



Land Information
New Zealand
Toitū te whenua

Crown Pastoral Land Tenure Review

Lease name : IRISHMAN CREEK

Lease number : PT 014

Public Submissions Part 1

These submissions were received as a result of the public advertising of the Preliminary Proposal for Tenure Review.

These submissions are released under the Official Information Act 1982.

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The Commissioner of Crown Lands
Land Information New Zealand
Christchurch.

12 June 2014.

Dear Mr Gullen,

Re: Preliminary proposal for the tenure review of Irishman Creek

The Canterbury-Aoraki Conservation Board welcomes the opportunity to contribute to discussion about Irishman Creek Crown pastoral lease, with a view to the best outcome for its present review of tenure.

Established under the 1987 Conservation Act, one of the board's primary functions is to represent the public's interest in the work of the Department of Conservation, and in conservation in general.

Statutory framework

The Objects and hierarchy of Part 2 of the 1998 Crown Pastoral Land Act (CPLA) are central to the process and outcome. They are:

Section 24

Objects of Part 2

(a) to-

- (i) promote the management of reviewable land in a way that is ecologically sustainable;*
- (ii) subject to subparagraph (i), enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument; and*

(b) to enable the protection of the significant inherent values of reviewable land-

- (i) by the creation of protective mechanisms; or (preferably)*

(ii) by the restoration of the land concerned to full Crown ownership and control; and

(c) subject to paragraphs (a) and (b), to make easier-

(i) the securing of public access to and enjoyment of reviewable land; and

(ii) the freehold disposal of reviewable land.

Ecologically sustainable management and protection of significant inherent values are prioritised objects, and full Crown ownership and control are preferred means of achieving the stated desired protection of significant inherent values

No Bill empowering the Mackenzie Agreement has yet been promulgated and the board is fully aware that tenure review is not captured by its ambit in any statutory way. However, this agreement, arrived at in 2013, involved two years' discussion by most parties interested in the future management of the Mackenzie's land, water, and landscape, and is generally considered a significant tool for coherent development in the area. Legislation for its statutory establishment has been signalled.

Its effectiveness, as a presently non-statutory agreement, and when enacted, will depend upon signatories' acting according to its spirit and intent as much as to its letter.

Its linkage with the prioritised objects of the CPLA exists most strongly where it envisages: 'land actively managed for biodiversity and landscape purposes...'

Regard for the Mackenzie Agreement in consideration of this preliminary proposal is desirable.

Proposed freehold - CC1 portion of Lake Pukaki lateral moraine

Comprising 5,789 hectares, the area proposed for freehold designation runs from the eastern shore of Lake Pukaki in the west to slightly east of State Highway 8 and is divided by that highway and the Tekapo canal.

CC1, the lake faces section of lateral moraine proposed for covenant in the proposed freehold area, should be reconsidered. The board understands that many ecological values have been altered, though reasonably healthy kettleholes and a wetland remain. A much broader picture exists, however.

The landscape values attached to this block are immense, firstly in terms of the highly natural northward vista from the bottom of proposed CC1 toward Aoraki/Mt Cook; also in the context of the legibility of the lateral moraines' glacial morphology.

These values have been documented well and frequently, in technical and other landscape literature, most notably the comprehensive Canterbury Regional Landscape Study, and they are internationally known and esteemed.

Two recreational and visitor assets, the length-of-New-Zealand Te Araroa Trail, and the Alps 2 Ocean Cycle Trail, part of the nationwide Nga Haerenga cycle trails network, run alongside the proposed CC1.



Proposed
freehold (CC1)

The board notes that the proposed covenant would allow activities such as topdressing, oversowing, and cultivation, etcetera. It would have a life of ten years, with a possible extension to fifteen, after which time the values protection would be dependent upon the strength and immutability of local district planning, which are not guaranteed.

Our view is that, as a protective mechanism in place especially for landscape values' protection, it will have limited capability if tested. Agricultural activities could alter the values readily. Most concerning is the potential for a district plan change that could allow subdivision of the lake faces after the covenant's conclusion.

CC1 does not sufficiently fulfil the CP requirement of protection of significant inherent values. Stronger protection is required.

Recommendation:

*** That the landscape values of proposed area CC1 be permanently protected, either by the land's restoration to full Crown ownership and control, or by perpetual covenant that specifically protects the values.**

Proposed freehold - Lake Pukaki lateral moraine aside from CC1

Well noted in published technical reports on Irishman Creek are the high and very high significance of a number of species and habitats in the Lake Pukaki lateral moraine area proposed for freehold designation with no protection. Their significance is linked to their threat status

High naturalness, legibility, distinctiveness, and visibility mean that landscape values are of high significance also. The Canterbury Regional Landscape Study, mentioned above, describes this significance throughl , and the significance is well-recorded elsewhere



Lake Pukaki lateral moraines - proposed freehold in the foreground

As this area is adjacent to the Tekapo canal road and easily accessed from Hayman Road, which carries the Te Araroa Trail and the Alps 2 Ocean Cycle Trail, there is strong potential for recreational opportunities to be realised.

The proposal of a freehold designation for this part of the Lake Pukaki lateral moraine area is not consonant with the Objects of the CPLA. Management that would sustain the diverse, fragile ecology present needs conservation expertise; the existing high threat and significance rankings of many species and habitats demonstrate that ecologically sustainable management of this particular land is challenging. Freeholding is unlikely to lead to the specialist management required.

Protection of the significant landscape values of the glacial morphology of these lateral moraines will not be achieved through a freehold designation; restoration to full Crown ownership and control, however, will provide it.

Recreational scope will also be dramatically expanded if the proposal of freehold is replaced with one of full Crown ownership and control.

Recommendation:

**** That the section of Lake Pukaki lateral moraine proposed for freehold designation with no protection be restored to full Crown ownership and control.***

Proposed CA2 and CA3

Highest significance has been accorded the values of these areas, and acknowledged by LINZ; in fact, CA2 and CA3 are part of the Lake Pukaki lateral moraine area and largely have the ecological and landscape values and significance, and accessibility for recreation, of the block discussed previously.

It is, therefore, appropriate that they be restored to full Crown ownership and control, as proposed.



Lake Pukaki lateral moraines - proposed CA2 and CA3 in the mid-ground

The proposed five-year grazing concession for CA2 is reasonable as a transition mechanism, as is the easement concession proposed for CA3. The board also supports maintenance of the existing easement for transmitter access along a-b-e-f on CA2 and CA3.

Recommendation:

**** That CA2 and CA3 be redesignated as proposed.***

Proposed freehold excepting Lake Pukaki lateral moraine

Freehold redesignation of much of that proposed, except the Lake Pukaki lateral moraines, reflect the spirit and intent of the CPLA, in the board's view.

Amendments should be made, however, to protect ecological and landscape values in the light of the CPLA's Objects.

The outwash fan on the land adjoining State Highway 8 and the Tekapo canal road is an essential and prominent part of a significant landscape. Highly visible from the roads that pass it, it is presently intact.



Alluvial
outwash fan
bounded by
State Highway
8 and the
Tekapo canal
road -
proposed
freehold

Ecological values on this alluvial fan are outstanding and recent research gives the inland outwash gravel ecosystem type existing here the highest threat ranking of critically endangered. The land environment is chronically threatened, and rare and threatened birds, invertebrates, and plants are supported here.

Ecologically sustainable management and protection of significant inherent ecological and landscape values present will be best achieved by return of this part of the property to full Crown ownership and control; a freehold designation will not achieve these top-ranked CPLA Objects.

Additionally, the high landscape values and significant inherent ecological values of the northern reaches of the proposed freehold mean that it would be difficult to achieve the CPLA's Objects without a permanent protective mechanism for those parts of the property. Such protection should be provided for, and designed by landscape and ecological specialists.

Recommendations:

- * That the alluvial outwash fan to the west of and bounded by State Highway 8 and north of the Tekapo canal road be restored to full Crown ownership and control for landscape and ecological purposes.**
- * That the northern parts of the proposed freehold area be redesignated freehold with a permanent protective mechanism with boundaries and terms to be designed by specialists in landscape and ecology.**
- * That the remainder of the proposed freehold, except the Lake Pukaki lateral moraines, be redesignated freehold.**

Proposed CA1

Protection of significant landscape and ecological values is offered in the creation of CA1, and accessibility for recreation is superb. The board supports this proposed designation, including the proposed easement and rabbit-proof fencing.

Recommendation:

- * That CA1 be established as proposed.**

Proposed Scenic Reserve (SR1)

This very visible land, emblematic of Mackenzie Basin landscape, adjoins State Highway 8. Its significant landscape and ecological values, as well as potential for recreation, mean that restoration of proposed SR1 to full Crown ownership and control is desirable.

The board supports the proposed stock water easement concession.

A ten-year grazing concession is appropriate to reduce introduced pasture species to an acceptable level of vigour.

The board supports rabbit-proof fencing the boundary of SR1 where necessary. As alterations to the adjacent proposed freehold area have been requested, however, adjustments will need to be made to length.

Recommendation:

- * That, notwithstanding amendments to the extent of rabbit-proof fencing, SR1 be established as proposed.**

Other matters

The board understands that Irishman Creek and the Mary Burn are desirable for fishing and that access by marginal strips and legal roads is desirable to anglers. It is also the case that land designations within properties adjacent to and nearby the Irishman Creek pastoral lease are as yet unsettled and that there is potential for coherent cross-property access using legal roads. We therefore make these recommendations relating to access:

Recommendations:

- * That marginal strips alongside Irishman Creek and the Mary Burn be established.***
- * That all legal roads be retained.***

Much of Irishman Creek is recommended for redesignation as conservation area, and, with the exception of that intended specifically as scenic reserve, will most likely become stewardship land. As the property's values have been recently and comprehensively quantified for the purposes of tenure review, the board proposes the technical reports be used to inform final classification, such as conservation park.

Recommendation:

- * That land other than SR1 to be restored to full Crown ownership and control be given final classification.***

Further discussion

Public interest in Irishman Creek's tenure review is strong. Many of the property's features are regarded as 'iconic,' and the unique juxtaposition of landscape grandeur and ecological crypticism within Irishman Creek and the broader Mackenzie area is well-understood and highly valued. This widespread regard is reflected substantially in the tenor of the Mackenzie Agreement.

Irishman Creek's tenure review will be a crucial test of the Agreement, and of the ability of the CPLA to fulfil public expectations.

The Canterbury-Aoraki Conservation Board has recommended much more land for protection or retention by the Crown than proposed. Ecological values are high, and highly significant landscape values are sine qua nons of the property; to the extent that, to be in accordance with the CPLA, tenure review for Irishman Creek will lead to protection encumbrances or full Crown ownership and control of much of the land.

It should be noted that at the request of either of the parties to the review, the review may be stopped:

Section 33

Discontinuance of reviews

The commissioner may discontinue a review at any time; and must discontinue a review if asked in writing by the holder, or one of the holders, concerned.

The board does not wish to make recommendations to either party on this matter, but would simply remind those parties that ongoing Crown pastoral leasehold is a viable outcome of this process.

Yours sincerely,

J. R. Finlayson,
Chair, Canterbury-Aoraki Conservation Board.

Contact: Shirley Slatter (board liaison)
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From: Warren Begley [<mailto:warren.begley@gmail.com>]
Sent: Sunday, 15 June 2014 10:29 a.m.
To: pastoral & tenure review
Cc: 'Paige Begley'
Subject: Irishman Creek Tenure Review

Commissioner of Crown Lands
LINZ Crown Property
Private Bag 4721
Christchurch 8140

Dear Sir / Madam

Submission in Relation to Irishman Creek Tenure Review

I submit that:

- The proposal will not promote the management of reviewable land in a way that is ecologically sustainable; and
- The proposal will not enable the protection of significant inherent values.

Understanding of concepts including biodiversity and sustainability are becoming increasingly important as the impact of world human population and consumption impacts on the natural environment.

Places like the MacKenzie country are priceless in this context as, not only are they themselves unique ecosystems requiring protection, they are the classrooms that will inspire and motivate generations to act to achieve a sustainable future for our species on the planet.

Continual modification of environments by aggressive human activity to produce or to increase production is no longer acceptable.

