan Objective 7.A.2 and Policy 7.B.2.

- Individuals and communities manage their discharges to reduce adverse effects, including cumulative effects, on water quality through allowing of discharges of contaminants or water to rivers, wetlands that has minor effects.[261]
- When considering a discharge of water or contaminants to land having regard to:[262]
  - The ability of the land to assimilate water or contaminants;
  - Any potential soil contamination;
  - Any potential land instability; and
  - Any potential adverse effects on water quality.
- Requiring consideration of the need for and extent of any zone for physical mixing for any discharge to taking into account:[263]
  - The sensitivity of the receiving environment;
  - The natural and human use values, including Kāi Tahu values;
  - The natural character of the water body;
  - The amenity values supported by the water body;
  - The physical processes acting on the area of discharge;
  - The particular discharge, including contaminant type, concentration and volume;
  - The provision of cost-effective community infrastructure; and
  - Schedule 15 Regional Plan numerical limits for acceptable water quality.
- Encourage land management practises, adaptive management and innovation that reduce the adverse effects of water or contaminants discharged into water;[264]

As noted in the Wastewater Discharge Impact Assessment and Freshwater Ecology Assessment, the existing water quality and ecological health in the Rastus Burn and Doolans Basin is good to excellent. No proprietary operational stormwater treatment is considered necessary from flows attenuated from impervious buildings with effects determined to be low or less than minor.

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261 Regional Water Plan Objective 7.A.3 and Policy 7.B.3.

262 Regional Water Plan Policy 7.B.4.

263 Regional Water Plan Policy 7.B.6.

264 Regional Water Plan Policy 7.B.7 & 7.B.8.

The land-based wastewater discharge approach avoids direct discharge to water and has been designed to achieve a high standard of effluent quality to ensure discharges are not objectionable and natural and human use values including ecological and cultural values are maintained within the Rastus Burn.

The policies in section 7.C address discharges of human sewage, specified contaminants and stormwater (among other discharges):

> Have regard to opportunities to enhance water quality where it is degraded in assessment of discharge consents;[265]

> Have regard to the nature of the discharge, sensitivity of the receiving environment, practicability and environmental effects of alternative methods, and current technical knowledge;[266]

> Setting of consent durations for existing discharges based on whether water quality standards are met, with up to 35 years where standards are achieved and shorter terms where they are not;[267]

> Reduce adverse effects of stormwater discharges by separating wastewater and stormwater, improving stormwater quality, and preferring discharges to land over water and measures to progressively improve the quality of water discharged;[268]

> Reduce adverse effects of discharges of human sewage from wastewater systems (including extensions to existing systems) by preferring land disposal, ensuring proper operation and maintenance, upgrading of systems over time and implementing contingency measures to minimise overflows and system failures.[269]

The wastewater and stormwater discharges have been designed having full regard to the key policies of the Water Plan evaluated as follows:

> As previously described, the Rastus Burn is characterized by good to excellent water quality where the existing discharge of treated effluent has slight but measurable effects. The adoption of secondary treatment reduction, combined with land-based disposal will ensure contaminants are treated and attenuated prior to entering any downstream water body.

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[265] Regional Water Plan Policy 7.C.1.

[266] Regional Water Plan Policy 7.C.2.

[267] Regional Water Plan Policy 7.C.4.

[268] Regional Water Plan Policy 7.C.6.

[269] Regional Water Plan Policy 7.C.12.

- The proposed load-based and concentration-based limits (Total Nitrogen, total Phosphorous, TSS, cBOD) when viewed in conjunction with the surface water, groundwater and biological monitoring programme will ensure water quality and ecological health will be maintained.
- The discharge comprises treated wastewater and by-wash to land. The wastewater treatment and disposal field upgrades represent the Best Practicable Option weighing up financial and environmental aspects of the proposal resulting in retention and upgrade to the existing discharge arrangement avoiding the introduction of new effects in the Doolans Basin which exhibits a high degree of naturalness.
- The upgrade to secondary treatment with the aim of nutrient reduction, supported by a detailed Operations and Maintenance Manual, monitoring regime, and Wastewater Treatment Upgrade Plan, will provide for a commensurate level of effect as the existing discharge to land. The use of load and concentration limits will appropriately manage the seasonal variability in flow representing and effective and efficient discharge.
- While the proposal involves an increase in discharge volume and hydraulic loading to the disposal fields, a comprehensive suite of mitigation and management measures including treatment upgrades, infiltration capacity testing, adaptive management triggers and extensive monitoring will ensure water quality and ecological values are maintained. As the proposal is intended to meet the specified site-specific performance criteria, a 35-year consent term is appropriate.
- The proposal provides for the full separation of wastewater and stormwater systems prioritising sheet flow and natural attenuation and reducing contaminant loads entering freshwater systems by reducing peak wet weather flows and supporting effective operation of both networks.
- The proposed conditions of consent include contingency measures and adaptive management, including infiltration and remedial actions to maintain system performance. Overall, a robust wastewater system is proposed capable of avoiding and minimising adverse effects.

The adoption of a land-based management approach incorporating the Best Practicable Option and disposal methods including comprehensive monitoring, maintenance and adaptive management will ensure the good-excellent water quality and ecological values of the Rastus Burn receiving environment are maintained, while providing for the expansion and operation of the ski field.

Accordingly, the proposed Remarkables Ski Field Expansion Project can be undertaken in a manner generally consistent with the water quality objectives and policies.

**Beds and Margins of Lakes and Rivers**

The key relevant objectives and policies of the Water Plan relating to the beds and margins of rivers and lakes seek to:

- Maintain bed and bank stability and flood and sediment carrying capacity of rivers; [270]
- The minimisation of a reduction in water clarity caused by bed disturbance through promotion of best management practices for activities that occur within or adjacent to the bed or lakes and rivers in order to manage any adverse effects; [271]
- The maintenance of the integrity of existing defences against water;[272]
- The maintenance of the passage of fish, or improvement of the passage of fish by instream structures;[273]
- Avoid changes in flow and sediment processes in water bodies where those changes will cause adverse effects on stability and function of the structures, erosion, sedimentation effects, or a reduction in the flood carrying capacity for rivers;[274]
- Promote the creation, retention and enhancement of riparian vegetation where it will maintain or enhance water quality, aquatic ecosystems, natural character, amenity and mahika kai;[275]
- When considering applications in, on, under or over the bed or margin of any river or lake, decision makers are to give priority to avoiding changes in the nature of flow and sediment processes in waterbodies, where those changes will cause adverse effects.[276]
- Where adverse effects are unable to be avoided on values identified in Schedule 1 in the Water Plan, natural character, amenity values or heritage values, financial contributions (or other works to offset, remedy of mitigate the effects) may be required. [277]

As previously described, the proposed works have been designed to avoid adverse effects of the beds and margins of rivers and lakes where practicable.

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[270] Regional Water Plan Objective 8.3.1 and Policy 8.6.1.

[271] Regional Water Plan Objective 8.3.2 and Policy 8.6.2.

[272] Regional Water Plan Objective 8.3.3.

[273] Regional Water Plan Objective 8.3.5 and Policy 8.5.1.

[274] Regional Water Plan Policy 8.4.1 and Policy 8.6.1.

[275] Regional Water Plan Policy 8.7.1 and Policy 8.4.1.

[276] Regional Water Plan Policy 8.4.1.

[277] Regional Water Plan Policy 8.4.2.

Notwithstanding, limited and localised disturbance bed and margins of rivers and lakes is restricted to discrete elements of the Project including:

> The removal of 20 $m^2$ of river bed extent to accommodate the tyrolean weir intake;

> Construction of culvert stream crossings (where fords/splash crossings are not practicable) equating to an area of approximately 40$m^2$; and

> The conversion of an alpine tarn into a reservoir for snow-making purposes.

The proposed structures will be designed, constructed and maintained in accordance with standard engineering practises to minimise erosion or instability. The Reservoir has been designed with a specific geometry and safety features to optimize performance and stability and designed to avoid overtopping and the effects of wind-wave processes.

The flood risk with respect to the snowmaking reservoir has been managed through diversion of flows conveying the 1 in 100 AEP event through perimeter swales, diversion swales preventing sediment-laden flows entering the tarn and through local shaping to manage small catchments meeting the NZSOLD Dam Safety Guidelines for a Low Potential Impact Classification.

Conditions of consent require that works within Doolans Creek Right Branch associated with the construction of the weir will only occur under low flow conditions with the works area isolated and dewatered to ensure natural flow processes and conveyance is maintained. Where cement is required, this will be managed to isolate and dispose of high alkalinity water so that no contaminants enter the receiving environment. In addition, the design of the water intake in Doolans Creek Right Branch incorporates a sediment flushing system returning captured sediment to the stream to maintain natural sediment transport process.

The proposed erosion and sediment controls will minimise sediment generation and will result in stabilisation of all disturbed areas. The design and installation of instream structures will be inspected and certified post-construction by suitably qualified hydrologist and ecologist confirming structures are functioning as intended and hydrological connection is preserved. Restoration and enhancement of riparian margins is provided for with disturbed stream banks to be reinstated and planted with tussock grasses to improve stability, water quality, maintain natural character, amenity and ecological values.

Overall, the proposal is consistent with the relevant beds and margins of lakes and rivers policy direction of the Regional Water Plan.

**Groundwater**

The Regional Water Plan groundwater objectives seek to:

> Sustain the recognised uses of Otago's groundwater;[278]

> Maintain the quality of Otago's groundwater;[279] and

> Avoid the degradation of soils arising from the inappropriate application of poor-quality groundwater.[280]

The relevant policies that implement these objectives require:

> Ensuring the suitability of aquifers to support recognised groundwater uses identified in Schedule 3 of the Water Plan is maintained; [281]

> Ensuring appropriate siting, construction and operation of new groundwater bores; [282]

> New drill holes to be appropriately sealed to prevent contaminants entering any aquifer;[283]

> The identification of land that is high risk in terms of the vulnerability of underlying groundwater to leachate contamination – and to manage that risk appropriately; [284]

> The identification of land which protects underlying aquifers from leachate contamination and to manage excavation, with respect to this land, so that any protective soil mantle or impervious stratum is retained or replaced, or alternative groundwater protection is provided; [285]

> All practical alternative locations for the storage of hazardous substances have been considered before such storage occurs over Zone A of any Groundwater Protection Zone identified on the C- series map; and [286]

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[278] Regional Water Plan Objective 9.3.1.

[279] Regional Water Plan Objective 9.3.3.

[280] Regional Water Plan Objective 9.3.5.

[281] Regional Water Plan Policy 9.4.1.

[282] Regional Water Plan Policy 9.4.14.

[283] Regional Water Plan Policy 9.4.17.

[284] Regional Water Plan Policy 9.4.18.

[285] Regional Water Plan Policy 9.4.19.

[286] Regional Water Plan Policy 9.4.20.

- Supporting appropriate codes of practice and management guidelines for land use activities which may result in contaminants entering groundwater.[287]

With respect to the above, the following is noted:

- No new groundwater takes or drilling of new boreholes is proposed as part of this application.
- If detailed design identifies a requirement for dewatering, any new consenting implications will be addressed prior to any associated construction works taking place.
- No hazardous substances will be stored over Zone A of any Groundwater Protection Zone.
- The wastewater discharge has been designed to maintain groundwater quality and adverse effects on groundwater quality by way of leachate contamination. Given the highly diluted nature of treated wastewater and its attenuation any effects on soil and flora is negligible and may provide a slight nutrient benefit.

**Wetlands**

The two objectives in this section of the Water Plan seek:

- Wetlands, and their individual and collective values and uses, are maintained or enhanced for present and future generations;[288] and
- Otago's Regionally significant wetlands, and their values and uses, are recognised and sustained.[289]

The analysis of the wetland related provisions of the NES Freshwater, NPS-FM and Proposed RPS is considered to be equally applicable here with works proposed within all wetlands within the Project Site are Regionally Significant Wetlands by virtue of being above 700 m asl.). For completeness it is noted that the hydrological functioning, ecological integrity and connectivity of these Regionally Significant Wetlands will be maintained preserving individual and collective values through pre-construction design confirmation, post construction ecologist and hydrologist certification and strict construction related controls and reinstatement. While approximately 2000m$^2$ of wetland extent will be lost, the proposal is generally consistent with policy direction through recognition of the sensitivity of the

[287] Regional Water Plan Policy 9.4.21.

[288] Regional Water Plan Objective 10.3.1 and Policies 10.4.6 & 10.4.8.

[289] Regional Water Plan Objective 10.3.2 and Policies 10.4.1 & 10.4.2.

alpine wetlands ensuring natural character, ecological function, cultural and amenity values are maintained.

**Summary**

For the reasons detailed above, it is considered that the Project aligns with the relevant objectives and policies in the Water Plan.

### 9.3.14 Otago Regional Plan: Air

**Overview**

The purpose of the Air Plan, which was made operative in 2003, is to promote the sustainable management of Otago's air resource. To achieve this, the Air Plan has objectives, policies, rules, and other methods to address the air quality issues facing Otago.

As has previously been described, the only discharges to air being considered as part of this application are those associated with the potential discharge to air of dust associated with construction activities. Any discharges associated with diesel generators will be considered separately.

**Air Quality Management**

This part of the Air Plan sets out the framework for managing air quality and discharges of contaminants to air. In that respect, the objectives seek:

> The maintenance of ambient air quality in parts of Otago that have high air quality, and the enhancement of ambient air quality in places it has been degraded; [290]

> The avoidance of adverse localised effects of contaminant discharges into air on human health, cultural, heritage and amity values, ecosystems, and the life supporting capacity of air; and [291]

> To allow for the sustainable use of Otago's air resource. [292]

The Project is consistent with the objectives seeking the maintenance of high ambient air quality in Otago, the improvement of air quality where it has been degraded, and the sustainable use of the air resource. The site is located in an area that generally experiences good air quality, and the Project has been designed and assessed to ensure that these baseline conditions are maintained. Activities with the potential to affect air quality are

[290] Regional Air Plan Objective 6.1.1.

[291] Regional Air Plan Objective 6.1.2.

[292] Regional Air Plan Objective 6.1.3.

limited in scale, duration and geographic extent, and are subject to best-practice management measures.

Policy 7.1.1 seeks to recognise and provide for the relationship Kai Tahu have with the air resource through participation in the management of the air resource.

The Project acknowledges this relationship by managing air discharge effects to protect environmental and cultural values, and by supporting engagement processes where relevant, ensuring air quality effects are appropriately considered in a manner consistent with Kāi Tahu values and kaitiakitanga principles.

Policy 8.1.2 requires the management of ambient air quality by airsheds and air zones.

The Site is located within Air Zone 3, and air discharge effects associated with the Project have been assessed accordingly. Emergency power generation of up to 2,250 kVA (less than 5 MW) may be required, however any requisite consents for such activities will be sought following detailed design of these generators.

Policy 8.2.1 allows discharges of contaminants to air from industrial or trade premises that have minor or no adverse effects without the need for a resource consent.

The Project aligns with this policy as any discharges to air (such as dust from construction activities) are limited in scale, intermittent, and managed through best-practice controls. These include dust suppression, equipment maintenance, operational restrictions, and adherence to air quality standards to ensure emissions are not noxious, offensive or objectionable beyond the site and can comply with the permitted activity requirements under the Air Plan.

Priority will be given to avoiding adverse effects form hazardous air contaminants, identified in Schedule 3, when considering the effects of any discharge to contaminants into air, in accordance with Policy 8.2.2.

The Project is consistent with this policy, as it does not involve routine activities that generate hazardous air contaminants, and any potential sources (such as exhaust emissions from plant or machinery) are limited, intermittent and managed through best-practice operational controls.

Hazardous substances are selected, stored and handled in accordance with relevant standards to minimize emissions, with plant and equipment appropriately maintained to avoid excessive or untreated releases.

Policy 8.2.8 requires the avoidance of discharge to air being noxious, dangerous, offensive or objectionable on the surrounding local environment. The Project manages potential air

discharges through best-practice controls on dust, exhaust emissions, and material handling to ensure emissions are not noxious, dangerous, offensive or objectionable beyond the site boundary. Any effects are temporary, localised and appropriately mitigated, consistent with Policy 8.2.8.

Section 10.1 addresses dust. Policy 10.1.1 seeks that ORC will encourage:

> People undertaking land use activities to adopt management practices to avoid, remedy or mitigate any adverse effects of dust beyond the boundary of the property; and

> City and district councils to use land use planning mechanisms and other land management techniques to manage land use activities which have the potential to result in dust beyond the boundary of the property.

The Project includes best-practice dust management measures during construction including suppression techniques, activity staging, and vehicle management controls, all of which are secured through management plans and consent conditions. Dust-generating activities are temporary, monitored, and managed through the CEMP to ensure effects beyond the site boundary are avoided or minimised.

Policy 14.1.1 addresses motor vehicle emissions. The Project responds to this policy through transport and operational measures that reduce reliance on private motor vehicles and manage peak-period traffic.

Policy 15.1.1 supports and promotes, as appropriate, central government initiatives to control and minimise emissions of greenhouse gases and ozone layer depleting substances. All equipment and systems required for the Project will comply with relevant national standards, including requirements relating to refrigerants and fuels, thereby avoiding the use of ozone-depleting substances and supporting emissions reduction objectives.

**Summary**

It is considered that the application aligns with the objectives and policies of the Air Plan.

