



Nicci Mardle
Permissions advisor
Department of Conservation
Christchurch.

19 December 2017.

Dear Nicci,

Grand Properties Limited's application for a concession to construct, maintain, and operate a 37-unit motel within Aoraki/Mount Cook

Federated Mountain Clubs

Federated Mountain Clubs was founded in 1931 and advocates for New Zealand's backcountry and outdoor recreation on behalf of more than 80 clubs and more than 20,000 members.

Aoraki/Mount Cook National Park Management Plan review

FMC notes that the park's management plan is presently under review. Our view is that no decision-making on applications for concessions for long-term or permanent activities or structures should take place until the new plan is operative, to avoid tension between any new activities approved under the old plan and the incoming plan's fresh approach.

Therefore, our counsel is to defer decision on this application until a new park management plan is in place.

General

Recognising that despite the above, a decision on the application may yet be made before the management plan review's completion, FMC's advice is:

The primary objective of Aoraki/Mount Cook National Park's present management plan, derived from the purpose of the National Parks Act 1980 - *To preserve in perpetuity in their natural state, as far as possible,*

the landscapes, ecosystems, and natural features of Aoraki/Mount Cook National Park - should be uppermost in the decision-maker's mind.

As the objective falls directly from the statute, FMC assumes it will be encapsulated in any future plan promulgated under that Act and that decision-making should accord with it.

Aoraki/Mount Cook village is very limited spatially at approximately half a square kilometre and its situation is one of geographical extremes. Given this context, the application, for an approximately 50% expansion of the present operation, is asking a great deal of the natural environment. The striking landscape and delicate biota and natural systems would be pushed to accommodate a new multi-unit overnight complex. It would make additional infrastructural - for example, grey water and car parking - demands over and above those made by day visitors.

The increased pressure that would be placed on the natural environment in Aoraki/Mount Cook village by the proposed activity would likely be at odds with the principle of 'preservation in perpetuity'.

Aoraki/Mount Cook's social context is one of significant growth. The Department has predicted increases in numbers of visitors to Aoraki/Mount Cook for the 2017-2018 season and that 3,000 are expected in the village daily. There is no indication that the upward trend will reverse. Careful, long-sighted management of the pressure of such growth and high numbers is needed.

Our organisation's view - which aligns with that of General Policy for National Parks - is that, where practicable, facilities such as that proposed should be established in the private, not public, domain.

FMC response to the Limited Notification Authorisation Officer's Report to Decision Maker for a Lease under section 50 of the National Parks Act 1980

A difficulty for FMC in formulating a response to this application is that it is not clear if or how it has been properly tested against the Act or policy or planning instruments falling from the statute. Indeed, the report appears largely entirely supportive of the proposal. This would be appropriate if it were evident that the application had been vigorously interrogated, but such questioning is not evident; and concerningly, the reporting officer allows several instances of what FMC sees as faulty logic - which we assume is based on the applicant's inherently subjective korero - to prevail. We make the following points:

1.1

Increased visitor numbers are inappropriate justification for a new accommodation facility (such reasoning, taken to its conclusion, would set in motion planning for the village to provide accommodation for all comers, which is clearly not achievable, practically or legally).

The National Parks Act 1980 and General Policy for National Parks are, in the absence of a new plan for Aoraki/Mount Cook, most appropriate guides for decision-making. Salient general policy guidance on built accommodation is as follows:

9(d) Any application... should meet the following criteria:

9(d)(1) the accommodation or related facility cannot reasonably be located outside the national park

and:

9(e) All accommodation... in national parks should...

9(e)(iii) avoid proliferation of the built environment

9(e)(v) be located, designed, constructed, and maintained to:

9(e)(v)(a) preserve a sense of naturalness

No national parks policy guidance encourages construction of facilities to accommodate increased visitor numbers. Rather, the opposite - accommodation provision outside the park - is preferred; accommodation is available at Glentanner and in Twizel and Tekapo, and development opportunities exist in many locations outside but nearby the park. Proliferation of the built environment (9(e)(iii)) - abrasive to a sense of naturalness (9(e)(v)(a)) - would be an outcome of the motel's construction, and the additional driveways, carparks, and vehicles associated with motel customers would additionally compromise a sense of naturalness.

1.2

FMC views the applicant's cited current high ranking on client survey sites as irrelevant to the appropriateness of the project proposed.

1.4

The applicant's "necessary financial security on investment" is irrelevant to public conservation interests.

4.1

Contrary to the report's statement that "The Decision Maker has determined that there is little risk with this application (the application is for extension of a motel already in operation), therefore, limited notification is appropriate", FMC sees sizable risk associated with the application.

Proposed is: "The construction, operation, and maintenance of an additional 12-unit extension (within two new buildings), guest laundry on the existing 25-unit motel complex (CA-19112-ACC), and the storage of diesel in two additional 800 litre storage tanks."