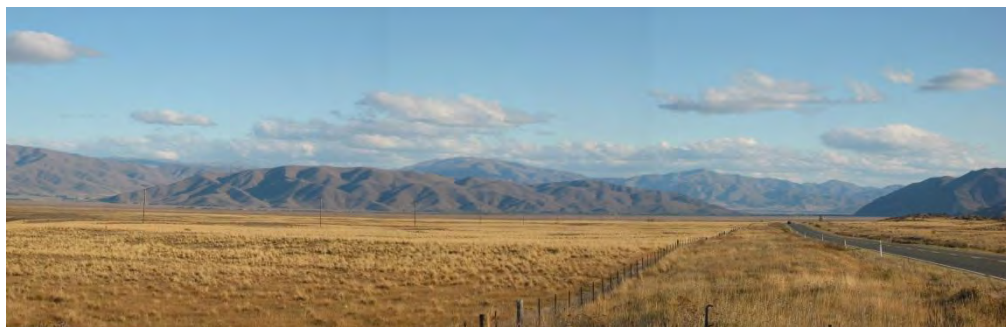
I request that our Crown land on Irishman Creek be retained as pastoral lease with no development concessions.

Furthermore the Crown land should be placed under covenant for its protection and be managed in perpetuity for conservation, as proposed in the Mackenzie Agreement.

Kind regards

Warren Begley

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Mackenzie Guardians Inc.
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29 June 2014

Commissioner of Crown Lands
LINZ Crown Property
Private Bag 4721
Christchurch 8140
Pastoral&tenurereview@linz.govt.nz

Dear Mr Gullen,

Re Submission - Irishman Creek Tenure Review

Thank you for the opportunity to make this submission on behalf of our members.

Mackenzie Guardians Inc. (the Society) is a community group representing people who live in the Mackenzie Basin and around New Zealand. The Society was formed in 2009 as a result of rapid and seemingly uncontrolled development in the Mackenzie Basin. Iconic landscapes valued by New Zealanders and overseas visitors alike were being transformed into industrial farming landscapes and residential zones without consideration for their long-term impact on the environment.

Since its formation, the Guardians have made submissions on several applications to take, use, and discharge water in the Basin and were an active participant in the Mackenzie Shared Vision Forum. The Society has been particularly vigilant around planning processes and has

submitted on several plans to ensure that landscape and biodiversity values are recognised and protected.

Mackenzie Guardians were shocked to see the extent of Crown land being proposed for freeholding and the important landscapes that were being proposed for review. We are vehemently **opposed** to the Irishman Creek Tenure Review preliminary proposal.

When considering the objects in Part 2 of the CPLA, the Society believes the preliminary proposal will not: (a) promote the management of reviewable land in a way that is ecologically sustainable or (b) enable the protection of significant inherent values.

Key concerns

A significant flaw in the current tenure review process is the lack of oversight and strategic direction for the **whole** of the Mackenzie Country. To address the issues in the current piecemeal way will not result in better environmental outcomes for the Mackenzie.

It is disingenuous to continue with a proposal that ignores the Mackenzie Shared Vision, and the strategy agreed upon by 22 separate organisations that worked collaboratively on the Mackenzie Agreement. Better long-term environmental outcomes would be achieved if time were taken to critically assess the values of this area instead of rushing it through before legislation is passed on The Mackenzie Agreement. The Mackenzie Agreement's vision was that 100,000 hectares should be protected and the Irishman Creek area should be assessed under this proposed legislation.

The landscape

Irishman Creek is part of a significant, outstanding natural landscape. This landscape is important because it represents an intact natural landscape sequence. The wide open vistas viewed from State Highway 8 and the Tekapo canal road, across the tawny tussock lands are quintessential Mackenzie Basin landscapes. Our members, local communities and visitors from all over New Zealand - as well as international tourists - treasure the views from the basin floor to the distant alpine backdrop.

There is an urgent need to place high priority on whole altitude sequences by retaining this crown land as public land. Once they are sold they are gone forever and there is no control over inappropriate development. As District Plans can provide no certainty for landscape protection, it is inappropriate for the Crown to delegate such responsibility to the district council.

Ecological sustainability

The loss through tenure review of lower altitude, high country ecosystems is of huge concern to the Society. Remaining indigenous biodiversity at lower altitudes is disappearing rapidly. More than 27% of indigenous vegetation freeholded has since been cleared. If all current leases complete tenure review and the same trends continue, this could result in the removal 65% of native lowland habitats at greatest risk of loss (Landcare Research). This is totally unacceptable to the Society. When biodiversity is lost, it is lost forever.

The tenure review proposal if accepted, would inevitably drive the intensification of farming on Irishman Creek Station. Cultivation and land use change is one of the largest threats to ecological sustainability. This is clearly obvious in other parts of the Mackenzie Basin, where dry natural/ naturalistic grasslands have been converted to green exotic grasses. Sustainability of the soil resource is not an adequate objective.

Developers of freehold land are not required to show ecological sustainability when seeking resource consents under the RMA. Regional and local plans do not adequately protect ecological values and protection of biodiversity is falling between the cracks.

Significant inherent values (SIV)

Mackenzie Guardians are not confident that SIVs on the land will be protected if the land is allowed to become freehold, which is a requirement under the CPLA.

Land use change made possible by freeholding Crown land is the biggest threat to the property's significant inherent values.

Potential threats are:

- the building of new roads and farm tracks
- increased man-made structures eg fences, farm buildings and houses, irrigation equipment, power lines.
- increased traffic
- subdivisions, residences and life style blocks

- visual effects of cultivated, green, fertilised and/or irrigated land contrasting markedly with the naturalistic golden tussocklands
- pollution of waterways through the increased use of nitrogen and phosphorous fertilisers and increased stock numbers
- loss of natural landscape character, the geomorphic character and whole altitude sequence

Proposed changes

The Society requests the following changes to the proposal:

CA 1, CA 2 and CA 3

Approx. 2613 ha designated as land to be restored to or retained in Crown control as conservation area.

The Society supports these areas being restored to full Crown ownership and control.

Mackenzie Guardians are opposed to the conservation covenants, which provide only limited protection, and for only 15 years. The provisions in the covenant should be: to protect the natural character and to be in perpetuity.

SR 1

Approx. 1400 ha designated as land to be restored or retained in Crown land control as scenic reserve.

The Society supports the proposed scenic reserve area being restored to full Crown ownership and control.

CC1

The proposal is to designate approx. 5789 ha of Crown land to be disposed of by freehold to the Holder.

The Society opposes the freeholding of such a focal area of Crown land with such inadequate protections of landscapes and biodiversity. Mackenzie Guardians requests that this land remain in Crown ownership and control.

Summary

Mackenzie Guardians have a special interest in the natural environment, biodiversity, landscapes, water and heritage of the Mackenzie Country.

The Society believes the only way to protect the area's special character and the integrity of the wider landscape, is for it to remain in public ownership.

The disconnect between the Tenure Review and RMA processes (local and regional authorities) is resulting in inadequate protection for the unique biodiversity and landscape values of the Mackenzie. The Mackenzie District Plan has inadequate landscape and biodiversity protection methods and cannot provide the protection certainty necessary.

LINZ is charged with protecting Crown land on behalf of all New Zealanders and for future generations. The Society considers the current preliminary proposal is not in the public interest and not in the spirit of the CPLA.

The freeholding and development of lower altitude land on Irishman Creek will make the Mackenzie a less attractive place for locals and tourists with potential regional and national consequences. We urgently need to protect the unique biodiversity and landscape values of the Mackenzie Basin that are an inherent part of the highly valued Mackenzie Basin experience.

Decision Sought

The Society requests the Crown land on Irishman Creek Station be retained in full Crown ownership and control. Crown land should be retained as pastoral lease, with no development concessions and be placed under covenant to provide protection and management for conservation in perpetuity via the proposed Mackenzie Agreement

Yours sincerely,

Liz Weir
Secretary of The Mackenzie Guardians Inc.

Supplement to Mackenzie Guardians Submission re Irishman Creek TR

The vulnerability of significant landscape values is not adequately addressed by the mapping and methods proposed in the Preliminary Proposal (PP).

LAKE PUKAKI LATERAL MORaine - NORTH

The Lake Pukaki lateral moraine is a highly natural landscape and New Zealand's most spectacular illustration of glacial morphology on a grand scale (see Appendix 2). The PP for an 8.5 km length of this landform (CC1) is assessed as inadequate. Under the CPLA 1998 s.40(1), a PP may designate land to be disposed of subject to "protective mechanisms" related to (2) protection of SIVs, ecologically sustainable management, public access or enjoyment.

The PP proposes the lakeshore lands of Irishman Creek north of the canal be disposed off with a covenant (CC1) that does not protect the SIVs, provide ecological sustainability, public access or enjoyment. Whilst the landcover has been modified through OSTD, it retains high natural character which contributes very importantly to the Pukaki basin landscape. The natural character is not provided by the wetland and kettleholes alone. The proposed covenant is stated to protect the "Landscape Amenity" of the Lake Pukaki Lakeside Face. However the draft covenant merely limits development to one house and no subdivision or forestry, and this only for a maximum of 15 years.

A limit of one house and no subdivision or forestry does not achieve the requirement of the Act. In particular it does not protect the stated landscape amenity as per covenant Schedule 1 which is provided by "*the high apparent naturalness*", the "*highly natural landscape*", "*spectacular demonstration of glacial morphology*" with crucial "*uniform brown colour*" from the naturalness of the vegetative cover on the intricate landforms of the lateral moraine complex. Instead, the covenant (Schedule 2) explicitly allows for clearance of tussock and shrubland cover, for unlimited cultivation and cropping of the land, and, for earthworks for farm subdivision. Being silent on shelterbelt establishment, such activity could be undertaken, along with irrigation, as the land has identified irrigation potential (Lynn et al, 2003).

As noted below, RMA methods provide little assistance and no security for protection of the landscape amenity. The District Plan's Lakeshore Protection Area addresses only a strip of the land, and does not provide adequate measures or security for landscape protection. Hoping for adequate future measures is not appropriate for achieving the protection of the landscape SIV.

Land development activities that are allowed for by the proposed covenant and RMA methods would potentially very significantly adversely affect the landscape amenity. Subdivision and forestry are not the only threats. With or without the proposed covenant, substantial landscape change can occur. The PP thus currently involves inadequate methods to achieve the intended protection that is appropriate as per the CPLA.

Government Policy (2009 and Beyond) is for (10.1) effective stewardship ensuring (10.1.2) *“pastoral and inherent values, including the natural character of lakesides and landscapes, are maintained and protected”*. In providing for inadequate protection covenant protection and unencumbered freeholding of important lakeshore and landscapes which do not protect their natural character, the PP does not satisfy this government policy. The concerns around lakesides are not mitigated by measures listed in the Policy s. 21. The options to be investigated under Policy para 22 of covenants preventing subdivision are inadequate in this instance as it is not subdivision that necessarily has the adverse landscape effects. Whilst Policy requires consideration of District Plan controls be taken into consideration when undertaking tenure review, analysis demonstrates that such measures are in this instance inadequate and unsustainable.

The CC1 lands contribute importantly to the Hayman Road visual corridor and part of the Canal Road visual corridor, including that the naturalness of their landscape character is important foreground to mountain peaks beyond. The District Plan’s Scenic Viewpoint SV11a does not provide adequate or secure landscape protection.

It is not an accepted CPLA method to assume that RMA measures will provide the matters as per a protection mechanism under s.40. Whilst government policy sought such methods be explored, there has been no evidence that such landscape protection is achievable, adequate or secure. The CRR sought protection of CC1 via a landscape covenant to protect lakeside and natural values. However, as drafted the proposed covenant is assessed as an entirely inadequate method. Thus approval by the Minister of Conservation’s delegated authority is under question by the Mackenzie Guardians.

The CRR also sought protection inland of the CC1 and north of the Canal – CA1 and CC2. A covenant was sought on the upper Maryburn Basin, CC2, and the CA1 to include Mt McDonald. However the PP proposes these be unencumbered freehold. The natural character of these glacial landforms is of high significance and is not protected by the PP. The upper areas of a suite of moraine landforms contribute importantly to views from the Canal Road, and contribute to landscape integrity and legibility. Whilst identified for DOC for

their landscape importance, the PP fails to protect their landscape attributes and this is seriously questioned. No protection by RMA methods can be assumed. The landscape values in CC2 had been assessed as of high significance.