### 9.3.15 Queenstown Lakes Proposed District Plan

**Overview**

The Proposed District Plan was notified in August 2015 (Stage 1), November 2017 (Stage 2) and September 2019 (Stage 3). Since the initial notification, the Proposed District Plan has also been subject to several variations and has thus been subject to several decisions.

The Proposed District Plan is subject to several appeals, with only one part of the plan being formally made operative (the Te Pūtahi Ladies Mile variation). However, none of the

objectives and policies referenced in the following assessment are subject to appeals and have therefore been treated as beyond challenge and effectively operative.

**Part Two: Strategy**

The strategic direction section of the Proposed District Plan provides the overarching strategic objectives and policies for the district. The provisions in this section provide the direction for the development of more detailed provisions contained elsewhere in the plan. All relevant objectives and policies of the Proposed District Plan, including those in the strategic direction section, need to be considered together and no fixed hierarchy exists.

*Strategic Direction*

Strategic Objective 3.2 seeks to ensure the development of a prosperous, resilient and equitable economy in the district, including by ensuring:

> The significant benefits of well-designed and appropriately located visitor industry places, facilities and services are realised; and

> Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.

As described throughout this substantive application, upon completion, the expanded ski field is expected to accommodate up to 6,000 skiers per day. The existing Remarkables Ski Area contributes significantly to regional employment, generating 500 seasonal on-mountain positions and supporting a further 1,888 off-mountain jobs driven by visitor spending during the 2025 season. It is anticipated the Project will result in the creation of an additional 4,443 seasonal jobs in a high-growth scenario and 3,834 seasonal jobs in a low-growth scenario, with employment growth in the Otago region from an increase to seasonal filled jobs due to the Project being 1,232-1,851 jobs.

This substantive application details the thorough design and planning undertaken by NZSki to ensure the components of the Project are well designed, in accordance with Objective 3.2.

Urban growth is the focus of Strategic Objective 3.2.2, seeking that urban growth be managed in a strategic and integrated manner.

This objective is not directly applicable to the Project, as urban growth focuses more on residential and commercial growth in urban centres. However, the Project is anticipated to bring more visitors and workers into the Otago Region which will have long-term benefits on the local economy.

Objective 3.2.3 seeks to ensure that important historic heritage is protected, and that built form integrates well with its surrounding urban environment.

The Project site is not located within an urban environment; however, a Heritage Assessment was undertaken which concluded that any effects caused by the Project on historic heritage would be negligible.

In respect to the management of landscape values, this section of the Proposed District Plan enables the diversification of land use in rural areas beyond traditional activities, provided that the landscape values of outstanding natural features and outstanding natural landscapes are protected.[293]

Objective 3.2.4 seeks that the distinctive natural environments and ecosystems of the district are protected. This objective is supported by several sub-objectives, which seek:

> The natural character of the beds and margins of the district's lakes, rivers and wetlands is preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development;[294]

> The districts outstanding natural features and outstanding natural landscapes, and their landscape values and related landscape capacity, are identified; and [295]

> In each exception zone (which includes the Ski Area Sub-Zone) located within or part within outstanding natural features and outstanding natural landscapes, any application for use and development is provided for to the extent anticipated by that exception zone, and on the basis that any additional use and development not provided for by that exception zone protects the landscape values of the relevant outstanding natural feature or outstanding natural landscape.[296]

Policy 3.3.30 requires the protection of the landscape values of outstanding natural features and landscapes. Policy 3.3.31 requires the avoidance of adverse effects on the landscape values of outstanding natural features and outstanding natural landscapes from residential subdivision, use and development where there is little capacity to absorb change.

Policy 3.3.36, and associated Schedule 21.22 identifies the "Northern Remarkables" as a Rural Priority Area within the wider outstanding natural landscape area. The Planning Maps

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[293] Proposed District Plan Strategic Objective 3.2.1.8.

[294] Proposed District Plan Strategic Objective 3.2.4.3.

[295] Proposed District Plan Strategic Objective 3.2.5.1.

[296] Proposed District Plan Strategic Objective 3.2.5.4.

show this as 'material incorporated by reference'. Schedule 21.22.14 provides a description of the landscape values of this priority area (discussed later).

Policies 3.3.43, 3.3.45 and 3.4.46 provide the requirements for landscape assessments which, in the context of exclusion areas, must be implemented where are proposal is in an exception zone and gives rives to landscape effects on the receiving environment that includes an outstanding natural feature or outstanding natural landscape with rural zoning outside of that exception zone. The landscape assessments must identify landscape attributes and values and assess effects on those values and on related landscape capacity.

As set out above, the Project is partly located within the Ski Area Sub-Zone (where the existing activities are located within the Rastus Burn catchment), an exception zone where ski-related activities are anticipated, including within areas forming part of an outstanding natural landscape Consistent with Objective 3.2.4, a Landscape Assessment prepared by Boffa Miskell has identified the relevant landscape attributes and values, including those associated with the Northern Remarkables Rural Priority Area, and assessed the capacity of the receiving environment to absorb change. The assessment confirms that the Project components within the Queenstown Lakes District are largely within the existing developed area (which has an enabling policy framework) and are consistent with the existing landscape values. Where Project components extend into less modified areas (particularly around the gondola mid-station and on Helicopter Ridge), the adverse effects will be moderate but are relatively localised in will be experienced in the context of the existing ski field.

Objective 3.2.6 seeks that residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety. Sub-objectives 3.2.6.2 – 3.2.6.3 seek:

- The accessibility needs of the District's residents and communities to places, services and facilities are met;
- A diverse, resilient and well-functioning community where opportunities for arts, culture, recreation and events are integrated into the built and natural environment; and
- The contribution that community social, recreational and cultural facilities and activities make to identity and sense of place for residents of the District is recognised and provided for through appropriate location and sound design.

The Project enhances access to recreational facilities within the district, contributing to the accessibility of places and activities that support year-round recreation and tourism opportunities. By expanding and upgrading ski-related infrastructure within an established Ski Area Sub-Zone, the proposal reinforces a diverse and resilient community by

strengthening opportunities for outdoor recreation, employment, and associated cultural and social activities that are integral to the district's identity. Ski fields are a key contributor to the district's sense of place and community character, and the proposal recognises this by locating development where such activities are anticipated and by incorporating design and operational measures that integrate with the surrounding natural environment. Overall, the Project provides for the ongoing social, recreational and economic benefits derived from alpine recreation while ensuring that health and safety considerations and environmental management measures are appropriately addressed.

Strategic Objective 3.2.7 seeks that the partnership between council and Kāi Tahu is nurtured, including by protecting Kāi Tahu values, interests and customary resources (including taonga species and habitats), and wāhi tūpuna, are protected. Strategic Objective 3.2.7.2 seeks the expression of kaitiakitanga is enabled by enabling meaningful collaboration with Kāi Tahu in resource management decision making and implementation. The applicable policies require the following:

> The avoidance of significant adverse effects on wāhi tūpuna; [297]

> The avoidance, remediation or mitigation of other adverse effects on wāhi tūpuna; and[298]

> The management of wāhi tupuna, including taonga species and habitats, in a culturally appropriate manner through early consultation and involvement of relevant iwi or hapū.[299]

NZSki acknowledges the importance of kaitiakitanga and the role of Kāi Tahu in resource management decision making. As previously described, engagement with Kāi Tahu has occurred in good faith to date and will continue as the Project progresses, including through the establishment of a mana whenua working group, enabling mana whenua representatives to provide ongoing advice and input into implementation, management measures, and matters relevant to Kāi Tahu values associated with the Project.

The applicable strategic policies require the following:

> Provision is made for the visitor industry to maintain and enhance attractions, facilities and services within the within the Queenstown and Wānaka town centres and

[297] Proposed District Plan Strategic Policy 3.3.49.

[298] Proposed District Plan Strategic Policy 3.3.50.

[299] Proposed District Plan Strategic Policy 3.3.51.

elsewhere within the district's urban areas and settlements at locations where this is consistent with objectives and policies for the relevant zone; [300]

- Provision is made for commercial recreation and tourism related activities in rural areas that enable people to access and appreciate the district's landscape provided that those activities are located and designed, and are of a nature that: [301]
  - protects the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes; and
  - maintains the landscape character and maintains or enhances the visual amenity values of Rural Character Landscapes.
- To encourage economic activity to adapt to and recognise opportunities and risk associated with climate change; [302]
- The identification of heritage items and ensuring those items are protected from inappropriate development; [303]
- To identify areas of significant indigenous vegetation and significant habitats of indigenous fauna as significant natural areas,[304] and to protect significant natural areas; [305]
- The management of use and development that may have adverse effects on the natural character and nature conservation values of lakes, rivers and wetlands (and their margins) so that their life capacity is safeguarded, and the natural character is maintained; [306]
- Provide for non-residential development (other than Regionally Significant Infrastructure[307]) that, due to its function, needs to locate in the rural environment, through a planning framework that recognises its locational constraints, while ensuring maintenance and enhancement of the rural environment. [308]

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[300] Proposed District Plan Strategic Policy 3.3.1.

[301] Proposed District Plan Strategic Policy 3.3.2.

[302] Proposed District Plan Strategic Policy 3.3.13.

[303] Proposed District Plan Strategic Policy 3.3.17.

[304] Proposed District Plan Strategic Policy 3.3.18.

[305] Proposed District Plan Strategic Policy 3.3.19.

[306] Proposed District Plan Strategic Policy 3.3.20.

[307] The definition of Regionally Significant Infrastructure in the District Plan does not include ski infrastructure.

[308] Proposed District Plan Strategic Policy 3.3.24.

- Provide for Regionally Significant Infrastructure[309], and the upgrading of the national grid / electricity transmission infrastructure, that has a functional or operational need to locate in the rural environment; [310] and
- The protection of Regionally Significant Infrastructure.[311]

For the reasons already described in this substantive application, the Project is consistent with these strategic policies. In summary:

- The Project will contribute substantially to the regional economy, and will enhance an existing visitor industry;
- The Project will enhance recreational and tourism related opportunities within the district;
- The landscape effects will be acceptable, and consistent with the existing activities in the Ski Area Sub-Zone;
- The effects of the Project on terrestrial biodiversity / ecosystems are proposed to be managed through a suite of proposed conditions and the implementation of a Terrestrial Ecology Management Plan. This, alongside of the proposed BCP, will ensure that effects are minimised as far as practicable; and
- The Project clearly has a functional and operational need to be located in the alpine environment.

*Tangata Whenua*

Strategic Objective 5.4.1, and its associated policies, seeks that consultation occurs with tangata whenua through the implementation of District Plan policies. Policy 5.4.1.3 requires iwi management plans to be taken into account, and Policy 5.4.1.4 sets out that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water sites, wāhi tapu, tōpuni and other taonga.

NZSki acknowledges that only tangata whenua can identify and express these relationships, consistent with Policy 5.4.1.4, and that iwi management plans provide important context for understanding Kāi Tahu values, in accordance with Policy 5.4.1.3. Engagement with Kāi Tahu has occurred in good faith to date and is intended to continue as the Project progresses. To

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[309] Note that while the Proposed District Plan does not include ski area infrastructure as regionally significant, the RPS, as a higher order statutory document does. For this reason, the ski area infrastructure has been considered under the regionally significant infrastructure provisions of the Proposed District Plan.

[310] Proposed District Plan Strategic Policy 3.3.24A.

[311] Proposed District Plan Strategic Policy 3.3.24B.

support ongoing consultation and implementation, NZSki proposes a consent condition to establish a mana whenua working group to enable meaningful involvement in decision-making and culturally appropriate management outcomes.

Objective 5.4.2 and Policy 5.4.2.1 seek that Kāi Tahu have a presence in the built environment.

The Project is located within an established Ski Area Sub-Zone, and NZSki acknowledges the importance of reflecting Kāi Tahu values in development outcomes where appropriate. Through ongoing engagement and the proposed establishment of a mana whenua working group, opportunities can be identified to incorporate cultural input into management, and interpretation elements associated with the Project.

Objective 5.4.3 and Policy 5.4.3.1 require adverse effects on taonga species and habitats of significance to Kāi Tahu cannot be avoided, remedied or mitigated, environmental compensation is to be considered.

In respect to fauna, pīhoihoi, kārearea, and kāhu are listed as taonga faunal species under Schedule 97 of the Ngāi Tahu Claims Settlement Act 1998. The effects of the Project on both pīhoihoi and kārearea are addressed throughout Section 6 of the application. In respect to kāhu, Wastewater Discharge Impact Assessment considers that the Project will result in no discernible ecological effects on this species – however this assessment does not reflect cultural values (NZSki acknowledges that this can only be undertaken by mana whenua).

Objective 5.4.5, and its associated policies, require wāhi tūpuna and all their components be appropriately managed and protected.

The Heritage Assessment undertaken by NZ Heritage Properties (2026) found that no identified wāhi tūpuna were located within the Project area. NZSki have adopted Heritage New Zealand's preferred drafting of conditions relating to accidental discovery of archaeological or heritage items.

*Landscapes and Rural Character*

The purpose of the landscape and rural character section of the Proposed District Plan is to provide greater detail as to how the landscape, particularly outside urban settlements, will be managed in order to implement the strategic objectives and policies (discussed above).

Policy 6.3.1.1 effectively categorises all land that is zoned Rural Zone in the district as outstanding natural features, outstanding natural landscapes or rural character landscapes. Pertinently to the Project, Policy 6.3.1.2 excludes Ski Area Sub Zones from the outstanding natural feature, outstanding natural landscape and / or rural character landscape categories

that are applied to the balance of the Rural Zone. The polices of this specific section of the Proposed District Plan do not apply to activities within Ski Area Sub-Zones.

Notwithstanding this, and for completeness, the policy directives can be broadly summarised as follows:

> Ensure that the location and direction of lights do not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character;[312]

> Ensure that subdivision and development in the outstanding natural landscapes in proximity to an outstanding natural feature or outstanding natural landscape does not compromise the landscape values of that feature; [313]

> Recognise that development within an outstanding natural feature or outstanding natural landscape is inappropriate unless the landscape values are protected; [314]

> Ensure that the protection of outstanding natural features and outstanding natural landscapes includes recognition of any values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to tangata whenua, including tōpuni and wāhi tupuna; [315]

> Maintain the open landscape character of outstanding natural features and outstanding natural landscapes where it is open at present; [316] and

> In cases where it is demonstrated that regionally significant infrastructure[317] cannot avoid adverse effects on outstanding natural landscapes and outstanding natural features, avoid significant adverse effects and minimise other adverse effects on those landscapes and features.[318]

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[312] Proposed District Plan Policy 6.3.2.2.

[313] Proposed District Plan Policy 6.3.2.7.

[314] Proposed District Plan Policy 6.3.3.1.

[315] Proposed District Plan Policy 6.3.3.2.

[316] Proposed District Plan Policy 6.3.3.6.

[317] The definition of Regionally Significant Infrastructure in the Proposed District Plan largely replicates the definition of the same in the Operative RPS – it does not include ski area activities / infrastructure (the Proposed RPS definition does include ski area infrastructure within the ambit of the regionally significant infrastructure definition).

[318] Proposed District Plan Policy 6.3.3.7.

As detailed earlier, a Landscape Assessment was prepared by Boffa Miskell (2026a) that confirms that the landscape effects of the Project in the Rastus Burn catchment will be low and seen in the context of existing ski field operations.

To reiterate, Policy 6.3.3.7 recognises that not all effects can be avoided as part of significant infrastructure projects. Similarly, the expansion Project cannot fully avoid all landscape and visual effects but has been mitigated as practicable, as detailed in Sections 6 and 7 of this application.

**Part Four: Rural Environment**

*Overview*

The Rural Zone is the most extensive zone in the district. The purpose of the Rural Zone is to enable farming activities, and to provide for other appropriate activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity.

Ski Area Sub-Zones are located within the Rural Zone. These Sub-Zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the district. The purpose of the Ski Area Sub-Zones is to enable the continued development of Ski Areas as year-round destinations for ski area, tourism and recreational activities within the identified Sub-Zones where the effects of the development are cumulatively minor.

*Objectives and Policies*

Objective 21.2.1 seeks to enable a range of land uses in the Rural Zone while:

- Protecting the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes;
- Maintaining the landscape character of Rural Character Landscapes and maintaining or enhancing their visual amenity values;
- Maintaining or enhancing amenity values within the rural environment; and
- Maintaining or enhancing nature conservation values.

Policy 21.2.1.3 requires buildings to be setback appropriately from boundaries to manage effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.

The primary landscape character and visual amenity effects associated with the Project arise from modification within an alpine rural environment, rather than from effects on the

outlook or amenity of neighbouring properties, which are limited in number and separation. As outlined throughout this application, the Project has been sited and designed to respond to the existing landscape character and to manage effects through scale, location, and design. Buildings and structures are appropriately setback and consolidated to minimise visibility, maintain rural character and visual amenity, and avoid adverse effects where possible.

Policy 21.2.1.4 requires the minimisation of dust, visual, noise and odour effects of activities by requiring them to locate a greater distance from formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity. The CEMP details how all effects related to construction (such as noise and dust) will be managed throughout the different construction stages to avoid, remedy and mitigate these effects. Section 6 of this application considers all potential construction effects and concludes that construction related effects can be managed to an acceptable level.

Policy 21.2.1.5 seeks to ensure that regard is had to the location and direction of lights so they do not cause glare to other properties, waterbodies, roads, public places or views of the night sky. The existing ski field operations result in a minor amount of nighttime lighting. The Project will introduce some limited (if any) construction lighting to the Rastus Burn catchment, but operational lighting will be limited to the same nature as that which already occurs in the existing ski field operations - vehicle headlights, snow groomers and snow making equipment.

