

Appendix K: Detailed Assessment of the Otago Conservation Management Strategy

1. The relevant statutory planning documents are the Conservation General Policy 2005 (CGP) and the Otago Conservation Management Strategy (CMS) 2016. The CMS is consistent with the CGP, therefore CGP provisions have only been included where the CMS is silent on a topic.
2. Part One of the CMS outlines Otago's high-level vision, distinctive values and issues and sets objectives. Part Two breaks the region into 'Places' and their desired outcomes and policies, and Part Three provides specific policy requirements. The proposal sits within the Western Lakes and Mountains/Nga Puna Wai Karikari a Rakaihautu Place . Due to its significant freshwater ecosystems, provisions in the Freshwater / Wai Māori Place are also relevant.
3. The application is across two pieces of public conservation land and waters (pcl&w).
4. Rastus Burn Recreation Reserve (Rastus Burn RR), where the existing Remarkables Ski Area is located. It is characterised by its highly valued front country visitor setting and is already substantially modified by ski-field buildings, lifts, trails, roads and supporting infrastructure.
5. The proposal within the Rastus Burn RR includes expansion of the Base Building, the new gondola base station and towers, new and upgraded access and ski-return routes, and upgrades to power, potable water, wastewater and stormwater infrastructure.
6. The second piece of pcl is part of the Remarkables Conservation Area (Remarkables CA), that includes the Doolans Basin and Helicopter Ridge. The Doolans Basin is characterised by its significant landscapes and, unmodified ecosystems. It is managed as a backcountry setting, meaning it is easy to access from the front country but is used by back country recreation and is valued for its largescale natural environment, feeling of solitude and natural quiet.
7. The Doolans Basin and Helicopter Ridge components of the proposal include the development of the Helicopter Ridge Mid-station, Doolans Return Station and Base Building, gondola towers, a learner area, permanent access roads and ski trails, power and communications infrastructure, wastewater infrastructure, stormwater infrastructure, a new water take and associated pump infrastructure, and conversion of Tarn 3 to a snowmaking reservoir.

Utilities, structures and Ski Field Development provisions

CGP 11.3 (b) *When new utilities are installed or existing utilities are maintained or extended, they should be of a scale, design and colour that relates to, and is integrated with, the landscape and seascape.*

CMS Outcome: Section 2.3 Western Lakes and Mountains/Ngā Puna Wai Karikari a Rākaihautū Place

Within public conservation lands and waters away from prominent landscapes and geological features, structures may be present where well-blended into the landscape or where buildings already exist.

Ski fields are managed in a precautionary approach in terms of new and additional structures and terrain modification. Further development of existing ski fields may occur, in preference to any new ski fields. Disturbed areas are restored to an agreed standard comparable with that which was present prior to any development.

CMS Policy 2.3.21 *When considering, applications for new utilities, structures or facilities throughout this Place (with the exception of the upper Wye Creek valley), should have particular regard to the potential adverse effects on:*

- a) natural ecosystems, landscapes and natural character, particularly in areas where structures and facilities are currently absent;*
- b) catchment water quality and quantity, including in Lake Alta;*
- c) priority ecosystem units and threatened species;*
- d) natural quiet;*
- e) current recreational uses; and*
- f) opportunities available for such structures or developments off public conservation lands and waters.*

CMS Policy 2.3.22 *May allow further development and/or expansion of The Remarkables ski field (with the exception of the upper Wye Creek valley) in accordance with Policies 3.25.1-3.25.6 in Part Three, provided that adverse effects (including cumulative effects) are avoided, remedied or mitigated on the following values:*

- a) the outstanding natural landscapes and ecological values of The Remarkables and the Tapuae-o-Uenuku/Hector Mountains;*
- b) the landscape and ecological (including water quantity and quality) values of the priority ecosystem unit at Lake Alta;*
- c) the recreational experiences of other users; and*
- d) the ability of users to access the area year round.*

CMS Policy 3.10.1 *Should apply the following criteria when considering applications to erect or retain structures or utilities or for the adaptive reuse of existing structures on public conservation lands and waters:*

- a) the purposes for which the lands and waters concerned are held;*
- b) the outcomes and policies for the Places where activity is proposed to occur;*
- c) whether the structure could reasonably be located outside public conservation lands and waters;*
- d) whether the structure could reasonably be located in another location where fewer adverse effects would result from the activity;*
- e) whether the structure adversely affects conservation, including recreational values;*
- f) whether the structure is readily available for public use;*
- g) whether the structure is consistent with the visitor management zone on Map 3 and as described in Appendix 12;*

h) whether the activity promotes or enhances the retention of a historic structure;

i) whether the activity is an adaptive reuse of an existing structure;

