



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

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

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

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

A. Description of Activity

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

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

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

Tourism Milford Limited, trading as Ultimate Hikes (the Applicant) is applying to continue operating the multiday Milford Track Guided Walk operation, including activities that support and are integral to the multiday guided walk.

The Applicant is applying for a Lease, Licence and Easement concession authorisation, which will incorporate all the existing activities in one agreement document, if it is granted.

Currently the Applicant operates under a Licence with subsequent variations and assignment, and a Permit authorisation to undertake the existing activity. The current Licence agreement was granted 9th December 1991 and was renewed in 2005, in accordance with the right of renewal clause.

While this concession application form details the Lease aspect of the application, it also gives a brief of the overall activities proposed to be continued within the Fiordland National Park and provides an analysis of the activity against the statutory instrument considerations. This detail can be found in attachments of this application (Attachment 3b A and I).

Further detail on the Easement (water and effluent services and infrastructure) and Licence activities (guiding, aircraft and watercraft activities) can be found in the appropriate corresponding concession application forms (3c, 4a, 4b and 4c).

Site Locations:

The locations under the Lease aspect of the application are all within the Fiordland National Park (NaPALIS: 2801633), along the Milford Track (Great Walk, Tramping Track) from Glade Wharf to Sandfly Point. GPS locations are provided within the attached supporting documents (Documents I – N).

The following structures and facilities along the Milford Track are integral to the Applicant's operation of the multiday guided walk activity. The attached map (Document H) displays the locations of the structures along the length of the Milford Track.

- Glade Wharf
- Glade House and auxiliary structures (accommodation lodge)
- Hirere Falls Shelter
- Bus Stop Shelter
- Pompolona Lodge and auxiliary structures (accommodation lodge)
- Crow's Nest Emergency Shelter
- Quintin Lodge and auxiliary structures (accommodation lodge, including day shelter for independent walkers)
- Boat Shed Shelter and toilets (septic tanks)

The following sites are proposed for telecommunication utilities and provide the necessary communications for competent operations and management of health and safety:

- Mount Pillans (existing)
- 5 Mile (proposed)

Further information about all the structures, facilities and telecommunication utilities is provided within the attached supporting documentation (Documents I – L and N).

Size of structures:

The size of each of the structures and corresponding proposed lease areas vary.

Accommodation Lodges

It is proposed to occupy land for a lease area at the accommodation lodge sites (Glade House, Pompolona and Quintin) that includes the entire collection of structures and buildings, inclusive of the surrounding land.

The following type of buildings and facilities are located at the sites; generator sheds, sewage containment, guest and staff accommodation, helipads, drying and laundry rooms, storage sheds, workshops, chillers, fuel storage.

The size of each proposed accommodation lease area is listed below. Details outlining the various structures contained within the proposed lease areas can be found within the attached supporting documents (Documents I to L and N).

- Glade House – 13600m²
- Pompolona Lodge – 7500m²
- Quintin Lodge – 8000m²

Shelters, including Glade Wharf

The size of each of the shelters along the Milford Track are described in the supporting document (Document L). The footprint of each of the structures is proposed as the lease area.

Telecommunications

The size of each of the telecommunication repeater sites are described in the supporting document (Document N). The footprint of each of the structures is proposed as the lease area.

Status of Land:

The Land is National Park, held under the National Parks Act 1980 for the main purpose of preserving in perpetuity as national parks, for their intrinsic worth and for the benefit, use and enjoyment of the public. National parks contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.

Why this area has been chosen:

The Applicant has owned and operated the Milford Guided Walk since 1992. However, track guiding has been occurring on the Milford Track since late 19th Century when a track was cut to gain access from Lake Te Anau to Milford Sound/*Piopirotahi*. The Government's Tourist Hotel Department had general administration of the Milford Track guiding operations from 1903 until 1990.

All the essential structures and infrastructure that support the multiday guided walk activity are in-situ. The Applicant has invested a large capital amount into ensuring it provides a quality, sustainable, and exceptional experience for its visitors. The activity is not just purely about walking the track but also experiencing the wonder of the Fiordland National Park, and all its natural, cultural and historic values, while recreating in one of the most stunning places on earth.

Additionally, the Fiordland National Park Management Plan 2007 provides for the multiday guided walk activity.

Further information supporting this application can be found in Attachment 3b (A and I) of this document.

B. Alternative sites considered

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

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

The Applicant is not proposing to build, extend or add to any of the in-situ buildings and structures that make up the facilities providing for the multiday guided walk. Maintenance and repair to existing buildings and structures are proposed, as and when required in consultation with the Department of Conservation.

The Milford Track is a highly sought recreational experience for international and domestic visitors. It has a reputation of being 'one of the finest walks in the world'. The Applicant considers it would be impractical to consider an alternative location on other public conservation lands and waters for this activity. Guided walking has been occurring on the Milford Track since 1888, and private guided operations have been occurring since 1991. The Applicant has owned and operated the multiday guided walk since 1992.

The Applicant's existing operation of the multiday guided walk has, over the years, been regulated and coordinated to mitigate, remedy and/or avoid potential adverse impacts on the environment and other visitors to the track. An alternative location may have increased adverse effects on public conservation lands and waters, and to other users of those lands and waters.

The Applicant has invested a large amount of capital and continues to invest in the facilities and infrastructure to provide a safe, high quality recreational experience for their visitors. The existing structures and infrastructure are essential for carrying out the multiday guided walk. It would be impractical and unfeasible for the Applicant to relocate or operate at an alternative location. The Applicant has a sound reputation for its management of the activities under application and will continue to contribute to the maintenance of the Milford Track for the benefit of all users, if a concession is granted.

The effects of the activities are well known and understood; it is not anticipated that any potential new adverse effects will occur as a result of continuing the activity. Further analysis of the effects has been undertaken and make up part of this application as Document G, a separate supporting document.

C. Larger area

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

YES

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

A larger area is proposed at the accommodation lodge areas, where a lease area would take in all the existing structures, including the land between them. The proposed lease area around the accommodation lodge buildings and structures varies at each of the three locations. The attached supporting documents (Document I – K) detail the proposed lease area around the structures and the dimensions of the existing structures. Consideration has been given to the proposed lease area size in relation to its proximity to the existing structures. The proposed boundary takes in all permanent structures and the Applicant considers it to be a reasonable area around these.

Further explanation as to why a lease 'area' around the lodge and auxiliary structures is considered appropriate can be found below.

Is this necessary for safety or security purposes?

YES

Is this necessary as an integral part of the activity?

YES

Is this essential to carrying on the activity?

YES

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

The buildings and structures are integral to the competent operation of the activity in its entirety. The buildings and structures that make up the proposed lease area/s (outlined in the attached Documents I – K) are essential to the multiday guided walk activity provided by the Applicant. At the three respective accommodation lodge locations there are numerous structures serving different purposes i.e. client and staff accommodation, storage of equipment, drying rooms, storage of hazardous substances, chillers etc. The Applicant considers it is necessary to operate and manage all these collectively under a lease area. The Applicant regards that the vicinity of each structure to each other at the separate lodge locations makes it appropriate to have exclusive occupation over the land in between. Maintenance and repair to the structures occurs as and when necessary, this can mean occupying the land between the structures to undertake this activity. Security of the buildings and materials is essential to undertake any necessary works. Helicopter movements in and out from the helipad located by the lodge complex for resupply and other servicing of the lodge facility must be done safely.

All these factors necessitate that the structures and facilities must be able to be operated and managed in a safe and secure environment for the purpose of carrying out the activity. The health and safety of the public is a priority for the Applicant, ensuring the public are kept safe from any potential hazards and unnecessary accidents. Also, that the buildings can be kept secure, and safe from any potential damage as the location of the activity and the capital investment by the Applicant means repair and upkeep can be at a hefty cost.

Furthermore, the proposed lease areas do not affect the right of entry or access of the public to the Milford Track or restrict the public's enjoyment of the track.

Other buildings and structures along the length of the track that require lease footprints are the day and emergency shelters. These only require a lease area the size of the footprint of each structure.

D. Exclusive possession

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

If **yes**, please answer the following 3 questions, if no please go to the next section:

Is exclusive possession necessary to protect public safety? **YES**

Is exclusive possession necessary to protect physical security of the activity? **YES**

Is exclusive possession necessary for the competent operation of the activity? **YES**

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

As described above in Section C, the Applicant considers the fixed structures and facilities require exclusive occupation of the land, and in some instances over the land that surrounds the accommodation lodge buildings and structures by way of a lease, and that this is appropriate.

This is necessary to protect public safety, for example the hazards that are contained within the equipment storage and generator shed buildings should have the public excluded from the site.

The Applicant has put significant investment into the facilities and buildings, and a lease would provide the Applicant with confidence that the physical security of the structures and buildings is protected. The Applicant needs to be able to protect its structures, facilities and equipment from unauthorised access or damage.

The Applicant requires certainty that they can operate the activities competently, without impediment by other persons or a third-party structure. The Applicants operations at the locations should not be impeded as the safety and security of the structures and facilities is essential to continue carrying out the activities competently.

The proposed lease area will be 30,609 m2 (approx.). This is inclusive of the proposed lease area around the accommodation lodge sites, the shelters and the telecommunication utilities.

E. Technical Specifications (for telecommunications sites only)

Both telecommunication repeaters are Tait TB7100 repeaters

Frequencies on which the equipment is to operate

VHF frequency. Both are exclusive to the Applicant.

