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Chair - Uenuku Charitable Trust
Te Korowai o Wainuiārua
Sec 9(2)(a)

SUB 134

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Mount Ruapehu Submissions Inbox
DEPARTMENT OF CONSERVATION
Per e mail; mtruapehusubmissions@doc.govt.nz

Tena koe

**Submission re: Application for a concession (licence and Lease) sought by Pure Turoa Limited
To operate the Turoa Ski Area – Application No. 109883-SKI**

1 The submission

I oppose the Application. I seek to appear in person, to speak to my submission, before the lead officer of the Department of Conservation and/or the Minister of Conservation, as appropriate in the submission process. This, to give voice to the rights and responsibilities of Te Korowai o Wainuiārua, to its beneficiaries under the Treaty of Waitangi claimant settlement process.

2 Reasons for opposition to the Application

Breach of the principle of good faith:

- *The Notification time span for submissions spans December 2023 and January 2024* being the national holiday period when affected iwi parties are not available for internal consultation to develop an effective and informed submission. It is manifest that this period was selected to expedite the procedural demands of public service timetables regarding obeisance to the Government's funding cycle with the result that iwi settlement and post settlement procedural needs and timeframes are completely disregarded.
- *The public sector agencies: DOC, MBIE, Te Arawhiti are implicated in the Treaty settlement process.* Thereby they are fully informed of the aspirations and expectations of iwi settlement groups pursuant to the Treaty of Waitangi. Knowing this they nonetheless are colluding in the desire of DOC to expedite the notification and submission process, to align with the funding cycles that are out of step with iwi settlement timetabling and processes, sufficient to obstruct the time and resources to be made available for claimants to consolidate their responsibilities to beneficiaries of the settlements to be satisfied appropriately.
- *Cumbersome application documentation.* The volume of 277 pages: was not presented with pagination, contents page, or executive summary to assist navigation and clarity of the key issues. Further they were not presented with transparency of all information. What they included, in breach of the principle of good faith, were, as follows:
 - Redaction that obscured:
 - Record of engagement for consultation by the Applicant
 - The identification of the Applicant
 - The identification of e mail correspondents

3 Lack of evidence to support economic viability of the Application:

- *Opinion without substance:*
 - Opinion of consultants, for example, PWC, is descriptive at best.
 - The Application does not include financial projections-cash flow – to demonstrate viability. Any citing of 'commercial sensitivity' is not acceptable in this case: given the

deep, historical and cultural values of iwi in particular, and the community in general, that are at stake.

- *Pure Turoa Limited was incorporated as recently as June 2023;*
 - There is no track record of their ability to conduct an enterprise to validate any award of the Concession to the Applicant.
 - Yet, imminently after their incorporation, the Crown, through the media announced its support of the Applicant. At the very least this bespeaks of collusion beyond the vision of, or any justifiable accountability to, affected parties, in particular, iwi interests' rights with responsibilities to their beneficiaries. It is notable that the Crown is aware of this, yet negligent of its own responsibilities in any settlement processes that would be conducted in good faith.

4 Treaty of Waitangi claimant hearing: Tongariro National Park Enquiry, yet to occur:

- *Term of the Concession in the Application*

The Term is for 10 years, with a review timetabled for 3 years. This is unacceptable as being out of step with the timetabling, yet to be set, of the Tongariro National Park Enquiry. This is known by the public sector agencies and the Crown, who support the Applicant: against the interests, rights and responsibilities of iwi claimants, Te Korowai o Wainuiārua, in particular.

5 Conduct of the Applicant

- The Applicant purports to have consulted iwi and included their views in consideration of the Application; as reported in the media, recently: The Ruapehu Bulletin and the Taumarunui Bulletin. The iwi has no satisfaction on this matter, at all. Nor were there any points of proof of this cited in the media articles.
- The point of the articles, above, was to campaign the public to support the Application. This is outside the integrity of any submission process that should be monitored by the consenting authority, in this case, the Department of Conservation. That is has not been so monitored, indicates a bias by the Department of Conservation and the Crown, against the justifiable rights and interests of iwi in particular, and the community in general.
- It may be deduced, given the expedience of the application, notification and submission process that MBIE has constructed a fast passage for the Applicant, based on a collusive relationship and unacceptable shared interests that are obscure that bespeak of potential conflicts of interest.

6 The benefit of economic development in the Region

Te Korowai o Wainuiārua supports economic development in the Region. However, the effect of the process in this matter, has thwarted a justifiable opportunity within the principle of partnership for our effective participation and inclusion in economic development of the Turoa Ski Area.

At best, consideration should be given to the establishment of a governance entity enjoining the Crown, iwi, to oversee the management of the Turoa Ski Area, to ensure that iwi values, opportunities for co investment, education, training, employment and procurement of iwi service delivery [construction, maintenance, for example] shall be delivered through the operations of the concession holder.

Heoi anō, nā

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