

9 February 2024

Department of Conservation  
C/ Damian Coutts and Karen Rainbow

**By email only:**

Tēnā koutou

**Interim Submission on Pure Tūroa Concession Application 109883-SKI**

1. This Interim Submission is filed by the Ngāti Hāua Iwi Trust (**NHIT**) in relation to the Concession Application by Pure Tūroa (**Applicant**) dated 8 December 2023.
2. NHIT was established in 2001, to advance and advocate for the interests of Ngāti Hāua iwi, hapū and whānau within our customary rohe. Since its inception, NHIT has represented Ngāti Hāua whānau, hapū and iwi in Waitangi Tribunal processes, Treaty settlement negotiations, Local Council matters including as an iwi authority for Resource Management Act 1991 purposes, conservation matters and with respect to Ngāti Hāua interests in the Whanganui River. Ngāti Hāua have 26 affiliated hapū within our rohe, which includes Ruapehu (**see map attached**):<sup>1</sup>

Ngāti Hāua	Ngāti Whati	Ngāti Tama-o-Ngāti	Ngai Turi
Ngāti Hauaroa	Ngāti Onga	Hāua	Ngāti Hinetakua
Ngāti Reremai	Ngāti Te Awhitu	Ngāti Ruru	Ngāti Pareuirā*
Ngāti Tū	Ngāti Wera	Ngāti Hira	Ngāti Pikikotuku
Ngāti Hekeāwai	Ngāti Hinewai*	Ngāti Rangitauwhata	Ngāti
Ngāti Keu*	Ngāti Poutama*	Ngāti Te Huaki	Tamakaitoa*
Ngāti Kura*	Ngāti Rangitengaue	Ngāti Whakairi	Ngāti Pareteho*

3. In 2016, NHIT received a formal mandate to negotiate and settle our Treaty claims/grievances with the Crown. These negotiations are ongoing with an Agreement in Principle signed with the Crown in October 2022.

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<sup>1</sup> We acknowledge hapū that have shared interests with other iwi as marked with an asterisk.

## Interim Submission

4. NHIT have only recently met with both the Applicant and the Department of Conservation (**DOC**) regarding the Concession Application. Those discussions are in their initial stages and remain ongoing in an attempt to address the concerns that NHIT have with the DOC process and discuss issues relating to the Concession Application.
5. Recent engagement with the Applicant has been positive and constructive. However, they are still in progress and unresolved, and it is therefore vital that NHIT provide an interim overview of the concerns and issues we have, and formally confirm the good faith undertaking provided by DOC that an updated position/submission on the Concession Application may be provided by NHIT after the close of the general public submission period of 9 February 2024.<sup>2</sup> We agree this is entirely appropriate and in keeping with our obligations and connections to Te Kāhui Maunga.
6. As it stands, NHIT have not been consulted with as part of the development of the Concession Application and only met with the Applicant after the Concession Application was publicly notified. The reason for that remains unclear to NHIT. That said, there are concerns with the way DOC and the Applicant have failed to engage with us prior to the Concession Application being lodged.
7. This gives rise to clear issues, particularly in light of the overarching statutory obligations owed by DOC within this process, under both the Conservation Act 1987 and the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, among others. In particular:
  - (a) Our tikanga and kawa, and the rights and responsibilities inherent within, have been omitted from this process. These are serious and substantive failings.
  - (b) Ngāti Hāua were not part of the process relating to the preparation of the Concession Application. Subsequently, the Concession Application is deficient in terms of Ngāti Hāua interests and input (as protected by Te Tiriti o Waitangi and its principles) and the relationship and engagement established by Tupua te Kawa.<sup>3</sup>
  - (c) There are concerns with the advice and possible guidance provided to the Applicant on who they should be engaging with as part of the development of the Concession Application.
  - (d) From Ngāti Hāua's perspective, the DOC process and assessment of the Concession Application that informed and confirmed whether it could go to public notification has given rise to further concerns and deficiencies. On this, we have concerns that DOC have not complied with their

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<sup>2</sup> Email from the Department of Conservation dated 7 February 2024 confirming extension and provision of flexibility to update and/or provide further submissions or a confirmed position.

<sup>3</sup> See Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, ss 13 and 15.

obligations under sections 17S, 17SA, 17SB, 17SC, 17U or the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017.

8. There are therefore serious matters that require further discussion and resolution. That is best done kanohi ki te kanohi with the Applicant and DOC, and this is ongoing (with further hui scheduled).<sup>4</sup> Therefore, we reiterate that this is an interim submission only and in line with paragraph 5 above, we reserve the right to update this submission and the position outlined above in due course, including reserving our rights in relation to all courses of action.