Mt Pillans - EN191 (RX-153.1250 & TX-154.90625)

5 Mile – EN185 (RX-153.0500 & TX-154.831250)

Power to be used (transmitter output)

25 watts

Polarisation of the signal

Vertical

Type of antennae

Stacked array with down tilt

The likely portion of a 24 hour period that transmitting will occur

Transmitting can be sporadic throughout the day, as it is dependent on what activities are occurring and the weather conditions.

Heaviest period of use

When the walkers are on the track and that can be anytime from 7am to 5pm.

For further detail on the telecommunication utilities please also refer to the supporting documentation; Document N.

F. Term

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

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

A term of 40 years is being applied for the Lease concession activities.

The reason for this term length is the Applicant has injected significant capital into the multiday guided walk activity and will continue to do so to maintain and upgrade the existing facilities and infrastructure, in accordance with operational and development plans and legislative requirements. This investment requires a length of term providing surety and security for continuance of operation, and to enable a reasonable return on such an investment.

The proposed length of term also provides potential visitors to the Milford Track with a sense of security and continuity in the knowledge that the guided multiday opportunities on the Milford Track remains a consistent and quality product.

NB: For completeness sake the Licence (guiding and associated activities) and Easement concession application activities will also be proposing a term of 40 years.

G. Bulk fuel storage

Under the Hazardous Substances and New Organisms Act 1996 (HSNO Act) 'Bulk fuel storage' is considered to be any single container, stationary or mobile, used or unused, that has a capacity in excess of 250 litres of Class 3 fuel types. This includes

petrol, diesel, aviation gasoline, kerosene and Jet A1. For more information on Hazardous Substances, go to:
<http://www.business.govt.nz/worksafe/information-guidance/legal-framework/hsno-act-1996>

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

YES

If you have answered yes, then please provide full details of how and where you intend to store the fuel, and label any attachments including plans, maps and/or photographs as Attachment 3b:G. If your concession application is approved you will be required to provide a copy of your HSNO compliance certification to the Department before you begin the activity.

The Applicant proposes to store fuel for uses associated with the multiday guided walk activity. Fuels such as diesel, gas and A1 jet fuel. Various bulk fuel is stored at the three accommodation lodge locations (Glade House, Pompolona and Quintin), and gas is stored at the shelters (Hirere and Boatshed). The supporting documents for each of the accommodation lodge areas and shelters (Documents I – L) identifies the fuel storage sheds, how fuel is contained, and the quantity of fuel stored.

On track, fuel supplies are stored so that it is available when required and is within a lockable shed away from the Applicants visitors and public access. All measures are taken to mitigate any potential adverse effects and to ensure hazardous substances are securely stored away from the public.

The Applicant wishes to note that the fuel supply for refuelling the helicopter used as part of the multiday guided walk operations, and makes up part of the Applicants concession application, is stored within a fuel tanker at Deepwater Basin, at the resupply operations base. The tanker can hold up to 1900L of petrol.

All storage, equipment and associated activities are undertaken in accordance with necessary legislative regulations and requirements.

H. Environmental Impact Assessment

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

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

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

**Location on public
conservation land**

Special feature or value

**Potential effects of your
activity on the feature or
value (positive or adverse)**

**Methods to remedy, mitigate or avoid any adverse effects
identified**

Environmental Impact Assessment is provided for the entire concession application (for concession application forms 3b, 3c, 4a, 4b and 4c) and can be found attached as Document G

I. Other

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

The following documents make up this application in its entirety:

- A. Applicant Information Form 1a
- B. Concession Application Form 3b and attachments
- C. Concession Application Form 3c and attachments
- D. Concession Application Form 4a and attachments
- E. Concession Application Form 4b
- F. Concession Application Form 4c
- G. Environmental Impact Assessment
- H. Track Map
- I. Glade House Accommodation Lodge Detail
- J. Pompolona Accommodation Lodge Detail
- K. Quintin Accommodation Lodge Detail
- L. Shelters and Wharf Detail
- M. Boat Operations Detail
- N. Telecommunication Utilities Detail
- O. Guide Manual 2018/2019 (updated annually)
- P. Health and Safety Plan
- Q. Noise Abatement Standard Operating Procedure
- R. Responsible Tourism Policy
- S. OutdoorsMark Accreditation
- T. Qualmark Accreditation
- U. Aircraft Operators Certificate

Attachment 3b: A

Further to the information supplied on the concession application form 3b:

The Applicant is applying for:

1. The management and control of all activities related to the ownership, operation, repair and maintenance of the Milford Track multiday guided walk.

The Application includes;

- I. The occupation of land for structures and provision of goods and services (i.e. sale of beverages). The following structures and facilities relate to these activities: Glade House, Pompolona Lodge, and Quintin Lodge and the auxiliary structures at these sites; manager and staff accommodation, generator sheds, equipment and fuel storage sheds, chillers and drying rooms; and
- II. The occupation of land for structures at various locations along the track that provide day and emergency shelter facilities; and
- III. Telecommunication structures at two locations for the benefit of communication between on track, transport and base staff.

The size of each of the buildings and structures varies depending on its uses and function. The attached supporting documents: Documents I – L give specifications of the structures, buildings and utilities that make up the Lease application.

NB - The accompanying attachments Documents I – L also include the infrastructure at the lodges and shelters that is included in the Easement concession application.

- IV. The use of the Milford Track Great Walk and side-tracks, for the operation and management of a multiday guided walking service during the Great Walk season (23 October to 30 April of each year); and
- V. Helicopter operations for activities associated with the management of the activity such as resupply of the lodges, repair and maintenance to structures and utilities, staff movements on and off the track, and for health and safety (air lifting clients over closed sections of the track, Search and Rescue (SAR) and other medical emergencies); and
- VI. Boat activities on the waters of the Fiordland National Park from Sandfly Point to Freshwater Basin, Milford Sound/*Piopiota*hi for transportation of passengers; and
- VII. Barge activities on the waters of Lake Te Anau, Fiordland National Park from Te Anau Downs to Glade Wharf for resupply of goods and materials to lodges.
- VIII. Storage of bulk fuel on track, as described in the supporting attached documents (Document I – L), and a fuel tanker (capacity of 1900L) at Deepwater Basin, Milford Sound/*Piopiota*hi to support the activities associated with the multiday guided walk.

Outline of the activities under application:

The Applicant, Tourism Milford Limited (trading as Ultimate Hikes) has the following itinerary for the multiday guided walk:

- Day 1 – Travel from Queenstown to Te Anau Downs to access a third operators water taxi to Glade Wharf. Walk the Milford Track to Glade House for the first night on the track. Nature short loop walk up the Glade Burn from Glade House, traversing some of the Dore Pass track also.
- Day 2 – Walk from Glade House to Pompolona Lodge, with optional side trips (Wetland Walk, Prairie Lake and/or Clinton Hut). Lunch stop is at Hirere Falls Shelter.
- Day 3 – Walk from Pompolona Lodge to Quintin Lodge. Lunch stop is at Pass Hut. Side trip to the Sutherland Falls from Quintin Lodge.
- Day 4 – Walk from Quintin Lodge to Milford Sound/*Piopiota*hi. Lunch stop at Giants Gate. Water taxi ('Te Namu') from Sandfly Point to Freshwater Basin.

Further detail on how each day is planned and carried out by the guides on and off track can be found within the Guide Manual, attached as Document O, and in Concession Application Form 4a Guiding.

Background:

The Applicant has been operating the Milford Track guided walk operations for nearly 30 years, operating under an existing licence authorisation, multiple subsequent variations, and permits.

The Applicant has over the time of its ownership of the operation improved on its activity and product by upgrading the accommodation lodges facilities and evolving its services. This has culminated in over 15 active and expired concession authorisations. The Applicant has no immediate plans to undertake any development relating to the Milford Track multiday guided walk. A new authorisation presents the opportunity to consolidate the existing authorisations into one.

Attachment 3a: I

The following is provided as an analysis of the status and purpose of the land, and the statutory management documents relevant to this application:

Status of the land is National Park, held under the National Parks Act 1980 (the Act).

The purpose of the land is set out within Section 4 of the Act:

(1) It is hereby declared that the provisions of this Act shall have effect for the purpose of preserving in perpetuity as national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public, areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.

(2) It is hereby further declared that, having regard to the general purposes specified in subsection (1), national parks shall be so administered and maintained under the provisions of this Act that—

(a) they shall be preserved as far as possible in their natural state:

(b) except where the Authority otherwise determines, the native plants and animals of the parks shall as far as possible be preserved and the introduced plants and animals shall as far as possible be exterminated:

(c) sites and objects of archaeological and historical interest shall as far as possible be preserved:

(d) their value as soil, water, and forest conservation areas shall be maintained:

(e) subject to the provisions of this Act and to the imposition of such conditions and restrictions as may be necessary for the preservation of the native plants and animals or for the welfare in general of the parks, the public shall have freedom of entry and access to the parks, so that they may receive in full measure the inspiration, enjoyment, recreation, and other benefits that may be derived from mountains, forests, sounds, seacoasts, lakes, rivers, and other natural features.

Section 49 of the National Parks Act 1980 provides for concessions to be granted, in accordance with Part 3B, Conservation Act 1987.

Comment:

The Applicant considers that an application for a guided walk operation on the Milford Track, within Fiordland National Park, is not contrary to the purpose of the land and can be considered under Section 49 of the National Parks Act 1980.

Statutory Planning and Management Instruments

GENERAL POLICY NATIONAL PARKS 2005 (GPNP)

The Applicant considers the following sections of the GPNP are particularly relevant to this application;

2 Treaty of Waitangi Obligations

"The Conservation Act 1987 and all the Acts listed in its First Schedule must be so interpreted and administered as to give effect to the principles of the Treaty of Waitangi (section 4, Conservation Act 1987)."