CMS Policy 3.25.2 *Should in considering the development of new and existing authorised ski fields apply a precautionary approach to the approval of new structures, accommodation facilities and terrain modification and consider both the likely effects of water use (for snow-making), the likely longevity of the field in the face of climate change, and any appropriate land remediation and facility removal costs should the ski field cease to operate.*

Discussion

8. The proposed extension of the Remarkables ski field is provided for in Western Lakes and Mountains outcome statement, Policies 2.3.21, 2.3.22, 3.10.1 and 3.25.2 under the condition of any expansion:
 - a. takes a precautionary approach to new structures and terrain modification, effects on water use, longevity of the ski field and end of operation removal costs (address in the Natural Values section),
 - b. being consistent with the relevant parts of the outcomes statements,
 - c. having particular regard for the effects on the natural ecosystems, landscapes, natural character, water catchment quality values (discussed in under natural values section),
 - d. avoids, remedies or mitigates adverse effects on landscapes, ecological values, recreational experiences of other users and year-round use of other users (discussed in under natural values section),
 - e. aligns with the purposes for which this land is held, is consistent with the visitor management zones and descriptions,
 - f. understanding whether related structures and utilities could be located where there would be few effects, they will be available for public use, activity promotes or enhances the retention of historic structures and the activity is an adaptive use of existing structures.
9. The application addresses land remediation and facility removal at the end of operations through a parent company guarantee.

Within the Rastus Burn Recreation Reserve:

10. Further development within the Rastus Burn RR is generally consistent with the relevant parts of the outcomes statement as it is part of the existing ski field. The proposal incorporates measures to minimise additional effects. These include locating infrastructure within existing developed areas where practicable, placing power infrastructure underground, using shared servicing routes, incorporating potable water storage within the Base Building and continuing to treat project wastewater through the Rastus Burn wastewater system.

Proposed activities consistent with the provisions above:

11. Utilities and structures within the existing ski-field area are consistent Policies 2.3.21, 2.3.22 and 3.10.1, if mitigations are applied as:
 - a. It is consistent with the purpose for which the land is held;

- b. It is consistent with the frontcountry visitor management zoning;
- c. Much of the infrastructure is proposed within or adjacent to existing ski-field facilities;
- d. In already modified areas; and
- e. measures are proposed to integrate infrastructure and minimise additional effects.

Within Doolans Basin, part of the Remarkables Conservation Area:

- 12. The introduction of these structures and supporting infrastructure would occur in a substantially less modified environment than Rastus Burn RR. As addressed in the Natural Values and Recreation sections, technical advice identifies significant residual effects on ecological, landscape and backcountry recreational values. Doolans Basin also remains a backcountry visitor management zone, while the proposal would introduce characteristics associated with a frontcountry ski-field environment.
- 13. The proposal includes measures intended to reduce the infrastructure footprint:
 - a. utility corridors generally proposed within the access-road footprint;
 - b. power and communications infrastructure largely underground;
 - c. wastewater pumped back to the Rastus Burn system;
 - d. road alignments designed to reduce disturbance where practicable;
 - e. retaining walls proposed in constrained locations to reduce the extent of cut and fill; and
 - f. building colour, location and design selected to reduce visual effects.

Proposed activities consistent with the provisions above:

- 14. Land remediation and facility removal at the end of operations (Policy 3.25.2) is consistent through a parent company guarantee.

Proposed activities not consistent with the provisions above:

- 15. Project-specific utilities (Policy 3.10.1) are consistent in some aspects but have not clearly demonstrated alignment with others. The proposed landscape integration and some consolidation of infrastructure could be consistent under CGP 11.3(b). However, the key test in 3.10.1 c) has not been clearly demonstrated, the proposal largely relies on new rather than existing infrastructure and access for 3.10.1 j).
- 16. New structures and facilities in Doolans Basin (Policy 2.3.21) are not consistent given significant residual effects remain on natural ecosystems, landscape and natural character, natural quiet and existing recreational uses.
- 17. The Doolans ski-field expansion (Policy 2.3.22) is not consistent given adverse effects on landscape, ecological and backcountry recreational values have not been demonstrated to be adequately avoided, remedied or mitigated (See Natural Values section).
- 18. Structures and supporting infrastructure (Policy 3.10.1(e)) are not consistent given significant adverse effects on conservation, including recreational values.
- 19. Structures and supporting infrastructure (Policy 3.10.1(g)) are not consistent as the proposal would introduce frontcountry characteristics into an area identified as a Backcountry Visitor Management Zone.