BALMORAL OUTWASH PLAIN (west)

North of the Canal, between SH8 and Irishman Creek, the dry grassland clothed outwash forms a crucial foreground to the Mackenzie Basin floor experience. Travelling north on SH8, the overview of the outwash to Aoraki Mt Cook is absolutely iconic. The Scenic Viewing Point (SV11) delineates a crucial area of naturalness. However RMA methods do not secure the necessary landscape protection. Whilst included in the CRR, the PP has this area as unencumbered freehold. Additional information, including photographic, provides the basis for revising the proposal. (see Appendix 1)

REVISION

Revised landscape protection provisions are needed for the CC1 area. Expansion of landscape protection across the Balmoral Outwash to near the SH8 – Canal corner, is needed. Landscape covenants are sought by Mackenzie Guardians to protect the natural landscape amenity of the moraine and the ridge landform series. The skyline landforms require visual landscape protection, to retain the naturalness of their uncluttered, tawny grassland skylines, with shrublands allowed to stay, no buildings and no scarring fence lines, tracks or obvious development.

In terms of revising the PP, this would be justified in that the CRR report did not adequately convey the landscape values (background reports should thus be utilised) nor adequately assess the adequacy of protection methods.

RMA METHODS

District Plan methods are noted and their adequacy assessed, including:

District Plan . Rural Zone. Issue 7.

Particular landscape values, which could be degraded by inappropriate redevelopment, include visual openness, a sense of naturalness, sense of landform continuity, small well-separated towns and spectacular views such as the iconic views up the lakes, particularly Tekapo and Pukaki. The loss or degradation of views from the iconic tourist highways could also occur. (page 7 -9) However the methods provided do not adequately address this identified issue.

Rule 3.1.1.e, 15m high farm buildings and 8m high residential buildings are permitted and can be setback just 50 or 100 m from the state highway, 20 m from other roads, and setback 100m from the lake (Rule 3.1.1.f) but not within the Lakeside Protection Area (Rule 3.1.1.h). Buildings and earthworks are discretionary activities (Rule 15.2.1), which may therefore be consented to occur. Constructing Visitor Accommodation and Retail premises is also allowed through these lands as discretionary activities (Rules 8.2.1, 9.2.1). The only limitation is that no building is to be erected on the Scenic Viewing areas shown on the Planning Maps, or on a Site of Natural Significance (Rule 3.1.1.e). These limitations do not prevent built development potentially adversely affecting the landscape SIV areas proposed to be freeholded. Landscape protection from built development is not provided by the District Plan, and should not be assumed in the PP.

Rural Policy 1A - Department Of Conservation and Landholders

To promote the long-term protection of sites with significant conservation values by encouraging:

- landholders and relevant agencies to pursue protection mechanisms and agreements;*
- tenure review processes under the Land Act and Crown Pastoral Land Act 1998;*
- implementation of the Conservation Management Strategy*

As is clear in Rural Policy 1A, DOC and LINZ have a duty to promote the long-term protection of the conservation values. However LINZ in particular has been silent in this regard. The District Plan is assuming crown agencies will protect the values, thus agencies should not attempt to delegate responsibility to the council as is proposed in the PP.

Tree planting is a Permitted activity in the District Plan, with shelter belts allowed at right angles to the roads, otherwise set back just 300 m from a road, with further belts 1km apart. Forestry is permitted but must be within 900 m of farm buildings and setback 300 m from a road (Rule 6.5.1). Trees are to be planted within the Scenic Viewing Area (or in Sites of Natural Significance) as per Controlled activity measures (Rules 6.2.5.b & c), with other tree planting as a Discretionary activity within Scenic Viewing Areas (Rule 6.4.2), and hence may be consented. Rule 4 Pine species are not to be planted, but Douglas Fir is permitted, and it is increasingly known as “the new *contorta*” due to its ability to spread prolifically. Forestry is permitted to be established to just 100 m from the lake (Rule 6.1.18.g, and 6.2.5.f)). Wilding spread is only required to be controlled within 500m, yet wilding dispersal for 10 km is known in the Basin.

Thus it is clear the District Plan provides no security regarding potential intrusive tree plantings occurring that could affect identified significant landscape values within and beyond Irishman Creek.

Clearance of short tussock grasslands is partially limited by the District Plan (Rule 12.1.1.g), with 40 ha at a time, but under mechanisms to be reviewed in 5 years. Thus providing no security at all. Even where the tussock canopy may have a visual dominance, where inter-tussock grassland is dominated by exotic clovers and/or exotic grasses from OSTD as in areas of Irishman with important natural landscape value, there is no protection provided by the District Plan. Also, pastoral intensification is permitted to occur on 5% of an SNA.

Relevant Scenic Viewing Areas (Appendix J) are stated to include:

Site 11 Irishmans Creek Provides view to north west to Irishmans Creek Station.

Site 11a Pukaki Canal Provides views to Aoraki/Mount Cook area

Site 12 The Wolds Provides view to north west to Irishmans Creek and mountain tops in the distance.

However the District Plan does not protect the identified SIV landscape values on Irishman Creek that are essential ingredients of these views. The District Plan basically addresses only visual access to the mountain views beyond through limiting to some degree buildings and tree plantings. Whilst protection might have been assumed from Appendix J wording (above), the District Plan does not protect the landscape values of the view. The PP is incorrect to seemingly depend on District Plan measures to protect the landscape values of Irishman Creek outside of SR1, CA1,2 and 3.

Also, the District Plan is open to plan change applications and reviews, and hence provides no certainty.

I assess that RMA methods have been inappropriately relied upon to enable the securing of the landscape SIVs, the landscape and lakeside values, as per the CPLA and Government Policy.

ECOLOGICAL SUSTAINABILITY

The ecological sustainability advice provided by SCION to LINZ does not adequately address the task. The CPLA Part 2 requirement to provide for ecological sustainability should not be addressed merely as a task of retaining soils. Mackenzie Guardians question the Commissioner's narrow interpretation of his responsibility. As advised by Landcare Research, assessing ecological sustainability needs to also include such aspects as the enhancement and maintenance of biotic attributes, including indigenosity.

CONCLUSIONS

Considering Government Policy (2009 and Beyond), the PP is flawed in assuming adequate protection of the landscape SIV can be achieved and secured by RMA methods.

As there has been no previous landscape peer review of the proposed protection methods, it's inadequacy has not been articulated. Thus this new information and reasoning needs to be addressed in revising the Proposal. The landscape importance and vulnerability of the grand lateral moraine system in total was not previously recognised. In addition, subsequent to the CRR it has been identified that these dry moraine ecosystems are nationally rare and are a national priority for protection. Such information needs to be addressed in revising the Proposal.

Due to reasons stated by and for Mackenzie Guardians, an alternative outcome to that presented in the Preliminary Proposal is recommended as more appropriate to address the very high landscape importance of much of these lands.

Di Lucas
landscape architect
Lucas Associates Ltd

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7 July 2014

APPENDICES

Appendix 1. View from State Highway 8 over the Balmoral Outwash (west) to Aoraki that is inappropriately freeholded in the PP. The roadside corridor, and the foreground 6 km to this iconic Aoraki view, would be freeholded with landcover change allowed.

Appendix 2.

1. View from Canal Road over rare dry grassland moraine landforms to the Alps including Aoraki, which would be entirely unprotected by the PP and vulnerable to landuse change.
- 2 – 6. Lateral moraine overviews
7. Lateral moraine context

IRISHMAN CREEK PHOTOS





overlooking lateral moraines of the Pukaki valley with Irishman Creek in the background, photo G.H. Denton



overlooking lateral moraines of the Pukaki valley with Irishman Creek in the foreground, photo G.H. Denton



overlooking lateral moraines of the Pukaki valley with Irishman Creek in the foreground, photo G.H. Denton



overlooking lateral moraines of the Pukaki valley, photo G.H. Denton



overlooking lateral moraines of the Pukaki valley with Irishman Creek in the foreground (proposed freehold), photo G.H. Denton



overlooking the landforms around Lake Pukaki with Irishman Creek in the background on left, photo G.H. Denton



Submission to:

Crown Pastoral Land Tenure Review

Lease Name : Irishman Creek

File Ref: 12678 (Pt014)

Date: June 17, 2014
From: NZ Horse Network (NZ Horse Network Inc)
Contact: Vivien Dostine , President
55 Gallony Ave, Massey Auckland 0614
Phone (09) 833 6743
Email: viv@nzhorseriders.info

IRISHMAN CREEK PUBLIC ACCESS PROPOSAL

We support provision of object 24(c)(i) – securing of public access to and enjoyment of reviewable land.

Page 15 reference to public access fails to recognise the existing unformed legal roads, and the importance of these to public access. We do not agree that the current proposal meets the object of securing public access to and enjoyment of the reviewable land unless existing unformed legal road (ULR) access is secured for the future. Dealing with any current or future issues regarding access to, obstruction of, or disputes over ULRs as part of the disposal process is required to fully meet object 24(c)(i).

If public access and recreation to the land is not advanced through the mechanisms of the Tenure Review, then we see there is no benefit for the public in proceeding with the process on this property.

As part of the process of disposal we request that:

- The existing unformed legal roads are acknowledged in the proposal documents as part of public access infrastructure. They are not currently noted in any of the descriptions, nor explicitly mentioned on any maps, yet there is much consideration devoted to easements for the benefit of the freehold landowner.
- The existing unformed legal roads are realigned to match any existing tracks, and/or other ULRs are protected and unobstructed.
 - The unformed legal road on CC1, currently does not align directly with the farm track.
 - The unformed legal roads which do not currently follow a track, or which have been 'cut' (such as the one which is now cut by the canal) should be realigned to provide and enhance practical public recreation\access which does not create a (legal) nuisance for the freehold landowner.
- Ensure any new fences or obstructions do not cross the ULR (this is a legal requirement, but should be reiterated as part of disposal process in Section 11 – Fencing and Construction

Works). Ideally, fencing will be installed along the boundaries of the ULR to formalise free access.



Figure 1 Unformed Legal Roads shown from Walking Access Commission Maps – one is now obviously cut by the canal, others do not align with tracks, and others serve no real public access purpose.

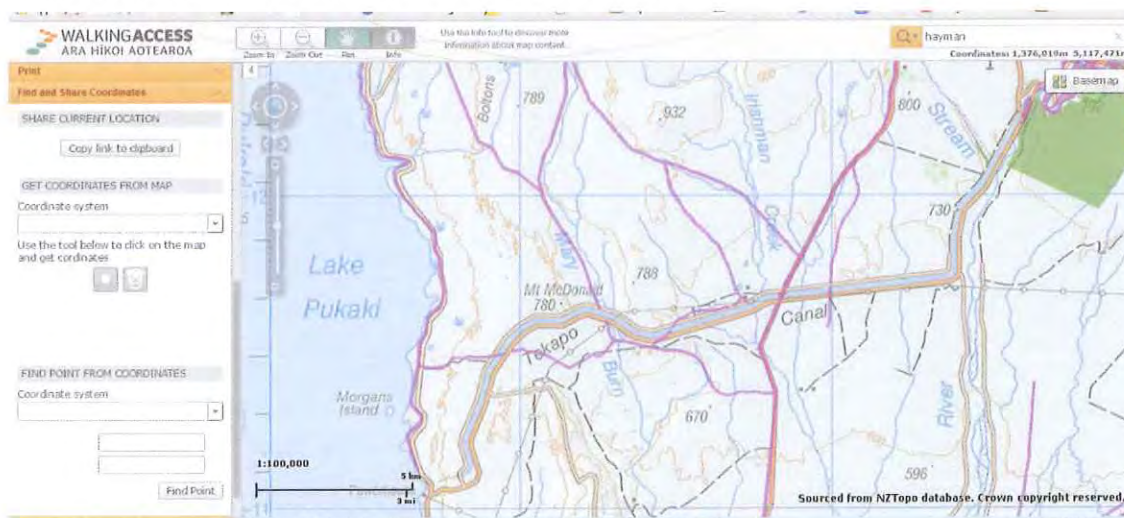


Figure 2 Extensive network of Unformed legal roads

An acceptable alternative to full road access would be to have the Territorial Authority restrict access to non-motorised traffic – walking, horse riders and cycling only – to make access available for recreation, while protecting the landowner from stock theft and motorised access intrusion (people trying to use the unformed road as a cut through to Hayman Road). In this case, the ULR will still require realignment to the existing track.

- There is no significant land value involved in realignment such as is required on the CC1 track, as the route deviates only slightly and on either side.
- Right to alter the line of roads is provided under the Govt Roding Powers Act

ACCESS FOR HORSE RIDERS

We strongly support allowing horse riders continued access to traditional routes, and along historic trails as this brings history alive and provides a living link to our colonial and agricultural heritage. It provides insight into the experiences and hardship of past eras, and brings people closer to the natural elements of weather, ground conditions and terrain.

