

Attachment 3ba

A. Description of Activity

Location: Whakaari Conservation Area: 2800823

Kelly Hut: E 1243351 N5021506

Helicopter landing site: E123442 N5021479

History and Introduction

Prior to 2007 The area of lease had traditionally been Crown Land as part of Wyuna Pastoral Lease.

Dan and Christine Kelly identified the area as a safe and exciting high roost for the original Dan Kelly Designed Bivs. These were permitted by the Lease Hold Land Owners of the time.

Recreational skiing & hiking in the vicinity and overnighiting at the Biv on site was enjoyed by the Glenorchy and Queenstown locals between 2001-2011.

Tenure Review was completed for the area in 2007. The Kellys applied to DOC for the Lease and Guiding Concessions to enable a bespoke commercial recreational operation. These Concessions were Granted in 2010.

The Concession permitted the existing hut on the newly developed Conservation Land. A new built hut and toilet replacement was a condition of the Consent

Currently DKDnz.Ltd is the holder of Concession OT ACC-20676 and associated Deed of Variations

Original Date of Concession ACC-20676 was granted 21st October 2010 the Expiry is 31st Dec 2021
The Commencing date was January 1st 2011

*The Concession Activity As described in Schedule 1. Pg 3, of that Concession states:
Concession Activity: "Construction and ongoing operation of a circular mountain hut (Tin Tent) and toilet to be used as accommodation for guided parties. (guiding activities authorized under permit OT-27189 GUI) and also be made available for public use".*

Why The Area has Been Chosen

DKDnz.Ltd (trading as mountainhut.nz) application is for a reissue of the Concession to continue the Lease for Kelly Hut and to conduct operations from the hut.

The Existing Hut is situated in Whakaari Conservation Area at 1880m under the slopes of Mt Larkins. The area has snow for up to 6 months a year.

The Hut was financed and designed by Dan and Christine Kelly.

Construction took place in early Autumn 2011. The circular body of the hut was flown into the site by helicopter in one piece. The entire structural build on site was completed with in a week. The handcrafted interior fit-out was completed by Dan and Christine over that winter. The Hut engineering and building achieved all certifications in late 2012.

Christine and Dan began commercial operations from the hut in the winter of 2013 under the associated Guiding Concession. Concession OT GUI-27189 (granted in 1st August 2010). This concession enabled guided activities and helicopter landings.

Presently as a condition of the Lease granted in 2010 for Accommodation OT ACC-20676: Guided groups must operate from the Kellys hut. If we do not have a guiding Concession for any reason the hut must be removed.

As holders of the Concession we are not quite sure why it would be necessary to remove the hut under this Condition of Consent. The reverse is not a condition of the Guiding Permit.

The Guiding Concession has now been recently reissued and is current for a further 10 year period until 2030.

N.B Ten years is the maximum period that can be granted through the Reissue Process (at the invitation of DOC) without a notified Consent. (identification number is now to GUI-86178).

Kelly Hut is the overnight base for guided & hosted and self-guided groups all year around. Guests can ski tour and snow shoe in winter and hike and mountain bike in summer.

The hut is also open to the Public with two beds available at all times. The Department of Conservation approve the overnight accommodation fee for the public to stay in the hut.

Mountainhut.nz are responsible for the cost of hut maintenance. This includes the removal of all sewerage waste and grey water which is collected in the holding tank toilets. Tanks are flown out by helicopter.

Mountainhut.nz applied for two variations to the Concession ACC-20676. These would contribute to the smooth and efficient running of the hut and guiding operation.

The first was the Deed of Variation dated 16th September 2014 to increase Public hut fees from \$20 to \$35 per night. This was granted and the Concession ACC-20676 was updated.

The second was a Deed of Variation 21st December 2018 to construct a Kea Proof Tent (KPT) staff & storage area and to increase Public Hut fees to \$45 per night. This was granted and the Concession ACC-20676 was undated. The part of the application to lock the hut was not granted.

Concession Activity (Amended through the Variation to Concession 21st Dec 2018) the variation is described as follows:

Schedule 1:

Clause 1:..”also a lease area of approx. 4.5 m2for the Kea Proof storage facility be used for equipment storage and staff accommodation”.

Clause 2: Concession Activity: “ Construction and ongoing operation of a circular hut (tintent) and toilet and storage facility to be used as Accommodation and storage for guided parties (guiding authorized under permit OT-27189 GUI). The hut and toilet made available for public use.”

The Kea proof Hut was financed and designed by Dan and Christine Kelly. It was constructed in the valley floor and helicoptered into the site in one load. The installation was complete in the late Autumn of 2019. It has been actively used and appreciated by staff over the last 12 months.

The Lease Area

“The lease area is defined as the footprint of area occupied by the hut and toilet approx. 24m2 for hut and 3m2 for the toilet “(Conf Lease 20676-ACC 21st Oct 2010)

“Kea Proof Storage to be used for equipment storage and staff accommodation. Area defined as approx. 4.5m² “(Conc Variation OT 20676-ACC 21st Dec 2018)

Total area of Lease equals 31.5m²

Infrastructure

DKDnzLtd trading as mountainhut.nz wish to apply for the reissue of the Concession OT 20676-ACC. We do not intend to make any changes to the infrastructure or increase to the Lease area.

See Attachment 3b:A Further Information: Photo sheet of site and activities
Attachment 3b:A Further Information: Topo Map of hut site

B. Alternative Sites Considered

The Application consideration is for the reissue of the current Concession ACC- 20676. The Infrastructure Hut & Toilet have been permanently fixed on site for ten years and Kea Proof Tent for one year. As these are all Existing Structures the consideration for alternative sites is not applicable.

C. Larger Area: We are not applying for any increase in the Lease area than what is in the Current lease Concession OT ACC-20676

D. Exclusive Possession:We are not applying for exclusive possession.

E. Technical Specifications (for Telecommunications Only) Not Applicable

F. Term

We wish to apply for a term of 30 years.

Reasons:

Our Contribution to Conservation: Awareness, marketing, educating guests on flora and fauna.

For Business security: For Financial, Operational and Marketing, Planning Certainty & Continuity

We have a Proven record of operating on DOC Conservation Land over the last 10 years.

Our contribution to the tourism experience in the district.

Our connection and work offerings to guide contractors, PCUBs and Heli operations.

Our contribution to the Public sector in supplying a unique Shelter and overnight destination.

Our Positive Audit records from Adventure Activity, health and safety and work-safe requirements.

Our aim to keep the business bespoke and family owned and operated. Reflecting Nz local

Our abilities and skills and commitment to do the job reflected by the career choices of family members whom wish to move into the management of the business.

We are permanent residents at the Head of the Lake Glenorchy

And because it is permissible to apply for a 30 year period and we were encouraged to do so.