Policy 21.2.1.6 requires the avoidance of adverse cumulative impacts on ecosystem services and natural conservation values. The Project has been carefully designed to ensure any adverse effects on ecosystem and conservation values will be avoided, remedied or mitigated where practicable – as described fully in Section 6 of the application.

Policy 21.2.1.7 requires regard be had to the spiritual beliefs, cultural traditions and practices of tangata whenua. NZSki recognises that tangata whenua have a longstanding cultural and spiritual relationship with the Project area and that these values are best defined by tangata whenua themselves. Regard has been had to these matters through engagement undertaken to date and by providing for ongoing involvement through proposed consent conditions, enabling cultural considerations to inform implementation and management of the Project.

Policy 21.2.1.8 requires regard be had to fire risk from vegetation and the potential risk to people and buildings. Developments are required to have adequate firefighting water and fire service vehicle access to ensure and efficient and effective emergency response, in accordance with Policy 21.2.1.9. Risk of fire has been considered for all buildings and ensuring that the appropriate firefighting supply is available and details are provided in

Stantec (2026e), attached in **Part B** of this application. The CEMP also considers fire risk specifically during construction and can be found in **Part F** of this application.

Policies 21.2.1.10 and 21.2.1.11 address commercial activities, providing for:

> Commercial activities in the Rural Zone that have a direct link with, or dependence on the rural land or water resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone; and

> The establishment of commercial, retail and industrial activities where these would protect, maintain or enhance rural character, amenity values and landscape values.

Policy 21.2.1.15 seeks to ensure that new commercial activities maintain the safe and efficient operation of the roading and trail network and access to public places.

The Project is an existing recreation-based commercial activity intrinsically linked to the alpine environment and resources of the Rural Zone and is located within an area where such activities are anticipated. The scale, siting and design of the development have been carefully considered to maintain rural character and visual amenity. In accordance with Policy 21.2.1.15, access and transport arrangements are designed to maintain the safe and efficient operation of the existing roading network and trail network.

Objective 21.2.2, and its associated policies, seek to ensure that the life supporting capacity of soils is sustained. As detailed earlier in this report, the Project area does not contain highly productive land due to being located in the alpine environment.

Objective 21.2.3 seeks that the life supporting capacity of water is safeguarded through the integrated management of the effects of activities. Policy 21.2.3.1 sets out that, in conjunction with ORC, regional plans and strategies:

> Encourage activities that use water efficiently; and

> Discourage activities that adversely affect water quality and the life supporting capacity of water and associated ecosystems.

A Water Take Assessment prepared by e3s confirms that the proposed 30 l/s water take represents approximately 1% of the available allocation within the Nevis River catchment and is therefore unlikely to adversely affect water levels or associated ecosystems. Water will be abstracted primarily during the winter months for snowmaking, coinciding with low irrigation demand, which supports efficient use and avoids cumulative allocation pressure. The Project has been assessed in conjunction with ORC requirements and relevant regional plans, and is designed to avoid adverse effects on water quality and the life-supporting capacity of water, consistent with Policy 21.2.3.1.

The management of incompatible activities is the focus of Objective 21.2.4 and associated policies. Policy 21.2.4.2 controls the nature, scale and location of activities seeking to establish in the Rural Zone so as to minimise conflict with permitted and established activities, that may be incompatible with those activities.

The Project has been designed and located to ensure its nature, scale and intensity are appropriate for the rural and alpine context, and to avoid conflict with existing and anticipated rural activities. The use is specifically linked to recreation within an established Ski Area Sub-Zone, where such activities are anticipated and managed through tailored provisions. As a result, potential incompatibility effects are limited and appropriately addressed through siting, design and operational controls, consistent with Policy 21.2.4.2.

The provisions specific to the Ski Area Sub Zones are enabling, in that they provide for the future grown, development and consolidation of ski area activities[319] within the Ski Area Sub Zones, while managing adverse effects on the environment.[320] Broadly, the supporting policies can be summarised as follows:

- Encourage Ski Area Activities and complementary tourism activities to locate and consolidate within the Sub-Zones; [321]
- The visual impact of roads, buildings and infrastructure associated with ski area activities are controlled;[322]
- Provide for (non-road) forms of access to the Ski Area Sub-Zones, by way of passenger lift systems, terminal buildings and stations for passenger lift systems, and ancillary structures and facilities:[323]
    - In locations where there is landscape capacity for that activity (which could include locations where buildings or structures will not be reasonably difficult to see from beyond the boundary of the site in question); and

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[319] Ski area activities: Means the use of natural and physical resources for the purpose of establishing, operating and maintaining the following activities and structures: (a) recreational activities either commercial or non-commercial; (b) passenger lift systems; (c) use of snow groomers, snowmobiles and 4WD vehicles for support or operational activities; (d) activities ancillary to commercial recreational activities including avalanche safety, ski patrol, formation of snow trails and terrain; (e) installation and operation of snow making infrastructure including reservoirs, pumps and snow makers; and (f) in the Waiorau Snow Farm Ski Area Sub-Zone vehicle and product testing activities, being activities designed to test the safety, efficiency and durability of vehicles, their parts and accessories.

[320] Proposed District Plan Objective 21.2.6.

[321] Proposed District Plan Policy 21.2.6.1.

[322] Proposed District Plan Policy 21.2.6.2.

[323] Proposed District Plan Policy 21.2.6.4.

- In a manner that protects the landscape values of outstanding natural features and outstanding natural landscapes by:
  - Avoiding adverse effects on landscape values; and
  - If avoidance is not practicable due to either the functional or operational needs of the activity, remedying or mitigating any adverse effects;
- Provide for Ski Area Sub-Zone Accommodation activities[324] within Ski Area Sub-Zones, which are complementary to outdoor recreation activities within the Ski Area Sub-Zone, that can realise landscape and conservation benefits and that avoid, remedy or mitigate adverse effects on the environment.[325]

The provisions specific to the Ski Area Sub-Zone are enabling in nature and are intended to provide for the ongoing growth, development and consolidation of ski area activities while managing environmental effects. The Project is located within the Ski Area Sub-Zone and comprises activities that are directly associated with, and complementary to, established ski area and alpine recreation activities. Its location supports consolidation within the Sub-Zone (in the Queenstown Lakes District)

The nature, scale and siting of roads, buildings and infrastructure have been informed by landscape capacity and functional requirements, with visual impacts assessed through a detailed Landscape Assessment. Where development is visible beyond the site, design, siting and mitigation measures have been applied to control visual effects and to protect the landscape values of outstanding natural features and outstanding natural landscapes. Where adverse effects cannot be fully avoided due to operational or functional constraints, the proposal incorporates remedial and mitigation measures to ensure effects are appropriately managed.

The Project also provides for non-road access through passenger lift systems and associated infrastructure, consistent with the anticipated forms of access within the Ski Area Sub-Zone. Overall, the proposal aligns with the intent of the Ski Area Sub-Zone

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[324] Ski Area Sub-Zone Accommodation: Means the use of land or buildings for short-term living accommodation for visitor, guest worker and (a) includes such accommodation as hotels, motels, guest houses, bunkhouses, lodges and the commercial letting of a residential unit; and (b) may include some centralised services or facilities such as food preparation, dining and sanitary facilities, conference, bar and recreational facilities if such facilities are ancillary to the accommodation facilities; and (c) is limited to visitors, guests or workers, visiting and or working in the respective Ski Area Sub-Zone.

[325] Proposed District Plan Policy 21.2.6.5.

provisions by enabling ski area activities while appropriately managing landscape, visual and environmental effects.

Objective 21.2.9, and associated policies provides for the diversification of farming and other rural activities that protect landscape and natural resource vales and maintains the character of rural landscapes. The Project represents a form of rural diversification based on alpine recreation that is intrinsically linked to the land and resources of the Rural Zone. Development is concentrated within an established Ski Area Sub-Zone, avoiding the fragmentation or domestication of the wider rural landscape. Through careful siting, design, and environmental management, the proposal maintains rural landscape character and protects natural resource values, consistent with the intent of Objective 21.2.9. Similarly, the use of screen planting around the Lower Remarkables Car Park (Car Park B) ensures the rural character is maintained in the context of a rapidly diversifying rural landscape.

Commercial recreation activities in the Rural Zone are the focus of Objective 21.2.10 (and Policies 21.2.10.1 – 21.2.10.4), setting out that they should be of a nature and scale that is compatible with the amenity values of the location. As has previously been described, the Project is a commercial recreation activity intrinsically linked to the alpine environment and is located within an established Ski Area Sub-Zone, where such activities are anticipated and managed through specific provisions. The scale, intensity and design of the development have been informed by the receiving environment, with landscape, visual and operational effects carefully assessed and managed to maintain rural and alpine amenity values. As a result, the Project is compatible with its setting and aligns with the intent of Objective 21.2.10 and its associated policies.

Objective 21.2.12 seeks to ensure that the natural character of lakes, rivers and their margins is protected, or enhanced, while also providing for appropriate activities (including recreation, commercial recreation and public transport). The policies implementing this objective set out the following:

> Regard is to be had to statutory obligations, wāhi tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua; [326]

> Protect, maintain or enhance the natural character and nature conservation values of lakes, rivers and their margins from inappropriate activities with particular regard to nesting and spawning areas, the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values; [327]

[326] District Plan Policy 21.2.12.1.

[327] District Plan Policy 21.2.12.5.

- Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers; and[328]
- Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, remedied or mitigated. [329]

The Project components within the Queenstown Lakes District have been designed to avoid and minimise direct works within river margins and to protect aquatic habitats and conservation values, with particular regard to maintaining natural character, ecosystem services and recreational values. Regard has been had to statutory obligations and the cultural values of tangata whenua, recognising that these values are best identified by tangata whenua themselves and supported through ongoing engagement and the proposed consent conditions.

*Northern Remarkables Priority Area: Schedule of Landscape Values*

Schedule 21.22.14 contains the landscape values of the Northern Remarkables Priority Area. The schedule includes the following recreation attributes and values:

- Remarkables Ski Area for year-round use and recreation; access to the ski area also offers people close-up, first-hand experience of the Northern Remarkables priority area.
- The Remarkables Ski Field Access Road, tracks, trails and lookouts, and SH 6 as key scenic routes either within the priority area or in close proximity.

In respect to landscape capacity, there is some landscape capacity for commercial recreational activities, and some landscape capacity for visitor accommodation and tourism related activities. These are set out below, replicated directly from the Proposed District Plan:

> *Commercial recreational activities – some landscape capacity for small scale and low-key activities (including at Chard Farm) that: integrate with and complement/enhance existing recreation features; are located to optimise the screening and/or camouflaging benefit of natural landscape elements; are designed to be of a sympathetic scale, appearance and character; integrate appreciable landscape restoration and enhancement; and enhance public access.*
>
> *Visitor accommodation and tourism related activities – some landscape capacity for activities on the very gently sloping to flat and low-lying terraces and floodplains*

[328] District Plan Policy 21.2.11.6.

[329] District Plan Policy 21.2.11.7.

*(including at Chard Farm) that are: designed to be reasonably difficult to see in views from the Kawarau River, Twin River Trail, Bridesdale, Shotover Country and Lake Hayes Estate; are of a modest or sympathetic scale; have a low-key rural or non-urban character; integrate landscape restoration and enhancement; and enhance public access. Extremely limited or no landscape capacity on the mountain slopes and fans except for sensitively located and designed glamping activities.*

...

*Earthworks – limited landscape capacity for earthworks associated with farming, viticulture, existing recreational facilities, natural hazard mitigation risk or tracks and trails for recreational use, that protect naturalness and expressiveness attributes and values; and are sympathetically designed to integrate with existing natural landform patterns.*

...

*Utilities and regionally significant infrastructure – limited landscape capacity for infrastructure that is buried, co-located with existing infrastructure or located such that they are screened from external view. In the case of the National Grid and utilities such as overhead lines, cell phone towers, navigational aids and meteorological instruments, where there is a functional or operational need for its location, structures are to be designed and located to limit their visual prominence, including associated earthworks.*

...

*Passenger Lift Systems – limited landscape capacity to improve public access to focal recreational areas higher in the mountains (including between lower lying areas and the Remarkables Ski Area Sub Zone) via non-vehicular transportation modes such as gondolas, (including base and terminal buildings and stations) provided they are positioned in a way that is sympathetic to the landform, are located and designed to be recessive in the landscape.*

All of these matters have been addressed in the Landscape Assessment, which concludes that the effects of the upgrades within the Remarkables Ski Area will be acceptable and are consistent with the existing activities in the area.

**Part Five: District Wide Matters**

*Earthworks*

Objective 25.2.1 seeks to ensure that earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities. This objective is supported by a number of policies, which:

- Ensure that earthworks minimise erosion, land instability and sediment generation and off-site discharge during construction activities; [330]
- Manage the effects of earthworks to avoid inappropriate adverse effects and minimise other adverse effects in a way that protects the values of outstanding natural features and landscapes, protects the values of significant natural areas and the margins of lakes, rivers and wetlands, protects Māori cultural values and maintains public access (among other matters); [331]
- Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines; [332]
- Manage the scale and extent of earthworks to maintain amenity values; [333]
- Design earthworks to recognise the constrains and opportunities of the site and environment; [334]
- Ensure that earthworks are designed and undertaken in a manner that does not adversely affect infrastructure, buildings and the stability of adjoining sites; [335]
- Encourage limiting the area and volume of earthworks being undertaken on a site at any one time to minimise adverse effects on water bodies and nuisance effects of adverse construction noise, vibration, odour, dust and traffic effects; [336]
- Undertake processes to avoid adverse effects on cultural heritage, including wāhi tapu, wāhi tūpuna and other taonga, and archaeological sites, or where these cannot be avoided, effects are remedied or mitigated; [337]
- Manage the potential adverse effects arising from exposing or disturbing accidentally discovered material by following the accidental discovery protocol; [338]

[330] District Plan Policy 25.2.1.1.

[331] District Plan Policy 25.2.1.2.

[332] District Plan Policy 25.2.1.3.

[333] District Plan Policy 25.2.1.4.

[334] District Plan Policy 25.2.1.5.

[335] District Plan Policy 25.2.1.6.

[336] District Plan Policy 25.2.1.7.

[337] District Plan Policy 25.2.1.8.

[338] District Plan Policy 25.2.1.9.

> Ensure that earthworks that generate traffic movements maintain the safety of roads and accesses, and do not degrade the amenity and quality of surrounding land; and[339]

> Ensure that earthworks minimise natural hazard risk to people, communities and property.[340]

Objective 25.2.2 recognises that earthworks can result in social, cultural and economic wellbeing of people and communities. Policy 25.2.2.1 enables earthworks that are necessary to provide for people and communities, having particular regard to earthworks associated with regionally significant infrastructure and tourism infrastructure and activities (including within the Ski Area Sub Zones).

In respect to these provisions, it is noted that:

> The Project limits earthworks to only those necessary to develop ski related activities – the disturbance footprint recognises the constraints and opportunities of the site;

> The effects of the Project on landscape values have been considered already in this section of the application in relation to the other landscape provisions of the Proposed District Plan; and

> The earthworks are proposed to be stages, as described in Section 3 of this substantive application.

*Historic Heritage*

Objective 26.3.1, and its associated policies, seek that the districts historic heritage is recognised, protected, maintained and enhanced. As has previously been described, the accidental discovery protocol will be adhered to in the event that archaeological or heritage features are discovered during construction activities.

*Natural Hazards*

Objective 28.3.1A seeks to ensure that the risk to people and the built environment posed by natural hazards is managed to a level tolerable to the community. Objective 28.3.1B sets out that development on land subject to natural hazards only occurs where the risk to the community and the built environment are appropriately managed.

Policies 28.3.1.1 and 28.3.1.2 set out significant risk and risk tolerance are to be determined. Policy 28.3.1.3 then addresses how natural hazard risk is to be assessed.

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[339] District Plan Policy 25.2.1.10.

[340] District Plan Policy 25.2.1.11.

A comprehensive natural hazard risk assessment has been undertaken by Stantec (2026a), identifying a range of alpine-related hazards including flooding, debris flow, seismic activity, wind, rockfall, avalanche and land instability, and evaluating their likelihood and consequences using the NPS-NH risk matrix.

The assessment confirms that, with the proposed avoidance, mitigation and design measures, most natural hazard risks are low to medium, with one high risk identified and appropriately managed through site selection, engineering design, operational controls and ongoing monitoring. Consistent with Policies 28.3.1.1–28.3.1.3, risk significance and tolerance have been explicitly determined, and residual risks are considered acceptable in the context of a controlled alpine ski field environment, where such hazards are inherent to everyday operations, and can be actively managed. Overall, the Project demonstrates that development can safely proceed with risks to people and the built environment reduced to a level tolerable to the community through robust design and operational procedures.

Policies 28.3.1.4 to 28.3.1.11 set out how natural hazard risks are managed including by:

- Avoiding activities that result in significant risk from natural hazard; [341]
- Recognising that some areas already developed are known to be subject to natural hazard risk, and minimise such risk as far as practicable while acknowledging that the community may be prepared to tolerate a level of risk;[342]
- Restricting activities where the natural hazard risk is intolerable to people and the community; [343]
- Ensuring assets and infrastructure are constructed and located to avoid or mitigate: [344]
    - The potential for natural hazard risk to human life to be exacerbated;
    - The potential risk of damage to property and infrastructural networks from natural hazards, to the extent practicable.;
- Applying a precautionary approach where are natural hazard has been identified, but the risk to people and communities is unknown but potentially significant; [345] and

[341] District Plan Policy 28.3.1.4.