The horse provides access for those with a variety of disabilities, while retaining all the characteristics of experiencing the natural environment (quiet, slow pace, terrain, weather). Horse riding (and carriage driving) allow for quiet enjoyment of the natural environment by others, including those with disabilities.

Public access should not be confined to those who are fit enough to walk long distances, or in difficult terrain. Nor should the natural (only) alternative to walking, be vehicular access which is noisy (disrupting others enjoyment of natural settings), polluting and damaging to the terrain (or requiring tracks and trails to be built).

The aging population of New Zealand means that there will be more people with disabilities. Not all people can walk for long distances, or over rough terrain; yet often our most precious natural settings are remote. International disability tourism is increasing enormously, and is a great opportunity for New Zealand as a disability tourism destination.

The disabilities tourism market is one that is substantially under developed in New Zealand. The aging population will increase the number of people in New Zealand with disabilities, and within our tourism markets.

Many horse riders have disabilities; although few would describe themselves as disabled. A horse gives the rider strong legs, endurance and sharp senses to enable them to participate in independent, active, outdoor recreation across many types of terrain and in remote natural areas.

NZ Horse Network supports codes of conduct for horse riders to share recreation areas and use trails and resources in an environmentally responsible way.

About NZ Horse Network

NZ Horse Network Inc is a volunteer based not-for-profit community group, that has operated since 2008. We have 600+ members (individuals and families), 25 affiliated clubs or organisations (listed below), and consult frequently with a wide base of equestrian organizations.

Affiliated Groups

- Waiheke Island Riding Club
- Thames Pony Club and Adult Ride
- Kokatahi-kowhitirangi pony club
- Grey Valley Riding Club
- Kumeu Western Riding Club
- Katikati Hack and Hunters Riding Club
- South Head Riders
- Clevedon Pony Club
- Matakana Pony Club
- Auckland Woodhill Endurance Club (AWEC)
- Totara Park Pony Club
- Te Atatu Pony Club
- Franklin Western Riding Club
- Matakana Pony Club
- Kohukohu Riding Club
- CD Trekkers
- Secondary Schools Equestrian Cup Trust
- Icelandic Horse Breeders and Riders Association New Zealand (IHBRANZ)
- Mt Sandford Farmstay and Random Rides
- Kate Tapley Horse Treks :
- Akaroa Horse Riding
- Otahuna Horse Riding
- Mt. Lyford Horse Riding
- Central Southland Riding School
- Diamond Lodge Equestrian

NZ Horse Network is a member of the Northern Regional Equestrian Trust (Auckland), and consults with NRET and other equestrian groups on recreational horse riding issues and submissions.

Northern Regional Equestrian Trust (NRET), members:

- Woodhill Sands Equestrian Centre
- Waitemata Eventing
- Show Jumping Waitemata
- Waitemata Riding Club
- Showhunter Waitemata
- Waitemata Hunt Club
- Dressage Waitemata
- Special Olympics

To: Commissioner of Crown Lands
LINZ Crown Property
Private Bag 4721
Christchurch 8140
Pastoral&tenurereview@linz.govt.nz

Submission from:

Brian Turner, 3363 Ida Valley-Omakau Road, Oturehua,
Central Otago 9387
blturner@xtra.co.nz
03 444 5051
022 6137766

I share the concerns as outlined by the Mackenzie Guardians and write in support of what they advocate and propose in respect to the Irishman Creek Tenure Review Preliminary Process.

Here are some of the reasons why:

My familiarity with the Mackenzie Country dates back to the 1950s when our family began to visit the region annually. We camped and roamed and fished. I rank my days in the Mackenzie among the most memorable and rewarding of my life. Since then changes have been extensive and in many parts dramatic. It's time we as a society, and species, took a hard look at ourselves, what we've done and continue to do to our natural environment – what's left of it - and stopped doing it.

Many of us, when considering proposals that threaten the nature and health of the natural environment, see a desperate need to assert the necessity to halt the continuing damage to the natural world upon which all things, not just humans, depend for their survival. This means, also, that we ought to have regard for the common good and weal and that the health of the natural world is a priceless part of that. We have duties of care that extend to nature as a whole. Ultimately a healthy, natural environment is in everything's interest. But in order to understand and accept that it is imperative we see nature as a community to which we belong, and not simply regard nature as a range of commodities to be used mainly for the purposes of 'developing the economy'. We find it necessary continually to point out that environmental protection is a benefit that must be acknowledged and measured, and that the views of those who assert, or infer, that environmental protection is a cost only, have to be rebutted.

There has been no more critical time in the history of humankind when it comes to witnessing and trying to prevent what is happening to both humans and the natural health of our lands and waters.

As I see it, our first responsibility is to properly look after, protect and maintain what remains of the natural ecosystems and the species dependent on them that existed here before we colonised this place. That means refining the way we live here in order to ensure that we don't further degrade or destroy what we were blessed with. There's no room left to equivocate or fudge in this regard. In order

to ensure that we don't do further harm we must see and accept that we are a part of nature, not separate entities. And we have to understand that there are limits to *growth* as most human societies define it. As George Monbiot put it bluntly in *The Guardian* (28 May, 2014), 'the mathematics of compound growth make continuity impossible', and therefore 'The inescapable failure of a society built upon growth and its destruction of the Earth's living systems are the overwhelming facts of our existence.'

In this regard, in a column by Aditya Chakraborty in the *Guardian Weekly* (16-22 May, 2014) he reported that students from 42 countries had signed a manifesto decrying a 'dramatic narrowing of the curriculum' that presents the economy 'in a vacuum'. Students say that 'they are trained to digest economic theory and regurgitate it in exams, but never to question the assumptions that underpin it. This isn't an education: it's a lobotomy paid for through tuition fees.'

The columnist ended by observing 'that non-economist Upton Sinclair' summed it all up when saying, 'It is difficult to get a man to understand something when his salary depends on his not understanding it.'

Of course we – our families, friends, and associates - are important, often precious. So no one is arguing we should disregard our legitimate needs (wants is another matter altogether) and care for our own. But, there are limits to what nature can withstand and provide. A lot of what humans are doing here, in New Zealand, and just about everywhere else on our planet is not sustainable. In fact, 'sustainable growth' is an oxymoron. That most of those in economics and finance departments, within and outside universities and other educational institutions, don't seem to get that – maybe they prefer wilful blindness - is extraordinary. More than that it is exasperating, astounding and, at best, amoral.

It is also stupid. I've heard it said that 'Nature bats last', and that 'Nature doesn't do bailouts.' True, so true.

Now, in order to – I hope – explain and further illuminate where the likes of me sit, it may be helpful to further broaden the discussion. Recently, the *London Review of Books* published Luke Mitchell's review of Elizabeth Kolbert's new book, *The Sixth Extinction: An Unnatural History*. Mitchell wrote:

'Palaeontologists and geologists generally agree that Earth's experienced five major extinctions, and more than a dozen lesser ones.' And he went on to point out that it's now considered that we're 'almost certainly' in the midst of the sixth mass extinction, and that 'if we continue at the current rate of destruction, about three-quarters of all living species will be lost within a few centuries.'

Further, 'Theories about what caused the earlier extinctions have varied - droughts, methane eruptions, volcanic ash, the ongoing problem of asteroids, the orbit of an invisible sun, our motion through the spirals of the Milky Way - but there's little doubt about the culprit', the proximate causes behind the sixth, what's happening now are - 'human population growth, habitat conversion, global warming and its consequences, impacts of exotic species, new pathogens etc'. Mitchell says Kolbert writes about many other things relating to what's going on in the oceans and in fresh-water, and what's happening to birds and the general

continuing loss of biodiversity that is 'helping to create what' David Quammen... 'described as a "planet of weeds", a simple world where "weedy" animals - pigeons, rats' and the like - 'thrive and little else remains'.

In my view, policies related to what we do on and to lands and waters need to be mindful of the fact that, as Richard Heinberg has written, we, 'As a species, [have] gained an impressive degree of influence over our environment by deliberately simplifying ecosystems so they will support more humans, but fewer other species.'

To me, and to increasing numbers of people, this is wrong and has often proven to be disastrous. Such activity's been driven by those who harp on about life and living as being 'all about people, all about us'. The result, again and again, has been policies resulting in schemes perceived to be necessary in order to meet our 'needs'. In other words, there's a tendency to forget precautionary principles, ignore the dictum Do no harm, and act as if needs and wants are synonymous.

Returning to Heinberg, he reminds us: 'We live in a world of millions of interdependent species with which we have co-evolved. We sunder this life at our peril.'

So I contend that what it's really 'all about', if we and other species are to have a viable future, is not us, it's 'what's *all* about us'. Therein lies truth. Again and again many of the most ardent and influential of our governing politicians and business 'leaders' appear to suffer from delusion, or simply prefer to avoid or hide truth.

We ought to adopt best practices, take a precautionary approach and allow that nature is an integral, vital part of the community to which we belong. It's time we accepted that the more bio-diversity we have the better off we are, and that environmental protection is essential, is a benefit, not a cost. And that natural values are real, have value that is both tangible and intangible, always has been.

All of this points to the fact that, often, we don't really know enough, yet, about what we have here, where it is, how it inter-relates, and how to 'value' it. We've yet to accept there are limits to what we ought, or ought not, do. We continue to speak of 'progress' while ignoring the fact that, at times, as far as the rest of nature's concerned, the result is disruption, depletion, activities that are destructive, and so on.

In order to make good decisions we all need to know as much as it is possible for us to know. Few of us do, but we have to keep trying to broaden and extend our knowledge if we are to do our best by those who exist now, by nature itself, and for and on behalf of those who follow.

Thank you for the opportunity to express some of my thoughts, and those of finer minds than mine.

Brian Turner

Commissioner of Crown Lands

LINZ Crown Property

Private Bag 4721

Christchurch 8140

14 June 2014

Dear Sir / Madam

Submission in Relation to Irishman Creek Tenure Review

I submit that:

- The proposal will not promote the management of reviewable land in a way that is ecologically sustainable; and
- The proposal will not enable the protection of significant inherent values.

Furthermore the Crown land should be placed under covenant for its protection and be managed in perpetuity for conservation, as proposed in the Mackenzie Agreement.

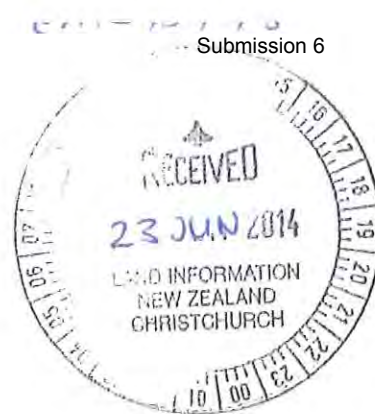
The Mackenzie is a unique piece of our natural history, which supports an extremely delicate ecosystem. Eight species of bird - including the critically endangered black stilt and the bendy beaked wrybill - live in this region. In total, the Mackenzie's tussock grasslands, herbfields, shrublands and wetlands are national strongholds for more than 60 rare and threatened plant species. This land deserves protection.

Kind regards

Andrew Lea, PhD

34 Takahe Dr

Cashmere, Christchurch



Commissioner of Crown Lands

LINZ Crown Property

Private Bag 4721

Christchurch 8140

14 June 2014

Dear Sir / Madam

Submission in Relation to Irishman Creek Tenure Review

I submit that:

- The proposal will not promote the management of reviewable land in a way that is ecologically sustainable; and
- The proposal will not enable the protection of significant inherent values.

When a piece of land is under freehold title it can then be sub-divided and developed into intensive cropping such as viticulture or dairy farms, for example.

Places like the MacKenzie country are priceless in this context as, not only are they themselves unique ecosystems requiring protection, they are the classrooms that will inspire and motivate generations to act to achieve a sustainable future for our species on the planet.

The Mackenzie country lies on the tourist trail between Lake Tekapo, Aoraki/Mt Cook and Wanaka and Queenstown.

The draw of this unbroken, russet brown vista helps to inject \$4 billion tourism dollars into the economy each year, and has brought millions of movie-dollars to our shores.

Furthermore the Crown land should be placed under covenant for its protection and be managed in perpetuity for conservation, as proposed in the Mackenzie Agreement.

Kind regards

Rachel Hurford

34 Takahe Dr

Cashmere, Christchurch



Submission: Irishman Creek Tenure Review – Notice of Preliminary Proposal

To: Land Information New Zealand

From: Laurien Heijs

Issues of importance:

The Mackenzie Basin is an area of great intrinsic value. The views of ochre tussock fields fringed by mountains, as seen from State Highway 8, have a beauty and uniqueness worth preserving.