20. Although mitigations have been proposed to the structures and utilities in the Doolans Basin and Helicopter Ridge is not consistent with the precautionary approach (Policy 3.25.2).

Vehicle and aircraft use provisions

CMS Policy 2.3.2 Should allow motorised vehicle and non-motorised bike use only on tracks and roads purposely formed and maintained for vehicle use on public conservation lands and waters identified, and in accordance with any criteria in Table 2.3, and subject to Policies 3.2.1-3.2.12 and 3.3.1-3.3.12 in Part Three.

Table 2.3: Motorised Vehicle Access On Or Through Public Conservation Lands and Waters	
Remarkables Conservation Area and adjacent public conservation lands and waters	The Remarkable ski field access road (part on public conservation lands and waters)

CMS Policy 3.2.1 Should allow motorised vehicles only on the roads (including designated parking areas) identified in:

- a) Part Two-Places; or /
- b) Mount Aspiring National Park Management Plan 2011.

CMS Policy 3.2.2 Consider provision for use of motorised vehicles outside of areas provided for by Policy 3.2.1 only where such use is identified at sites listed in Part Two-Places and subject to Policy 3.2.4.

CMS Policy 3.2.3 May allow motorised vehicles on public conservation lands and waters for the construction, operation and/or maintenance of authorised utilities, farming operations, and restoration activities.

CMS Policy 3.2.4 Should follow the statutory CMS amendment or review process when considering the use of motorised vehicles on public conservation lands and waters other than in accordance with Policies 3.2.1 and 3.2.3 and apply the following criteria to the activity:

- a) is consistent with the purposes for which the lands and waters concerned are held;
- b) is consistent with the outcome and policies for the Place where the road or site is located;
- c) is consistent with the visitor management zones on Map 3 and as described in Appendix 12;
- d) adverse effects (including cumulative adverse effects) on the road or site and surrounding natural, historic or cultural values are, or can be, avoided, remedied or mitigated;
- e) adverse effects (including cumulative adverse effects) on the safety and enjoyment of other recreational users are, or can be, avoided, remedied or otherwise mitigated (including conflicts between motorised vehicles/mountain bikes and horses);
- f) risks of fire and biosecurity are avoided or otherwise carefully managed; and

g) the ongoing management implications of providing motorised vehicle access (e.g. in terms of ongoing maintenance costs) are taken into account.

CMS Policy 3.25.6 Should allow over-snow vehicle use for the purpose of ski field management within ski field lease/licence areas subject to the provisions of the lease/licence and in accordance with Policy 3.2.12.

CMS Policy 2.3.7 Should allow over-snow vehicle use only for the purpose of ski field management within ski field lease/licence areas subject to the provisions of the lease/licence and in accordance with Policies 3.2.12 and 3.25.6.

CMS Policy 3.6.1 Should apply (but not be limited to) the following criteria when assessing concession applications for all aircraft landings:

a) is consistent with the outcome and policies for the Place in which the activity is proposed to occur and Table 3.6.1;

c) is consistent with the purposes for which the lands and waters concerned are held;

d) adverse effects on conservation values including adverse effects on natural quiet are avoided, remedied or mitigated;

e) adverse effects on other visitors (taking into account the size of zone and the proximity of other ground users) are avoided, remedied or mitigated;

f) the need for monitoring the activity using global positioning systems and newer technologies;

g) landings near tracks, huts and car parks (unless otherwise specified in an outcome or policy for a Place) are avoided; and

h) the need to hold and comply with certification in a noise management scheme approved by the Department, in specified locations.

CMS Policy 3.6.5 May grant, concessions for aircraft landings in the Orange Zone that meet the criteria (a) and (c)-(h) in Policy 3.6.1 and as set out in Table 3.6.2. Any heli-skiing concession that is approved should be on a one operator per block basis, and may be allocated via a limited opportunity process.

Remarkables Conservation Area (part), Rastus Burn Recreation Reserve and Conservation Area—Ben Nevis Scenic Reserve	For heli-skiing in part of this area For regular landings with specified daily limits per operator based on visitor management zones as follows: – For frontcountry sites, 10 per operator per day – For backcountry sites, 5 per operator per day – For remote sites, 2 per operator per day Some sites have seasonal restrictions on landings Wye Creek ice wall—for climbers' access to the ice wall only Concessionaire landing site for servicing heli-biking operations One-off landing concessions considered on a case-by-case basis NZ Ski controls aircraft access within the ski field lease area
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CMS Policy 3.6.7 May grant concessions for aircraft landings on public conservation lands and waters for:

a) the construction, operation and/or maintenance of equipment (e.g. meteorological, seismic) or utilities (e.g. communication systems, transmissions lines) authorised by the Department; or

b) wild animal control activities (covered by Policies 3.20.1-3.20.7)

that do not meet the limits and/ or criteria for an aircraft access zone and/ or the prescriptions for visitor management zones in Appendix 12.