[342] District Plan Policy 28.3.1.5.

[343] District Plan Policy 28.3.1.7.

[344] District Plan Policy 28.3.1.8.

[345] District Plan Policy 28.3.1.9.

> Promoting the use of natural features, buffers and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risk.[346]

The Project has been informed by a comprehensive natural hazard risk assessment undertaken by Stantec (2026a), with site selection, layout and design used as the primary means of avoiding areas subject to significant or intolerable risk, including through the relocation or setback of structures from identified hazard features where practicable. Development that occurs within an alpine environment is inherently subject to natural hazards, and in this case, the risks associated with natural hazards have been minimised through engineering design, adherence to relevant standards, operational controls, and monitoring, recognising that the community is prepared to tolerate a managed level of residual risk in such ski field settings.

Infrastructure and assets have been located and designed to avoid exacerbating risks to human life and to reduce the potential for damage to property and infrastructure networks, including through freeboard allowances, conservative seismic and wind design, and avoidance of active instability areas. A precautionary approach has been applied where uncertainty exists, supported by conservative design assumptions and requirements for ongoing management, inspection and certification. Natural terrain features, buffers, operational procedures (such as avalanche management and weather-related closures), and adaptive management have been favoured over hard engineering solutions where appropriate. Overall, the proposed management framework ensures natural hazard risks are appropriately addressed, restricted where intolerable, and reduced to a level compatible with Policies 28.3.1.4 to 28.3.1.11.

Objective 28.3.2, and its associated policies, seek to continually enhance the community's awareness and understanding of the natural hazard risk in the district. The Project supports this objective through the preparation of a comprehensive natural hazard risk assessment, which clearly identifies hazards, likelihoods, consequences and residual risks using nationally recognised risk matrices. These findings inform decision-making and will be publicly available through the consenting process, increasing transparency and understanding of the alpine hazard environment in which the ski field operates. Ongoing operational measures, including hazard monitoring, staff training, and established safety and closure procedures, further contribute to informing users of the ski area about natural hazard risks and appropriate responses.

[346] District Plan Policy 28.3.1.11.

*Transport*

Objective 29.2.1 seeks an integrated, safe and efficient transport network that provides for all transport modes, the transportation of freight, future growth needs, economic development, that reduces dependency on private motor vehicles, contributes towards addressing the effects of climate change, reduces congestion and enables the benefits arriving from public walking and cycling trails.

Policy 29.2.1.1 requires that transport networks are well connected and designed to enable an efficient public transport system, reduce travel distances and provide walking and cycling routes if appropriate. Policy 29.2.1.6 seeks to facilitate private coach transport as a form of large-scale shared transport, and Policy 29.2.1.7 recognises that shared and commercially owned and operated transport services can complement active and public transport to achieve an efficient transport network. Further, Policy 29.2.1.7 acknowledges the benefits of drop off and pick up areas for shared transport, public transport and active transport, where appropriately located.

The Project is supported by a Transportation Assessment which identifies both short- and long-term measures to manage access, intersection performance and safety in the context of growth within the Southern Corridor. NZSki proposes a Travel Demand Management approach that actively encourages a modal shift away from single-occupancy vehicles toward buses, shuttles and park-and-ride facilities, helping to reduce congestion and vehicle demand. In accordance with Policy 29.2.1.1, the transport network is designed to maintain efficient connections, support public transport services, coordinate with future mass-transport planning, and ensure safe and efficient operation of the roading network while recognising that walking and cycling access is not appropriate for this alpine road environment.

In addition, the Project actively supports key transport policies through increased provision for private buses and shuttle services from Queenstown, Frankton and southern growth areas, supported by a Travel Demand Management Plan that encourages a shift away from single-occupancy vehicle travel. Dedicated bus bays, park-and-ride facilities and clearly defined drop-off and pick-up areas are proposed and located to operate safely and efficiently within the site and along SH6. These measures enable shared transport services to complement the wider transport network, reduce congestion and support an integrated approach to transport consistent with Policies 29.2.1.6 and 29.2.1.7.

Objective 29.2.2, and its associated policies, seeks to ensure that parking, loading, access and onsite manoeuvring that are consistent with the character, scale and intensity of the zone. These areas are also to contribute to providing a safe and efficient transport network, economic development, and facilitating an increase in walking / cycling. In addition, Policy

29.2.2.1 includes the requirement to provide sufficient onsite loading space to minimise congestion and adverse visual amenity effects that arise from unmanaged parking and loading on road reserves and other public land (among other matters).

The Project provides for parking and access arrangements appropriate to an alpine ski area within the Rural Zone and Ski Area Sub-Zone, with parking demand managed through a combination of operational controls, park-and-ride facilities, and an increased reliance on shared transport services, as previously described. Dedicated bus bays, drop-off and pick-up areas, and managed loading spaces are proposed to support efficient vehicle movements and minimise unmanaged parking or loading on road reserves, consistent with Policy 29.2.2.1. Overall, the proposed arrangements ensure safe and efficient onsite manoeuvring, reduce congestion, and appropriately respond to the scale and intensity of the Project while maintaining visual amenity and transport network performance.

Policy 29.2.2.8 sets out how park and ride and public transport facilities are to be located and designed, and it is considered that the Project is consistent with this policy – for the reasons already described.

Policy 29.2.2.11 requires the mitigation of the effects on the safety and efficiency arising from the location, number, width, and design of vehicle crossings and accesses, particularly in close proximity to intersections and adjoining the State Highway, while not unreasonably preventing development and intensification. The Project utilises an existing access point at the SH6 / Remarkables Ski Field Access Road intersection, avoiding the proliferation of new crossings onto the State Highway. Transport effects have been assessed, with the Transportation Assessment identifying operational and staging measures to manage safety and efficiency at the intersection, including traffic management measures during peak periods.

Objective 29.3.3, and its associated policies, seeks that roads that facilitate continued growth are safe and efficient for all users and modes of transport and are compatible with the level of amenity anticipated in the adjoining zones. The Transportation Assessment identifies measures to manage traffic growth, maintain safety and improve efficiency along the Remarkables Ski Field Access Road and at its intersection with SH6. Access, traffic management, and modal shift initiatives have been designed to accommodate projected growth while minimising adverse effects on surrounding rural and alpine amenity, and these are reflected in the proposed conditions.

Objective 29.2.4 seeks to ensure an integrated approach to managing subdivision, land use and the transport network.  The associated policies:

- Ensure that commercial activities provide adequate parking either onsite of in an offsite carpark and do not store vehicles on roads;[347]
- Promote the uptake of public and active transport by requiring that specific large scale commercial, health, community, and educational activities provide bicycle parking, showers, and changing facilities/ lockers while acknowledging that such provision may be unnecessary in some instances due to the specific nature or location of the activity;[348]
- Require the avoidance or mitigation of the adverse effects of high traffic generating activities on the transport network by adopting an integrated approach; [349]
- Requiring an integrated transport assessment to be submitted with all applications for high traffic generating activities;[350]
- Recognise, when considering the avoidance or mitigation of adverse effects of a high traffic generating activity, that land should be able to be developed in accordance with the purpose and objectives of the relevant zone; [351]
- Control the number, location, and design of additional accesses onto the State Highway and arterial roads; and [352]
- Require any large scale public transport facility or Park and Ride to be located, designed, and operated in a manner that mitigates adverse effects on the locality and, in particular, on the amenity of adjoining properties, while recognising that they are an important part of establishing an effective transport network; [353]

For the reasons already described in this section, the Project is entirely consistent with these policy directives.

[347] District Plan Policy 29.2.4.2.

[348] District Plan Policy 29.2.4.3.

[349] District Plan Policy 29.2.4.4.

[350] District Plan Policy 29.2.4.4B.

[351] District Plan Policy 29.2.4.5.

[352] District Plan Policy 29.2.4.8.

[353] District Plan Policy 29.2.4.9.

*Energy and Utilities*

Objective 30.2.5, and its associated policies, seeks to ensure that the growth and development of the district is supported by utilities[354] that are able to operate effectively and efficiently.

Objective 30.2.6 seeks to ensure that the operation, maintenance, development and upgrading of utilities supports the well-being of the community. Policy 30.2.6.1 provides for the operation, maintenance or upgrading of utilities to ensure their ongoing viability and efficiency.

Policy 30.2.6.2 sets out that when considering the effects of proposed utility developments consideration must be given to alternatives, and also how adverse effects will be managed through the route, site and method selection process while taking into account the locational, technical and operational requirements of the utility and also the benefits of the utility.

Policy 30.2.6.3 seeks to ensure that the adverse effects of utilities on the environment are managed while taking into account the benefits that the utilities provide. Policy 30.2.6.4 encourages the co-location of facilities where operationally and technically feasible.

Objective 30.2.7, and its associated policies, seeks to ensure that the adverse effects of utilities on the surrounding environment are avoided or minimised. Policy 30.2.7.1 sets out how effects of utilities are to be managed, including by:

- Avoiding their location on sensitive sites, outstanding natural landscapes and outstanding natural features, and skylines and ridgelines except where no other location is practicable; and
- Where avoidance is not practicable, avoiding significant adverse effects and minimising other adverse effects of those utilities on those sites, areas, landscapes of features;
- Encouraging the co-location or multiple use of utilities;

[354] The definition of utilities is "the systems, services, structures and networks necessary for operating and supplying essential utilities and services to the community including (a) substations, transformers, lines and necessary and incidental structures and equipment for the transmissions and distribution of electricity…(c) storage facilities, pipes and necessary incidental structures and equipment for the supply and drainage of water or sewage;…(e) structures, facilities, plant and equipment for the treatment of water; (f) structures, facilities, plant, equipment and associated works for receiving and transmitting telecommunications and radio communications (g) structures, facilities, plant, equipment and associated works for monitoring and observation of meteorological activities and natural hazards; (h) structures, facilities, plant, equipment and associated works for the protection of the community from natural hazards; (i) structures, facilities, plant and equipment necessary for navigation by water or air; (j) waste management facilities….

> Using landscaping and / or colours and finishes to reduce visual effects; and

> Integrating utilities with the surrounding environment.

Policy 30.2.7.2 requires the undergrounding of new utilities servicing new areas of development (other than the national grid) where technically feasible.

Policy 30.2.7.4 takes into account the economic and operational needs in assessing the location and external appearance of utilities.

As described in Section 6 of this substantive application, this Project encompasses all the utilities necessary to service the expanded ski field operations. The utility services have been designed and locate to minimise adverse effects as far as practicable – consistent with the utility related policy directives of the Proposed District Plan.

*Signs*

The key provisions in this section of the plan require signage to be of a scale and extent that maintains the character and amenity values of the district, and enhances access,[355] and to ensure that signs have limited adverse effects on public safety.[356] In particular, Policy 31.2.1.11 requires the avoidance, remediation or mitigation of the adverse effects of signs located in outstanding natural features or within an outstanding natural landscape through applying the relevant assessment matters in part 21.21 of the District Plan.

Objective 31.2.3 and policies 31.2.3.1to 31.2.3.5 sets out that signs should be complementary to (or do not detract from) the design values of the building they are attached to and are sympathetic to the design values of nearby developments and public places.

Objective 31.2.6 is specific to signs located in the Ski Area Sub-Zones. This objective seeks to ensure that signs located within Ski Area Sub-Zones do not compromise the landscape and visual amenity values of the area when viewed from public places (including public roads). Policy 31.2.6.1 provides for signage that conveys operational, directional and safety information regarding ski field activities. Policy 31.2.6.2 requires the management of signs advertising commercial activities and sponsorship signs so that the landscape and visual amenity values of the area, when viewed from public places (including roads), can be maintained.

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[355] District Plan Objective 31.2.1 and Policies 31.2.1.1, 31.2.1.2, 31.2.1.8.

[356] District Plan Objective 31.2.2 and Policies 31.2.2.1 to 31.2.2.7.

Signage proposed in association with the Project is limited to wayfinding and directional type signage. Any additional signage beyond this will be subject to separate and later consent processes by NZSki.

*Indigenous Vegetation Biodiversity*

This section of the District Plan sets out that contains a diverse range of habitats that support indigenous plants and animals and that many of these are endemic, comprising forests, shrubland, herbfields, tussock grasslands, wetlands, lake and river margins.

Objective 33.2.1 seeks to ensure that the district's indigenous biodiversity is protected, maintained or enhanced. The policies that implement this objective require:

> The identification and protection of significant natural areas and schedule them in the district plan, and including the ongoing identification and protection of significant natural areas – using the criteria in Policy 33.2.1.8; [357]

> Have regard to, and take into account, kaitiakitanga and the values of indigenous vegetation / biodiversity to tangata whenua; [358]

> Undertake activities involving the clearance of indigenous vegetation clearance in a manner that ensures biodiversity is protected, maintained or enhanced; [359]

> Protecting the habitats of indigenous fauna, and in particular, birds in wetlands, beds of rivers and lakes and their margins for breeding, roosting, feeding and migration; [360]

Section 6 of this substantive application, and the supporting technical assessments in **Part B,** address the effects on terrestrial ecology / biodiversity, with the key effects identified relating to vegetation loss, habitat fragmentation, infrastructure impediment and indirect effects (such as those relating to noise and lighting). It is acknowledged that there will be some degree of residual ecological effects following the implementation of mitigation measures. However, NZSki is proposing to address these via the BCP. It is therefore considered that the Project protects indigenous biodiversity as far as practicable, while enabling the Project which by its very nature occurs in a sensitive alpine environment.

Policy 33.2.1.8 provides the criteria for determining the significance of areas of indigenous vegetation and habitats of indigenous fauna. Given the sensitive nature of the alpine

[357] District Plan Policy 33.2.1.1.

[358] District Plan Policy 33.2.1.3.

[359] District Plan Policy 33.2.1.4.

[360] District Plan Policy 33.2.1.7.

environment, the Project area would likely be considered a significant area of indigenous vegetation / habitat of indigenous fauna.

Policy 33.2.1.6 sets out how adverse effects of activities on indigenous biodiversity are to be managed, including by:

> Avoiding adverse effects as far as practicable;

> Requiring remediation where adverse effects cannot be avoided;

> Requiring mitigation where adverse effects cannot be avoided or remediated;

> Requiring residual adverse effects on *significant* indigenous vegetation or indigenous fauna to be offset to achieve no net loss; and

> Requiring residual adverse effects on other (non-significant) indigenous vegetation or indigenous fauna be offset to achieve no net loss.

As has previously been described, it is acknowledged that there will be some degree of residual ecological effects following the implementation of mitigation measures that cannot be fully offset or compensated. However, NZSki is proposing to address these via the BCP. It is therefore considered that the Project protects indigenous biodiversity as far as practicable, while enabling the Project which by its very nature occurs in a sensitive alpine environment.

*Temporary Activities and Relocated Buildings*

The primary objective for this section is that temporary events (including construction activities) are encouraged and are undertaken in a manner that ensures the activity is managed to minimise adverse effects. The policies that are relevant to the Project include:

> Recognise and encourage the contribution that temporary events and filming make to the social, economic and cultural wellbeing of the District's people and communities;[361]

> Require adequate infrastructure, waste minimisation, traffic management, emergency management, security, and sanitation facilities to be available to cater for anticipated attendants at large-scale temporary events;

> Ensure temporary activities do not place an undue restriction on public access;[362] and

[361] District Plan Policy 35.2.1.1.

[362] District Plan Policy 35.2.1.6.

> Recognise that noise is an anticipated component of temporary events and filming, while protecting residential amenity from undue noise during night-time hours. [363]

For all the reasons already described in this section of the substantive application, the Project will be undertaken in a manner consistent with these policy directives.

*Noise*

There is a singular objective for noise which seeks to ensure any adverse effects of noise emissions are controlled to a reasonable level to manage the potential for conflict arising from adverse noise effects between land use activities.[364]

The two supporting policies include:

> Avoid, remedy or mitigate adverse effects of unreasonable noise from land use and development; [365] and

> Avoid, remedy or mitigate adverse noise reverse sensitivity effects. [366]

The Noise Assessment prepared by EMM confirms that predicted construction, traffic and helicopter noise levels will comply with the relevant standards at all assessment locations during typical construction hours, with any exceedances limited, temporary and confined to works undertaken outside normal hours. These effects are assessed as negligible due to their short duration, isolated location and the implementation of robust mitigation measures through the CEMP.

The Project incorporates best-practice noise mitigation measures including careful activity scheduling, use of quieter equipment where practicable, plant maintenance, restricted hours of operation, and adaptive management. Heavy vehicle and helicopter noise have been specifically assessed, with modelling confirming compliance with applicable criteria and no adverse effects on residential receivers. The temporary nature of construction activities, combined with compliance and mitigation measures, ensures that noise effects are acceptable. Consequently, the Project is consistent with both the noise objective and its supporting policies.

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[363] District Plan Policy 35.2.1.7.

[364] District Plan Objective 36.2.1.

[365] District Plan Policy 36.2.1.1.

[366] District Plan Policy 36.2.1.2.

