

Before Queenstown Lakes District Council

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In the matter of            The Resource Management Act 1991

And                            The Queenstown Lakes District proposed District Plan Topic 11  
Ski Area Subzones mapping

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**STATEMENT OF EVIDENCE OF JOHN DARBY FOR**

Soho Ski Area Limited and Blackmans Creek No. 1 LP (#610)

Treble Cone Investments Limited (#613)

Dated 28 March 2017

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### **Qualifications and Experience**

- 1 My full name is John Gerard Darby, I am the Director of Darby Partners Limited; a specialist land planning and design company based in Queenstown.
- 2 I have a Bachelor of Horticulture, Postgraduate Diploma in Landscape Architecture from Lincoln University and am a Fellow, of the New Zealand Institute of Landscape Architects.
- 3 For the past 40 years I have practiced as a landscape architect, master planner and golf course architect both in New Zealand and overseas. I have had substantial experience in ski area design and development through master planning involvement at Coronet Peak, the Remarkables, and over the last 11 years at Soho and Treble Cone.
- 4 I am a Director and a Shareholder of Heritage Incline Limited, which is the major shareholder of Treble Cone Investments Limited. I am a Director and Shareholder of Soho Ski Area Limited, which is the entity holding the recreation permit for the operation of the Soho Ski Area.
- 5 Darby Partners was formed in 1998 to provide specialist master land use planning and landscape design services in areas which typically would be regarded as 'sensitive' landscapes. Fundamental to our work, is thorough research of the resource issues, opportunities and the utilisation of comprehensive landscape planning methodologies to arrive at fully integrated and sustainable land use outcomes. This process approach has been illustrated and exemplified by the successful integrated planning and design outcomes for projects such as Clearwater, Jack's Point, and Omaha South.

### **Scope of Evidence**

- 6 My evidence addresses the following matters:
  - (a) A history and overview of the land ownership and tenure of the Soho and Blackmans Creek ski area, and the Treble Cone ski area;
  - (b) A review of the core objectives and philosophies relating to the development, construction, and operation of ski areas in the District, as well as in particularly those of Soho and Treble Cone;
  - (c) A summary of how the extension of the ski area zones will provide efficient and necessary enhanced access options to the ski areas as well as consolidation of those areas and the ability to manage them in a more integrated and optimised fashion

## Executive Summary

- 7 There are several key points that underpin the extension to the SASZ:
- (a) Currently the District has run out of lift serviced skiable terrain. Accordingly, providing certainty of access that enables alternative forms of transport to new ski field areas is critical.
  - (b) There are genuine safety, economic, and environmental benefits of gondolas and other passenger lift systems replacing roads. The Treble Cone and Snow Park gondolas were approved on that basis. A controlled activity regime for these systems within a specifically and carefully sited transport corridor overlay is appropriate and efficient.
  - (c) The development of ski area subzones within this District is a product of their rarely accessible alpine location and importance within the Region (and broader) in terms of providing economic, social and cultural wellbeing to people and communities. Recognising the importance and necessary flexibility for integrating these areas with the main roading network is critical to achieving the objective of recognising their development, growth and consolidation.
- 8 Overall, I emphasise that the package of evidence in all of the hearings on the SASZ presented by the Submitters, including the evidence for this hearing, is the result of detailed landscape, visual amenity, planning and other research and investigations. Our team and the experts have put together a comprehensive suite of plans and provisions to strike a balance that enables ski area use, management and development sustainably and commercially to provide social and economic benefits for the District while avoiding, mitigating or remedying potential adverse environmental effects.
- 9 The lines on plans, including the proposed extensions to the SASZ, are based on significant research involving assessments of topography, existing and consented activities and ability to absorb further change. The SASZ extension areas (or 'overlays') proposed for built form and access are intended to provide long term, enduring areas for development that are rooted in environmental sustainability, improvements to the ecology and conservation and economics. For example, in previous hearings we provided for greater certainty on subdivision in the SASZ, to recognise that the current land holding (under DoC/LINZ administered conservation estate and/or pastoral lease) evolves over time. Some of the land may be held under different tenure, including freehold in the case of Soho Basin Ski Area and in that case, it is critical that the boundaries provide for practical operational and commercial outcomes, including subdivision.