Discussion

21. The application identifies the use of aircraft and heavy vehicles for construction of the utilities and structures and the use of 4-wheel drives and over snow vehicles for maintenance and general running of the ski field.
22. The CMS policies, both within the Western Lakes and Mountains Place and Part 3, allow for aircraft use for construction, operation or maintenance of authorised equipment or utilities subject to the relevant aircraft criteria and concession conditions (Policies 2.3.3, 3.6.1 and 3.6.7) and motorised vehicle use for construction, operation or maintenance of authorised utilities (Policy 3.2.3).
23. The CMS does not include a blanket provision that covers the construction and maintenance of structures, this is discussed further in the sections below.

Within the Rastus Burn Recreation Reserve:

24. The existing Remarkables Ski Field Access Road is specifically identified in Table 2.3. of the CMS permitting vehicle access. Over-snow vehicle use for ski-field management is also expressly provided for within ski-field lease/licence areas.
25. General aircraft access within the ski field lease area is controlled by NZ Ski under policy 3.6.5 Orange Zone and criteria a), c) to h) of policy 3.6.1.
26. Aircraft use associated with authorised equipment or utilities may be provided for under Policy 3.6.7, subject to the relevant Policy 3.6.1 criteria and concession conditions.

Proposed activities consistent with the provisions above:

27. Vehicle use on the existing Remarkables Ski Field Access Road (Policy 2.3.2 and Table 2.3) is consistent, as the existing Remarkables Ski Field Access Road is specifically identified for motorised vehicle access;
28. Motorised vehicle use for construction, operation or maintenance of authorised utilities (Policy 3.2.3) is consistent with the activity provided for by this policy;
29. Over-snow vehicle use for ski-field management (Policies 2.3.7, 3.2.12 and 3.25.6) is consistent where the use is for ski-field management within the authorised ski-field lease/licence area and subject to the relevant lease/licence provisions;

Discussion within Doolans Basin, part of the Remarkables Conservation Area:

30. The proposal requires permanent and temporary motorised vehicle access for construction, maintenance and ski-field operations, together with helicopter use during construction. New Doolans access roads would be required for construction and

ongoing maintenance of the buildings, gondola, utilities, reservoir and associated infrastructure.

Proposed activities consistent with the provisions above:

31. Motorised vehicle use for construction, operation or maintenance of authorised utilities (Policy 3.2.3) is consistent and provided for.
32. Over-snow vehicles for ski-field management (Policies 2.3.7, 3.2.12 and 3.25.6) are consistent in the case that the Doolans Basin becomes part of the authorised ski-field lease/licence area, and use is confined to ski-field management and the relevant concession conditions.
33. Construction aircraft use in Doolans Basin (Policies 2.3.3, 3.6.1 and 3.6.7) is **partially consistent** as provided for under Policy 3.6.7 subject to criteria in policy 3.6.1 and concession conditions. The proposal does not meet criteria 3.6.1 a) regarding the relevant outcome statements for the Doolans Basin.

Proposed activities not consistent with the provisions above:

34. Aircraft use for the construction of the structures in the Doolans Basin (Policy 3.6.1, 3.6.5 and 3.6.7) is not consistent with the outcomes or policies for the Place.
35. Motorised vehicle use associated with construction and maintenance of structures, rather than authorised utilities (Policies 3.2.1–3.2.4) is not currently provided for under Policy 3.2.3. On the existing assessment, Policy 3.2.4 would apply and a partial review of the CMS would be required to provide for that vehicle use.

Recreation provisions

CMS Part 1 Recreation Provisions

CMS Objective 1.5.3.9 *Seek to avoid or otherwise minimise conflicts between visitors undertaking different types of activities in the same location.*

CMS Objective 1.5.3.10 *Enhance visitors' understanding and appreciation of natural, historic and cultural heritage, particularly at Icon and Gateway destinations and at major concessionaire destinations.*

CMS Objective 1.5.3.12 *Encourage recreation opportunities on public conservation lands and waters that are consistent with outcomes for a Place and that meet one or more of the following:*

- a) emphasise access close to urban and holiday accommodation areas, and State Highways;*
- b) integrate recreation opportunities on and off public conservation lands and waters;*
- c) integrate recreation opportunities across Otago and with neighbouring public conservation lands and waters;*
- d) integrate recreation opportunities with objectives in sections 1.5.1-1.5.5;*
- f) have been subjected to thorough environmental impact assessment and landscape design processes, and are likely to have minimal environmental and landscape impacts;*
- and*

g) are supported or enabled by facilities that are able to be maintained into the future.