*Wāhi Tūpuna*

Objective 39.2.1 seeks to ensure that mana whenua values, within identified wāhi tūpuna areas, are recognised and provided for. The following policies are also relevant to the Project:

> Policy 39.2.1.1 lists activities that are incompatible with mana whenua values when they occur within identified wāhi tūpuna areas;

> Recognise that the effects of activities may require assessment in relation to Manawhenua values when that activity is listed as a potential threat within an identified wāhi tūpuna area;[367]

> Avoid, remedy, mitigate adverse effects on mana whenua values for development within the identified wāhi tūpuna areas; [368] and

> Encourage early consultation with Manawhenua when appropriate to understand the effects of any activity on Manawhenua values in an identified wāhi tūpuna area. [369]

The Applicant acknowledges that activities require consideration of mana whenua values where effects extend beyond site boundaries or where cultural associations exist. The Project has been designed to avoid, remedy or mitigate potential adverse effects on mana whenua values through careful siting, design and management measures, and recognising that mana whenua is best placed to identify cultural values and relationships. Engagement has occurred in good faith to date and is intended to continue, with proposed consent conditions supporting early and ongoing consultation to ensure mana whenua values are appropriately recognised and provided for.

**Summary**

For the reasons detailed above, it is considered that the Project aligns with the relevant objectives and policies in the Proposed District Plan. It is acknowledged that there is some tension with the indigenous biodiversity provisions, however, the aspects of the Project within the Queenstown Lakes District are within an established (and zoned) ski area where the objectives and policies demonstrably support the Project.

[367] District Plan Policy 39.2.1.1.

[368] District Plan Policy 39.2.1.2.

[369] District Plan Policy 39.2.1.3.

### 9.3.16 Queenstown Lakes Operative District Plan

#### Overview

The Operative Plan became fully operative on 15 October 2005. The Operative Plan will be superseded by the Proposed Plan discussed in the previous section. Given the Proposed Plan will supersede the Operative Plan and as the vast majority of appeals have been settled via consent order, substantially more weight should be given to the Proposed Plan than the provisions in the Operative Plan. Based a review of the Proposed District Plan, none of the objectives and policies of the Proposed District Plan assessed in the previous section of this substantive application are subject to appeals – and can therefore be treated as beyond challenge and effectively operative. For this reason, no assessment of the provisions of the Operative Plan have been undertaken as the Proposed District Plan provides coherent policy direction.

### 9.3.17 Central Otago District Plan

#### Overview

The current Central Otago District Plan was made operative on 1 April 2008, and since this time, it has been subject to several plan changes.

#### Mana Whenua

The objectives seek to recognise and provide for Kai Tahu ki Otago values in the management of natural and physical resources, guided by the principle of kaitiakitanga.[370] They emphasise the protection and significance of waahi tapu and waahi taoka, the cultural and spiritual importance of wai, and the preservation of mahika kai and access to food-gathering places.[371] Collectively, they require resource management to respect, protect, and enable the cultural traditions, practices, and relationships of Kai Tahu ki Otago with their ancestral lands and resources. These objectives are supported by the following policies:

> To recognise the Kai Tahu Management Plan as the primary resource management reference for Central Otago and the foundation for consultation on matters of significance to Kai Tahu ki Otago;[372]

[370] Central Otago District Plan Objective 3.3.1.

[371] Central Otago District Plan Objectives 3.3.2, 3.3.3, 3.3.4 and 3.3.5.

[372] Central Otago District Plan Policy 3.4.1.

- To recognise and provide for the relationship of Kai Tahu ki Otago and their culture and traditions with their waahi tapu and waahi taoka;[373]
- To adopt procedures related to notifying Kāi Tahu of koiwi tangata finds and document appropriate management procedures;[374]
- To recognise and provide for the relationship Kai Tahu ki Otago have with the water resource;[375] and
- To recognise and provide for the importance of mahika kai to Kai Tahu ki Otago.[376]

NZSki acknowledges the significance of wāhi tapu and wāhi taoka, the cultural and spiritual importance of wai, and the importance of mahika kai and access to traditional food-gathering resources. No known wāhi tapu or wāhi taoka are identified within the Project site within the CODC district; however, NZSki recognises that Kā Rūnaka are best placed to articulate cultural values and associations connected to the wider landscape and water resources.

The Kāi Tahu ki Otago Natural Resource Management Plan is recognised as the primary reference for understanding Kāi Tahu values and informing consultation on matters of significance and is assessed later in this substantive application. Further, procedures are proposed as a core part of the Project to manage the accidental discovery of kōiwi tangata, consistent with Kāi Tahu policy and best practice in accordance with these policy directives.

**Rural Resource Area**

The objectives of the Rural Resource Area seek to recognise that communities need to provide for their social, economic or cultural wellbeing at the same time as the ensuring environmental quality is maintained and enhanced.[377] The districts outstanding natural landscapes and outstanding natural features are to be protected from the adverse effects of inappropriate subdivision, use and development.[378] Similarly, the rural amenity values created by open space, landscape, natural character and built environment values of the District's rural environment, and the open natural character of the hills and ranges are to be

[373] Central Otago District Plan Policy 3.4.2.

[374] Central Otago District Plan Policy 3.4.3.

[375] Central Otago District Plan Policy 3.4.4.

[376] Central Otago District Plan Policy 3.4.5.

[377] Central Otago District Plan Objective 4.3.1.

[378] Central Otago District Plan Objective 4.3.2.

maintained (and where practicable, enhanced).[379] These objectives are supported by a number of policies, which:

- Recognise and protect the districts outstanding natural landscapes and outstanding natural features, which:[380]
  - Are unique to the district, region or New Zealand; or
  - Are representative of a particular landform or land cover occurring in the Central Otago District or of the collective characteristics and features which give the District it's particular character; or
  - Represent areas of cultural or historic significance in the district, region or New Zealand; or
  - Contain visually or scientifically outstanding geological features; or
  - Have characteristics of cultural, historical and spiritual value that are significant to Kai Tahu ki Otago; or
  - Have high natural character values and high landscape quality that can be distinguished from the general landscapes of the Central Otago District;
- Seek to manage the effects of land use activities to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:[381]
  - The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features;
  - Development which is compatible with the surrounding environment including the amenity values of adjoining properties;
  - The ability to adequately dispose of effluent on site;
  - Controlling the generation of noise in back country areas;
  - The location of tree planting, particularly in respect of landscape values, natural features and ecological values;
  - Controlling the spread of wilding trees;

[379] Central Otago District Plan Objective 4.3.3.

[380] Central Otago District Plan Policy 4.4.1.

[381] Central Otago District Plan Policy 4.4.2.

- Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces;

- Seek to manage the effects of the use, development or protection of land within riparian margins of water bodies (including wetlands) to ensure that the natural character and amenity of water bodies and their margins are preserved; [382]

- Ensure that the use of land avoids, remedies or mitigates adverse effects on the open space, landscape and natural character amenity values of the rural environment (in particular the hills and ranges), the natural character and values of wetlands, lakes, rivers and their margins and the amenity values of neighbouring properties; and [383]

- Ensure that activities avoid, remedy or mitigate adverse effects on the open space, landscape, historic, natural character, natural quiet and amenity values of the quality and range of recreational opportunities available in, the district's back country and/or remote areas.[384]

It is acknowledged that the Project components within the Central Otago District are new and will represent a substantial change to the character of the Doolans Basin which is unmodified, with high natural character and landscape values – and is an ONL in the CODC District Plan. The Landscape Assessment identifies that the Project will have:

- Moderate to high natural character effects, which cannot be entirely avoided;

- A high level of landscape effects on the ONL, due to the introduction of buildings, gondola infrastructure, ski trails and associated activity into a previously undeveloped alpine basin would noticeably reduce landscape naturalness, intactness and sense of remoteness. However, this area affected by landscape change is confined within a small part of the wider ONL;

- Moderate to high visual effects from nearby ridgelines and within the upper basin where Project components will be visible in its immediate context; and

- Moderate cumulative effects within the limited spatial extent of the upper Doolans Basin.

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[382] Central Otago District Plan Policy 4.4.4.

[383] Central Otago District Plan Policies 4.4.8 and 4.4.10.

[384] Central Otago District Plan Policy 4.4.14.

The Landscape Assessment also notes that while the proposed structures have been located to largely avoid freshwater habitats, there will be adverse natural character effects on a moderately sized tarn (resulting from the construction of the weir) and on Doolans Creek (as a result of the proposed water take) for snow making purposes.

To the extent possible, the Project has been designed to minimise landscape effects, but full avoidance of effects is not possible given the Project is seeking to introduce structures within an unmodified landscape. The Landscape Assessment concludes that, while the adverse landscape and character effects of the Project may be significant, these effects will be spatially and visually confined, with mitigation measures proposed to minimise both landscape and natural character effects. It is also noted that the Project will also enhance the recreational opportunities within this part of the district, and contribute substantially to the regional economy.

Objective 4.3.4, supported by Policy 4.4.13, seeks to maintain and enhance the quality of the districts recreation resources and public access to those resources. Policy 4.4.15 recognises that there are potential conflicts between different recreation activities which requires management and seeks to encourage multiple use of public open space and recreation areas where possible.

The Recreation Assessment identifies that construction activities within the Doolans Basin will result in very high but temporary adverse effects on recreation during the construction period, primarily due to access restrictions, noise, visual change, and displacement of users; however, these effects are time-limited and will be managed through construction controls.

During operation, the Project will result in a significant shift in the recreational character of the Doolans Basin, with a permanent loss of backcountry recreation values for some existing users, particularly backcountry winter ski users. However, recreation opportunities, including winter skiing, summer access, hunting, and mountaineering, will generally be retained, and in many cases enhanced through improved access, infrastructure and safety management. The Project will increase recreational accessibility and capacity for a much larger number of skiers, supporting multiple use of the area within a managed environment. While some recreation conflicts and value trade offs are unavoidable, these are managed through zoning, operational controls and alternative recreation opportunities elsewhere in the district. The Project is therefore consistent with the intent of Objective 4.3.4 and Policies 4.4.13 and 4.4.15.

In respect of the management of indigenous biodiversity, the provisions of the Central Otago District Plan require the recognition and provisions for the protection of areas of significant

indigenous vegetation, significant habitats of indigenous fauna and significant wetlands. 385 As described in Section 2 of this substantive application, the Doolans expansion area is located within areas of significant natural value - SN18 Cone Peak, SN26 Glenroy and SN28 Wentworth. As has been described in respect of the NPS-IB there will be residual effects on the value of the significant natural areas that cannot be fully avoided, remedied or mitigated due to the functional and operational need of the ski infrastructure to be located in an alpine environment. However, the intent of the BCP is designed to compensate for the loss of this vegetation, to the extent necessary for an application under the FTAA.

**Water Surface and Margin Resource Area**

The objectives seek to ensure that the Central Otago's district's lakes and rivers, and their margins, are managed to maintain and enhance amenity values, environmental quality, and natural character, while supporting appropriate recreational use and public access.[386] They require the safe and efficient use of water bodies, including navigation, and recognise and provide for Kai Tahu ki Otago's cultural and spiritual values associated with water.[387]

The Project does not introduce new surface water-based recreational activities, or navigation uses and does not alter the fundamental character or public accessibility of water bodies within the district. Works near water courses are limited in extent and have been designed to avoid or minimise effects on natural character, amenity values and ecological function, with appropriate management measures, reflected in the proposed conditions, to be implemented.

The safe and efficient use of water bodies is maintained through careful sitting, design and operational controls, ensuring that recreational use and public access are not compromised. Cultural and spiritual values associated with wai are recognised by acknowledging that Kāi Tahu ki Otago are best placed to identify and express these values, supported through engagement – which is reflected in the proposed conditions.

Policy 5.4.1 seeks to manage the effects of activities upon water surface and margins to ensure that:

> Ecological values including significant indigenous vegetation and significant habitats of indigenous fauna and instream values of the water body are protected and where appropriate, enhanced;

[385] Central Otago District Plan Objective 4.3.8 and Policy 4.4.7.

[386] Central Otago District Plan Objectives 5.3.1, 5.3.2 and 5.3.3.

[387] Central Otago District Plan Objectives 5.3.4 and 5.3.5.

- The protection of amenity, recreational and landscape values in or near the water body is promoted or otherwise provided for;
- Conflict with other resource users on the water surface and adjoining land, including the effects that noise and/or wave generation may have, are avoided, remedied or mitigated;
- The quality of the water within the water body is maintained and/or enhanced;
- The stability of the bed and bank of the water body is maintained and/or enhanced;
- The stability of any structure located in, on or near the water body is maintained;
- The severity and incidence of flooding is not exacerbated by the activity;
- Public access (where appropriate) is provided for;
- The spread of undesirable aquatic plants is avoided, remedied or mitigated; and
- The integrity of Kai Tahu ki Otago's spiritual beliefs, cultural traditions and practices in respect of water resources is considered.

Policy 5.4.2 requires alignment with existing statutory instruments; Policy 5.4.5 seeks to recognise the importance of lakes and rivers and their margins to the existing and future recreational needs of the district's people and visitors and Policy 5.4.6 seeks to ensure activities make adequate provision for public access except where a restriction is necessary.

As has previously been described, the Project has been designed to avoid and minimise works in or near water bodies where practicable. Measures have been proposed – and are enshrined in the proposed conditions - to maintain water quality, protect instream values, and ensure the stability of waterway beds, banks and any nearby structures, while also avoiding any exacerbation of flooding risk.

Amenity, landscape and recreational values associated with water bodies and their margins are maintained through sensitive siting, scale and design of infrastructure, and through the management of effects. The Project does not introduce new water-surface uses or activities that would create conflict with other resource users, and public access to water margins, where appropriate, is retained. The spread of undesirable aquatic plants will be managed through construction controls and ongoing management as per the CEMP.

The integrity of Kāi Tahu ki Otago's cultural and spiritual relationship with wai is recognised by acknowledging that mana whenua are best placed to identify and express these values, supported by further engagement and proposed safeguards including accidental discovery protocols.

**Light**

The objectives seek to protect, maintain, and enhance the quality of the night sky within the Dark Sky Precinct by managing the adverse effects of artificial lighting associated with development.[388] They also recognise the functional role of outdoor lighting in enabling activities, safety, and security after dark, while requiring lighting to be designed and managed to minimise light spill, protect night sky views, maintain amenity values, and ensure the safe operation of the transport network.[389] These are supported by the following policies, which:

> Require the protection of the Dark Sky;[390]

> Only allow exterior lighting within the Dark Sky Precinct with relevant controls;[391] and

> Require outdoor lighting to be installed to avoid the potential for light to be spilled upwards and affect the ability to view the night sky.[392]

The proposed conditions contain lighting controls which:

> Do not allow any lighting during the summer months;

> Only allow construction lighting in the autumn months where absolutely necessary; and

> In winter, only lighting associated with vehicle headlights, snow groomers and snow making equipment is proposed.

With these consent conditions in place, it is considered that the Project is consistent with the lighting related objectives and policies of the Central Otago District Plan.

**District Wide**

There are several district wide objectives in the Central Otago District Plan that are relevant to the Project, which seek:

> The promotion of the safe and efficient operation of the district's roading network;[393]

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388 Central Otago District Plan Objective LIGHT-O1.

389 Central Otago District Plan Objective LIGHT-O2.

390 Central Otago District Plan Policy LIGHT-P1.

391 Central Otago District Plan Policy LIGHT-P2.

392 Central Otago District Plan Policy LIGHT-P3.

393 Central Otago District Plan Objective 12.3.1.

- The avoidance, remediation or mitigation of the adverse effects of noise on the district's amenity values and the health and wellbeing of the district's people;[394]
- The avoidance, remediation or mitigation of the adverse effects of signs on traffic and the general amenity values of the district while recognising that signs are a necessary adjunct to many activities;[395] and
- To ensure that activities avoid, remedy or mitigate nuisance to adjoining properties from odour, dust, light spill, glare and electrical interference.[396]

These objectives are supported policies, which require:

- The avoidance, remediation or mitigation of adverse effects on the safe and efficient operation of the roading network;[397]
- Determination of the suitability of noise generating activities in any given locality;[398]
- The recognition that noise from temporary activities can be reasonably controlled by requiring compliance with noise limits which are less stringent than those applied to other activities;[399]
- Determination of the suitability of signs in any given location by having regard to the sign's effect;[400]
- The enabling of signs necessary for reasons of public safety and information within the district;[401]
- Encouragement given to resource users to adopt management practices that avoid, remedy or mitigate adverse effects on odour, light spill and glare, dust and electric interference;[402] and
- The enabling of temporary activities that promote the social, economic and cultural wellbeing, and health and safety of the district's people and communities while

394 Central Otago District Plan Objective 12.3.2.

395 Central Otago District Plan Objective 12.3.3.

396 Central Otago District Plan Objective 12.3.4.

397 Central Otago District Plan Policy 12.4.1.

398 Central Otago District Plan Policy 12.4.2.

399 Central Otago District Plan Policy 12.4.3.

400 Central Otago District Plan Policy 12.4.4.

401 Central Otago District Plan Policy 12.4.6.

402 Central Otago District Plan Policy 12.4.7.

ensuring that any adverse effects that exceed performance standards of the District Plan are of a short duration only.[403]

All of these matters have been addressed in respect of the provisions of the Proposed District Plan that cover the same subject matter. That assessment is considered to be equally applicable here. In summary:

- The Project will not cause any transportation related effects within the Central Otago District, with traffic using the existing roading network / access through to the Remarkables Ski Area in the Queenstown Lakes District;
- Noise is addressed in EMM (2026), which concludes that noise from the expanded ski field will be acceptable;
- Any signage will be limited to that necessary for ski field operations;
- The implementation of measures described in the CEMP will appropriately control dust during construction activates.