Firstly, this would in fact be a considerable expansion of the present operation, downplayed as an "extension" in the officer's report and consequently given limited notification. Secondly, there is real risk that the approach of limiting notification could be a precedent leading to applications for significant developments in Aoraki/Mount Cook National Park receiving much less public scrutiny than desirable, and potentially being approved inappropriately.

4.3

FMC accepts that the proposed design is intended to minimise environmental impact, but it remains that the buildings would replace the natural environment of the national park, whose natural values are intended by the National Parks Act 1980 to be preserved in perpetuity in their natural state.

The human accommodation aspects of the application are the main areas of focus in this matter, but the impact of new vehicle accommodation should be considered seriously also: the asphalt of car parking and driveways would replace considerable areas of vegetation in the approximately half-square-kilometre village area.

8.0

The officer's report states that the proposed activity is in accordance with the National Parks Act 1980 and consistent with: General Policy for National Parks; the Canterbury (Waitaha) Conservation Management Strategy; the Aoraki/ Mount Cook National Park Management Plan; and the statement of Outstanding Universal Value for Te Wahipounamu-South West New Zealand World Heritage Area.

It goes on to say, "Any adverse effects on conservation values resulting from this activity are understood and can be adequately avoided, remedied, or mitigated by the conditions of a concession (if granted)."

FMC's impression is that the application's activity would in fact likely be in considerable tension with the statute and other documents cited, for reasons stated. We are, therefore, surprised to find that the report supports the application and that there is minimal justification given, at any stage of the document, for that support. Thorough analysis of the application through the lenses of the Act's and other documents' requirements should have been provided.

Appendix one - applicant's environmental assessment

FMC understands the applicant's wish to 'sell' the project to the decision-maker, but we are concerned that the report apparently accepts the 'sales pitch' with minimal interrogation.

For example, the applicant's environmental assessment twice (in Values and in Social impacts - Crowding) states: "Many visitors to the Park have an expectation that they will encounter significant numbers of people seeking the same experience as themselves." It seems acceptance of the existence of, and a statement of intent to further contribute to, crowding at Aoraki/Mount Cook.

Further, the following - whose line of logic appears to be, perversely, that being part of a human impact problem encourages understanding of that problem - should have been questioned vigorously: "By overnighting instead of driving up and back in a day, Aoraki/Mount Cook National Park visitors can appreciate more the challenges faced here by all New Zealanders as we all strive to maintain our environmental values and ambitions."

If such assertions' inclusion in the applicant's environmental assessment is of dubious benefit to the application, their apparent unquestioned acceptance by the reporting officer is inappropriate.

Conclusion

The Limited Notification Authorisation Officer's Report to Decision Maker for a Lease under section 50 of the National Parks Act 1980 recommends "that the Aoraki Operations Manager... 2. Approve in principle the granting of a National Park Lease concession to Grand Properties (2011) Limited subject to the standard lease contract, and the special conditions identified in this report."

The report provides minimal justification for making the above recommendation, which is for a significant increase in capacity of an operation in the around half-square-kilometre village within the national park. Effects mitigation proposed is worthy, but relevant only if the proposal is appropriate; such appropriateness is unproven by the report, in FMC's view. The applicant's case, parts of which FMC see as logically poor, is accepted without apparent adequate questioning, and the report writer occasionally even appears to 'go in to bat' for the applicant.

Even if adequate information had been presented, FMC's view is that it is likely that the proposed activity would not be in accordance with the National Parks Act 1980 or documents that fall from it. To gain clear direction for an appropriate decision, a report that shows proper testing of the application against the relevant statutory documents is needed.

Recommendations

1. FMC's first advice, as stated above, is to defer decision-making on the application until a new Aoraki/ Mount Cook National Park Management Plan has been adopted.
2. If the Minister does not consider Recommendation 1 viable, then FMC's advice is to decline the application on the grounds that:
 - a. as a proposal of some significance, given the context, it should have been fully notified
 - b. it would not be clearly in accordance with the national parks principle of the park's preservation in perpetuity in its natural state.
 - c. the activity could take place readily outside Aoraki/Mount Cook National Park.
 - d. the activity would not avoid proliferation of the built environment.
 - e. a sense of naturalness would not be clearly preserved.
 - f. the report to the decision-maker does not properly assess the application against the National Parks Act 1980 and the policy and planning documents that fall from it.
3. If the Minister does not consider Recommendations 1 and 2 viable and wishes to keep the application alive, the application should first be:
 - a. fully notified.
 - b. appropriately tested against the National Parks Act 1980 and relevant policy and planning documents.

Yours sincerely,

J R Finlayson,
Federated Mountain Clubs vice-president.

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