CMS Objective 1.5.5.1 *Work with concessionaires and other businesses to enhance the conservation experience of their customers and others, build support for conservation and deliver conservation gains consistent with the purpose for which the lands and waters are held.*

CMS Outcome: Section 2.3 Western lakes and Mountains / Ngā Puna Wai Karikari a Rākaihautū Place

More people enjoy a wide range of recreational opportunities and experiences within the recreation settings across the Western Lakes and Mountains/Nga Puna Wai Karikari a Rakaihautu Place, provided by the Department, the community and many commercial providers. The range of experiences and opportunities enables people to choose between remote, quiet and tranquil locations and busy, highly visited sites.

The Remarkables, Coronet Peak and Treble Cone ski fields provide for intensive use and are highly valued recreation and tourism opportunities enabling access to high-altitude areas. Recognition of the ski fields' location on public conservation lands and waters, and conservation interpretation, are readily apparent to visitors.

Remarkables-Hector

The outstanding natural landscapes and ecological values of The Remarkables and Tapuae-o Uenuku/Hector Mountains are intact and enjoyed by more people.

A range of recreational experiences is available in The Remarkables-Hector area ranging from largely unmodified environments where a sense of solitude and remoteness can be found in a largely unmodified environment (Wye Creek valley), to The Remarkables busy ski field.

CMS Policy 3.1.5 *Manage recreation opportunities, including those provided by concessionaires, in accordance with the visitor management zones shown on Map 3 and as described in Appendix 12.*

CMS Policy 3.1.11 *Should not grant authorisations that are inconsistent with the objectives, outcomes and policies in Part One, the outcomes and policies for Places in Part Two-Places, or the policies in Part Three.*

CMS Policy 3.25.4 *Where practicable, encourage non-skier and/ or non-ski season visitor use, and visitor use beyond the ski field consistent with the outcomes at Place.*

Discussion

36. The CMS identifies how recreation opportunities are to be managed in the Part 1 policies, which seek to avoid or minimise conflicts between different types of users; enhance visitors understanding of the values of the land; encourage recreational opportunities consistent with outcomes at place that emphasis access close to urban areas; integrate recreational opportunities on and off pcl and within the region; have minimal environmental and landscape impacts; and the Place-based outcome statements and policies, and in the Part 3 policies.
37. The outcomes look to provide a range of recreational opportunities within the recreational settings, including intensive use at the ski field and recreation opportunities with a sense of solitude.

38. The existing Remarkables Ski Area is identified as frontcountry, while Doolans Basin is identified as backcountry. Settings are determined by their accessibility, level of facilities and management, and expected visitor experience. Frontcountry areas are generally readily accessible and provide good-quality facilities and services, with a high degree of management through information, direction signs and barriers. Backcountry areas comprise large-scale natural settings, are generally accessed through frontcountry, with more limited facilities and management intervention, lower levels of visitor interaction and greater opportunities for time away from other groups and solitude.
39. The proposal significantly increases the opportunities for skiers in the Remarkables ski field and provides opportunities for visitors who normally wouldn't be able to get access into the Doolans Basin.
40. However, it would also result in the loss of existing backcountry character and associated recreational values. While activities such as ski touring, mountaineering, tramping and hunting would remain possible, the proposed introduction of gondola and ski-area infrastructure, groomed trails, avalanche management, increased visitor numbers and a greater management presence would substantially alter the nature and quality of the existing backcountry recreational experience.

Within the Rastus Burn Recreation Reserve:

41. The existing Remarkables ski field is located close to urban areas and holiday accommodation and already supports the continuation of this highly valued and accessible ski-area recreation opportunity within the Rastus Burn RR.
42. The proposed expansion of the Remarkables ski field will result in an increase in recreation and skiing within the frontcountry area.