**Infrastructure, Energy and Utilities**

This section of the Central Otago District Plan covers topics related to infrastructure, energy and utilities. The following objectives are relevant to the Project, which seek:

- That the transportation network provides for the safe and efficient operation and development of transport infrastructure while maintaining or enhancing amenity values and environmental quality;[404]
- To enable the efficient operation and development of utilities, including the transmission network, while requiring effects on amenity, heritage, landscape values, and public safety to be avoided, remedied, or mitigated;[405] and
- The maintenance and, where practicable, enhancement of rural amenity values created by the open space, landscape, natural character and built environment values of the district's rural environment.[406]

The following policies support the objectives listed above, which:

[403] Central Otago District Plan Policy 12.4.8.

[404] Central Otago District Plan Objective 13.3.1.

[405] Central Otago District Plan Objective 13.3.2.

[406] Central Otago District Plan Objective 13.3.5.

- Seek to ensure that the design, location and operation of the transportation network is appropriate;[407]
- Recognise that some established activities may generate noise and other effects that can disturb neighbours, by ensuring that new developments locating near such activities recognise and accept the prevailing environmental characteristics; [408] and
- Ensure activities make adequate provision for continued lawful public access except where a restriction is necessary. [409]

All of these matters have been addressed throughout this assessment of the Project against the relevant RMA planning documents. In summary, the Project – including the components of the Project within the Doolans Basin – is consistent with the policy directives relating to transportation, noise and public access.

**Hazards**

There are three objectives of the hazard chapter, which seek:

- The avoidance or mitigation of the adverse effects of hazards, both natural and human induced, to limits acceptable to the community; [410]
- The integration of controls imposed on land use relating to hazard avoidance or mitigation with physical works undertaken for that purpose; [411] and
- The management of adverse effects of structural hazard mitigation measures on natural and physical resources.[412]

These objectives are supported by several policies, which require:

- The gathering and maintenance of information on hazards including location, causes and risks; [413]
- The taking into account of the vulnerability of land and activities to hazard events when managing land uses; [414]

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[407] Central Otago District Plan Policy 13.4.2.

[408] Central Otago District Plan Policy 13.4.11.

[409] Central Otago District Plan Policy 13.4.15.

[410] Central Otago District Plan Objective 17.3.1.

[411] Central Otago District Plan Objective 17.3.2.

[412] Central Otago District Plan Objective 17.3.3.

[413] Central Otago District Plan Policy 17.4.1.

[414] Central Otago District Plan Policy 17.4.2.

- To ensure that the location, design and/or operation of land use activities do not increase the intensity and frequency of existing hazards, unless such adverse effects can be avoided, remedied or mitigated; [415]
- The recognition that some landowners are prepared to accept a level of risk from natural hazards because of the benefits of remaining in a hazard prone area; [416] and
- To encourage appropriate land management practices in catchment areas and other areas threatened by erosion that will reduce and/or mitigate the effects of erosion and the effects of flooding. [417]

The Project has been informed by a comprehensive hazard assessment that identifies hazard types, locations, likelihoods and consequences, enabling risks to be appropriately understood and managed. Land use vulnerability and hazard exposure have been carefully considered through site selection, design, and operational planning, ensuring development does not increase the intensity or frequency of existing hazards.

Where development occurs in an alpine environment inherently subject to natural hazards, risks are mitigated through avoidance where practicable, and otherwise through engineering design, operational controls and ongoing management, recognising that a managed level of residual risk can be tolerated by the community given the functional and locational requirements of ski-field activities. As has previously been described, ski field operations must actively manage hazards associated with ski activities as part of their day-to-day operations.

**Summary**

For the reasons detailed above, it is considered that the Project aligns with the relevant objectives and policies in the Central Otago District Plan.

### 9.3.18 Kāi Tahu Ki Otago Natural Resource Management Plan 2005

The Kāi Tahu Ki Otago Natural Resource Management Plan 2005 ("**Kai Tahu Management Plan**") is relevant to the Project, however NZSki also recognises that it is for tangata whenua to speak to the cultural effects and issues associated with the Project.

The Kāi Tahu Management Plan is the principal planning document guiding Kāi Tahu ki Otago in the management of natural, physical, and historic resources across the Otago region. The

[415] Central Otago District Plan Policy 17.4.4.

[416] Central Otago District Plan Policy 17.4.6.

[417] Central Otago District Plan Policy 17.4.7.

Management Plan acknowledges both the practical use of ORC boundaries and the deeper cultural boundaries that extend beyond them.

Part 3 of the Kāi Tahu Management Plan details the overall objectives for the Plan (objectives 5.2), these are:

> That Rakātirataka and Kaitiakitaka of Kāi Tahu ki Otago is recognised and supported;

> Ki Uta Ki Tai management is adopted across the region;

> The mana of Kāi Tahu ki Otago is upheld in natural, physical, and historic resource management;

> Effective participation of Kāi Tahu ki Otago in all resource management activities; and

> Mana whenua roles and responsibilities are recognised and provided for throughout the Plan.

NZSki acknowledges Kāi Tahu ki Otago as mana whenua and recognises their enduring relationship with whenua, wai māori and associated ecosystems. While NZSki is not a decision-maker and does not exercise statutory responsibilities, the Project framework incorporates safeguards, avoidance of high-value environments where practicable, and management measures that recognise and support rakatirataka and kaitiakitaka consistent with the Kāi Tahu Management Plan's objectives.

Effective participation of Kāi Tahu ki Otago is supported through engagement undertaken in good faith and through proposed consent conditions that provide opportunities for ongoing involvement where cultural, freshwater or ecological values may be affected.

**Discharges**

Key relevant policies with respect to discharges seek to:

> require land disposal for human effluent and contaminants and to require consideration of alternatives and use of new technology for discharge renewal consents; [418] and,

> require all stormwater to be treated before being discharged to water.[419]

As previously discussed in Section 6, Stantec (2026c) assessed a range of wastewater management options for the Project. Consolidation of wastewater treatment within the existing wastewater treatment system has been assessed as the best practicable option for

[418] Kāi Tahu Ki Otago Natural Resource Management Plan Policies 5.3.4(8) and 5.3.4(9).

[419] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(10).

the Project, as it allows upgrade and reuse of an existing system, promotes the discharge of treated wastewater land, maintains good to excellent water quality within the Rastus Burn stream and avoids introducing new wastewater discharge into a sensitive areas.

Stormwater runoff from roads, trails, roofs and infrastructure will be managed using a combination of nature-based treatment measures, including sheet flow across vegetated surfaces, energy dissipation through tussock grassland and rock fields, vegetated swales, armoured and lined channels where necessary, and controlled discharge points that reduce velocity and sediment mobilisation. Design measures are also proposed to ensure that stormwater is filtered and attenuated before entering receiving environments, with particular emphasis on protecting wetlands, streams and sensitive alpine catchments from sediment and contaminant inputs. These treatment measures are supported by erosion and sediment controls during construction and ongoing operational management, ensuring stormwater discharges do not compromise water quality or freshwater values.

Other relevant policies:

> Encourage Kai Tāhu ki Otago input into the development of monitoring programmes;[420]

> Require regular monitoring of all discharges, with results independently analysed and made available to Kāi Tahu ki Otago;[421]

> Encourage Management Plans for all discharge activities that detail the procedure for containing spills and including plans for extraordinary events;[422]

> Require all discharge systems be well maintained and regularly serviced;[423]

> Require re-vegetation with locally sourced indigenous plants for all disturbed area;[424] and

> Require groundwater monitoring for all discharges to land.[425]

The Project provides a robust framework for managing discharges in a manner that protects freshwater, ecological and Kāi Tahu values. Monitoring and management approaches are designed to be transparent and responsive, including regular monitoring of discharges, appropriate maintenance and servicing of all systems, and the availability of results for

[420] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(12).

[421] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(13).

[422] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(14).

[423] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(15).

[424] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(16).

[425] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(18).

review. Management plans address spill response and unexpected events, while disturbed areas are reinstated using locally sourced indigenous vegetation. Where relevant, groundwater monitoring is incorporated to confirm land-based discharges do not adversely affect subsurface water quality.

***Water Extractions***

Regarding water takes or extractions, the key policy themes seek to ensure that:

> Only the amount of water necessary for the stated activity is taken;[426]

> All water takes are metered and reported, with monitoring information made available to Kāi Tahu ki Otago upon request;[427] and,

> Water take permits seeking a 35 year term are opposed, and a precautionary approach is applied, either through a reduced term or a review clause.[428]

As noted within previous sections, the water take is limited to what is necessary for drinking water, fire fighting and snow making operations and comprises only 1% of the available allocation within the catchment. Additionally, the water will be taken during the winter, when the only downstream water take (for irrigation purposes) will be exercised.

New water meters will monitor the rate and volume of the take and will ensure that no water is taken when flows within the creek are less 20L/s. Annual reporting will be provided to the ORC in accordance with proposed resource consent conditions, which NZSki is happy to make available to Kā Rūnaka on request.

While NZSki seeks a 35-year consent to provide long-term certainty for the level of investment being made, review conditions do form part of the suite of conditions proposed by NZSki and will allow the consent authority to assess actual effects over time and respond to any unforeseen or changing environmental outcomes. In this way, the proposal adopts a precautionary approach through management mechanisms rather than consent duration alone, enabling adjustment to address any issues should they arise during the consent term.

***River and Instream Works***

Policies relating to river and instream works and bank erosion generally seek to:

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[426] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(22).

[427] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(18).

[428] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(25).

- maintain fish passage and avoid spawning season of specific freshwater species; [429]
- Require buffer zones between flowing water and the site of any river or instreams works;[430]
- Require that wet concreate does not entre the active flow channels;[431]
- Minimise sediment or discharge of sedimentation and contamination; [432]
- Require work to be completed when water levels are low or dry; [433] and
- Only allow machinery to enter waterways to the extent necessary, discourage operating in flowing water and ensure it is clean and well maintained. [434]

The assessments undertaken by e3 (2026x) have confirmed that there are no fish present within the waterbodies present on site.

Through site selection and design processes, as described in Sections 1 and 3, the Project has sought to minimise instream works. Where such works are necessary to cross an ephemeral or flowing waterbody, the design of the crossing implemented will be ensure the hydrological functioning of the waterbody is maintained. Consent conditions will also require such work is undertaken during low flows, or during the drier summer season.

All instream works will preferentially occur from the banks of the waterbodies, with the extent and time of works required within the waterbody to be minimised through best practice construction techniques, which will be detailed in the CEMP for the Project. The CEMP also details erosion and sediment control measures and spill prevention procedures. In the rear occasions that concrete is required to be used for instream works, a temporary diversion will be put in place to avoid the potential for wet concrete washout, sediment mobilisation and the release of other contaminant.

The intake has been designed to avoid impediments to sediment transport and downstream habitat quality. Sediments naturally transported within the creek may be entrained in the intake, however, the design includes a return pipe that flushes accumulated sediment back into the Doolans Creek Right Branch downstream of the abstraction, maintaining sediment

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429 Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(31) and (36).

430 Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(33).

431 Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(35).

432 Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(37) and (38).

433 Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(39)

434 Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.3.4(40) to (42).

continuity and streambed integrity. This further reduces the potential for indirect effects on downstream instream habitats.

***Wāhi Tapu***

There are three objectives for wāhi tapu included in the Kāi Tahu Management Plan, they include:

> All wāhi tapu are protected from inappropriate activities;[435]

> Kāi Tahu ki Otago have access to wāhi tapu;[436] and

> Wāhi tapu throughout the Otago region are protected in a culturally appropriate manner.[437]

These objectives are recognised by the Project through a precautionary approach that acknowledges the significance of wāhi tapu and the role of Kā Rūnaka as kaitiaki. To further support meaningful collaboration and culturally appropriate management outcomes, NZSki has proposed multiple consent conditions which relate to the establishment of a mana whenua working group, enabling mana whenua representatives to provide ongoing advice and input into implementation, management measures, and matters relevant to Kāi Tahu values and wāhi tapu.

Importantly, the Project does not restrict Kāi Tahu access to the Kawarau, nor does it preclude the exercise of cultural practices associated with such sites. Where access restrictions may be required for construction or operational safety, these would be temporary and localised.

Safeguards are in place to ensure that wāhi tapu values are protected should any be encountered. These include accidental discovery protocols, cessation of works procedures, and engagement with Kāi Tahu ki Otago in the event of any discovery.

***Mahika Kai and Biodiversity***

Key policies regarding mahika kai and biodiversity include:

> Encouragement of collaborative research into indigenous biodiversity;[438]

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[435] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.4.3(i).

[436] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.4.3(ii).

[437] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.4.3(iii).

[438] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.4.4(3).

- Identification of mahika kai sites and species of importance to Kai Tahu and protection and enhancement of access to those sites;[439] and,
- Protect and enhance existing wetlands.[440]
- Promote best-practice maintenance of drains and waterways to uphold ecosystem health.[441]

A number of assessments have been completed by e3s, who have assessed both the terrestrial and freshwater ecology within the Rastus Burn and Doolans Basin. The extensive field surveys undertaken have contributed to wider understanding of the distribution and density of flora and fauna within a high alpine environment within Otago. To further contribute to this, NZSki is also proposing to fund a research project, to the value of $80,000, into the distribution of threatened and at-risk lizard species within alpine environments as Remarkables and the wider Hectors Mountains.

The application documents have also sought to identify where taonga species are present on site, and in the case of flora, have identified some options for their potential translocation. NZSki remains open to discussing whether this is a favourable option for Kā Rūnaka, or whether harvesting or similar may achieve better outcomes in line with the particular values placed on those plant species.

The Project will also main public access to the mauka, with access for mahika kai gathering still available for Kā Rūnaka.

As outline previously with respect the NPS-FM, the Otago RPS and the Water Plan, a number of measures are in place to ensure that the potential adverse effects of the Project on wetlands is avoided, then minimised and then managed. This includes preferential siting of Project elements outside of wetlands, and minimising both direct and indirect effects on them. Conditions of consent also seek to ensure that the hydrological and ecological functioning of the wetlands is maintained, and erosion and sediment control measures minimise sedimentation effects on their viability and health. Similar measures have also been applied for the

[439] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.4.4(4) to (7)i).

[440] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.4.4(12).

[441] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.4.4(18).

***Cultural Landscapes***

Policy 5.6.4 outlines policies for cultural landscapes. Those of relevant to the Project include:

> Identification and protection of the full range of landscape features significant to Kāi Tahu ki Otago;[442]

> Promoting controls on visitor and recreational activities that impact on significant landscapes;[443]

> Requiring the interpretation of Kāi Tahu ki Otago histories for public or commercial reasons to be undertaken by the appropriate Rūnaka / whānau; Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.4.4(18); [444]

> Require tourist operators and staff to attend a cultural wānaka.

The Project recognises the broader cultural landscape within which it is located and acknowledges that Kāi Tahu ki Otago are the appropriate authority to identify and articulate cultural landscape values.

NZSki remains committed to maintaining a long term relationship with Kā Rūnaka. Many of the concepts described in the relevant mana whenua advisory group conditions contained Part H are reflective of those above and seek to integrate cultural considerations into the overall operations of the ski area.

Policy 5.6.4(7) seeks to encourage and promote the importance of traditional place names.

The Project acknowledges the significance of traditional place names as an expression of Kāi Tahu cultural heritage and connection to place. While the Project does not involve the naming or renaming of places or features, it does not preclude the recognition or future use of traditional names.

Policy 5.6.4(19) requires all earthworks, excavation, filling or the disposal of excavated material to:

> Avoid adverse impacts on significant natural landforms and areas of indigenous vegetation;

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[442] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.6.4(1).

[443] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.6.4(3).

[444] Kāi Tahu Ki Otago Natural Resource Management Plan Policy 5.6.4(4).

> Avoid, remedy, or mitigate soil instability; and accelerated erosion; and

> Mitigate all remaining adverse effects.

A robust suite of conditions, detailed in **Part H**, seek to appropriately manage potential effects on the natural landforms and areas of indigenous vegetation, and the stability of the land. A range of technical assessment have informed these management measures, and include (but are not limited) to those in the disciples of terrestrial and freshwater ecology, hydrology and engineering – all which touch on the matters raised in Policy 5.6.4(19).

Notably, Policy 5.6.4(21) seeks that all indigenous re-vegetation uses local sources specific for all disturbed areas. The Project places an emphasis on translocation of plants, to ensure that those removed during construction can be carefully reposition within the batter slopes and other areas of the site to rehabilitate areas of disturbed land. As detailed in Section 1, NZSki harvests and propagates seeds collected on site, which are also used to for restoration and rehabilitation works throughout the existing ski field. This is proposed to continue in association with this Project.

Policy 5.6.4(24) aims to discourage both temporary and permanent structures in culturally significant landscapes, lakes, rivers or the coastal environment. As previously described in Sections 1 and 3 and throughout these documents, careful siting of key structures and assets have sought to avoid sensitive ecosystems and waterbodies. NZSki acknowledges however, that these may not be the landscapes and rivers sought to be recognised through this policy.

***Summary***

As noted earlier, NZSki acknowledges Kāi Tahu ki Otago as mana whenua and recognises their enduring relationship with whenua, wai māori and associated ecosystems. While Kā Rūnaka is best placed to describe the extent to which the Project aligns with the outcomes sought in the Kāi Tahu ki Otago Management Plan, it is anticipated that some of the management measures will address the policy directives it contains.