....." There has been considerable jurisprudence on the Treaty of Waitangi and its principles, and the scope of the duties the Treaty imposes on the Crown. Interpretations continue to evolve."

"Effective partnerships with tangata whenua can enhance the preservation of natural and historical and cultural heritage in national parks."

POLICIES

2 Treaty of Waitangi responsibilities

2(a) Relationships will be sought and maintained with tangata whenua to maintain and support national parks. These relationships should be based on mutual good faith, cooperation and respect.

2(b) Partnerships, to recognise mana and to support national parks, should be encouraged and may be sought and maintained with tangata whenua whose rohe covers any national park or part of a national park. Such partnerships will be appropriate to local circumstances.

2(c) Protocols and agreements may be negotiated and implemented to support relationships and partnerships, by mutual consent between tangata whenua and the Department.

2(d) Tangata whenua will be consulted when statutory planning documents are being developed which cover national parks. Information will be made available to facilitate their contributions.

2(e) *Tangata whenua will be consulted on specific proposals that involve places or resources within national parks of spiritual or historical and cultural significance to them.*

2(f) *Tangata whenua involvement and participation in conservation in national parks will be encouraged and may be supported with information and technical advice.*

2(g) *Customary use of traditional materials and indigenous species may be allowed on a case-by-case basis where:*

- i) there is an established tradition of such use;*
- ii) it is consistent with all relevant Acts, regulations, and the national park management plan;*
- iii) the preservation of the species involved is not adversely affected;*
- iv) the effects of use on national park values are not significant; and*
- v) tangata whenua support the application.*

2(h) *Public information and interpretation, where it refers to places or resources of spiritual or historical and cultural significance to tangata whenua, should be developed in consultation with them and should include Maori place and species names, make appropriate use of te reo Maori, and draw attention to tangata whenua values.*

2(i) *The Department will seek to avoid actions which would be a breach of the principles of the Treaty of Waitangi.*

2(j) *The Department will implement relevant Treaty claims settlements consistent with its statutory functions.*

Comment:

The Applicant recognises that Ngāi Tahu has mana whenua over the Fiordland National Park. The Fiordland National Park Management Plan 2007 sets out the provisions, including the protocols, and policies relevant to the obligations the Department of Conservation has with respect to management of the national park and Ngāi Tahu's mana whenua. The process of developing the FNPMP should have also considered the Ngāi Tahu Treaty Settlement Claim and other relevant legislative instruments.

The Applicant is committed to providing accurate and quality interpretation on the historical and cultural significance of the national park and will meet any proposed conditions relating to this, especially with respect to consultation with tangata whenua. Furthermore, the Applicant is willing to engage with iwi to develop an effective relationship to benefit the recognition of Ngāi Tahu's mana whenua over the land.

The Applicant considers that continuing the activity of providing guided multiday walks on the Milford Track, within the Fiordland National Park is not contrary to the policies set out in the GPNP 2005.

Benefit, Use and Enjoyment of the Public

"The General Policy recognises the different, and sometimes potentially conflicting, aspirations of people to enjoy national parks and seeks to find a balance which facilitates benefit, use and enjoyment while respecting the rights of others to do the same, maintaining what is distinctive about recreation in the backcountry of New Zealand national parks, and preserving them in their natural state for future generations."

The policies for management and planning within this section of the GPNP state that National Park Management Plan's should provide opportunities for the benefit, use and enjoyment of visitors to a national park.

The policies on vehicles [including those relevant to this application] states that National Park Management Plans shall specify where vehicles and other forms of transport may be allowed.

Comment:

The Fiordland National Park Management Plan 2007 (FNPMP) provides for a multiday guided walk opportunity on the Milford Track. The FNPMP also allows for watercraft and aircraft within the area under application. The management plan provides parameters around the vehicle opportunities and the Applicant considers this application is consistent with those. Further discussion regarding these can be found below as part of the analysis of the FNPMP.

10 Activities Requiring Specific Authorisation

POLICIES 10.1 All activities

10.1(a) Policies 10.2 to 10.9 are to be considered subject to policies 10.1(b) to 10.1(f).

10.1(b) Any application for a concession or other authorisation will comply with, or be consistent with, the purposes of the National Parks Act 1980, the statutory purposes of the place where the activity is located, the conservation management strategy and the national park management plan.

10.1(c) Conservation management strategies and national park management plans should, subject to policy 10.1(b), require that all activities in national parks which require a concession or other authorisation:

- i) be consistent with the outcomes planned for places;*
- ii) be consistent with the preservation as far as possible of the national park in its natural state;*
- iii) minimise adverse effects, including cumulative effects, on other national park values;*
- iv) not have any adverse effects on the existing recreational opportunities in the area;*
- v) be restricted to the use of existing access; and*
- vi) minimise adverse effects on the benefit, use and enjoyment of the public, including public access.*

10.1(d) The Department, and concession and other authorisation holders, should monitor the effects of their activities on national park values, and on the benefit, use and enjoyment of the public, including public access, so as to inform future management decisions.

10.1(e) Concessionaires will be responsible for the safe conduct of their operations, including the safety of staff, clients, contractors, and the general public, and for compliance with relevant safety standards and legal obligations.

10.1(f) Concessionaires may be encouraged to work with the Department to provide interpretation

POLICIES 10.3 Utilities and roading

10.3(a) Utilities may be provided for in a national park where:

- i) they cannot be reasonably be established in a location outside the national park or elsewhere in the national park where the potential adverse effects would be significantly less;
- ii) they cannot reasonably use an existing structure or facility;
- iii) their provision, uses and the means of access to them is not inconsistent with the recreational uses and opportunities of the site; and
- iv) they have minimal impact on ecological values, scenery and natural features and on the qualities of solitude, remoteness, wilderness, peace and natural quiet.

10.3(b) Conservation management strategies and national park management plans should require that utilities be of a scale, design and colour that harmonises with the landscape and any seascape, and not have an adverse effect on the natural state of the national park.

10.3(c) The construction or extension of utilities should take into account cultural values and avoid detrimental effects on wahi tapu.

10.3(d) A lease granting an interest in land with exclusive possession for a utility should be considered only when exclusive possession is necessary for the protection of public safety or the physical security of the activity or for its competent operation.

10.3(e) Co-siting of telecommunications and associated facilities should be required, to reduce the adverse effects of the facilities and the access to them, unless applicants can demonstrate that this would be impracticable.

10.3(f) Utilities that are redundant should be removed from the national park for the purpose of minimising adverse effects on the landscape, and the site restored as far as possible to a natural state.

10.3(g) When new facilities are installed or existing facilities upgraded, equipment and technology that reduces visual and other environmental effects should be required.

10.3(h) No new roads will be made over or through a national park except with the consent of the Minister given in accordance with the national park management plan.

10.3(i) New or upgraded roads provided for in a national park management plan should have minimal effect on natural features and those undertaking the construction should take measures to mitigate any adverse effects, including:

- i) avoidance of fragmentation of habitats and ecosystems;
- ii) rehabilitation of surfaces of earthworks;
- iii) weed control; and
- iv) collection and treatment of storm water run-off.

POLICIES 10.6 Powered aircraft

10.6(a) A national park management plan should specify sites where the landing, hovering and take-off of aircraft may be authorised and the extent to which the activity may be undertaken at any site. This may include the number, frequency and purpose of permitted landings.

10.6(b) The landing, hovering and taking off of aircraft should be authorised only where:

- i) it is consistent with the outcomes planned for a place; and
- ii) adverse effects on national park values, including natural quiet, can be minimised.

10.6(c) The Department should work with aviation controlling authorities, aircraft operators and other interested parties to prevent the adverse effects of over-flights on national park values, including the enjoyment of people on the ground.

10.6(d) Aircraft may land anywhere in a national park where essential for national park management purposes, subject to active consideration of ways to avoid adverse effects on national park values and the benefit, use and enjoyment of the public.

10.6(e) The use of aircraft for commercial wild animal control may be authorised where necessary to maximise the effectiveness of actions planned and undertaken to control such animals, while having regard to, and minimising the adverse effects on, outcomes planned for places.

10.6(f) A national park management plan should identify monitoring requirements for the use of aircraft and specify what actions should be taken to mitigate adverse effects arising, including, but not limited to, a reduction in landing sites, the imposition of "no fly" zones or periods, and use of quieter aircraft.

10.6(g) Aircraft may land anywhere in a national park for the purposes of search and rescue.

10.6(h) National park management plans should provide direction on how the Department will advocate the protection of national park values from the adverse effects of aircraft landings on land and waters adjoining the national park.

Comment:

This section of the GPNP recognises that activities requiring concessions and other type of authorisations may occur within national parks. Activities will need to be consistent with the purpose of the relevant legislation and management planning documents specific to the land the activity occurs. Monitoring of effects of the activity, and the health and safety of staff, general public, contractors and clients is the responsibility of the concessionaire. The concessionaire may also need to work with the Department to provide interpretation.

Utilities are permitted on a conditional basis and where the utility does not have an adverse effect on the natural state of the national park.

Powered aircraft activity will be managed through the relevant national park management plan, and only permitted where the potential adverse effects can be minimised.

Further analysis of the activities under application relevant to the FNPMP is found below.

The Applicant considers that continuing the multiday guided walk and associated activities on the Milford Track is consistent with the GPNP.