- 10 On that matter, I note that subdivision does not create adverse effects per se, but it is important to be considered and provided for with certainty along with actual development. How land may be subdivided can influence where and how land is used or built on and importantly provides a means of land ownership, transfer and long term tenure that underpins the commercial and financial aspects of developing modern ski fields. It is important that the lines on plans, including for subdivision, reflect changing requirements or expectations of the public and enables amongst other things changes in land use and tenure, including freehold land, unit titling, general subdivision, boundary adjustments with certainty and flexibility generally so long as potential effects are fully addressed.

### History – Soho

- 11 The existing area of the Soho ski field within the PDP Cardrona SASZ is part of the Glencoe Station pastoral lease area. In 2015, Soho Properties Limited, as lessee of the Glencoe Pastoral Lease, approved a comprehensive recreation permit under the Land Act 1948 to Soho Ski Area Limited. The Permit permits Soho Ski Area Limited to use and develop that area of the Crown Leased land for a range of 'Activities' which are prescribed in the Schedule, including heli-skiing, tracked vehicle operations, transportation by vehicle, alpine hiking, construction and operation of ski lifts, formation of trails and other terrain modification, installation of snow making equipment, etc. (**Attached** to Mr McCrostie's evidence).
- 12 As part of the package authorising ski area activities, the Recreation Permit prescribes a Development and Restoration Protocol. It details what activities are able to be undertaken within the bounds of the Recreation Permit, as well as an approval and monitoring process for all development and works which is intended to assist the Commissioner of Crown Lands protect the inherent values and to avoid, remedy, or mitigate, the adverse effects of development on those inherent values identified, as defined in Section 2 of the Crown Pastoral Act 1998.
- 13 Blackmans Creek Holdings No.1 LP owns land which was originally known as the 'Scurr block' and was part of the wider farm owned by the Scurr family. This freehold land adjoins the pastoral leasehold area and is partially included within the Cardrona PDP SASZs.
- 14 Currently the Soho ski area can be accessed through the Blackmans Creek freehold land, but not for full use to operate the ski area and therefore support the full purpose of the recreation permit. This access is over one of the original farm access tracks over the Scurr Farm. The resource consent obtained for this access is contained within Mr Ferguson's evidence. Alternatively, access can be

obtained through the Cardrona Alpine Resort land, to the Cardrona ski field, which is over private freehold land. There is no public easement for the already constructed Cardrona access road; and therefore no certainty as to future land access options.

- 15 Soho ski area is unique in this District as it is the only area recognised as within a SASZ yet to be developed. It also has the ability to offer an experience unlike the other already developed ski resorts in that it can provide a special back country experience for guests. The recent securing of the Recreation Permit now enables use of the zoned but undeveloped of the land.

#### **History – Treble Cone**

- 16 The Treble Cone ski field has been developed on Crown land leased to Treble Cone Investments Limited. The Crown lease was obtained by Treble Cone (Wanaka) Skifield Limited in 1980 and provides for the construction, operation, and development of the full package of ski area activities.
- 17 The Treble Cone ski area has been the subject of significant investment over the past 30 years, to now be recognised internationally and domestically as a high quality ski field attraction. Further development and enhancement of the Treble Cone ski area is however constrained by the capacity and challenging nature of the current access road and by the space available for skifield parking. These are issues that can be addressed. For example, resource consent was obtained in 2008 for a Gondola from the valley floor to access the ski field area to address these constraints. Furthermore there are significant areas within the Treble Cone SASZ which could be improved and developed for skiing with further lifts and other facilities, thereby allowing the skifield to cater for a higher peak capacity than present.
- 18 Gondola access to Treble Cone would also facilitate the opening of this higher altitude area all year round, with activities outside the winter ski season including walking, mountain biking, and simply enjoying the alpine experiences and extensive view.