NZSki remains open to ongoing discussions with Kā Rūnaka regarding the Project and how its cultural interests and values may be incorporated into the longer term outcomes sought for the Project.

### 9.3.19 Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

The Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 ("Murihiku Management Plan") is relevant to the Project. However, as noted above in relation

to the Kai Tahu ki Otago Natural Resource Management Plan, it is for Kā Rūnaka to identify and articulate the cultural effects of, and issues associated with, the Project.

The Site is located within Takitimu Me Ona Uri (High Country and Foothills). The following provides an overview of the key policies of relevance to the Project within that takiwā.

**Vegetation Clearance and Burning**

Loss of indigenous plant species, habitat loss, increased soil erosion and land instability and the establishment of pest plants and animals is a focus of the Takitimu Me Ona Uri. Key policies seek to:

> Provide opportunity for site inspections to ensure the activity complies with the information provided, including maps; [445]

> Ensure that plans outline the purpose for vegetation clearance and the methods used to avoid harming non-target species, as well as methods to enhance and improve the area once cleared and effective pest and plant control (including monitoring); [446]

> Protect indigenous vegetation in areas or adjacent to areas that are to be cleared;[447] and

> Avoid clearance of land for land management purposes in areas prone to high soil erosion and land instability.[448]

Section 6 of this substantive application, together with the supporting technical assessments, addresses effects on indigenous vegetation and habitat, including fragmentation. As set out throughout that section, NZSki proposes a suite of conditions (set out in Part H) to ensure that vegetation removal and rehabilitation are appropriately targeted and that edge effects on indigenous vegetation adjoining disturbance areas are avoided, remedied, or mitigated to the extent practicable. The proposed conditions also provide for mana whenua engagement and input into project delivery, including cultural monitoring and opportunities for site inspections to confirm that works are undertaken in accordance with the approved plans and documentation.

It is acknowledged that, notwithstanding the implementation of mitigation measures, some residual effects on indigenous vegetation will remain. NZSki proposes to address those

[445] Murihiku Management Plan Policy 3.4.7(1).

[446] Murihiku Management Plan Policy 3.4.7(2).

[447] Murihiku Management Plan Policy 3.4.7(4).

[448] Murihiku Management Plan Policy 3.4.7(5).

effects through the Biodiversity Compensation Project. The proposed conditions anticipate that mana whenua may, if they wish, provide input into the design of that Project.

**Access and Tourism**

Recreation and tourism are identified as dominant land uses in some high-country areas. Of particular relevance, the potential effects of existing and proposed ski field development, including the associated effects of wastewater discharges to land, snowfields, and waterways, are identified as matters of specific concern.

Key policies relevant to access and tourism seek to ensure:

> Development considers specific landscape and geographical features and the significance of these to Kāi Tahu Whānui and buildings that protrude the ridgelines or displace sites of cultural significance should be avoided;[449]

> Kāi Tahu Whānui retains the capacity to access, use and protect high country landscapes, wāhi tapu and mahinga kai sites and the history and traditions that are linked to these landscapes; [450]

> Education among tourist and other visitors about the cultural importance of mountains and other landforms to Kāi Tahu Whānui is encouraged;[451] and,

> Ensure that protocols are established to recognise for the accidental discoveries of cultural sites and material.[452]

NZSki recognises the significance of Kawarau to Kāi Tahu Whānui and has sought, through the design process, to ensure that changes to the landscape, natural character, and visual amenity are avoided, remedied, or mitigated to the extent practicable, having regard to the operational and functional requirements of a ski field.

The Project maintains opportunities for access to and use of the high-country environment, thereby supporting ongoing recreational use and contributing to social and economic wellbeing, while also recognising the importance of enabling Kāi Tahu Whānui to access, use, and protect culturally significant landscapes. The proposal also recognises the importance of cultural awareness and includes mechanisms, including Accidental Discovery Protocols, to manage the identification of cultural material.

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[449] Murihiku Management Plan Policy 3.4.8(2).

[450] Murihiku Management Plan Policy 3.4.8(4).

[451] Murihiku Management Plan Policy 3.4.8(7) and (10).

[452] Murihiku Management Plan Policy 3.4.8(14).

NZSki would welcome opportunities to educate visitors to the maunga about its cultural significance to Kāi Tahu Whānui. The proposed conditions relating to the mana whenua advisory group contemplate such outcomes.

**Water**

Ngāi Tahu ki Murihiku recognise water as a taonga, with a kaitiaki responsibility to ensure that it is protected and maintained for future generations in as good as, or better, condition. The Plan emphasises that degradation of water quality may give rise to cumulative effects on mahinga kai and other resources, and highlights the need to recognise and provide for the cultural and ecological significance of water alongside competing demands for its use.

Key policies relevant to the management and use of water aim to:

> Enable Ngāi Tahu ki Murihiku to exercise kaitiaki responsibilities in relation to freshwater;[9]

> Protect and enhance the mauri, or life supporting capacity, of freshwater resources[453] and manage water for both present and future generations;[454]

> Promote the management of freshwater according to the principle of ki uta ki tai, and thus the flow of water from source to sea;[455]

> Recognise and provide for Kāi Tahu's right to development, as per the Treaty of Waitangi456 and protect and enhance the customary relationship of Ngāi Tahu ki Murihiku with freshwater resources.[457]

NZSki acknowledges Ngāi Tahu ki Murihiku as mana whenua and recognises the significance of wai as a taonga that is integral to the health of Papatūānuku and the wellbeing of present and future generations. While NZSki does not exercise statutory decision-making functions, the Project framework incorporates measures to manage effects on freshwater appropriately, including through the maintenance of water quality, the management of effects on freshwater systems, and recognition of the ecological importance of water resources.

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[453] Murihiku Management Plan Policy 3.5.10(3).

[454] Murihiku Management Plan Policy 3.5.10(4).

[455] Murihiku Management Plan Policy 3.5.10(5).

[456] Murihiku Management Plan Policy 3.5.10(7).

[457] Murihiku Management Plan Policy 3.5.10(8).

If they so wish, Ngāi Tahu ki Murihiku, as kaitiaki, will be engaged throughout both the construction and operational phases of the Project, with opportunities to help ensure that the relationship with the maunga and the wai is recognised and maintained.

**Rivers**

The rivers of the Southland Plains are integral to the cultural identity of Ngāi Tahu ki Murihiku, flowing ki uta ki tai from the mountains to the sea and forming interconnected systems with tributaries, wetlands, waipuna and groundwater. These waterways are deeply embedded in Kāi Tahu history and continue to hold significant cultural values, including associations with mahinga kai, wāhi tapu and wāhi taonga.

Policy 3.5.11(2) establishes the overarching management hierarchy, prioritising the protection of mauri, human health, cultural values and ecological integrity ahead of consumptive uses.

The Project's land use, water takes, discharges, and ecological effects are addressed in detail in the technical reports contained in Part B of this application. Those assessments demonstrate that the proposed flow regimes and water management responses have regard to the full range of environmental, cultural, and downstream effects on the Rastus Burn and Doolans catchments.

Policies 3.5.11(6) and 3.5.11(7) focus on the recognition and ongoing weight afforded to Statutory Acknowledgement areas, including their role in plan identification, consent processes and evidential matters. Policy 3.5.11(10) complements this by requiring protection of ecological connectivity, including fish passage.

There are no Statutory Acknowledgement areas within the Project area. The waterbodies within the Project area are also fishless, and accordingly no adverse effects on fish passage arise. Notwithstanding that, the Project has been designed to maintain the integrity and functioning of freshwater systems so that ecological connectivity and associated environmental values are maintained, consistent with the intent of those policies.

Policies 3.5.11(11–16) address tools and methods to protect and enhance river health, including the use of protection mechanisms (e.g. mātaitai, WCOs), monitoring frameworks, riparian management, avoidance of contaminant discharges, and restoration of culturally significant waterbodies.

Policies 3.5.11(17), 3.5.11(18) and 3.5.11(19) focus on managing cumulative and indirect effects, including upstream impacts on downstream values, land use pressures, biosecurity risks, and the importance of education and best practice to support the long-term health of river systems.

The Project incorporates monitoring frameworks, riparian management measures, and a land-based discharge approach to minimise contaminant inputs, alongside opportunities for ecological enhancement where practicable.

Potential cumulative and indirect effects have been assessed at a catchment scale, including upstream and downstream values. Measures such as adaptive management, biosecurity controls, and ongoing monitoring support the long-term health and resilience of freshwater systems and are consistent with best practice management and the intent of the relevant policies.

**Discharge to Water**

Discharges to water, whether direct or indirect, have the potential to degrade water quality and adversely affect the mauri and wairua of waterways. This section of the Murihiku Management Plan addresses activities such as sewage discharges, contaminated stormwater, runoff and sedimentation, recognising the need to protect and maintain the health of freshwater systems and their associated cultural values.

Key policy directives seek to:

> Avoid direct discharges of contaminants to water, recognising that even treated discharges may be culturally unacceptable, and instead require discharge to land as a baseline approach;458

> Consider any proposed discharge activity in terms of the nature of the discharge, and the sensitivity of the receiving environment;459

> Consider a range of values (beyond economic) when assessing the alternatives to discharges to water;[460]

> Ensure any discharge activity includes robust and regular monitoring[461], to detect non-compliance with consent conditions. [462]

The Project provides for land-based wastewater discharge so as to avoid any direct discharge to water. It has also been designed to achieve a high standard of effluent quality, with the result that discharges are not objectionable and that natural and human use values,

458 Murihiku Management Plan Policy 3.5.12(1) & Policy 3.5.12(2).

459 Murihiku Management Plan Policy 3.5.12(3).

460 Murihiku Management Plan Policy 3.5.12(5).

461 Murihiku Management Plan Policy 3.5.12(7).

462 Murihiku Management Plan Policy 3.5.12(8).

including ecological and cultural values, are maintained in the Rastus Burn. That approach is informed by the nature of the discharge and the sensitivity of the receiving environment and is supported by a monitoring framework to assess performance and effects over time. The proposed consent conditions provide mechanisms to identify and respond to any non-compliance and to ensure the ongoing protection of freshwater values.

**Water Quality**

Water is recognised by Ngāi Tahu ki Murihiku as fundamental to the wellbeing of both people and ecosystems, with water quality directly influencing the safety of drinking water, mahinga kai, and recreational use. As part of their kaitiaki responsibility, there is a strong emphasis on maintaining and improving water quality across the rohe, with policies aimed at achieving the highest practicable standards while remaining effective and workable.

Key policies relevant to the Project aim to:

> Recognise and provide for the role of Ngāi Tahu ki Murihiku as tangata whenua and kaitiaki of water and all water quality management;[463]

> Achieve the highest possible standard of water quality that is characteristic of a particular place/waterway, recognising principles of achievability;[464]

> Require cumulative effects assessments for any activity that may have adverse effects of water quality;[465]

> Avoid compromising water quality as a result of water abstractions;[466]

> Require all discharges to land in first instance and avoid all impacts on water as a result of inappropriate discharge to land activities;[467]

> Require the use of buffer zones, riparian areas, bunds and other mechanisms to prevent stormwater and other wastewater from entering waterways;[468]

> Water quality definitions, categories, and standards must be determined, measured, and assessed with cultural values and indicators alongside scientific information;[469] and

[463] Murihiku Management Plan Policy 3.5.13(1).

[464] Murihiku Management Plan Policy 3.5.13(2).

[465] Murihiku Management Plan Policy 3.5.13(3).

[466] Murihiku Management Plan Policy 3.5.13(4).

[467] Murihiku Management Plan Policy 3.5.13(5) and Policy 3.5.13(6).

[468] Murihiku Management Plan Policy 3.5.13(9).

[469] Murihiku Management Plan Policy 3.5.13(10).

> Require robust monitoring of discharge permits with appropriate enforcement when non-compliance has occurred.[470]

As noted above, NZSki supports the role of Ngāi Tahu ki Murihiku as kaitiaki of wai and anticipates, through the mana whenua advisory group, that this role may continue over the longer term.

As noted in relation to the Water Plan, the Rastus Burn is presently characterised by good to excellent water quality, with only minor effects arising from the existing discharge. The Project adopts a best practicable option approach by upgrading to secondary treatment with nutrient reduction and continuing land-based disposal, thereby ensuring that contaminants are treated and attenuated before entering downstream receiving environments and avoiding new wastewater effects within the wider Doolans Basin.

The proposal incorporates load-based and concentration-based limits for key contaminants, supported by a comprehensive surface water, groundwater, and ecological monitoring programme. Measures including the separation of wastewater and stormwater systems, buffer capacity within the land application area, infiltration testing, and adaptive management triggers ensure that discharges are effectively managed and that potential cumulative effects on water quality are avoided, remedied, or mitigated as appropriate. The inclusion of robust consent conditions, monitoring requirements, and contingency measures will enable ongoing assessment using appropriate indicators and will ensure that any non-compliance is identified and addressed in a timely manner.

**Water Quantity – Abstractions**

The Murihiku Management Plan seeks to take a precautionary approach to water abstractions to avoid scenarios of over-allocation. Of particular note, key policies seek to ensure:

> That scientifically sound, understandable, and culturally relevant information is provided with resource consent applications for water abstractions;[471]

> Water users are encouraged to be proactive and to use water wisely and efficiently, and to adopt best practice water use;

[470] Murihiku Management Plan Policy 3.5.13(11).

[471] Murihiku Management Plan Policy 3.5.14(3).

- Consideration of consent applications for water abstractions should have particular regard to the nature and extent of the water resource, how well the water abstracted can be monitored and what may happen in the future (e.g. climate change scenarios). [472]
- Require catchment based cumulative effects assessments for activities involving the abstraction of water;[473]
- Environmental flow regimes recognise and provide for a diversity of values, including the protection of tangata whenua values and the relationship between water quality and quantity;[474]
- Avoid compromising fisheries and biodiversity values; and
- Advocate for durations not exceeding 25 years on resource consents related to water abstractions.[475]

As previously identified, this application is supported by comprehensive technical assessments that provide a sound understanding of the water resource, its characteristics, and the potential effects of abstraction, together with clearly defined monitoring methodologies. Future scenarios, including climatic variability, have also been taken into account in the assessment framework.

The Project promotes efficient and responsible water use through design and operational measures, while assessing abstraction effects at a catchment scale so as to address potential cumulative effects. Although a longer consent duration is sought to support project longevity, the proposed monitoring and review conditions ensure that the effects of the Project can be reconsidered over time, in a manner consistent with the intent of the policy framework.

**All Activities in the Beds and Margins of Rivers**

Ngāi Tahu ki Murihiku policies recognise the need to manage activities in the beds and margins of rivers and carefully to balance the protection of river environments and cultural values. This is to be achieved through policies that seek to ensure:

- Comprehensive information is provided in support of land use consents in riverbeds and margins, including ecological, cultural, natural, and community values; and

[472] Murihiku Management Plan Policy 3.5.14(7).

[473] Murihiku Management Plan Policy 3.5.14(10).

[474] Murihiku Management Plan Policy 3.5.14(11) and Policy 3.5.14(12).

[475] Murihiku Management Plan Policy 3.5.14(17).

> Accidental Discovery Protocols are required for all consent applications.[476]

As previously identified, the Project is supported by a comprehensive suite of technical assessments that identify and address the ecological, cultural, natural, and community values associated with the receiving environment, thereby ensuring that potential effects are appropriately understood and managed. Accidental Discovery Protocols are also proposed as part of the conditions contained in Part H. Collectively, these measures ensure that riverbed activities are undertaken in a manner that recognises and protects environmental and cultural values, consistent with the intent of the policies.

**Mahinga Kai, Biodiversity and Biosecurity**

Mahinga kai was, and is, central to the Ngāi Tahu ki Murihiku way of life. The collection and processing of mahinga kai is an important social and economic activity. The loss of mahinga kai is attributed to habitat degradation, resource depletion, legislative barriers that impede access, changes in land tenure that affect ability to access resources and the introduction of predators that have severely reduced the traditional foods of Kāi Tahu.

Key policies relating to mahinga kai, biodiversity, and biosecurity seek to:

> Ensure protection and enhancement of the mauri or life supporting capacity of all high country and foothill waterways;[477]

> Advocate that all management decisions to take into account the protection and survival of indigenous species of flora and fauna (rare and not rare, and including taonga species contained in the Ngāi Tahu Claims Settlement Act 1998) in their natural habitats and ecosystems; [478] and

> Promote the protection, restoration and enhancement of indigenous biodiversity[479] and advocate for the protection, restoration and enhancement of waterways, riparian margins, wetlands, and tarns as a means of protecting and enhancing indigenous biodiversity.[480]

[476] Murihiku Management Plan Policy 3.5.15(3).

[477] Murihiku Management Plan Policy 3.4.10(1).

[478] Murihiku Management Plan Policy 3.4.10(2).

[479] Murihiku Management Plan Policy 3.4.12(4).

[480] Murihiku Management Plan Policy 3.4.12(5).

As previously identified, the Project incorporates measures to manage effects on both freshwater and terrestrial environments, thereby ensuring that potential effects on mahinga kai values are appropriately addressed.

Ecological assessments and the proposed mitigation measures support the protection and survival of indigenous flora and fauna, including through habitat management and the avoidance of sensitive areas where practicable. Taonga species have also been identified in this assessment. However, the opportunity remains for Ngāi Tahu ki Murihiku to identify how those species are best managed in accordance with cultural practices and values.

The Project framework also promotes the protection and enhancement of indigenous biodiversity through management of waterways, riparian margins and associated ecosystems, ensuring that ecological and cultural values are maintained, and where practicable, improved, consistent with the intent of the policies.