I often go tramping in the Mackenzie Basin and have a real appreciation for the visual beauty of this landscape. The Irishman Creek Pastoral lease, as I understand it, is a 9800 ha block of Mackenzie Basin Land that can be easily viewed along State Highway 8. In the DOC report (2006) on the Irishman Creek Pastoral lease it says that the landforms on Irishman Creek are a typical cross-section of the Basin and that Irishman Creek is an integral and renowned part of the Mackenzie Basin landscape. As such, I am concerned by the large amount of land being transferred into freehold and that this may compromise the integrity of this landscape.

As a postgraduate student studying conservation science I am also concerned that freeholding this landscape will result in some of its natural values being forfeit. I understand from the DOC (2006) report that the Irishman Creek lease area retains high natural qualities and still has extensive native grassland and shrubland habitat which support an array of native wildlife. Wetland areas along Irishman Creek are important habitats for endemic and native bird species. The Black-fronted tern, a nationally endangered species, as well as the banded dotterel which is endemic and national vulnerable have both been recorded along Irishman Creek. The Black stilt, which is completely restricted to the braided rivers and wetlands of the Mackenzie Basin, has also been seen along Irishman Creek. Other water-bodies on the current lease area are also commonly frequented by a range of native birds (DOC, 2006).

The Irishman Creek lease area also has an assortment of herpetofauna and its waterbodies hold a collection of freshwater fish species. Freshwater fish species include the longfin eel which is declining in numbers due to a reliance on unpolluted waters and habitat loss. In terms of invertebrates the Irishman Creek lease area has a high degree of endemism, 92.6% endemic compared to a national average of 84% (DOC, 2006). Many of these invertebrate species are associated with the native shrub and grasslands that exist on the lease area.

It is my concern that freeholding a massive 5789 ha (approximately) will threaten the flora and fauna living there. I understand that a large amount of the land placed under freehold would still be subject to Crown covenants in order to preserve indigenous plant communities, however there are still many sections of proposed freehold land where the increasing intensity of farming practices and potential for development associated with a freehold title would pose a real threat to the current biodiversity and naturalness of the area. In the current proposal even the areas designated to be restored to or retained in Crown control as either Scenic Reserve or Conservation Area are subject to the granting of easement and grazing concessions. I do not believe this is adequately supporting the natural values of this landscape. Grazing animals transform native shrub and grasslands, trample

wetland corridors, pollute waterways and threaten native bird, lizard and insect populations. Grazing should only be allowed on conservation land where there is a direct benefit to conservation.

I am sincerely concerned that this proposal will not promote adequate management of this land in a way that is ecologically sustainable and that it will not enable the protection of the land's many significant natural and intrinsic values. In response I offer a series of recommendations below:

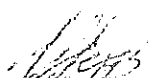
Recommendations:

1. Crown land on Irishman Creek **should** be retained as a pastoral lease with no development concessions.
2. Crown land on Irishman Creek **should** be placed under covenant for its protection and be managed in perpetuity for conservation, as proposed in the Mackenzie Agreement.

In failure to do this:

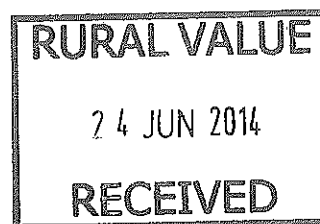
1. Proposed freehold land **should not** encompass any water-bodies, wetland areas or fluvial outwash zones that provide habitat to threatened native wildlife.
2. All native shrub and grassland habitats **should** be protected either under covenant or as a Scenic Reserve or Conservation Area under section 35(2)(b)(ii) of the Crown Pastoral Land Act 1998.
3. The land designated to be restored to or retained in Crown control, either as Conservation Area or Scenic Reserve, **should not** be subject to the granting of a grazing concession.

Kind regards,



Laurien Heijs

From: Liz Stephenson [mailto:liz.stephenson50@gmail.com]
Sent: Tuesday, 24 June 2014 7:40 a.m.
To: pastoral & tenure review
Subject: submission - Irishman Creek Tenure Review



Hi

The Mackenzie is an outstanding and unique landscape that I value every time I drive down that highway or tramp through its mountain backdrop. It is on a major tourist route and needs to be preserved as it is..

I support the Department of Conservation's advice on the significant inherent values as discussed in the 'Addendum to Conservation Resources Report November 2009' and the significant inherent values and recommendations for protection identified in the map included in the report.

The preliminary proposal does not meet the Objectives of Part 2 of the Crown Pastoral Land Act (CPLA) for the following reasons:

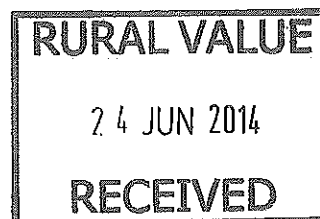
- The proposal fails to promote future management of the land in a way that is ecologically sustainable.
- The proposal fails to protect significant inherent values including the highly legible landforms that contribute to the experience of being in the Mackenzie and are highly visible as you drive along SH8 and SH80 along the opposite shore of Lake Pukaki.
- The proposal has not taken into account the fact that the ecosystem values in the outwash fan rank as 'critically endangered', the highest threat ranking (under 2012 research) - this means they should be a national priority to protect.
- The proposal is in conflict with the recommendations for large scale biodiversity protection as agreed to by the Upper Waitaki Shared Vision Forum - a process supported by the Government
- The conservation covenant (CC1) provides no permanent protection of the significant geological values and in fact will contribute to the loss of the legibility of these values by providing for the ability to over sow and top dress and build structures.

The proposal gives proper effect to the Objectives of Part 2 of the CPLA by protecting the 'significant inherent values' by **returning the land to full Crown ownership**, and for it to be managed in perpetuity for conservation.

Kind regards,
Liz Stephenson

Liz Stephenson
0276 332 038

From: Mike Currie [mailto:currance@xtra.co.nz]
Sent: Tuesday, 24 June 2014 9:33 a.m.
To: pastoral & tenure review
Subject: Submission on the Irishman Creek Tenure review



Dear Sir/ Madam,

I wish to make a submission and state that the area covered by the Irishman Creek Station review be returned to full Crown ownership and that it should be managed in perpetuity for conservation. My reasons are as follows:
My husband and I took two American visitors on a 12 day car journey around the South Island. It was a pleasure and an eye opener to see our country through the eyes of visitors. They were blown away by the beauty and variety of the landscape. They were very interested in the flora and fauna and took endless photos. These were not specialist tourists, particularly interested in nature. They were "ordinary folk" and they were interested in the environment. They had heard of the most intelligent parrot, the Kia, and the number of Dolphins endangered here. People generally are much more aware of what is happening to nature. It is true that the "Whole World is Watching".

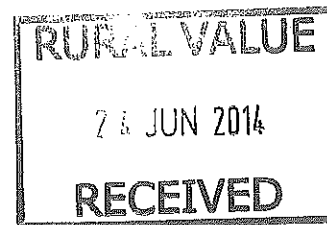
Tekapo has the advantage of the night sky park and St John's observatory. It is an excellent tourist destination, but only will remain so while the area has some protection from development.

The area described in the Irishman's creek Tenure review has significant inherent values. The Dept of Conservation describes these in the Addendum to Conservation resources Report, Nov. 2009. The outstanding out wash fan must be protected both for its significant geological value and its visual beauty.

The proposal does not meet the Objectives of Part 2 of the Crown Pastoral Land Act. The ecosystem of the outwash fan is Critically Endangered. This classification should mean that it is nationally important and protected to the highest level. There is no point in having these classifications if we then ignore them. There is no doubt that the plan is not sustainable and it should be up to the proposers to prove that it is sustainable. Further, once land is in private ownership, new sets of rules come into play. For example, there is no one to monitor that plans have been executed as proposed.

This is public land that you are giving away. The people who have been leasing this land have no special right to it. Please remember that!! Do not participate in the huge rush to give away anything that belongs to the public!

Signed,
Yvonne Curtis
32 Howe Street
Christchurch 8083
Ph. 03 3828912



To:
Commissioner of Crown Lands
Land Information New Zealand
Crown Property
CBRE House, 112 Tuam Street
Private Bag 4721
Christchurch 8140

From:
Fiona Clark
15 Canterbury Street
RD7
Rangiora 7477

Submission
Re: Irishman Creek Tenure Review Preliminary Proposal

The McKenzie Basin is a stunning and totally unique New Zealand landscape, a tourism draw card, and a highly valued ecosystem by conservationists New Zealand wide.

I support the Department of Conservation's advice on the preservation of this area in the Addendum to Conservation Resources Report November 2009.

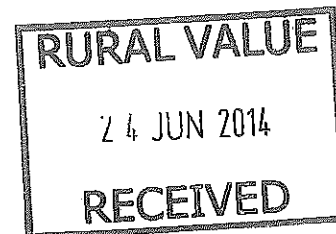
The preliminary proposal does not meet the objectives of Part 2 of the Crown Pastoral Land Act by protecting the 'significant inherent values' of this landscape.

This is a unique landscape that must be protected. The proposal fails to promote future management of the land in an ecologically sustainable way. It fails to protect the 'significant inherent values', and it does not take into account that the ecosystem values in the outwash fan rank as critically endangered.

I do not want the McKenzie Basin landscape blighted by providing commercial interests permission to oversow, top dress and build structures on it. I would like to see the land returned to full crown ownership and have it managed in perpetuity for conservation.

Thank-you,

Fiona Clark



Commissioner of Crown Lands
LINZ Crown Property
Private Bag 4721
Christchurch 8140

24 June 2014

Dear Sir/Madam

Submission on the Irishman Creek Tenure Review

I have spent many holidays enjoying the MacKenzie Basin and its landscape which is unique compared to the rest on New Zealand. When travelling from Burkes Pass through to Omarama and also up to Mt Cook village, there is a wonderful feeling of being "on top of the world", on a plateau but still surrounded by mountains. This area needs to be protected and not opened up to development. The dairy farming units south of Twizel are a good example of bad development creating visual pollution of one of our most scenic places.

I fully support the Department of Conservation's advice on the significant values of this area as discussed in the "Addendum to Conservation Resources Report" November 2009.

I am very concerned that the preliminary proposal does not meet the "Objectives of Part 2 of the Crown Pastoral Land Act" in five ways.

1. The proposal does not promote future management of the land in an ecologically sustainable way.
2. The proposal fails to protect the landforms that are highly visible from the opposite/western side of Lake Pukaki, on the route to Mt Cook.
3. The proposal gives no consideration to the ecosystem in the outwash fan which is critically endangered and should be a national priority to protect.
4. The proposal is in conflict with the Upper Waitaki Shared Vision Forum (supported by the government) which has recommendations for large scale biodiversity protection.
5. The proposal provides no permanent protection for the significant geological values of the MacKenzie Basin area as a whole. In fact the proposal will enable the loss of these values by allowing the owners of the land to over sow, top dress and to build structures.

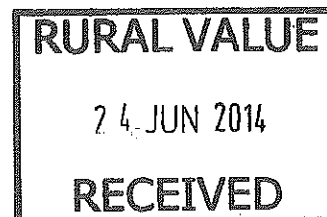
I ask you to ensure that the proposal fully conforms to the Objectives of Part 2 of the CPLA so that the significant inherent values of the MacKenzie are fully protected. This can only be done by returning the land to full Crown ownership so it will be managed in perpetuity for conservation and the appreciation of future generations.

Yours Sincerely

Lois Moore
251 B Fifield Terrace
Christchurch 8023
Loisjmoore@clear.net.nz

-----Original Message-----

From: Maria [<mailto:marstofar@gmail.com>]
Sent: Tuesday, 24 June 2014 7:08 p.m.
To: pastoral & tenure review
Subject: Irishmans Tenure Review proposal



I wish to make a submission on the preliminary proposal re the above.

The preliminary proposal does not meet the objectives of Part 2 of the C.P.L.A.

The proposal should protect the significant inherent values of this iconic landscape by returning the land to full crown ownership .