FIORDLAND NATIONAL PARK MANAGEMENT PLAN JUNE 2007 (FNPMP)

The following sections of the FNPMP are considered relevant to this application in its entirety: Lease (for structures and utilities), Licence (for guided walking, aircraft and boat access) and Easement (for infrastructure)). The sections are set out and a comment is provided that reflects the analysis of the application against those sections of the FNPMP.

Part Two: Treaty of Waitangi Relationships

This section of the FNPMP gives effect to the Department of Conservation's responsibilities under section 4 of the Conservation Act 1987. It explains and expresses the relationships of the various legislative instruments relevant to tangata whenua, the mana whenua Ngāi Tahu has over Fiordland National Park and sets out objectives and policies accordingly.

The following is most relevant to this application:

2.2.5 Department of Conservation and Ngāi Tahu protocols

Objective:

1. To give effect to the provisions of the Ngāi Tahu Claims Settlement Act 1998 as they relate to Fiordland National Park.

The implementation policies in this section are not relative to this application.

2.3 Giving Effect to the Ngāi Tahu (Pounamu Vesting) Act 1997

Objective:

1. To recognise Te Rūnanga o Ngāi Tahu ownership of pounamu

Implementation:

5. Help ensure the protection of pounamu by alerting concessionaires and the public that pounamu belongs to Ngāi Tahu.

Comment:

The Department of Conservation must meet its obligations under section 4 of the Conservation Act 1987 and this is fulfilled in respect of the land it manages within the Fiordland National Park through the FNPMP. Part Two of the FNPMP specifically addresses the Departments responsibilities with respect to Ngāi Tahu and refers to other sections of the FNPMP that are also relevant.

The Applicant is committed to safeguarding the mana whenua that Ngāi Tahu has over the Fiordland National Park, and that the cultural, spiritual and historical values of the Milford Track and Milford Sound/*Piopiota*hi are preserved. Interpretation and information on those values are an important tool to educating the public, specifically the Applicants visitors. As mentioned previously, the Applicant is willing to engage with Ngāi Tahu and the Department to ensure the significance of the land to iwi is propagated in the most culturally sensitive and appropriate way. The Applicant considers that proposing to continue the guided multiday walk on the Milford Track and its associated activities combined under this entire application are consistent with the FNPMP objectives and implementation policies set out in Part Two of the Plan.

Part Three: Te Wāhipounamu - South West New Zealand World Heritage Area

This section of the FNPMP describes the distinction of Te Wāhipounamu - South West New Zealand World Heritage Area, describes its values and management expectation, and sets out the objectives and policy implementations.

The Milford Track, and Milford Sound/*Piopiota*hi are located within Te Wāhipounamu - South West New Zealand World Heritage Area. The following is most relevant to this application:

Objectives

- 1. To maintain the ecological and landscape integrity of the Te Wāhipounamu – South West New Zealand World Heritage Area.*
- 2. To develop a co-ordinated approach to the management and servicing of visitors to the Te Wāhipounamu – South West New Zealand World Heritage Area.*

Implementation:

2. Provide information on the state of Te Wāhipounamu – South West New Zealand World Heritage Area as required under the Convention:

- b) Secondary sites and themes for interpretation of the area have been identified as: Milford Sound / Piopiota*hi (fiords and alpine faults); Milford Track entrance (glaciation and scenery);

Comment:

While the accountability of maintaining the ecological and landscape integrity of the *Te Wāhipounamu – South West New Zealand World Heritage Area* resides with the Department of Conservation, the management of concessionaires may influence co-operation and collaboration to assist in achieving this objective.

The Applicant understands completely the necessity of preserving and maintaining the values that make up the world heritage area. The Applicant considers that continuing the activity of a multiday guided walk on the Milford Track Great Walk, and its supporting activities is consistent with the provisions within this section of the FNPMP.

Part Four: Biodiversity, Landscapes and Historical Management

This part of the plan is concerned with the management, including maintenance, of the park's landscapes, ecosystems, habitats and species and historical sites.

4.4 Biosecurity (Rationale)

"With Fiordland National Park becoming increasingly popular, the risk of visitors to the park bringing unwanted organisms into the area may increase.

*Biosecurity threats can also arise from the inadvertent introduction of pests, such as *Didymosphenia geminata* (Didymo), on fishing gear, waders and other recreational equipment. Air access, boat access and tramping and climbing within Fiordland National Park may allow for biosecurity threats to be transported around Fiordland National Park in a rapid manner."*

Objectives

- 1. To preserve the intrinsic natural values of Fiordland National Park.*
- 2. To increase the awareness of biosecurity risks to Fiordland National Park.*

Comment:

The Applicant is committed to ensuring that all gear and equipment used as part of the entire multiday guided walk operation is devoid of any contaminants, and any unwanted organisms so not to enter the Fiordland National Park. Clients and guides, along with all other aspects of the operations i.e. boats, aircraft etc, are expected to be clean before entering the national park. The Applicants staff are educated regarding this during training, and visitors are informed of this before departure.

The Applicant considers that continuing the activity of a multiday guided walk on the Milford Track Great Walk and supporting activities is consistent with the provisions within this section of the FNPMP.

General comment for the remaining Part Four:

The existing activity of a multiday guided walk and supporting activities (infrastructure, boat and aircraft access) on the Milford Track does not diminish the natural values or integrity of the land. The experience of a multiday guided walking activity on the Milford Track facilitates understanding and promotion of the importance of preserving the natural, cultural and historic values of the Fiordland National Park while recreating within it. The proposed activity promotes appreciation of these values in all aspects of the product i.e. website information, guest service information, interpretation provided by bus drivers and by guides on track, hut talks and hut/shelter interpretation panels etc. The Applicants activity provides an opportunity for non-independent visitors to experience the outstanding landscape, the historical importance of the area, and the special flora and fauna of the national park. Through information and interpretation provided by the Applicants staff and through information guided visitors have access to, knowledge and appreciation of this outstanding place and its special status is enhanced. Historical sites such as Mackinnon Pass and the Sandfly Point Brick Chimney on the Milford Track are identified as

an actively managed historical sites of National and Local Importance respectively within the FNPMP. Clients and staff are educated on their importance and appropriate behaviour is encouraged at these sites. The Applicant considers that continuing the multiday guided walk activity is consistent with the provisions set out under Part Four of the FNPMP.

Part Five Visitor Management

The objectives and implementation policies of this part of the FNPMP are relevant to this application. The following are considered the most applicable:

5.2.2 Access

While this section of the FNPMP describes the opportunities for water, land and air access within the Fiordland National Park the objectives and policy implementations are more prescribed in other sections of the management plan.

5.3.8 High Use Track Corridors

This section of the FNPMP recognises the existing commercial overnight guided walk operations on various multiday walk tracks throughout Fiordland.

5.3.8.1 Milford Track

Objective

1. *The Milford Track will be managed to protect its iconic status as one of the greatest multi-day overnight walks in the world located in a remote place. The key attributes of this place include:*

- a) *A quality multi-overnight walking experience where walkers all walk in the same direction;*
- b) *An experience that offers a representation of Fiordland's mountainous landscape, from Lake Te Anau to Milford Sound / Piopiotahi;*
- c) *An experience that is enriched in heritage from the early greenstone trails, European exploration and tourism opportunities; and*
- d) *Its dynamic nature and unforgiving landscape that is made safely accessible through careful visitor and facility management.*

2. *The walking season for the Milford Track is defined as being from the Tuesday after Labour weekend to the 30th April unless natural events determine otherwise.*

Implementation

1. *People walking the whole track during the walking season will be required to walk the track in the same direction – Glade to Sandfly Point.*

2. *The total daily number of overnight walkers (i.e. guided and independent) entering the track on any one day during the walking season will not exceed 90 people. The number of independent walkers within this total will be maintained at 40 per day under this regime. Should an applicant seek changes to these limits, the applicant should be required to undertake appropriate research approved by the Department of Conservation that addresses social carrying capacity effects.*

3. *A pre-booking system for independent tramping use of the Milford Track will be View of the Clinton River from the Milford Track. O Dovey 146 5.3.8 High Use Track Corridors maintained because of the heavy demand to use this track during the season. To keep opportunities open as much as possible, bookings for a walking season will not be accepted prior to the close of the previous season.*

4. *Guiding services should not use independent walkers' facilities during the walking season (excluding toilets). Outside of the walking season access to independent walkers' hut facilities will be made on an equal opportunity basis with independent walkers (i.e. guiding services may occupy a maximum of 50% of hut sleeping capacity outside of the walking season only). Refer to Implementation 8(c) of this section.*

5. *Aircraft landings should not be allowed within 500 metres of the track for other than servicing of the track and accommodation or park management purposes (refer to section 5.5 Aircraft Access). An amendment to Fiordland National Park bylaws will be sought to enforce this.*

6. *By-laws prohibit camping within 500 metres of the track.*

7. *Sporting events should not be authorised on the Milford Track.*

8. *Guided day walks may be allowed on the following sections of track, and under the following circumstances:*

a) *Glade Wharf to Clinton Hut*

(i) *Restricted to a maximum of 34 visitors inclusive of guides per day.*

b) *Sandfly Point to Giants Gate*

(i) *Restricted to a maximum of 26 visitors inclusive of guides per day; and*

ii) *Walkers should be off the track between 2pm and 5pm to avoid conflict with multi-day overnight walkers. Note: group size and frequency for day walks will be managed through the concession process.*

c) *Outside the Great Walks booking season, the total number of guided walkers entering the Milford Track (day and overnight walkers) should be limited to 20 inclusive of guides per day; and*

d) *Should an applicant seek changes to these limits, the applicant should be required to undertake appropriate*

research (approved by the Department of Conservation) that demonstrates no reduction in the quality of the overnight walkers' visitor experience; and the activity will not result in inappropriate non-essential visitor facility development.