Dated: 9 February 2024

Sec 9(2)(a)

**Graham Bell / Maxine Ketu**  
**Chairperson / Pou Ārahi**

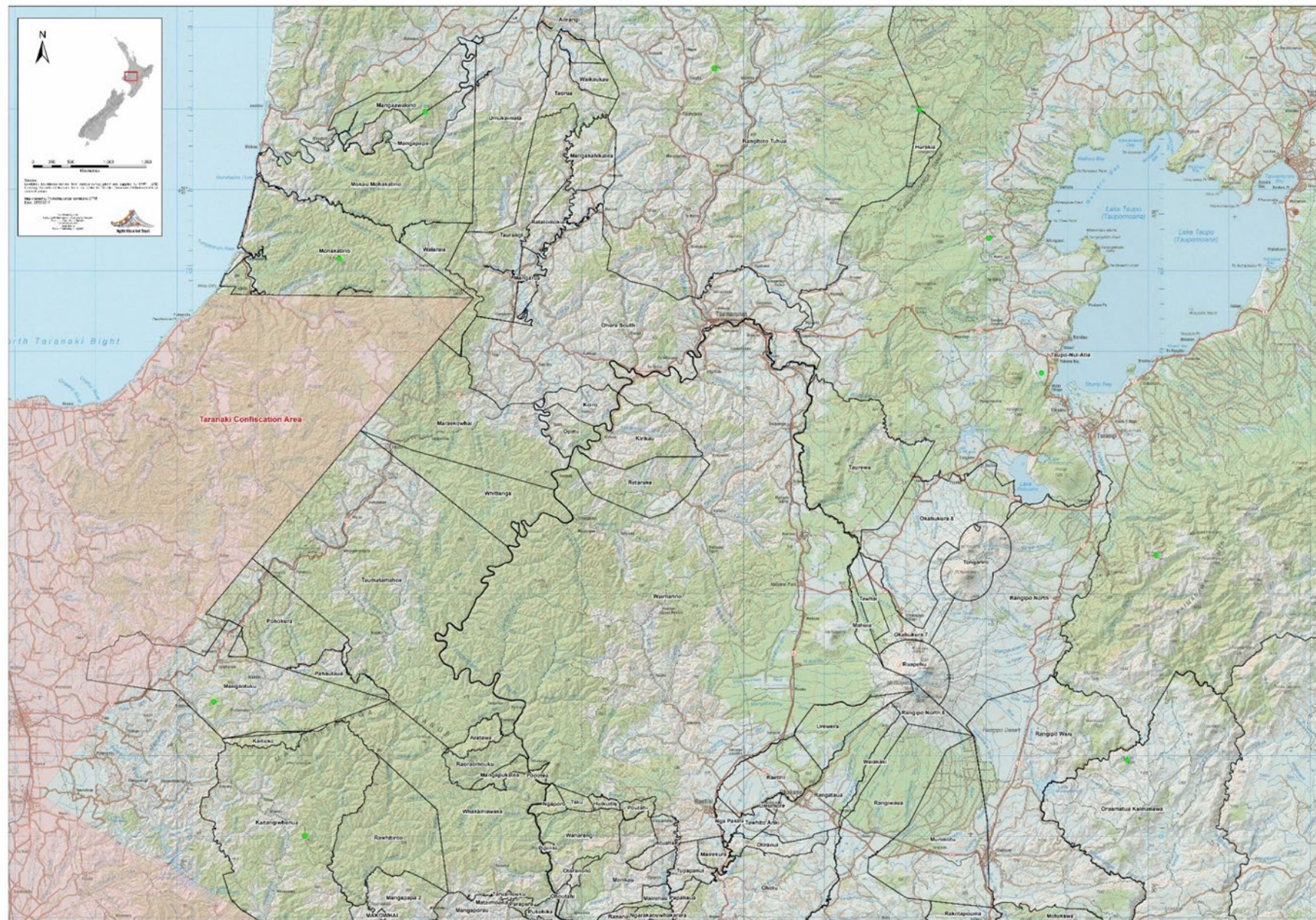
Email: Sec 9(2)(a)

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<sup>4</sup> Previously scheduled hui with DOC have been understandably rescheduled due to illness of DOC personnel.



## ROHE MAP (indicative only)





**A. Permission Application Number and Name of Applicant**

Pure Tūroa Limited 109883-SKI

**B. Name of Proposed Activity and Location(s)**

Lease and license to operate Tūroa Ski Area on Mount Ruapehu in Tongariro National Park for a period of 10 years. The application also includes associated aircraft and filming activities.

**C.2 Your name**

In placing your name and organisation below, you acknowledge that you are the person or authorised person submitting this objection or submission. You are also acknowledging that your name and organisation will be published.

Printed name of submitter or person authorised  
on behalf of submitter

Maxine Ketu

Organisation

Ngāti Hāua Iwi Trust

Date

9 February 2024

**D. Statement of Support, Neutrality or Opposition**
☐
I **Support** this Application (I am making a submission)
☒
I am **Neutral** on this Application (I am making a submission).
☐
I **Oppose** this Application (I am making an objection).**E. Hearing Request**
☐
I **Do Not** wish to be heard in support of this objection or submission at a hearing.
☒

I **Do** wish to be heard in support of this objection or submission at a hearing, pending the outcome of further discussion with DOC and the Applicant as outlined in the attached interim submission.