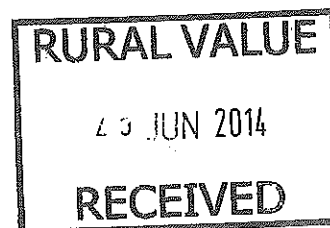
Yours Sincerely

Maria Stoker-Farrell

Please note I have changed my email address to marstofar@gmail.com Maria Stoker-Farrell

-----Original Message-----

From: susan hall [mailto:smahall@xtra.co.nz]
Sent: Wednesday, 25 June 2014 11:23 a.m.
To: pastoral & tenure review
Subject: Irishman Creek Tenure review



We wish make a submission.
Our contact details are:

Susan Hall and Kevin Dunn
13 Wroxtton Tce
Christchurch 8014

We are frequent visitors to the McKenzie Basin area and love its wild and undeveloped nature. We both spent a week there as volunteers in 2012 working to eradicate wilding pines.

We support DOC's advice on the significant inherent values as discussed in the Addendum to Conservation Resources Report of November 2009.

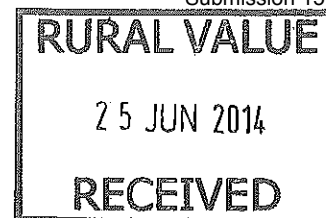
The proposal does not meet the objectives of Part 2 of the Crown Pastoral Land Act. Specifically, it fails to promote management of the land in an ecologically sustainable way, and fails to protect the landscape values that are highly visible as you drive along State Highway 8.

The Upper Waitaki Shared Vision forum, which was supported by the Government, made recommendations for large scale biodiversity protection. This proposal would allow modification of a large area of outwash fan which is ranked as a critically endangered ecosystem.

The Conservation Covenant proposed does not give permanent protection of the geological values, and allows buildings to be erected, and farming practices including topdressing and oversowing to be carried out. These practices will cause irreversible damage to the landscape and ecosystem.

We request that the land be returned to full Crown ownership to be managed for conservation in perpetuity. Full protection must be given to preserve the significant inherent values of the area.

Regards
Susan Hall/ Kevin Dunn



Irishman Creek Station Tenure Review.

Luke Mahon
52A Wakatu Ave, Moncks Bay
Christchurch 8081

This submission is against the proposed freeholding of Irishman Creek Station, 14 kms south west of Lake Tekapo, in the Mackenzie Basin, on the eastern shores of Lake Pukaki. I do not support the present tenure review proposal that seeks to freehold ~5800 ha of Crown lease land. The tenure review proposal as it stands does not give proper effect to the Objectives of Part 2 of the CPLA by protecting the 'significant inherent values' of the area. Therefore I urge the tenure review proposal to return the land to full Crown ownership in order for it to be managed in perpetuity for conservation.

The land that is intended to be freeholded by the present tenure review proposal is the very area used to illustrate the outstanding Mackenzie values as globally promoted by New Zealand for our tourism industry. It is therefore not consistent with the objectives of supporting this industry into the future if such landscapes are permanently changed by freeholding and subsequent development. The marketing of New Zealand has to be true and live up to the expectations and values that the tourists ultimately come to visit and experience and it is misleading and ultimately detrimental to our reputation if the landscapes and images promoted do not live up to the expectations of the tourists and people using them.

Furthermore not only are outstanding landscapes at risk if this proposal goes ahead, so too are rare ecosystems of national priority. As a New Zealander who has used the Mackenzie Country extensively for recreation and for tourism promotion of New Zealand for the last 30 years it is inconceivable that these values and vistas will be lost to development. Irrigation has already changed these landscapes and further development would further degrade the stunning iconic beauty and values associated with this area.

To this end I support support the Department of Conservation's advice on the significant inherent values as discussed in the 'Addendum to Conservation Resources Report' November 2009' and identified in the map included in this report. Furthermore the present proposal does not meet the Objectives of Part 2 of the Crown Pastoral Land Act (CPLA) for the following reasons:

- The proposal fails to promote future management of the land in a way that is ecologically sustainable.
- The proposal fails to protect significant inherent values including the highly legible landforms that contribute to the experience of being in the Mackenzie and are highly visible as you drive along SH8 and SH80 along the opposite shore of Lake Pukaki.
- The proposal has not taken into account the fact that the ecosystem values in the outwash fan rank as 'critically endangered', the highest threat ranking (under 2012 research) - this means they should be a national priority to protect.
- The proposal is in conflict with the recommendations for large scale biodiversity protection as agreed to by the Upper Waitaki Shared Vision Forum - a process supported by the Government
- The conservation covenant (CC1) provides no permanent protection of the significant geological values and in fact will contribute to the loss of the legibility of these values by providing for the ability to over sow and top dress and build structures.

I therefore urge the tenure review proposal to return the land to full Crown ownership in order for it to be managed in perpetuity for conservation.

Irishman Creek Tenure Review - Preliminary Proposal -
(submissions by June 30th 2014)

- This proposal will not promote the management of reviewable land in a way that is ecologically sustainable. It is important to retain this land now by smart management; covenant it so future New Zealanders + tourists can enjoy a unique unspoiled natural area.
- Significant inherent values will not be protected by the current proposal. Important vibrant ecosystems still exist there. They must not be compromised; they cannot be re-created.
- PLEASE make sure the outwash fan + flats are not freeholded. The area is diverse + amazing to botanise. We need large natural areas left for people to explore + learn from; to study. We exist alongside such ecosystems - they help to support the human race - pollination, water purification, clean air, learning, recreation, interrelationships.
- Crown land on Irishman Creek should be placed under covenant + managed in perpetuity for conservation as proposed in the Mackenzie agreement. We cannot ignore of amazing flora + fauna and as guardians of this land we do not have the right to alter or destroy here.

Yours faithfully

Eleanor Bissell
46 Huntsbury Ave
Christchurch 8022.



EA1098521

103 Onuku Rd
Akaroa 7520

Land Information N.Z.
Christchurch



eA1098522

Irishman Creek Tenure Review

Dear Sir/Madam,

Irishman Creek is an iconic and unique high country station. A D.O.C. report says "The station has very high natural qualities - it is an important part of the Mackenzie Basin Landscape. Large parts of the lease contribute to peoples' experience and memory of the Basin.

This in itself should be enough to cancel the Crown's decision to offer its proposal. Coupled with this the potential loss of rare ecosystems through landuse change as a result of freeholding. This would change the whole outlook of the area if intensive farming is introduced.

The potential for the landowner to sub-divide Lakeside Putaki is extremely high.

History was also created here with W. Hamilton's invention of the jet boat and this also should be taken into account.

The decision should be made that the whole Crown Pastoral lease of Irishman Creek be retained in Government ownership. The land and control should be managed in perpetuity for conservation.

Yours faithfully

Stephen Carswell



To: Commissioner of Crown Lands
LINZ Crown Property
Private Bag 4721
Christchurch 8140
Pastoral&tenurereview@linz.govt.nz

26 June 2014

Submission from:

Nicky Snoyink

11 Queen Street

Springfield 7649

Nickysnoyink@xtra.co.nz

Tel. 033184038

Mob. 0211659658

Dear Mr Gullen,

Re: Preliminary proposal for the tenure review of Irishman Creek

Thank you for the opportunity to make a submission on the proposed tenure review of Irishman Creek.

Outlined below are my key concerns:

- Loss of biodiversity and ecosystems
- Loss of outstanding landscapes
- Loss of unique landscape sequence protection opportunity
- Loss of public ownership of land and deprivation of say for future generations
- Further inappropriate development and agricultural intensification
- Further declining water quality of lowland waterways
- Further erosion of New Zealand's brand

With a back drop of New Zealand's highest peaks, the gently sloping alluvial outwash fans are typical of the quintessential Mackenzie Basin landscapes, treasured by New Zealanders and international visitors alike.

The Mackenzie Basin landscape supports naturally exceptional ecosystems, providing habitat for rare and threatened plant, invertebrate and bird species. The Mackenzie Basin landform contains a continuous geological sequence from Aoraki Mt Cook National Park's mountains and glaciers, to superb examples of lateral and terminal moraine, and other geological features such as kettle lakes and roche moutons; representing a living history of a by-gone era.

These landscapes and ecosystems are severely threatened by tenure review free-holding, which provides opportunity for intensive agriculture and other inappropriate development, like subdivision.

While New Zealand has an excellent history of protecting landscapes and biodiversity through its extensive network of national parks and reserves (about 30% of New Zealand's total land mass), much of this land is confined to inaccessible areas; and areas of little economic potential from an agricultural or extractive perspective, the much traditional back bones of New Zealand's economy. In many cases, these precious conservation areas have been "cut off at the neck" by inappropriate development and intensification of agriculture, on the more sought after, adjacent lowland areas.

The proposed tenure review free-holding of 5789 hectares of Irishman Creek would allow yet another head to be severed. The sweeping views across the golden tussock filled basin, across the turquoise water of Pukaki, toward Aoraki and his siblings, would be lost if the Irishman's Creek landscape and its ecological values are not protected in perpetuity.

Landscape sequences, such as those in the Mackenzie basin, are unique in the world, and must be protected from private ownership and inappropriate development. In many parts of the world, to visit national parks, one must traverse a highly transformed, often over exploited manmade landscape, to find the treasure. New Zealand is in the enviable position where this does not need to be the case.

Privatisation of New Zealand's high country is a mistake. Enabling private ownership of such treasured space is not only a loss for critical endemic biodiversity and landscape values, but deprives future New Zealanders of their identity and right to a say in the management of public lands. This reinforces the urgency to retain crown ownership and protect in perpetuity, our rarest and most vulnerable native lowland landscapes and habitats, for all to appreciate, for generations to come.

I fear that by free-holding Irishman Creek, the door to agricultural intensification and other inappropriate land use such as subdivisions, buildings, irrigation equipment and fertiliser use will be opened; resulting in further degradation of water quality and loss of other critical ecological services that natural ecosystems offer. Inappropriate land use further contributes to the erosion of New Zealand's world renowned 100% Pure Brand.

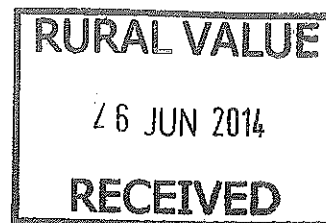
In summary, the Mackenzie Basin contains valuable lowland habitats and landscapes which are part of a greater geological sequence that must be protected. Loss of crown land through tenure review free-holding, destroys any potential for protection, denies future New Zealander's enjoyment of and say in, how their crown land is managed; and further erodes "Brand New Zealand".

Irishman's Creek Crown land should be retained as pastoral lease with no development concessions; and critical ecosystems and landscapes be placed under covenant, to provide protection and management for conservation in perpetuity. I endorse the proposal of the Mackenzie Agreement to be mandated through legislation as quickly as possible; and the Aoraki Conservation Board's recommendation for Irishman Creek land to be designated as a lowland Conservation Park – contributing to an even more superb asset for New Zealand's future.

Thank you for the opportunity to submit.

Nicky Snoyink

26 June 2014



From: Luka Milisa [<mailto:luka.milisa@icloud.com>]
Sent: Wednesday, 25 June 2014 10:03 p.m.
To: pastoral & tenure review
Subject: Irishmen Creek Tenure Review

Hello,

I wish to make a submission for consideration for the upcoming tenure review of Irishman Creek.

The Mckenzie basin is a unique place, globally, with its magnificent scenery coupled with unique history and location in one of the most welcoming places on this planet. I have spent a lot of time tramping around the South Island and without a doubt the true nature of the country is its land. The landscapes of the Mackenzie country are what a lot of people see as true NZ and any eating away this should be prevented.

The DoC performs a tremendously valuable role for NZ in safeguarding the land, flora and fauna for future generations. I absolutely support the Department of Conservation's advice on the significant inherent values as discussed in the 'Addendum to Conservation Resources Report' November 2009' and the significant inherent values and recommendations for protection identified in the map included in the report.

The preliminary proposal does not meet the Objectives of Part 2 of the Crown Pastoral Land Act (CPLA) for the following reasons:

- The proposal fails to promote future management of the land in a way that is ecologically sustainable.
- The proposal fails to protect significant inherent values including the highly legible landforms that contribute to the experience of being in the Mackenzie and are highly visible as you drive along SH8 and SH80 along the opposite shore of Lake Pukaki.
- The proposal has not taken into account the fact that the ecosystem values in the outwash fan rank as 'critically endangered', the highest threat ranking (under 2012 research) - this means they should be a national priority to protect.
- The proposal is in conflict with the recommendations for large scale biodiversity protection as agreed to by the Upper Waitaki Shared Vision Forum - a process supported by the Government
- The conservation covenant (CC1) provides no permanent protection of the significant geological values and in fact will contribute to the loss of the legibility of these values by providing for the ability to over sow and top dress and build structures.