Comment:

This section of the FNPMP sets out the provisions of visitor settings within the Fiordland National Park, and the Milford Track is identified within the High Use Track Corridor visitor setting. The purpose of this setting is to primarily recognise that some of the tracks in the national park require more intensive management and greater resources than say the backcountry visitor setting. Five tracks have specific objectives and provisions for its management under the High Use Track Corridor visitor setting (Milford, Routeburn, Kepler, Hollyford and Hump Ridge). Visitors to the Milford Track and other tracks within this setting are usually looking for a moderately challenging but safe, multiday walking experience within a natural environment.

The objectives under this section of the management plan address the desire to manage tracks for optimum use and specific status, recognising attributes of each track while protecting and appreciating the natural values surrounding them. Further objectives of the Milford Track are about visitor experience; offering a representation of Fiordland's mountainous landscape, providing a safe, accessible opportunity within the dynamic natural landscape, and enriching visitor's appreciation of the heritage value of the area. Implementation policies reflect the intent of the objectives.

The total daily number of multiday walkers entering the Milford Track each day is prescribed at 90 people. The provision, and the tracks status as a Great Walk, indicates that the track facility can accommodate this number of overnight walkers. The number of independent multiday walkers entering the track each day is 40, and the independent huts and facilities provide for this number. This leaves the number of guided multiday walkers as 50 per day entering the track. The Applicant operates the existing multiday guided walk in accordance with this number and is not applying to change these limits. The continuance of the activity delivers on the FNPMP's implementation policy for overnight guided walkers who experience the track.

The Applicant utilises its existing lodge accommodation at three separate locations along the Milford Track. The Applicant does not propose to use the independent walkers' accommodation facilities, except in the case of any emergency. The Applicant does propose to use the independent toilet facilities for its clients, only as required. The Applicant currently cleans and resupplies the ablution facilities at the independent facilities along the length of the track. The Applicant owns and operates the Quintin Day Shelter, which is exclusively available for independent walker use. At this facility the Applicant provides independent walkers a hot drink service. The Applicant also enables use of its other shelter facilities (toilets) for independent visitors. The amenities and facilities that are provided by the Applicants operation ensures that the independent facilities are not inundated with their visitors. In the case of an emergency the Applicants lodge facilities would also be available for independent visitors.

While the number of multiday guided walkers entering the track at one time is 50, the party size each day, for the duration of the walk between lodges, is generally smaller. A party size is commonly less than 15 persons. Although this is a consideration for the Applicants guides each day, the smaller group size often occurs naturally as walkers spread out over the duration of the day.

Inclement weather patterns are the cause for larger guided groups on track, as this is a health and safety consideration. While larger group sizes can occur on bad weather days, the fact that the Applicant's accommodation lodges are off set from the independent walkers also mitigates the different visitor types encountering each other. Further information about these considerations can be found within the Guide Manual, attached as Document O and within the Environmental Impact Assessment, attached as Document G.

The Applicant's activity on the Milford Track provides an opportunity for a greater diversity of visitor to the Milford Track, some of whom may not have been able to undertake the track as an independent walker. The facilities and services the Applicant currently provides and is proposing to continue operating, enables visitors to explore and experience the natural, cultural and historic values of the track and wider Fiordland National Park. The Applicant provides options for short side trips so visitors can explore and experience even more of the area. The Applicants guides provide information on the local flora and fauna, and the history of the track and area. It is through this element that a visitor's appreciation of the parks natural, historical and cultural values can be enhanced and positively escalated.

The Applicants on track staff have an ability to communicate between the lodges and with the Queenstown base, and vice versa. Safety of both staff and visitors is paramount. Further explanation about the methods of communication can be found within the attached supporting documents; Document N: Telecommunications, and Document O: Guide Manual.

Monitoring of the activities under application occur through both anecdotal accounts and in more formal, arranged settings (surveys). This enables the Applicant to gather and analyse visitor's perceptions of their experience. This information is always available to the Department of Conservation (DOC) for management purposes if required. It is

the Applicants opinion that the existing multiday operation has not caused conflict between different users of the Milford Track within the Fiordland National Park. It is the Applicants intention to ensure no conflict occurs between the various types of users of the track and it is operational policy is to alert the DOC if any conflict is observed or becomes apparent.

If required, the Applicant will provide whatever resources necessary in the case of an emergency for any other visitors to the track and Fiordland National Park.

The following are other visitor settings relevant to this application:

Section 5.3.9.1 Milford Sound/Piopiotaahi

Objective 5

To retain Freshwater Basin Activity Area as the key area for the berthing and transfer of passengers associated with large day trip and overnight tourist cruise vessels.

Implementation 13

The noise produced in the following Activity Areas should not exceed the stated rating levels at any place within the boundary of the zone:

- a) Deepwater Basin, Milford Lodge, Accommodation, Visitor Services, Parking, Foreshore and Freshwater Activity Areas:*
 - i) 8.30am to 6.00pm $L_{eq} - 50 \text{ dB(A)}$*
 - ii) All other times $L_{10} - 40 \text{ dB(A)}$
 $L_{max} - 70 \text{ dB(A)}$*

Implementation 24

Activities undertaken at Milford Sound / Piopiotaahi will occur in accordance with the prescriptions of the following Activity Areas (refer to Map 10):

- a) Deepwater Basin Activity Area;*
- b) Freshwater Basin Activity Area;*
- c) Aerodrome Activity Area;*
- d) Accommodation Activity Area;*
- e) Visitor Services Activity Area;*
- f) Foreshore Activity Area;*
- g) Parking Activity Area; and*
- h) Milford Lodge Activity Area. Deepwater Basin Activity Area*

Freshwater Basin Activity Area

30. Nature based tourism, charter or transport vessels with a passenger capacity of more than ten passengers may be berthed at Freshwater Basin and all passenger transfer shall occur at this site. Use of the Milford Sound Development Authority Limited facility will be subject to the permission of the authority.

Parking Activity Area

38. All non-bus visitor vehicle parking at Milford Sound / Piopiotaahi will be relocated to this Activity Area (except that which will be retained around the hotel site in the Visitor Services Activity Area and at Milford Lodge; that associated with the fishing fleet; and that provided for disability parking).

39. The following activities will be located at this site:

- a) Any communal storage facilities to be used by concessionaires;*
- b) Any community-based facility associated with the Accommodation Activity Area;*
- c) Milford Sound / Piopiotaahi sewage system;*
- d) Any communal generator facility;*
- e) Toilet facilities; and*
- f) A terminus for a park and ride facility should it be required.*

5.3.9.6 Te Anau Downs

Objectives

- 1. To protect and maintain the natural shoreline and amenity values of the Te Anau Downs frontcountry area.*
- 2. To manage the Te Anau Downs frontcountry area in full co-operation with the agencies responsible for the bed of the lake and the legal road and reserve areas adjoining conservation land.*
- 3. To manage the Te Anau Downs frontcountry area as a potential access node to the lake along the Milford Road; while maintaining consistency with the adjoining backcountry visitor setting.*

Implementation

- 1. The Te Anau Downs frontcountry visitor setting should continue to be managed primarily for the existing uses, being the hotel accommodation, the jetty and as a small scale access node to Lake Te Anau.*

2. Only shoreline facilities and structural developments that allow the development of this area as a small scale access node for those partaking in activities on Lake Te Anau should be permitted. The frequency of drop-offs and pick-ups to/from Lake Te Anau will be subject to the provisions of section 5.6 Boating Facilities.

3. The Te Anau Downs Frontcountry Visitor Setting will be managed in accordance with the following criteria:

a) There will be no long-term storage of boats, trailers or other equipment anywhere along the Te Anau Downs lakefront ("long-term" means in excess of one month in duration);

b) The number of existing moorings at Te Anau Downs may be reviewed but any review should consider the likely impact on other activities in the zone, the adjoining backcountry zone, the visual amenity and the actual occupation levels of the moorings available. No new moorings will be permitted in this area. Moorings that are no longer required will be removed at the owner's expense; and

c) Any revisions or extensions to existing buildings or structures at Te Anau Downs should be designed and constructed in harmony with the natural amenities of the surrounding landscape. Where appropriate the criteria for new buildings, structures or extensions to existing buildings in section 5.3.9.1 Milford Sound / Piopiotahi, Implementation 14 will apply.

4. Should a request be made to further develop this site as a transport node, the following provisions should apply:

a) Such an activity should only be for the purpose of reducing the perception of congestion and overcrowding at Milford Sound / Piopiotahi and along the Milford Road (refer to sections 5.3.9.1 Milford Sound / Piopiotahi and 5.3.9.2 Milford Road);

b) The applicant should have to demonstrate that this option has been assessed in terms of a wider transportation analysis for options to Milford Sound / Piopiotahi as referred to in section 5.3.9.2 Milford Road;

c) That this option is the preferable option in terms of point b) above;

d) Such an option may provide for the following:

i) Transport hub for land based vehicular traffic;

ii) Provision of a hotel and accommodation facility; and

iii) Café facilities.

e) Separate facilities for residential activity should not be provided at the site;

f) The activity should minimise any adverse effects on those accessing backcountry, remote, or wilderness recreation experiences from this site; and

g) Implementation 3 c) of this section applies.

Section 5.3.6 Remote Visitor Setting

Remote settings will be managed to protect values such as remoteness and natural quiet and the relatively unmodified natural environment.

It is important to recognise that the majority of Fiordland National Park is managed to maintain and protect remote recreation experiences. Along with the fiords and wilderness visitor settings, the large expansive remote experiences are what make Fiordland unique among other national parks in New Zealand.