Proposed activities consistent with the provisions above:

43. The proposal is consistent with the frontcountry visitor zone (Policy 3.1.5). It is also consistent with the parts of the outcome statement regarding the expansion of the ski field and policies relating to this reserve (3.1.11)

Within the Doolans Basin part of the Remarkables Conservation Area:

44. Current use of Doolans Basin is relatively low, with small groups and primarily associated with ski touring and split boarding.
45. Doolans Basin is noted as the only site where there is relatively easy access to the ski touring backcountry experience of solitude, remoteness and natural quiet within close proximity to the major urban area of Queenstown.
46. The proposal would increase alpine recreation, access, and skiing opportunities for a broad range of visitors, while still retaining existing summer access, including access used for hunting, to the Doolans Basin.
47. The proposed gondola, buildings, ski trails, increased visitor use and greater management intervention would introduce characteristics associated with a frontcountry ski-area setting into Doolans Basin.

Proposed activities not consistent with the above provisions:

48. The proposal scale of development would shift the area from a largely unmodified backcountry environment to a modified frontcountry setting, which is not consistent with policy 3.1.11.
49. The removal of the easy access back country ski touring experience reduces the types of recreational experiences available within the Remarkables area, which is not consistent with the Place outcomes.
50. Although the proposed expansion would increase non-skier and non-ski season access, it is not consistent with the place outcomes in paragraphs 45 and 46, and therefore not consistent with policy 3.25.4.

Natural and Historic Provisions

CMS Objective 1.5.1.1 *The diversity of New Zealand's natural heritage is maintained and restored, with priority given to:*

- a) conserving a full range of New Zealand's ecosystems to a healthy functioning state, with an emphasis on the priority ecosystem units in Appendix 4;*
- c) conserving threatened species to ensure persistence, with an emphasis on those species listed in Appendix 5;*
- d) maintaining or restoring populations of nationally iconic species that occur locally, with an emphasis on those species listed in Appendix 7; and*
- e) conserving significant geological features, landforms and landscapes, including those listed in Appendix 9, where they are on public conservation lands waters*

CMS Objective 1.5.2 Historic and cultural heritage

1.5.2.2 Understand the location, value, significance and condition of historic places on public conservation lands and waters, and ensure that records of the location, value, significance and condition of these places are up to date.

1.5.2.10 Work with Ngai Tahu to protect cultural sites and whenua tupuna on public conservation lands and waters from adverse effects of development.

1.5.2.13 Work collaboratively with Ngai Tahu, Heritage New Zealand Pouhere Taonga and other agencies to identify, protect and correctly interpret historic and cultural heritage, including cultural markers within the landscape.

1.5.2.15 Recognise the interconnectedness of diverse elements of tangible and intangible heritage, and living cultural traditions.

1.5.2.16 Increase public awareness of historic resources and values on public conservation lands and waters and the potential threats to them.

CMS Outcome: Section 2.3 Western Lakes and Mountains/Ngā Puna Wai Karikari a Rākaihautū Place

Prominent landscape and geological features (ridgelines, and mountain tops) remain in their natural state, or are unmodified beyond their state at the time of becoming public conservation lands and waters. Within public conservation lands and waters away from prominent

landscapes and geological features, structures may be present where well-blended into the landscape or where buildings already exist.

Remarkables-Hector

The outstanding natural landscapes and ecological values of The Remarkables and Tapuae-o Uenuku/Hector Mountains are intact and enjoyed by more people.

CMS Policy 2.3.21 *When considering, applications for new utilities, structures or facilities throughout this Place (with the exception of the upper Wye Creek valley), should have particular regard to the potential adverse effects on:*

- a) natural ecosystems, landscapes and natural character, particularly in areas where structures and facilities are currently absent;*
- b) catchment water quality and quantity, including in Lake Alta;*
- c) priority ecosystem units and threatened species;*

CMS Outcome Section 2.10 Freshwater/Wai Māori Place

Otago's freshwater environments (rivers, wetlands, estuaries and lakes and their margins, from the mountains to the sea-ki uta ki tai) are healthy and vibrant and supporting the range of Otago's indigenous habitats and species.

Otago's large river systems and lakes, including the Clutha River/Mata-Au, Dart River/Te Awa Whakatipu, and Taieri and Kawarau rivers, and lakes such as Wakatipu (Whakatipu-wai maori), Wanaka and Hawe a, are recognised for their ecological, cultural, landscape and recreational values and their contribution to conservation and the region's well-being and prosperity.