I **request that** the proposal gives proper effect to the Objectives of Part 2 of the CPLA by protecting the 'significant inherent values' by **returning the land to full Crown ownership**, and for it to be managed in perpetuity for conservation.

Thank you kindly

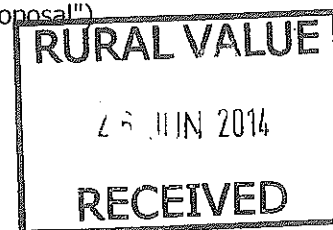
Luka Miliša
171 Edmonton Rd
Te Atatu Sth
Auckland

From: Rebecca Graham [mailto:rebecca_mary_graham@hotmail.com]

Sent: Thursday, 26 June 2014 1:17 p.m.

To: pastoral & tenure review

Subject: Submission on the Irishman Creek Tenure Review Preliminary Proposal ("the proposal")



Attn: Commissioner of Crown Lands

With regard to the above, I have regularly visited the area from my North Island base over my lifetime, and in particular spent a lot of time around Lake Pukaki area. The area provides a stunning natural landscape that amazes me every time I visit. In addition, it is a national treasure with its individual beauty, not tarnished by the effects of development. I also take visitors to New Zealand there as a highlight of what New Zealand has to offer.

I support the Department of Conservation's advice on the significant inherent values as discussed in the 'Addendum to Conservation Resources Report' November 2009' and the significant inherent values and recommendations for protection identified in the map included in the report.

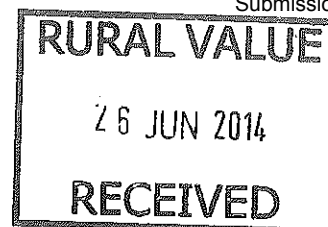
The preliminary proposal does not meet the objectives of Part 2 of the Crown Pastoral Land Act for the following reasons:

- The proposal fails to promote future management of the land in a way that is ecologically sustainable.
- The proposal fails to protect significant inherent values including the highly legible landforms that contribute to the experience of being in the Mackenzie and are highly visible as you drive along SH8 and SH80 along the opposite shore of Lake Pukaki.
- The proposal has not taken into account the fact that the ecosystem values in the outwash fan rank as 'critically endangered', the highest threat ranking (under 2012 research) - this means they should be a national priority to protect.
- The proposal is in conflict with the recommendations for large scale biodiversity protection as agreed to by the Upper Waitaki Shared Vision Forum - a process supported by the Government
- The conservation covenant (CC1) provides no permanent protection of the significant geological values and in fact will contribute to the loss of the legibility of these values by providing for the ability to over sow and top dress and build structures.

I request that the proposal gives proper effect to the Objectives of Part 2 of the Crown Pastoral Land

Act by protecting the 'significant inherent values' by returning the land to full Crown ownership, and for it to be managed in perpetuity for conservation.

Yours sincerely,
Rebecca Graham



From: Linda Conrad [<mailto:linda.conrad67@gmail.com>]

Sent: Thursday, 26 June 2014 4:34 p.m.

To: pastoral & tenure review

Subject: SUBMISSION ON THE IRISHMAN CREEK TENURE REVIEW PRELIMINARY PROPOSAL - PLEASE SAVE THE MACKENZIE BASIN!

I am writing this submission as an Australian tourist (originally from America) who frequently visits the Mackenzie, staying at Lake Ohau, visiting Lakes Tekapo and Pukaki and loving the landscape of the Mackenzie. What spectacular natural beauty! It breaks my heart to think that there is a proposal to freehold about 5800 ha of Crown Lease Land for development. We want to continue to visit frequently from Australia, encourage our American friends and family to visit, and see this area preserved for future New Zealanders – and the world.

Why is there a Department of Conservation to reflect New Zealand's respect for the land and its conservation if its reports are not taken seriously? The Addendum to Conservation Resources Report of November 2009 provided crucial recommendations. One of the reasons New Zealand is so highly respected world-wide is because of its values, both social and environmental. Please be true to these values.

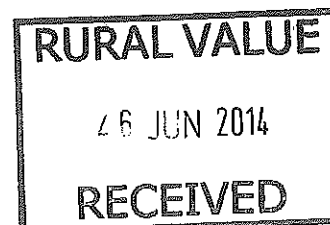
The Crown Pastoral Land Act has stated objectives that are crucial to follow. However, the Irishman Creek Tenure Review Preliminary Proposal fails to meet those objectives for reasons that relate to the ecology of the region, the unique landforms, the critical need to protect the ecosystem values in the outwash fan, and the need to protect biodiversity as agreed in the Upper Waitaki Shared Vision Forum. It's amazing that the soil and geology of the land - with its far-reaching implications - are so often dismissed by the untutored as "just rocks and dirt". The remarkable and important geology of the Mackenzie needs to be preserved and protected.

PLEASE PROTECT THE MACKENZIE BY RETURNING THE LAND TO FULL CROWN OWNERSHIP, TO BE MANAGED FOR CONSERVATION "IN PERPETUITY".

Thank you for the opportunity of writing to strongly support the conservation of an area that my husband and I and our friends love so passionately.

Linda Conrad
67 Clewley Street
Corinda, Qld 4076
AUSTRALIA
61-7-3379-1790
linda.conrad67@gmail.com

From: sharon heatherbell [mailto:srheatherbell1@hotmail.com]
Sent: Thursday, 26 June 2014 5:37 p.m.
To: pastoral & tenure review
Subject: Irishman Creek tenure review submission



Dear Sir/Madam,

I am writing to oppose parts of the tenure review of Irishman Creek station. The proposed area of land to be protected through transfer to DOC misses an outstanding outwash plain that has geological and landscape value. The area to be freeholded will in all probability be not just be oversown but converted, as so much of the Mackenzie has been, to pasture land requiring near constant irrigation in summer. If this was to happen it would have an impact on the Mary Burn Stream which follows through the property and is a lovely little trout fishing river. The area to be freeholded should either stay in Crown hands or have a perpetual covenant placed on it to protect the current ecology.

The proposed lakeside area to be protected by covenant needs the time extended from 10 years to at least 35 and also needs to be protected from cultivation as well as building.

I recognise that tenure review can be hard on the leaseholders regardless of the outcome but due to the massive areas in the Mackenzie basin that have already been converted to pastures for dairying the remaining land needs to be even more carefully reviewed and protected as otherwise the bulk of the basin will end up looking like Fairlie but without the rainfall to support it.

Sharon Heatherbell
671 Marshland Road,
Styx,
Christchurch 8083



HERITAGE NEW ZEALAND
POUHERE TAONGA



Submission on the Preliminary Proposal for Pastoral Lease Tenure Review, Crown Land Disposal Advice

Pastoral lease name: Irishman Creek
Lease Number: PT 014

25 June 2014

Legal description: Part Run 343 and Section 1 SO 15864

Our Reference: File No. 22015-001, CLDA2014-006

Submission of Heritage New Zealand Pouhere Taonga on the preliminary proposal for Irishman Creek pastoral lease tenure review

1. Heritage New Zealand Pouhere Taonga (the submitter), formerly the New Zealand Historic Places Trust, is an autonomous Crown Entity with responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 and the Crown Land Disposal process¹ to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand.
2. The submitter **supports in principle** the Irishman Creek preliminary proposal (the proposal) publically notified on 2 May 2014; however the proposal **does not contain sufficient information** to ensure that significant heritage values have been identified and appropriate heritage protection measures have been considered.²
3. This submission relates to historic resources within the land under proposal.
4. The New Zealand Historic Places Trust was invited to comment on the Irishman Creek Tenure Review prior to preliminary proposal in February 2012 and communicated the following to your agent, Darroch:

Desk-top study by the NZ Historic Places Trust identified that there are two registered historic places (Workshop and Power House) and a historic area (Irishman Creek Industrial Precinct) within the proposed freehold boundary of the Irishman Creek Pastoral Lease. These buildings and the Homestead are scheduled heritage items in the Mackenzie District Plan.

¹ see Cabinet requirements: CAB min (07) 31/1a, DOM (11) 28, CAB Min (09) 35/4

² see *Policy for Government departments' management of historic heritage* 2004 Ministry for Culture and Heritage

Irishman Creek has important recent historical associations with Sir William Hamilton, the founder of Hamilton Jet who owned the station from 1921. The workshop and power station have particularly high historical significance as sites of Hamilton's early developments in engineering and hydroelectricity. During World War Two the workshop was deployed for the manufacture of munitions, as well as the production of earthmoving equipment which Hamilton had commenced prior to the war. In 1945 Hamilton's company relocated to Christchurch where his water-jet propulsion engine was fully developed.

In recognition of the significance of the workshop, power station and industrial precinct NZHPT recommends that a covenant is created over this area to ensure the continued protection of the associated structures and buildings. We would like the opportunity to provide input into the extent, wording and conditions of this covenant.

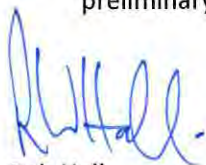
No archaeological sites are recorded in the NZ Archaeological Association Site Recording Scheme in the immediate area of the subject land. The absence of recorded archaeological sites on the property should not be taken as evidence that no sites are present, as a systematic survey has not been undertaken. Some additional research we have undertaken confirms that Irishman Creek has a long history as an early high country station, first taken up in the 1860s. Desk top research indicates that the former Irishman Creek Homestead, woolshed and other structures were erected prior to 1900 within the area proposed for full Crown ownership as Scenic Reserve (SO 4089). However, tracks, huts, farm buildings and other historic structures and artefacts may be present in the wider area of the lease. Any physical remains of pre-1900 features are protected as archaeological sites under the Historic Places Act 1993. Current and future owners should be made aware that work affecting archaeological sites is subject to the archaeological authority process under the Historic Places Act 1993. If any activity, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from NZHPT must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage.

In light of the potential for unidentified historic heritage and/or archaeological features, and given the early history of the area, NZHPT requests that a historic heritage survey is undertaken to identify any potential historic values within the area of proposed freehold land.

In addition to our recommendation for a covenant, NZHPT further recommends that:

- 1. Prior to the release of the preliminary proposal additional research should be undertaken on the land to be freeholded.*
- 2. A comprehensive heritage survey should be undertaken to ensure any sites are appropriately recorded. NZHPT should be supplied with the results of the survey at that time.*

3. *If significant historic heritage places are identified in the survey, further consideration should be given to appropriate protection measures.*
5. Heritage New Zealand notes that the Workshop and Powerhouse, and Irishman Creek Industrial Precinct are situated within an area designated as freehold in the Preliminary Proposal. Our previous recommendation for a covenant over this area to ensure the continued protection of the associated structures and buildings has apparently not been considered. We restate our recommendation for a covenant to protect these buildings and structures and would like the opportunity to provide input into its extent, wording and conditions.
6. The Preliminary Proposal makes no indication that a historic resources survey has been completed and the Department of Conservation's Conservation Resources Report has not been revised since November 2009. Heritage New Zealand recommends that an updated historic resources report is completed and includes an archaeological assessment and survey of the area which has not been surveyed and is proposed as freehold land.
7. Heritage New Zealand would like to consider appropriate heritage protection measures when an updated historic resources report is made available.
8. To ensure appropriate protection of recorded and unrecorded archaeological sites within the land under proposal, we recommend that **a condition be added to the Final Plan to ensure that current and future owners are made aware of recorded and potential archaeological sites** on this land and their responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand is available to discuss the appropriate placement of such as condition and can provide advice on the wording of conditions relating to historic resources.³
9. Heritage New Zealand supports the tenure review process and welcomes the opportunity to provide expert heritage advice prior to the preliminary proposal stage so as not to delay land disposal, especially where significant heritage values are identified and protection measures recommended.
10. Heritage New Zealand strongly supports your ongoing practice to undertake consultation with Te Runanga o Ngai Tahu to identify Maori cultural and heritage values within pastoral leases subject to tenure review.
11. Thank you for the opportunity to comment on the Irishman Creek pastoral lease preliminary proposal for tenure review.



Rob Hall
General Manager Southern
Heritage New Zealand Pouhere Taonga, PO Box 4403, Christchurch 8140

³ Please refer to the advisory note regarding archaeological sites which forms part of this submission, p 4

Advisory Note:**Archaeological Sites and the *Heritage New Zealand Pouhere Taonga Act 2014***

The *Heritage New Zealand Pouhere Taonga Act 2014* makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. If you wish to do any work that may affect an archaeological site you must obtain an authority from Heritage New Zealand before you begin.