#### **Rural land use management in the high country and ski area extensions**

- 19 The development of ski area subzones within this District is a product of their relatively rare access to an alpine location and importance within the Region (and broader) in terms of providing economic, social and cultural wellbeing to people and communities.
- 20 The land within which SASZ have been identified are all high country areas, which have historically provided very little utility in terms of primary production and consequently derived very slim economic benefits from 'typical' rural

activities. Identifying SASZs through the District Plan enabled significant economic benefits to be derived from those very unique areas while providing certainty to the community that only those specific areas identified would be subject to ski area development.

- 21 Since the original identification of those ski areas through the ODP, there have been significant advancements in technology which now are becoming more realistic and feasible in terms of operating and accessing those ski areas to realise their full development potential.
- 22 It is evident that the diversification of specific high country areas has provided a significant benefit to the District, the Region, and to New Zealand's tourism offerings and identity nationally. Without enabling these unique recreation opportunities to occur in these high country areas, people would not be able to benefit from understanding and experiencing these special environments. Rural production alone in these areas not only is very difficult to undertake given the alpine conditions and environment, but it also does not offer the same public access and recreational benefits and is ultimately not economically or environmentally sustainable.
- 23 It is difficult to quantify the full social and economic benefits of the ski field areas and of the requested extensions of skiing and other activities. It is clear that these extensions will further diversify the utility of the already identified SASZs and will ensure that those areas remain feasible to be developed and consolidated into the future. Future proofing the access to these areas and diversifying their year round utility will provide very significant social and economic returns to the community.

#### **The Future of access options to SASZs and associated benefits**

- 24 Conceptually, I consider that the District Plan should, as far as possible, be forward-looking to provide for the needs of future generations, and to future proof those activities already existing and which are established as having major social and economic returns. In this respect, I consider it critical that the District Plan Review take this opportunity to create certainty for the community as to how and where ski field expansion and development will occur, while providing flexibility for operators and landowners to make the best use of the land resource and take advantage of new technological advancements as they arise. The minor extension to the SASZ for the provision of alternative access options with reasonable certainty on consenting ensures the resilience of the ski field to cater for the public.
- 25 The ability to secure legal, permanent, efficient, and safe access to the ski areas is critical to this goal. The provision of passenger lift systems to access ski areas will emphasise the safety benefits of replacing a torturous and

inefficient access road corridor. Access roads may be retained albeit used infrequently by the public, including for the purposes of undertaking construction and maintenance of the lift systems. There have been fatalities and numerous accidents on the access roads over the years, despite best endeavours to maintain and enhance the safety of the road corridor, and drivers taking care, this is an inevitable consequence of this access option. Irrespective of attempting to quantify the safety benefits of an alternative transport option in numerical terms, it is clear that such new modes of transport will have the effect of improving safety.

- 26 There will also be associated benefits of a passenger lift system in terms of requiring a lower standard of access road once operation of the lift system commences. The existing access roads will likely only be required for emergencies and servicing such as transport of materials too big for gondola cabins. Decreasing pressure on the use of the road corridor will have the consequence of decreasing future needs to upgrade and extend the corridor.

### **Conclusion**

- 27 Adaptability, innovation, certainty on planning and overall sustainability are the keys to ensuring the Queenstown District's world class ski areas are here for many years to come. Environmental management practices and modern technologies are now in place to make certain these ski fields continue to exist so that future generations from around the world will be able to enjoy them too.
- 28 Ensuring improved certainty and flexibility in future access options to these ski areas will be critical to their viability and resilience, and will ensure they are enabled to continue to provide substantial economic, social, and cultural wellbeing returns to the community.

**Dated this 28<sup>th</sup> day of March 2017**

**John Darby**