**Wetlands**

The wetland policies collectively seek to avoid the loss or degradation of existing wetlands by discouraging both direct and indirect drainage or modification,[481] while promoting the establishment of new wetland areas where practicable to support natural filtration processes.[482] They also encourage the restoration and enhancement of wetlands through consent processes where feasible.[483] Overall, the policy approach focuses on safeguarding remaining wetlands and improving their ecological and cultural functions over time.

As previously noted, the Project has been designed to avoid direct or indirect effects on wetlands where practicable, recognising their ecological and cultural importance. Where activities may affect wetlands, measures are proposed to ensure that effects are minimised and that the hydrological functioning, extent, and values of those wetlands are maintained. Overall, the approach aligns with the intent of the policies by safeguarding existing wetland values and supporting their ongoing ecological and cultural function.

**Riparian Zones**

Riparian policies collectively promote the establishment, protection and restoration of riparian areas as a key tool for maintaining and improving water quality and ecological health.[484] They emphasise the use of appropriate indigenous species, including the

[481] Murihiku Management Plan Policy 3.5.18(1).

[482] Murihiku Management Plan Policy 3.5.18(2).

[483] Murihiku Management Plan Policy 3.5.18(3).

[484] Murihiku Management Plan Policy 3.5.19(1), Policy 3.5.19(2), Policy 3.5.19(3) and Policy 3.5.19(4).

protection of culturally significant plants, and the management of land use activities to avoid or remedy adverse effects on riparian margins.[485]

A strong focus is placed on excluding stock, encouraging fencing, and preventing further degradation, while also controlling or removing invasive exotic species.[486]

The proposal is considered consistent with the riparian management policies, which recognise the importance of riparian areas in maintaining ecological health and supporting cultural values. The Project incorporates design and management measures to protect riparian margins and to avoid, remedy, or mitigate adverse effects from land use activities, including controls to limit sediment and contaminant inputs into waterways.

Where relevant, the proposal supports the maintenance and enhancement of riparian function through appropriate planting, management practices and avoidance of unnecessary disturbance. Measures to control erosion, manage vegetation and limit degradation align with the policy focus on restoring and protecting riparian areas, while supporting water quality and ecosystem functioning. Overall, the Project responds to the intent of the policies by protecting riparian values and enabling their ongoing ecological and cultural function.

**Cultural Landscapes**

The purpose of the wāhi tapu and wāhi taonga section of the Murihiku Management Plan is to ensure that Ngāi Tahu ki Murihiku are able to effectively exercise their role as kaitiaki over wāhi tapu and wāhi taonga in Murihiku.[487]

The following policies are relevant to the Project:

- Develop and maintain effective working relationships with landowners and the wider community, with regards to the protection of, and access to, cultural and historic resources in the entire takiwā of Ngāi Tahu ki Murihiku;[488]
- Where an archaeological survey is required to assess the cultural heritage values in an area, the archaeologist must have the mandate of the appropriate kaitiakirūnanga;[489]
- Any archaeological site that fulfils the criteria of the Historic Places Act 1993, whether recorded or not (it just has to be suspected), is protected under the Act. This refers to

[485] Murihiku Management Plan Policy 3.5.19(5), Policy 3.5.19(8).

[486] Murihiku Management Plan Policy 3.5.19(6), Policy 3.5.19(7) and Policy 3.5.19(9).

[487] Murihiku Management Plan Policy 3.4.14(1).

[488] Murihiku Management Plan Policy 3.5.21(5).

[489] Murihiku Management Plan Policy 3.5.21(10).

unexpected sites that may be uncovered during development, even after approval of the overall project has been consented to by tangata whenua;[490] and

> Ensure that resource consent applicants are aware that liaising with iwi on the cultural impacts of a development does not constitute an archaeological assessment or iwi approval for a given proposal. An archaeological assessment requires follow up in respect to consultation.[491]

The proposal is generally consistent with the wāhi tapu and wāhi taonga policies of the Murihiku Management Plan. No known archaeological sites have been identified within the Project area; however, the Project recognises that all archaeological material is protected under legislation, including any sites that may be discovered during works.

The Project includes an Accidental Discovery Protocol to manage any unexpected finds and recognises that engagement with iwi does not replace the need for appropriate archaeological processes where required.

Importantly, the Project does not seek to preclude access to Kawarau or the ability of Kā Rūnaka to access areas of cultural value.

Overall, the approach supports the ability of Ngāi Tahu ki Murihiku to exercise kaitiakitanga over cultural resources, consistent with the intent of the policies.

**Summary**

Overall, the Project is broadly consistent with the objectives and policies of the Murihiku Management Plan, in that it recognises and seeks to protect cultural, ecological, and freshwater values through design, mitigation, and management measures. While NZSki has undertaken preliminary engagement, it is acknowledged that Kā Rūnaka are best placed to identify cultural effects, and that further consultation will be required to fully understand and respond to those values. Ongoing engagement, together with adaptive management and appropriately framed consent conditions, will assist in ensuring that the Project can respond to iwi interests and remain aligned with the intent of the policy framework over time.

### 9.3.20 Water Conservation (Kawarau) Order 1997

The proposed activities (wastewater discharge, water take and stormwater discharges specifically) have been assessed against the provisions of the Water Conservation

[490] Murihiku Management Plan Policy 3.5.21(11).

[491] Murihiku Management Plan Policy 3.5.21(12).

(Kawarau) Order 1997 pertinent to the Kawarau River and Nevis River tributaries as waters within Schedule 2 – Waters to be protected.

The proposed wastewater discharge within the Rastus Burn is upstream of the main steam of the Kawarau River and is managed to avoid direct discharge to water. The proposed secondary treatment, nutrient reduction, land-based disposal fields and comprehensive monitoring regime will ensure that contaminants are attenuated before entering any aquifer or surface water body. No damming is proposed and water quality will be managed to comply with the Class CR standard. The wild, scenic, natural, scientific and recreational values of the Kawarau River will not be affected by the proposal due to the absence of modification to mainstem river processes.

The proposed water take from the Doolans Creek Right Branch occurs within a tributary upstream of the Nevis River that is fishless and therefore identified to not contain non-migratory galaxiids which is an identified outstanding characteristic.

For the reasons stated above, the Project accords with the values, restrictions and prohibitions of the Conservation Order.

### 9.3.21 Treaty Settlements

Clause 5 (i) of Schedule 5 of the Act requires the applicant to include information about any Treaty settlements[492] that apply in the area covered by the consent application, including

- Identification of the relevant provisions in those Treaty settlements; and
- A summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area.

The following sections address these matters.

**Ngāi Tahu Claims Settlement Act 1998**

The Ngāi Tahu Deed of Settlement was signed on 21 November 1997, and the Ngāi Tahu Claims Settlement Act was passed on 29 September 1998.

Under the Te Rūnanga o Ngāi Tahu Act 1996, the legislation affirms important aspects of Ngāi Tahu Whānui tikaka, including that Te Rūnanga o Ngāi Tahu is recognised for all purposes as the representative of Ngāi Tahu Whānui. Ngāi Tahu Whānui is defined as the collective of individuals who descend from the primary Kāi Tahu hapū of Waitaha, Ngāti

[492] Under Section 4 (Interpretation) of the Act, a treaty settlement means a Treaty Settlement Act or Treaty Settlement Deed.

Māmoe, and Ngāi Tahu, including Kāti Kuri, Kāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri, and Kāi Te Ruahikihiki.

A lease was granted under section 67 of the Land Act 1948 for the Remarkables (defined as Sections 6 and 7 Block V, Coneburn Survey District (Otago Registry)). The lease was held for 21 years and expired 30 June 2007.

**Treaty Redress**

The following Treaty Redress provisions are considered to apply to the Remarkables Conservation Area:

> Wye Creek has nohoanga entitlements granted; and

> Taonga species listed in schedule 97 of the Settlement Act.

The nohoanga entitlement is not relevant to the Project as the agreement relates to a site at Lake Wakatipu which is outside of the Project Site.

There are no other provisions identified that affects natural and physical resources relevant to the Project or Site.

For further information regarding Treaty Settlements and Iwi Management Plans, refer to the ā-Rautaki 2026 included in **Part B** of the application documents.

### 9.3.22 Summary

In summary, the information provided in the preceding sections satisfies the information requirements for approvals required under the RMA, in accordance with Schedule 5 of the Act.

## 9.4 DECISION MAKING CONSIDERATIONS FOR RESOURCE CONSENTS

### 9.4.1 Summary

Section 81 of the Act, and Clause 17 of Schedule 5, set out the matters for consideration by the panel on a consent application. These matters are summarised below:

> A panel must, for each approval sought in a substantive application, decide whether to grant the approval (and set conditions) or decline the approval;[493]

[493] Section 81(1) of the Act.

- The panel must consider the substantive application, and any advice, report comment or other information received by the panel,[494] including advice from administering agencies, local authorities, iwi authorities, treaty settlement entities, DOC and HNZPT;
- A panel may only decline the approval in accordance with section 85 of the Act, which set out where panels must decline approvals (not applicable in the case of this Project) and where panels may decline an approval – if the panel forms the view that:
  - There are 1 or more adverse impacts in relation to the approval sought; and[495]
  - Those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the panel has considered, even after taking into account:[496]
    - any conditions that the panel may set in relation to those adverse impacts; and[497]
    - any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.[498]
  - A panel may not form the view that an adverse impact of a project is sufficiently significant to be out of proportion to the regional or national benefits solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document that a panel must take into account or otherwise consider;
- In its decision, the Panel must take into account, the following matters (giving greatest weight to the purpose of the Act);[499]
  - The purpose of the Act; and
  - The provisions of Parts 2, 3, 6, and 8 to 10 of the RMA that direct decision making on an application for a resource consent (but excluding section 104D of the RMA); and
  - The relevant provisions of any other legislation that directs decision making under the RMA.

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494 Section 81(2) of the Act.

495 Section 85(3)(a) of the Act.

496 Section 85(3)(b) of the Act.

497 Section 85(3)(b)(i) of the Act.

498 Section 85(3)(b)(ii) of the Act.

499 Clause 17(1) of Schedule 5 of the Act.

In respect to these matters:

- Sections 1 and 6.2 of this report addresses how the Project demonstrably achieves the purpose of the Act;
- Section 9.2 of this report provides an assessment of the Project against the requirements of Part 2 of the RMA (being sections 5, 6 and 7 of the RMA);
- Part 3 of the RMA addresses the duties and restrictions under the RMA, all of which are addressed by the rule framework within the applicable district or regional plans, and the draft conditions contained in **Part H** of the application documents;
- Part 6 of the RMA addresses resource consents, with the key sections of the RMA that direct decision making being section 104 (consideration of applications), section 105 (matters relevant to certain applications) and section 107 (restriction on grant of certain discharge permits). In respect to these key sections of the RMA:
  - The matters of consideration in section 104 of the RMA are addressed in this report in Section 7 (actual and potential effects),[500] Section 8 (effects management including offsetting and compensation)[501] and Section 9.3 (applicable statutory planning documents);[502]
  - The matters of consideration in section 105 of the RMA are addressed subsequently in this report in Section 9.4.2;
  - The matters of consideration in section 107 of the RMA are addressed subsequently in this report in Section 9.4.3; and
- Parts 8 to 10 are not relevant to the Project because Part 8 addresses designations and heritage orders, Part 9 addresses water conservation orders, Part 9A addresses freshwater farm plans, and Part 10 addresses subdivisions and reclamations.

In addition, it is noted that all persons performing and exercising functions, powers, and duties under the Act must act in a manner that is consistent with:[503]

- The obligations arising under existing treaty settlements; and
- Customary rights recognised under the Marine and Coastal Area (Takutai Moana) Act 2011.

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[500] Section 104(1)(a) of the RMA.

[501] Section 104(1)(ab) of the RMA.

[502] Section 104(1)(b) of the RMA.

[503] Section 7 and section 81(7) of the Act.

Based on the assessment of the applicable treaty settlements and noting that the Project is not in a coastal environment, there are no obligations or rights that would preclude the granting of the approvals as sought by NZSki.

### 9.4.2 Section 105 of the RMA – Matters Relevant to Discharge Permit Applications

In addition to the matters which the Panel must have regard to under section 104, of the RMA, section 105 of the RMA sets out additional matters which must be considered when considering discharge permit applications. Section 105 states:

> *(1) If an application is for a discharge permit or coastal permit to do something that would contravene section 15 or section 15B, the consent authority must, in addition to the matters in section 104(1), have regard to—*
>
> *(a) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*
>
> *(b) the applicant's reasons for the proposed choice; and*
>
> *(c) any possible alternative methods of discharge, including discharge into any other receiving environment.*

Discharges requiring resource consent include:

- Discharges associated with the discharge of wastewater into the wastewater dispersal fields; and
- Discharges associated with the discharge stormwater across the Site, where it may enter Regionally Significant Wetlands.

NZSki has taken an iterative approach to the development of the Project, as set out in Section 1.5. This has included refining the design and construction methodology to ensure the effects on the environment reduced from the outset. This has included changes to how the Project would be constructed, which would have affect the scale and nature of discharges arising

Erosion and sediment control measures are proposed to minimise effects of sedimentation. Natural solutions for stormwater discharges have been preferentially used given the sensitivity of the receiving environment. Stormwater discharges will seek to retain natural drainage patterns and allow natural seepage to ground where practicable, allowing adjacent (primarily snow tussock) to filter discharges before reaching more ecologically sensitive vegetation communities, such as cushion bog and riparian wetlands. While alternative options were considered, these would give rise to adverse effects on other environmental aspects, such as landscape or hydrology (through changes to hydrological patterns). The

use of passive stormwater discharge management measures therefore minimises effects on the surrounding environment.

In respect to wastewater, as part of its resource consent investigations, NZSki has undertaken an assessment of existing monitoring information, alternative discharge locations and the availability and practicalities of alternative treatment options in order to maintain the good to excellent ecological health of the Rastus Burn. This section of the report summarises these investigations and the determination of the best practicable option to be implemented to accommodate the Doolans Expansion.

NZSki considered alternative discharge locations for the wastewater generated by the Doolans Expansion. It was determined that utilising the existing disposal field in the Rastus Burn, which is a discharge to land, is the preferred option because there is no wastewater system in the Doolans currently and there are concerns about introducing new effects into a unmodified environment that can be avoided through the use of an existing alternative. The infrastructure needed to transport the wastewater from the Doolans Expansion can also be co-located, thereby minimising the needed for additional ground disturbance.

NZSki also considered other discharge locations, but they were discounted for the reasons set out in Section 3.2.3.

Treating and discharging the additional wastewater to the existing disposal field in the Rastus Burn provides an opportunity to improve an existing system in an already modified catchment so that the good to excellent ecological health in the Rastus Burn can be maintained, even with the additional wastewater from the Doolans Expansion added.

It has been determined that the Wastewater Treatment Plant Upgrade plan described in Section 3.2.3 is the best practicable option because it will ensure that the final treatment upgrade proposed and delivered will as a minimum include secondary treatment such that the additional wastewater can be accommodated in the existing disposal field. In addition, it will likely require nutrient reduction treatment to achieve the performance criteria.

The performance criteria have been developed in recognition that the Rastus Burn is a relatively sensitive environment, and they have been developed to maintain the good to excellent ecological health in the Rastus Burn.

The performance criteria have also been developed recognising the compliance related challenges with operating a system which has short term flows and load variability. The use of annual load and concentration based performance criteria will assist in 'smoothing' the short term variability that is expected in wastewater quality while also managing effects on aquatic health, noting that due to the nature of the wastewater discharge and conditions at the site, shorter term toxicity effects are not a concern as described in Section 2.1.3.

There is some uncertainty regarding the total nitrogen performance criteria, but that is proposed to be addressed via improved wastewater flow monitoring and sampling in the 2026 ski season and an associated review of the data by an appropriate qualified and experience expert who will make a recommendation on whether a lower limit is required to maintain the good to excellent ecological health in the Rastus Burn. The proposed consent conditions make provision for NZSki to adopt this lower limit, and if not, reasons will need to be provided for this. A review condition in the Consent Authority's favour is proposed as a backstop should they not be comfortable with any reason given to adopt a lower limit (if one is recommended).

It is recognised that there are challenges with undertaking secondary wastewater treatment and likely nutrient reduction treatment in an alpine environment however NZSki has experience with and still manages a nutrient reduction system already at Coronet Peak, so they understand the risks and challenges of design, implementing and operating a system in this environment, providing increased confidence that an upgraded wastewater treatment plant can be successfully implemented.

Overall, the discharges requiring resource consent will not result in unacceptable adverse effects.

### 9.4.3 Section 107 of the RMA – Restriction to Grant Certain Discharge Permits

Section 107 of the RMA specifies certain circumstances in which the Panel must not grant a discharge permit if after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:

- The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials.
- Any conspicuous change in the colour or visual clarity.
- Any emission of objectionable odour.
- The rendering of fresh water unsuitable for consumption by farm animals.
- Any significant adverse effects on aquatic life.

It is considered that, provided the proposed conditions of consent are complied with, the discharges associated with the Project will not give rise to any of the listed effects in the receiving waters after reasonable mixing. As such, section 107 of the RMA does not pose any restriction to the granting of the resource consent applications.

## 9.5 SUMMARY

In summary, the information provided in the preceding sections satisfies the information requirements for approvals required under the RMA, in accordance with Schedule 5 of the Act.