This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District or Regional Plan or a resource or building consent has been granted. The Act provides for substantial penalties for unauthorised destruction or modification.

An archaeological site is defined in the *Heritage New Zealand Pouhere Taonga Act 2014* as any place in New Zealand (including buildings, structures or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods.

As mentioned above, before undertaking any work that may affect an archaeological you must obtain an authority from Heritage New Zealand.

If an owner or potential owner requires further information about their obligations under the *Heritage New Zealand Pouhere Taonga Act* contact: Frank van der Heijden, phone 03 357 9615 or email archaeologistcw@heritage.org.nz

Submission on the Preliminary Proposal for Tenure review of Irishman Creek Station.

Submitter: Bruce E Jefferies

187 Stone St, Wanaka

On behalf of International Union for Conservation of Nature and Natural Resources - World Commission on Protected Areas (Oceania Deputy Vice Chair)

This submission has been formulated to seek a more in depth assessment and analysis of several areas of the preliminary proposal that have not been provided adequate consideration.

a) The Mackenzie Basin – an internationally significant place.

It is generally recognised that the eastern side of the Southern Alps, and the values these area contain, are under-represented nationally, regionally an internationally (refer Fig 1).

The Temperate Grasslands Conservation Initiative (TGCI) is a project of the Grassland Protected Areas Specialist Group within the International Union for Conservation of Nature (IUCN) - World Commission on Protected Areas. The TGCI has been in place since 2008 and was established at a workshop in Hohhot, China where 35 grassland experts from 14 countries adopted the following mission: *"to reverse the trend of biodiversity loss and degradation of the temperate grasslands biome by promoting both the designation and special management of representative protected areas, and the widespread use of sustainable management practices beyond protected area boundaries, with the goal of at least doubling the current level of 5% protection by 2014"*.

At a regional and international level work is well underway to deliver on this mission.

Retention of significant areas of native grasslands as part of this tenure review also provides a "one-off" opportunity to take into account the "The Mackenzie Agreement: A shared vision and strategy for a Mackenzie Country Trust". This detailed document provides a consensus on an agreed way forward for the long term conservation and use of the Mackenzie basin. This agreement (or at least the philosophical basis of this document) should be an integral part of the Irishman Creek tenure review process.

b) Department of Conservation – Conservation Resources Report

I have reviewed this document and in my view the Preliminary Proposal fails to take into account DoCs advice on the properties significant inherent values.

These are comprehensively addressed in the 'Addendum to Conservation Resources Report' November 2009' and the significant inherent values and recommendations for protection identified in the map included in this report are not given adequate cognizance.

c) World Heritage opportunities

Te Wahipounamu South West NZ World Heritage Are (WHA) covers approximately 2.6 million hectares (10% of NZ). The area is recognised as one of the world's outstanding natural landscapes in is listed by UNESCO on all 4 qualifying criteria. A key attribute of the sites 'outstanding universal value' is the diversity of landforms, soils, plants and animals related to past and present glaciation. When the site was nominated by the New Zealand Government for World Heritage status the supporting evidence acknowledged that the integrity of the site would be **improved by the inclusion of some of the Eastern high country lakes of glacial origin and their surrounding tussock grassland landscapes**.

The nomination noted "the superlative natural features of the eastern margins of a great Southern Lakes of the Mackenzie basin and Central Otago. While these huge glacial troughs are not able to be included in the nomination, each acts as a scenic access way and visual corridor, allowing visitors to place the mountains beyond in their true perspective and scale".

The preliminary proposal for Irishman Creek fails to take account of the wider landscape/heritage values of the property which is regarded as an integral part of the existing World Heritage Area.

d) Tenure Review Objectives

The objectives of tenure review spelled out in the Crown Pastoral Land Act 1988, Part 2, Section 24 are noted. It is understood that these objectives are listed in order of importance and their implementation must endeavour to accommodate the needs of all stakeholders including; farmers, recreation groups, conservationists etc.

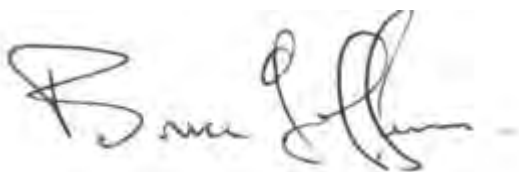
It is submitted that Irishman Creek that the tenure review Summary of Preliminary Proposal document fails to strike an appropriate balance between the Objectives of Part 2 of the CPL Act for the following reasons:

- i. The proposal fails to promote future management of the land in a way that is ecologically sustainable.
- ii. The proposal fails to protect significant inherent values including the highly legible landforms that contribute to the experience of being in the Mackenzie and are highly visible as you drive along SH8 and SH80 along the opposite shore of Lake Pukaki.
- iii. The proposal has not taken into account the fact that the ecosystem values in the outwash fan rank as 'critically endangered', the highest threat ranking (under 2012 research) - this means they should be a national priority to protect.
- iv. The proposal is in conflict with the recommendations for large scale biodiversity protection as agreed to by the Upper Waitaki Shared Vision Forum - a process supported by the Government
- v. The conservation covenant (CC1) provides no permanent protection of the significant geological values and in fact will contribute to the loss of the legibility of these values by providing for the ability to over sow and top dress and build structures.

e) Conclusions:

The proposal fails to:

- i. adequately take into account Objectives of Part 2 of the CPLA
- ii. protect 'significant inherent values'
- iii. return significant areas of ecological value to full Crown ownership,
- iv. national regional and international temperate grassland conservation initiatives,
- v. take into account and integrate "The Mackenzie Agreement"
- vi. take account of the wider landscape/heritage values of the property (refer Figure 2).

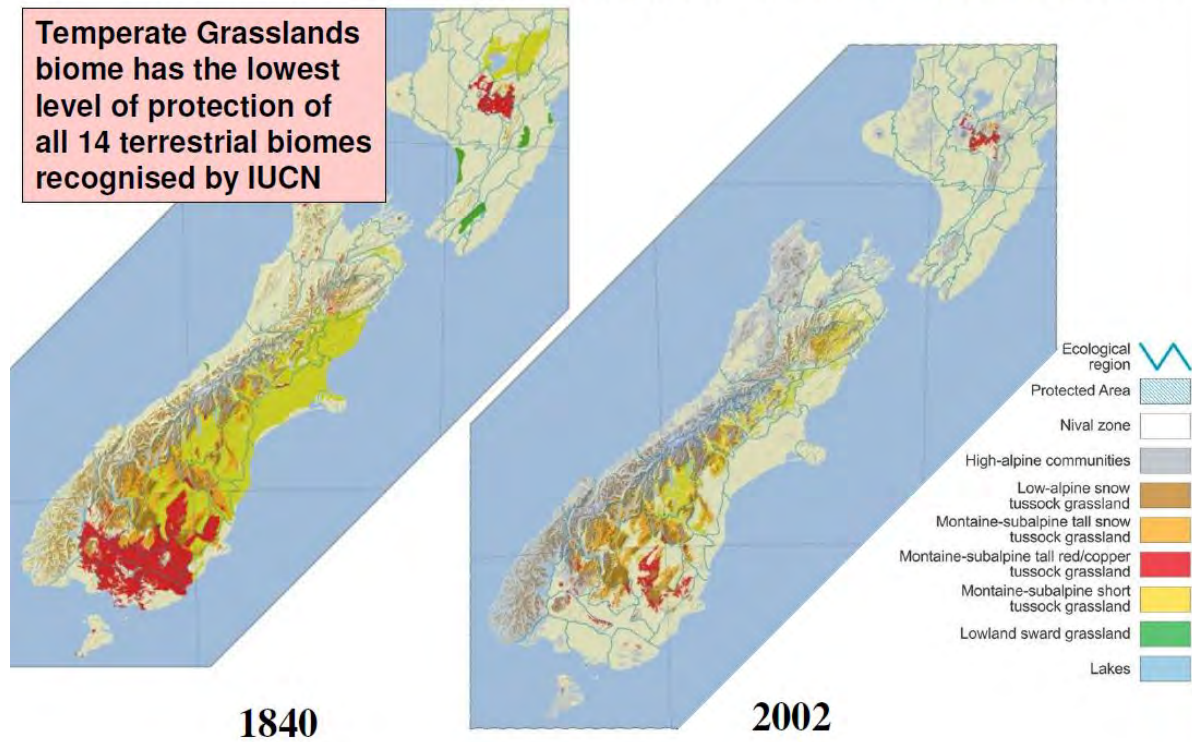


Bruce Jefferies

International Union for Conservation of Nature and Natural Resources - World Commission on Protected Areas (Oceania Deputy Vice Chair)

Figure 1

Loss of Lowland Indigenous Grasslands in New Zealand



Total protected: 15.4%. Ref. Mark et al. 2009. N.Z. J. Botany 47: 53-60.

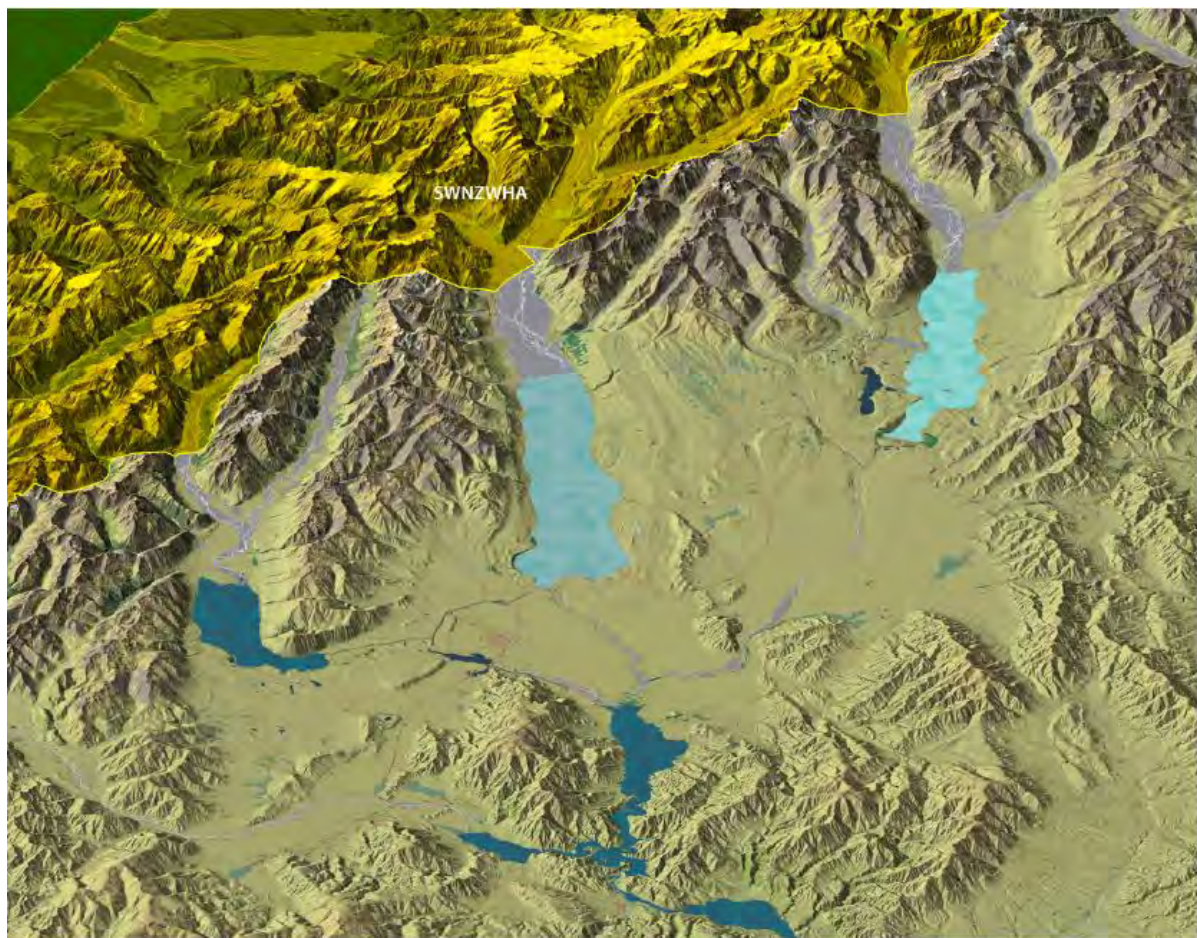


Figure 2 Te Wahipounamu WHA and the Mackenzie Basin are an inextricably linked landscape