CMS Policy 3.25.2 *Should in considering the development of new and existing authorised ski fields apply a precautionary approach to the approval of new structures, accommodation facilities and terrain modification and consider both the likely effects of water use (for snow-making), the likely longevity of the field in the face of climate change, and any appropriate land remediation and facility removal costs should the ski field cease to operate.*

Discussion

51. The CMS seeks to maintain and restore the diversity of natural heritage by conserving a full range of ecosystems, conserving threatened species, maintain iconic species and conserving significant geological features.
52. Of particular relevance to this application is the preservation of the significant ridgelines and geological moraine features, natural character of currently unmodified areas, and freshwater environments, habitats and species.
53. The CMS identifies the need to understand the historic places of a site. The Heritage technical report on behalf of the Applicant concludes there is no documentary or physical evidence of archaeological or historic heritage within the Doolan's Expansion Area; and there will be negligible/neutral-slight impacts on low heritage values overall. However, DOC's technical advisor concluded the Applicant's heritage assessment fails to assess all locations in the Doolan's Expansion Area for heritage values by way of field

survey and is not complete. Their advice supports the possibility of high-altitude heritage sites in the proposed project area.

54. Without a field survey, there is insufficient basis to conclude that no documentary or physical evidence of archaeological or historic heritage exists within the Doolan's Expansion Area or assess the application against the historic provisions.
55. The application does not provide expert assessment of the impacts of climate change in the future on the long-term viability of the ski field.

Within the Rastus Burn Recreation Reserve:

56. As discussed above the CMS provisions identify recreational development and related infrastructure are provided for where adverse environmental effects are appropriately managed or mitigated
57. In relation to the above provisions, the Rastus Burn RR is currently modified by existing ski-field development, whilst retaining significant ecological values. These include a number of wetlands, Threatened and At-Risk species, and naturally uncommon acidic-rock scree ecosystems. It is also identified as part of a nationally significant landscape.
58. The proposed expansion of the access and service routes will have an effect on the rock scree ecosystems. The discharge of wastewater into the Rastus Burn could also impact the ecological values within this stream.

Proposed activities consistent with the provisions above:

59. By adhering strictly to the mitigations proposed elsewhere in the DOC's Section 51(2)(a) Concessions Report, wastewater discharge to the Rastus Burn and the expansion of the access and service routes could be considered consistent with the Objective, 1.5.1.1, the outcome statements for both the relevant Places and policy 2.3.21

Within the Doolans Basin part of the Remarkables Conservation Area:

60. Doolans Basin is a largely unmodified, highly connected alpine freshwater system of high ecological integrity, containing naturally uncommon wetlands, tarns, streams and tributaries. The tributaries, wetland complex and tarns are assessed as having very high ecological value, reflecting their natural state, intact hydrology, connectivity and diversity of alpine habitats. Tarn 3 is also identified as a distinctive ephemeral wetland.
61. The naturally fishless upper catchment also supports sensitive macroinvertebrate communities associated with pristine water quality. The waterways are part of the tributaries to the Kawarau River catchment which are recognised and protected by the Water Conservation (Kawarau) Order 1997.
62. The proposed activities would completely remove some of these ecological features, and substantially clear and fragment others.
63. Doolans Basin has exceptionally high ecological significance, and a high proportion of the area is identified as indigenous vegetation and habitat associated with naturally uncommon ecosystems. As identified elsewhere in this report this area also contains at least 38 nationally, and a further 38 regionally, Threatened, At Risk or Data Deficient vascular plant species, two Threatened or At-Risk bird species, and at least 25 rare or poorly known invertebrate species identified in Appendix 5 of the CMS.

64. Flocks of Kea (identified as a species of national significance in Appendix 7 of the CMS) have also been recorded within the proposed expansion area.
65. Both the Applicant and DOC's expert advice have identified that the proposed project will have moderate to high ongoing effects on the bird species present.
66. Within Appendix 9 of the CMS, the Remarkables CA is listed as landscape/ landform of national significance. It has distinctive, naturally uncommon ecosystems associated with landforms that would be directly affected, including those on Helicopter Ridge, those under the proposed main trail and proposed Doolans Base Station.
67. The outcome statement requires that the prominent landscape and geological features, specifically ridgelines and mountain tops, should remain in their natural state, or are unmodified beyond their state at the time of becoming public conservation lands and waters. This sets a very high bar regarding the ridge line around the Doolans Basin.
68. The application identifies construction of the gondola and new Mid-station building requires parts of the ridgeline to be removed. The mitigations proposed include recessing the structures that go over the top of the ridgeline and choosing colours for the structures that would blend with the surrounding textured rock surfaces and outcrops.
69. Policy 3.25.2 requires consideration of the likely effects of water use (for snow making) as well as the longevity of the ski field due to climate change. The operational effects of snowmaking and grooming on the Doolans Basin wetlands and associated climate change effects to be insufficiently assessed in the applicant's report. The application states that by extending into the south facing slopes in the Doolans Basin "improving it's resilience to the potential effects of climate change". It also proposes to convert a tarn into water storage for snow making.
70. There is concern snowmaking may also introduce water with different chemistry from the naturally low-nutrient wetland systems, potentially causing long-term changes to peat and vegetation.