Section 5.3.6.6 Eastern Remote Setting

This section discusses the inclusion of the Earl Mountains (and Mt Titiroa/Borland – although not relevant to this application) within this visitor setting and the reasons why.

Comment:

Freshwater Basin Activity Area and the Parking Activity Area are both within the Milford Sound/*Piopiotahi* Front Country setting. Front Country visitor settings means they are usually settings that have substantial infrastructure and are accessible by vehicles (or are within easy reach of such access).

The use of the Freshwater Basin Activity Area for the transfer of passengers by the Applicant is consistent with the provisions set out under Implementation 30, of this section of the FNPMP. The use of the Parking Activity Area is for helicopter loading and unloading of resupply materials servicing the guided walk activity. The Applicant does not use the activity area for any storage of materials. During the walking season a fuel tanker (1900L) is situated at the Parking Activity Area for refuelling the helicopter. This is removed in the off season. Further sections of the FNPMP apply, 5.5 Aircraft Access and is discussed below. It is considered that the use of the Parking Activity Area is not inconsistent with the provisions of this section of the FNPMP.

The use of the Te Anau Downs for mooring, loading and unloading materials and goods supporting the multiday guided walk activity is consistent with the provisions set out within the Te Anau Downs FC setting.

Further sections of the FNPMP apply, 5.6 Boating Facilities and is discussed below. It is considered that the use of Te Anau Downs is not inconsistent with the provisions of this section of the FNPMP.

The Remote visitor setting objectives and implementation policies relate to the recreational experiences and recreational management of the visitor setting. The relevance to this application is the siting of the existing telecommunication repeaters at Skelmorlie Ledge (on the eastern side of the Milford Track) and Mount Pillans (on

the western side of the Milford Track), both within this visitor setting. The Applicant is not proposing to use or occupy the land within this visitor setting for any recreational activity, including further facilities. The existing telecommunication repeaters enable communication between the guides, lodge and Queenstown base staff and is used for operational and emergency purposes. Further sections of the FNPMP apply, 6.11 Telecommunication Facilities and is discussed below.

The activity under this application is not considered to be inconsistent with the visitor setting provisions of the FNPMP.

5.4 Concessions

Objectives

1. To enable a range of appropriate, high-quality commercial visitor services to be provided through the granting of concessions which are compatible with the visitor settings described in this plan and national park values, and which will ensure adverse effects on natural, cultural or historic resources are minimised.
2. To grant concessions (including variations to existing concessions) in such a way that their adverse effects can be understood and monitored in the context of other general independent use of Fiordland National Park.

Implementation

1. Assess and process applications for concessions in Fiordland National Park in accordance with section 49 of the National Parks Act 1980 and Part IIIB of the Conservation Act 1987.
2. Concessions (including variations to existing concessions) should only be granted if they are consistent with the provisions of section 5.3 (visitor settings) and other relevant sections of this plan.
3. Overall, concession operations should be kept at levels that do not detract from other visitors' use and enjoyment and national park values. This may mean limiting the number of operators or frequency of operations in some areas, particularly where opportunities being provided are toward the remote or wilderness end of the spectrum. Where the impacts of increasing visitor numbers to a place are unknown, a cautious approach should be taken. When assessing applications, the cumulative impact of concessionaires in an area will be considered. Visits to specific natural attractions will only be considered where general public access and enjoyment is not adversely affected.
4. Among other conditions all concessions should, where relevant, stipulate the following:
 - a) Limits on the number of guides/vessels/aircraft allowed to operate by virtue of the concession at any one time;
 - b) Maximum group sizes (refer to section 5.3 Visitor Settings);
 - c) Clearly defined areas of operation;
 - d) Clearly defined maximum permitted frequencies of use;
 - e) Explicit concession monitoring requirements;
 - f) Required behaviours to avoid adverse impacts on national park values; and
 - g) Requirement to provide information at least annually detailing the time, frequency, location, number of clients and purpose of any activity approved by the concession.
5. Structures, facilities and services (e.g. huts and tracks) ancillary to commercial recreation/tourism activities will only be considered where it can be demonstrated that they cannot be undertaken outside Fiordland National Park or the use of existing Fiordland National Park facilities is not possible.
6. Concessionaires and their clients may share public facilities on a first come first served basis, but may not occupy more than 50% of available sleeping capacity in huts. However, in areas or during periods where there is high public use of facilities, further restrictions on commercial use may be necessary. This is the case on some of the high use tracks (see section 5.3.8 High Use Track Corridors). Except in the case of emergency, concessionaire visitor groups are not permitted to occupy public huts or formal campsites for more than two consecutive nights.
7. Monitor concessions to:
 - a) Assess whether there is compliance with concession conditions;
 - b) Assess whether adverse effects (including cumulative effects) on natural, cultural or historical values or on the recreation opportunities and experience of other visitors are minimised; and
 - c) Assess whether the total commercial use is within any limits set for the area. Priority areas for this type of monitoring will include: aircraft access across Fiordland National Park, visitor activity at Milford Sound / Piopiotahi and Deep Cove, day visits to Key Summit, commercial jet boat use of the Wairaurahiri River, commercial use of historical sites in the southern fiords and any other sites at which limited opportunities have been identified in this plan (refer also to sections 5.3 Visitor Settings, 5.5 Aircraft Access and 5.6 Boating and Facilities of this plan). Concessionaires may be required to contribute to all or part of this monitoring.
8. The number and format of sporting events will be kept to a level consistent with the visitor setting and recreation opportunity being provided in an area.
9. Specific conditions to be included in concessions will be developed from the following general guidelines for any concession applications concerning encounters with wildlife:
 - a) Visitors should not be permitted to see species that are considered vulnerable. These species may be affected by disturbance and any disturbance would be unacceptable;

b) To protect the majority of populations of any rare, endangered, threatened or critical plant or animal species within Fiordland National Park, concessionaire activity should only be allowed at a few selected sites where such plants or animals exist. This will ensure that rare, endangered, threatened or critical plant or animal species within Fiordland National Park are better protected with only a few individuals being exposed to the risk of disturbance. Selection of site suitability will take into account local features and factors that increase or decrease risk of disturbance and will be determined on a case by case basis. The number of sites is determined by how threatened the species is. Where guidelines exist for viewing species they will be adhered to. Criteria will be designed for visits to any sites, or to a general area where non site-specific operations are undertaken, in order to protect the individuals of the species (e.g. frequency of visits, visitor group size, supervision requirements, and behaviour around wildlife). Rules may be specific to the species or the site;

(c) Concessionaires will be required to undertake or pay for monitoring. Where such monitoring or scientific observations identify adverse effects on wildlife 200 5.4 Concessions or their habitat, rules may be changed or visits to the site suspended or terminated;

(d) Should the species population at any site show a decline, visits will be stopped until the cause is known. Visits may be recommenced once the cause of decline is understood and visitor presence is known not to be a factor; and

(e) Any guidelines for visits to sites or areas (as in provisions (b) and (c) above) will be advocated to all visitors including private individuals and noncommercial groups.

10. Concessionaires will take primary responsibility for the safety of their clients. Concessionaires will be required to provide an independently audited safety plan unless it is determined by the Department of Conservation that the activity does not require it.

11. In areas where it is determined concession opportunities need to be limited on conservation grounds, the right to make an application may be tendered, applications may be invited, or other actions that may encourage specific applications may be carried out. Except for priority criteria identified elsewhere in this plan, relevant criteria for the allocation of limited opportunities will be identified through the appropriate process utilised.

12. Consult with the Southland Conservation Board and *papatipu rünanga* regarding the processing and management of significant concessions. *Te Rünanga o Ngäi Tahu* will be consulted on concession applications where the area the application applies to includes places with a *Töpuni* or Deed of Recognition (see section 2.2 Responsibilities Under the Ngäi Tahu Claims Settlement Act 1998).

13. Concessionaires who seek to use or promote Ngäi Tahu cultural information, including that relating to *pounamu*, will be requested to consult with the *papatipu rünanga* before using that information.

14. In order to manage the effects of concessionaire activity, concessionaires should be required to use waste management and energy efficient technologies appropriate for the natural characteristics and values of the specific location.

15. Where necessary for the implementation of biodiversity programmes, restrictions (including ceasing operations) may be imposed on concessionaires at any time. Where possible, concessionaires should be given at least three months notice in writing.

16. Concessions for Thrillseeking activities (as defined in 5.3.1 Visitors to Fiordland and the 1996 Visitor Strategy) should not be granted in Fiordland National Park.

Comment:

Section 5.4 of the FNPMP sets out the policies on concessions within the national park. Implementation 2 states that concessions should only be granted if they are consistent with the provisions of section 5.3 Visitor Settings (and other relevant sections of the plan). The Applicant believes that the activities being applied for are consistent with section 5.3, as demonstrated in comments above.

The remaining Implementation policies set out the assessment criteria when considering concession applications, proposed concession conditions, including monitoring, and compliance of concession activities. The Applicant considers continuing the activity of a multiday guided walk on the Milford Track as set out under this application, is consistent with the provisions of this section of the FNPMP.

For completeness, it is notable to disclose that access to the beginning of the Milford Track by the Applicant is undertaken by a third party. The Applicant employs the services of another concessionaire to transfer passengers across Lake Te Anau from Te Anau Downs to Glade Wharf.

5.5 Aircraft Access

5.5.1 Aircraft Access to Fiordland (general)

Objectives

1. To manage aircraft access in a way that facilitates public use and enjoyment of Fiordland National Park but does not have unacceptable adverse effects on natural values or visitors to Fiordland National Park.