Proposed activities that could be made consistent with the provisions above with mitigations put in place:

71. By adhering strictly to the mitigations proposed elsewhere in the DOC's Section 51(2)(a) Concessions Report the quantities of water proposed as the water take from Doolans Creek can be kept at a low level of effect and be considered consistent with the Freshwater Outcome statement and objective 1.5.1.1 a) for this activity.
72. The weir construction as outlined in the proposal would be inconsistent with the above provision however mitigations proposed in DOC's Expert Statement – Freshwater would mitigate the effects and therefore could be considered consistent with the Freshwater Outcome statement and objective 1.5.1.1 a).
73. By adhering strictly to the mitigations proposed elsewhere in the DOC's Section 51(2)(a) Concessions Report regarding managing direct and ongoing impacts on avian populations this could be considered consistent with 1.5.1.1 c).

Proposed activities not consistent with the provisions above:

74. The proposed reservoir construction for snow making currently requires the complete removal of Tarn 3, which is not consistent with Objective 1.5.1.1 a), Policy 2.3.21 or Policy 3.25.2.

75. The building and excavations associated with the proposed access track, ski trails and associated utilities corridors will result in permanent loss of peat-forming wetlands, loss of ecological integrity and fragment the interconnected wetlands. This is not consistent with Policy 3.25.2 and taking a precautionary approach to new structures and terrain modification or the freshwater outcome statement and objective 1.5.1.1 a).
76. The Applicant's expert assessment on invertebrates identified three taxa identified in the Appendix 5 as within the expansion area. As discussed elsewhere in the report, the limited information available on the distribution, population size and ecological requirements of these taxa, alongside the proposed habitat loss and modification, makes it difficult to determine whether Policy 1.5.1.1 c) could be achieved for these taxa.
77. The removal of part of the ridge line is not consistent with the requirement of the Place outcome statement for the ridgeline to remain in its natural state, Objective 1.5.1.1 e) or policy 3.25.3.
78. The lack of detailed consideration of the long-term viability of the ski field in the context of climate change is not consistent with Policy 3.25.2.

Treaty of Waitangi provisions

The requirements to give effect to the principles of the Treaty of Waitangi (section 4, Conservation Act 1987) are covered in section 2 of the CGP, titled Treaty of Waitangi Responsibilities, and in Part One, section 1.4 of the Otago Conservation Management Strategy, titled Treaty partnership with Ngāi Tahu.

CGP Policy 2(e) *Tangata whenua will be consulted on specific proposals that involve plans or resources of spiritual or historical and cultural significance to them.*

CMS Section 1.4 *Treaty Partnership with Ngai Tahu, descriptive text:*
Ngāi Tahu are the tāngata whenua of Otago and as such are the primary Treaty partner with the Department of Conservation. Under this kākahu (cloak) of partnership, the parties are committed to strengthening their relationship to ensure they stand side by side to protect and manage ngā taonga tuku iho, recognise Ngāi Tahu rangatiratanga over these taonga and enable the iwi to exercise their kaitiakitanga obligations accordingly.

CMS Policy 3.25.5 *(Ski fields) Should provide opportunities for conservation education and interpretation.*

Discussion

79. The Ngāi Tahu Claims Settlement Act 1998 applies to the Rastus Burn RR and to the Remarkables CA.
80. In 2020, Ngāi Tahu provided a document summarising the cultural importance of the landscape, and the ancestral associations with Ngā Puna Wai Karikari a Rākaihautū, Kawarau and Tāpuae-o-Uenuku. As mana whenua and kaitiaki, Ngāi Tahu seeks to protect, restore and maintain the health and mauri of the area, particularly in response to historic land-use impacts on wetlands, tarns, indigenous species and other natural values.

81. The Remarkables CA contains known and potential wāhi tapu and wāhi tūpuna, provides habitat for indigenous species, and is subject to Treaty settlement mechanisms including the , Whakatipu Waimāori Statutory Acknowledgement and provisions relating to taonga species.
82. As noted in The Ministry for the Environment's recent report Treaty settlements and other obligations, the proposed upgrades are located on Crown land, however, under the settlement, this would be subject to a 'right of first refusal' in favour of Ngāi Tahu.
83. The project area also includes the upper catchments of Rastus Burn RR and Doolans creek which flows into Lake Dunstan. These are also provided for in the Ngāi Tahu Claims Settlement Act 1998.