2. To allow aircraft access for concessionaire infrastructure, event servicing or other authorised activity where the effects of that access have been considered as part of the overall activity and are acceptable.

4. To monitor both the level of aircraft access in Fiordland National Park and its effects on other Fiordland National Park visitors.

Implementation:

1. All aircraft operators landing in Fiordland National Park require a concession, except landings for emergency or search and rescue purposes or landings undertaken by the Department of Conservation or its contractors for management purposes. Although landings for search and rescue, emergencies and park management purposes will be unrestricted, the number of landings will still be monitored and landings for park management purposes should, where practical, occur at locations, times and frequencies that minimise the impact on natural values or visitors to Fiordland National Park. The Department of Conservation should use aircraft concessionaires for management operations within Fiordland National Park where possible.

2. Where relevant, matters including, but not limited to, the following should be included on concessions for aircraft landings/take-offs:

a) Provisions relating to frequency and timing of activity and the number of landings; b) Provisions relating to restrictions on purpose of landing;

c) Provisions relating to noise mitigation measures;

d) Details of all aircraft that the concessionaire is entitled to possess and operate within Fiordland National Park (including the type, registration and number of aircraft);

e) Provisions specifying specific access points;

f) Maps detailing the catchments and/or sites at which landings are permitted;

g) A special condition allowing the review, suspension and/or termination of the concession should unauthorised landings be undertaken;

h) The requirement to provide activity return forms that should include information on the timing, number, location of landings, number of passengers in the aircraft and purpose of all aircraft landings. This information should be required on a monthly basis in an agreed format;

i) The requirement for all operators to record the location of landings using an approved Global Positioning Systems recorder, or a similar device. This information may be required by the Department of Conservation at agreed intervals;

j) Provisions relating to managing any adverse effects on visitor experience values and natural values; 5.5.1 Aircraft Access to Fiordland (general) 209

k) The requirement that a minimum of 50% of all allocated landings in the concessions may be charged for at the start of the concession year regardless of whether they are used. The number of landings that are used above the first 50% may be charged for at a set time that should be detailed in the concession; and

l) The requirement that concessionaires should be required to contribute to the cost of monitoring and research to determine the effects of aircraft access in Fiordland National Park

11. All aircraft landings/take-offs within Fiordland National Park (unless provided for under the other Implementations of this section) should be managed in accordance with Tables 7, 8, 9 and 10 and Maps 16A to 16C.

Table 8 – Aircraft Landings in the North Fiordland Air Activity Zone:
Milford Track High Use Corridor

No limit on landing numbers, no limit on number of concessions. The following applies:

- No landings within 500m of the Milford Track.
- Landings for the essential servicing of huts and the track will be managed to maintain existing recreation and user experiences and should occur between 10:00am and 3:00pm during the walking season (Tues after Labour Weekend to 30 Apr) (Note that the Quintin Airstrip is currently used for track / concession management purposes. It will only be used for this purpose. This airstrip is only accessible by helicopter).
- No landings are permitted at / on Glade Wharf.

Comment:

Aircraft access is critical to the Applicants operation of the Milford Track multiday guided walk experience. The following is a short summary of the aircraft access integral to the multiday guided walk and makes up part of this application; landings for servicing and re-supply of accommodation lodges, passenger transfers over track sections where the track has been compromised (for walker safety and logistical purposes), and for emergency situations such as medivac or Search and Rescue. The Applicant has identified helicopter landing points along the track where the track can sometimes be compromised for several reasons i.e. avalanche risk, flooding, snow loading. These have been identified as safe locations for landing, as well as those with minimal impact on natural values and other visitors to the national park. Further detail can be found in the Guide Manual, attached as Document O. Servicing and resupply of the lodges occurs one day per week and the helicopter is loaded from Deepwater Basin, Milford Sound/*Piopiotahi*, although it is within the Parking Activity Area. The Applicant uses a clear, gravelled area between the Deepwater Basin wharf and jetty and the sewage facility. It is clear from hazards, obstructions, and

within an area that is both safe from other aircraft (using the Milford aerodrome) and other users of the adjacent land.

Obviously, all flying operations is weather dependent, and in this environment that can change quickly. Refuelling of the helicopter is undertaken at Milford Helicopters at the Milford Aerodrome and at Glade House, where there is a dedicated facility. Noise abatement and minimising impact to walkers and other visitors to the Fiordland National Park is a major consideration of landings and take offs, as well as overflying. Where possible, and this is often weather dependent, the flight path and height of flying is considered to ensure the impact on walkers and other users of the Fiordland National Park is mitigated. Flight heights are recommended at no less than 1500ft, but higher if possible when above the track.

The resupply is for essential servicing of the lodges and shelters to maintain the existing recreation experience and use. The Applicant's intentions for resupply is to carry out aircraft operations between the hours of 10am and 3pm on track. However, logistics (distance between lodges, location of resupply base, type of resupply materials) and other factors for flying (weather) means that landings may outside of these hours. At times aircraft operations occur between the hours of 8.00am and 4.00pm, and on occasion up until 5.00pm over the one day. The Applicant wishes to emphasise that it does everything reasonably practical to ensure that resupply day has the least impact on all users of the track, and other users of the surrounding Fiordland National Park and other public conservation lands and waters. The Applicant considers operating resupply over one day has less potential impact on other visitors within the vicinity and the environment (carbon emissions) than the alternative, which is resupply occurring over two days to ensure flight times are within 10am and 3pm. Additionally, the Applicant has adopted a Noise Abatement Standard Operating Procedure to avoid and mitigate potential adverse effects of the aircraft activity (attached as Document Q).

The Applicant considers that the aircraft operations, as part of the existing multiday guided walk operation on the Milford Track, is consistent with the provisions of this section of the FNPMP.

5.6 Boating and Facilities

The adverse effects from commercial and recreational boating and its associated facilities can include noise, disturbance of natural ecosystems and wildlife, disturbance of natural character and amenity values, conflict with other types of recreation such as angling and swimming, and loss of remote values. As with aircraft access, the approach to balancing the recreational benefits of boating and boat access against the adverse effects will be to provide for it in some parts of Fiordland National Park and to restrict it in others. This can be achieved by managing boating opportunities and facility development so that they are consistent with the visitor settings described in section 5.3 Visitor Settings and shown on Map 7.

Currently it is considered that there are sufficient numbers of boat ramps, jetties and moorings for general public use. To avoid the unnecessary duplication of facilities and the associated adverse effects on the natural character of Fiordland National Park, where facilities are authorised for commercial use, they should be available for use by the public when not required for commercial activities. However, it is recognised that providing for public access must not adversely affect the businesses of the commercial operators who require priority and unrestricted access to enable them to operate safely and to schedule.

Objectives

1. To provide recreational boating and Fiordland National Park access by boat in the frontcountry and backcountry visitor settings of Fiordland National Park providing adverse effects can be minimised and to ensure it is compatible with the national park values for which the surrounding land is managed.

4. To avoid conflicts between different types of boat use and other water-based activities or with other recreational activities in general.

3. Except as provided for elsewhere in this plan, noise from boating vessels on water-bodies within the Fiordland National Park should not exceed 77 dB(A) (L_{max}). Noise should be measured and assessed in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Sound".

5. The speed and route of commercial vessels should be managed to minimise the wake effects on the shoreline and shoreline vegetation and wildlife.

28. A number of sites on lakes Te Anau and Manapōuri are recognised as 'access nodes'. While these sites are critical to providing access to Fiordland National Park this should be managed in accordance with the spectrum of opportunities provided. Drop-offs and pick-ups to/from access nodes should only be permitted up to the frequencies outlined below in Tables 12 and 13. Should an applicant seek changes to these limits, the applicant should be required to undertake appropriate research approved by the Department of Conservation that addresses social carrying capacity effects.

33. Where relevant the following should be included on concessions for boating activities:

- a) Conditions relating to the size of boat, frequency and timing of the activity and the number of passengers;*
- b) Conditions relating to restrictions on purpose of the activity;*
- c) Conditions relating to noise mitigation measures;*
- d) Conditions detailing specific access points;*
- e) The requirement to provide activity return forms that should include information on the timing, number, location of*

the drop-off and/or pick-up of passengers, number of passengers in the boat and purpose of all drop-off and/or pick-up of passengers. This information should be provided on a monthly basis in an agreed format;

f) Conditions relating to managing any adverse effects on national park values;

g) The requirement that all drop-off and/or pick-up of passengers allocated in concessions may be charged for regardless of whether it is used; and

h) That concessionaires may be required to contribute to the cost of monitoring and research to determine the effects of boating access in Fiordland National Park.

Comment:

The Applicant owns a vessel ('Te Namu') for passenger transportation from Sandfly Point on the Milford Track to Freshwater Basin, Milford Sound/*Piopirotahi*, and owns a barge to transport supplies for servicing the multiday walk operation. The barge also carries fuel, building supplies, materials, and refuse items and materials etc. Both vessels are operated by another party that the Applicant has a contractual agreement with.

The Te Namu is moored at Freshwater Basin overnight, with the permission of the appropriate governing authority (Milford Sound/*Piopirotahi* Tourism Limited). The barge is moored at Te Anau Downs overnight, however at times the barge may require mooring at Glade Wharf to efficiently carry out the tasks relating to the guided walk operation, or if the weather dictates not being able to make the return journey.

The noise emitted from the vessels is no greater than the permitted in the FNPMP provisions and the speed is moderated to ensure that effects are minimised. The route of both the vessels is considerate of other users of the waters.

As previously mentioned above, the Applicant uses an existing concessionaire for the boat access (taxi) from Te Anau Downs to Glade Wharf.

The Applicant considers that the proposed continuation of the owning and operating the 'Te Namu' and barge vessels as part of the multiday guided walk activity is consistent with the FNPMP provisions for watercraft in the National Park.

6.11 Telecommunication facilities

In general, telecommunication facilities should only be allowed in Fiordland National Park where it can be demonstrated that it is not reasonable to site them outside Fiordland National Park. Adverse effects should be minimised. The location of existing facilities should be reviewed when possible, and facilities removed or relocated if considered inappropriate at their present site. It will be necessary to ensure that, where possible, co-siting of facilities occurs.

Objective

1. To minimise the effects of telecommunication facilities on landscape features, natural, recreation, historical and cultural values.

Implementation

1. The following provisions will apply to all telecommunication facilities:

a) They should not be sited on areas that have been identified as having significant Māori spiritual and cultural values which would be desecrated by the location of such facilities;

b) Where practicable telecommunication facilities should be sited away from prominent skylines to minimise visual effects;

c) Environmental effects should be limited by allowing only for essential telecommunication facilities which blend into the surrounding environment. Strict requirements will be enforced concerning design, site disturbance, landscaping and maintenance;

d) Operators of telecommunication facilities should be required to remove and/or update facilities if new technology will enable existing effects to be reduced or eliminated;

e) On termination of a telecommunications concession, the concessionaire should be required to remove all structures and material associated with the facility and will have to landscape and restore the site as far as possible to its natural state. Department of Conservation facilities should also be removed if they are no longer required or used;

f) Co-siting of facilities should be required, to reduce the adverse effects of the facilities and the access to them, unless, applicants can demonstrate that this would be impracticable; and

g) Will be otherwise consistent with Policy 10.3 of the General Policy for National Parks 2005.

Comment

One existing telecommunication utility that services the communications for the Applicant is situated at Mount Pillans within the Earl Mountains, Fiordland National Park. It is situated to the west of the Milford Track. This telecommunication facility has been in-situ for many years, even prior to the Applicant owning the facility (owned and operated by the Applicant since 2013). It is powered by solar panels, has a small surface area and maintenance and repair requires aircraft access.

The Applicant is proposing the installation of a telecommunication utility at a location known as the 5 Mile. This is a current site for other telecommunication facilities i.e. the Department of Conservation. The Applicant is proposing to co-site with existing facilities, thereby reducing the adverse effects of the facility and access to it. The proposed repeater will be powered by solar panels.

For completeness of this application and the activities undertaken by the Applicant, it is pertinent to comment on the fact that an existing telecommunication facility is located at Skelmorlie Ledge and has been operated for communication services as part of the multiday guided walk. The Applicant has identified that the new proposed location will improve communication coverage, particularly for the barge service. This will address a health and safety matter and improve health and safety operations for the activities. The facilities at Skelmorlie Ledge will be fully removed and the site will be restored to its natural state as far as possible.

The safe and competent operation of the multiday guided walk is dependent on having communications between guides, lodge staff and the Queenstown base staff and management. Alternative locations, outside of public conservation land and especially the Fiordland National Park, for these facilities would be impracticable and severely reduce the capabilities of the Applicant's communication service. For safety reasons, this would be inappropriate. While the facilities enable and provide a vital role, it is important to the Applicant that the occupation of the structures have minimal impact on the environment. This includes proper servicing of the utilities and proper operational use to maintain them in good working order for as long as possible.

The Applicant considers that the occupation of the land within the Fiordland National Park for the two telecommunication utilities (one in an existing location and one at a proposed location) to service the multiday guided walk operation on the Milford Track is not inconsistent with the provisions of the FNPMP. Additionally, the Applicant considers that the removal of the Skelmorlie Ledge telecommunication utility is consistent with the provisions of the FNPMP.

SOUTHLAND MURIHIKU CONSERVATION MANAGEMENT STRATEGY 2016 (CMS)

The CMS is the statutory planning and management document for public conservation lands and waters covering the Southland Murihiku area. Fiordland is designated within this CMS, and has its own Place, under Part 2 of the CMS. The following describes the relevant sections of the CMS to this application.

2.2 Fiordland Te Rua-o-te-moko Place

This section of the CMS acknowledges that the Fiordland National Park is managed by the Fiordland National Park Management Plan 2007. It also describes the natural, historical, cultural and recreational values of the Place. The Milford Track is recognised as a Great Walk and identified as an Icon Destination. An Icon Destination is described as a visitor destination that is considered a high-profile, popular destination important to national and international tourism. Milford Sound/*Piopiota*hi is also identified as an Icon Destination. As icon destinations they can provide a memorable visitor experience and a chance for thousands of visitors to experience public conservation land.

This Place also recognises that Fiordland National Park is included in Te Wāhipounamu—South West New Zealand World Heritage Area.

The following Outcomes for this Place are considered relevant:

*Milford Sound/Piopiota*hi is an Icon destination that leaves a lasting impression on hundreds of thousands of visitors each year. Visitors can take the inspiring journey into Milford by road, boat or air, with seasonal and weather variations bringing new dimensions to the journey every day.

The Icon destinations of the Milford, Kepler and Routeburn Tracks continue to be regarded as 'must do' Great Walks—offering visitors the opportunity to enjoy breathtaking mountain views, enchanted forests, cascading waterfalls and peaceful lakes, and to learn about Ngāi Tahu culture, history and traditions, and other history.

The cultural values associated with the outstanding landscapes of this Place are better known. Sites of importance to Ngāi Tahu are respected and managed in partnership with them, ensuring the protection of places and the continuation of their cultural connections. Historic and cultural values are brought to life through interpretation, giving visitors an enhanced appreciation of the heritage values and leaving them with a connection to the lives of previous generations.

Commercial activity actively promotes and enhances conservation and recreational values, and does not diminish the outstanding natural character and natural quiet within the greater part of this Place.

The following Policies are relevant to this application within the Fiordland Te Rua-o-te-moko Place

2.2.1 Manage (including when considering concession applications) those parts of the Fiordland Te Rua-o-te-moko Place that are within the Te Wāhipounamu—South West New Zealand World Heritage Area in accordance with the criteria for which the World Heritage Area was nominated and the statement of outstanding universal value (Appendix 14).

2.2.2 Manage Fiordland National Park in accordance with its national park management plan, including the visitor management and aircraft provisions.

2.2.6 Work with Ngāi Tahu, relevant agencies (such as Southland Regional Council, Southland District Council, Fiordland Marine Guardians, New Zealand Transport Agency, Civil Aviation Authority and Milford Community Trust), commercial interests and the community to:

- a) promote and increase awareness of the significant ecological, historic and cultural values of the Fiordland Te Rua-o-te-moko Place, including interpretation and recognition of the Māori cultural landscape;
- b) develop and sustain an integrated approach to managing Milford Sound/ Piopiotahi, and access to it as an Icon destination, thereby enhancing its international reputation;

Part 3

The following is a summary of relevant sections of the Part 3 of the CMS.

3.1 General

3.1.7 Encourage people and businesses undertaking activities on public conservation lands and waters to comply with activity-specific minimum impact codes (care codes) as notified from time to time on the Department's website.

Authorisations (General)

The proposed continuation of the multiday guided walk on the Milford Track is not contrary to the provisions set in this section of the CMS.

3.5 Other Forms of Transport – Watercraft

3.5.1 Meet the following criteria when considering watercraft use on public conservation lands and waters:

- a) is consistent with the purpose for which the lands and waters concerned are held;
- b) is consistent with the outcome and policies for the Place where watercraft use is proposed to occur;
- c) is consistent with the visitor management zones shown on Map 3 and as described in Appendix 12;
- d) adverse effects on the natural, historic or cultural values are avoided, or otherwise remedied or mitigated; and
- e) adverse effects on the safety and enjoyment of other recreational users on and off the water are avoided, or otherwise remedied or mitigated.

3.6 Aircraft

Zoning for aircraft is described in this section of the CMS. The Fiordland National Park is zoned as Orange. The Orange Zone has areas that are complex issues to be managed.

The policies relevant to this application are summarised below:

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.

Table 3.6.2 Aircraft Orange Zone

Fiordland National Park

In accordance with Fiordland National Park Management Plan (see Policy 2.2.2).

3.10 Structures and Utilities

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

- a) the purposes for which the land concerned is held;
- b) the outcomes and policies for the Place where the 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;
- j) whether the policies for private accommodation and related facilities should be applied (see Policies 3.11.1–3.11.7); and

k) whether any proposed road in the Fiordland National Park is provided for by the Fiordland National Park Management Plan 2007.

Comment

The CMS states that commercial activity can enhance and promote recreation and conservation values while not diminishing the natural character and quiet within the greater portion of this Place. It is considered that the continuation of the activity does not oppose the criteria for outstanding values of the *Te Wāhipounamu—South West New Zealand World Heritage Area*. The multiday guided walk provides opportunity for visitors to the track and national park to have greater appreciation of its significance and a greater connection to the inherent values of the Fiordland National Park. The Applicant wishes to engage with iwi to increase its communication and interpretation of the significant cultural values, including Ngāi Tahu's mana whenua over the land.

The Applicants proposal to continue the existing multiday guided walk on the Milford Track is not inconsistent with the outcomes and policies for the Fiordland Te Rua-o-te-moko Place, or those outcomes and policies within Part Three (Authorisations, Watercraft, Aircraft (including aircraft zoning provisions), and Structures and Utilities) of the CMS.