

Crown Pastoral Land Tenure Review

Lease name: MT COOK

Lease number: PT 132

Public Submissions - Part 1

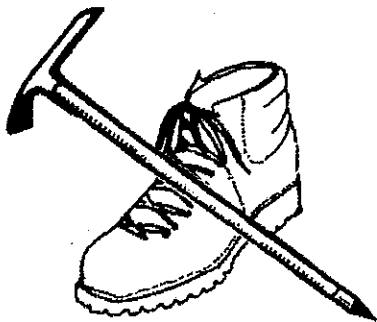
These submissions were received as a result of the public advertising of the Preliminary Proposal for Tenure Review.

May

06

Submission

One



Christchurch Tramping Club Inc.

FORMED 1932

Affiliated to: FEDERATED MOUNTAIN CLUBS OF N.Z. /INC.

PLEASE ADDRESS ALL CORRESPONDENCE TO THE HON. SECRETARY P O BOX 527, CHRISTCHURCH

Received 23/11/05

Commissioner of Crown Lands
c/o Opus International Consultants Ltd
P O Box 1482
Christchurch

November 2005

Dear Sir

Tenure Review of Mount Cook Lease

I enclose the submission of the Christchurch Tramping Club (Inc) with regard to the Mount Cook Pastoral Lease.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Penny Harlow'. The signature is stylized and written in a cursive-like font.

Penny Harlow
Secretary
Christchurch Tramping Club

Enc.

CC: Mike Clare, Department of Conservation, Private Bag 4715, Christchurch.
Barbara Marshall, Hon. Secretary, FMC, PO Box 1604, Wellington

**A SUBMISSION ON THE PRELIMINARY PROPOSAL
FOR TENURE REVIEW OF MOUNT COOK PASTORAL LEASE BY THE
CHRISTCHURCH TRAMPING CLUB (Inc)**

Our Club's History

The Christchurch Tramping Club has been established for 75 years and is one of the larger tramping clubs in the Christchurch area with approximately 300 members. We run 3 or 4 tramps each weekend with parties ranging between 3 to 20 members. We also run several expedition style alpine tramps (ranging from one to three weeks) annually. Our programme is comprehensive ranging from easy day walks on Christchurch's Port Hills to climbs of major peaks such as Mount Rolleston in Arthur's Pass National Park. We own a club lodge at Arthur's Pass village which can be booked by any kindred group.

Our Club's Links with the Mount Cook area

Our programme covers most of the South Island but in particular we range widely in Canterbury Province. We visit Mount Cook National Park frequently and welcome this review which has the potential to add land to the Park and improve access via the true left bank of the Tasman River.

Our submission on the Preliminary Proposal

We consider that the division between land to be returned to Crown control and freehold land is reasonable. The proposal document states "The area provides opportunities for walking, tramping, scenery viewing and nature study in a relatively undeveloped setting adjacent to one of the country's premier tourist destinations".

To achieve this vision it is necessary that the public have adequate legal and practical access to the land discussed. We submit:

1. The Jollie River to the immediate south of Mt Cook lease is a popular route into the high country. This is often reached via a farm road which runs parallel to the true left of this river for approximately 5 kms. However this access is a private track and there is no legal access. Under the Proposal a marginal strip will be created along the south eastern boundary of the new freehold land. However this does not provide continuous access from the Braemar – Mt Cook Station Road. This access gap should be closed by either:
 - Marking the legal road line that runs through the present freehold near the homestead to a point linking with the marginal strip, OR
 - Negotiating a foot easement along the farm track close to the true right bank of the Jollie River, also to link with the strip.
2. The legal road line that runs past the property on the true left bank of the Tasman is crucial access to the left bank and upper valley upstream of

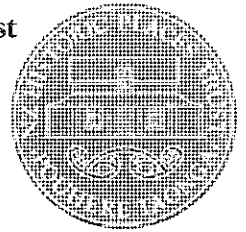
the present lease. Despite this no practicable and legal access is provided along this route. The legal road line finishes at the southern end of the homestead freehold block although a formed road continues to the homestead itself. A legal road line appears again part way up the south west boundary of the homestead block and then runs through a portion of the present lease (which will become freehold) before entering conservation area CA2. It seems probable that this was a continuous legal road in the past but has been stopped where it crosses the freehold land. We submit that this break in the access should be remedied with an easement along the farm track for foot, mountain bike and horse access. Vehicular access is also desirable as this route is capable of 4WD traffic and it is legitimate to use this to reach recreational land upstream.

3. We note that the failure to provide continuous and practicable legal access through or past the property to both the Tasman and Jollie Rivers is clearly contrary to one of the principle purposes of tenure review being the securing of public access and enjoyment under the Crown Pastoral Lands Act, S.24, (c), (i).
4. The Conservation Resources Report records early warning public consultation in 2002. This stated a need to ensure access up the face above the homestead. This is necessary to obtain good public access and recreational use of the new Crown land. Unfortunately this access has not been provided in the proposal. We submit that a foot easement should be provided via the farm track that leads up the spur to Big Hill No 2 and thence via the fence line to conservation area CA1. This will allow the public to reach the conservation land and then undertake sidling travel through the public land past Black Point. It will also provide access for parties wishing to travel higher along the main ridge of the Burnett Mountains.

David Henson Andrew Turton
8.11.05

Subject: #2

New Zealand Historic Places Trust
Pouhere Taonga



Patron:
Her Excellency The Hon
Dame Silvia Cartwright, PCNZM, DBE
Governor General of New Zealand

Southern Region
PO Box 4403
Christchurch
Phone: 377 9241

Received 2/12/05

1 December, 2005

Mr T Broad
Opus International Consultants
PO Box 1482
Christchurch

Dear Mr Broad

Mount Cook Pastoral Lease

Thank you for forwarding the proposal for the Mount Cook Pastoral Lease review. We have considered the potential impacts of the proposal on historic heritage and the archaeological record and have concluded that there are no concerns in respect of the proposal.

Please note that your records appear to be incorrect. All planning matters and pastoral lease reviews should, in future, be addressed to me at the normal mailing address for the NZHPT.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jo Bain', with a horizontal line extending to the right.

Jo Bain
Heritage Adviser

Submission # Three

30 November 2005

58 Kilmore Street, PO Box 345, Christchurch

General enquiries: 03 365 3828

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Email: ecinfo@ecan.govt.nzWebsite: www.ecan.govt.nz

The Commissioner of Crown Lands
 C/- Opus International Consultants Ltd
 P O Box 1482
CHRISTCHURCH

Received 2/12/05

Attention: Mr Tim Broad
 Tenure Review Consultant

Dear Tim

**MT COOK PASTORAL LEASE
 SUBMISSION ON PRELIMINARY PROPOSAL FOR TENURE REVIEW**

Thank you for advising Environment Canterbury of the release of the Preliminary Proposal for tenure review of Mt Cook Pastoral Lease. We appreciate the opportunity to review the proposal and make a submission in relation to the future management of this land.

Environment Canterbury has statutory responsibilities under the Resource Management Act 1991 (RMA) for the sustainable management of natural and physical resources of the region, including soil conservation, water quality and quantity and ecosystems, and for maintenance of biodiversity. In addition, Environment Canterbury also has statutory responsibilities under the Biosecurity Act 1993 for the management or eradication of animal and plant pests in accordance with regional pest management strategies. These responsibilities are entirely compatible with achievement of the objectives of Tenure Review, specifically to "promote the ecologically sustainable management of High Country land" and protecting land with "significant inherent values" by retaining it in Crown ownership.

The Canterbury Regional Policy Statement 1998 (CRPS) provides an overview of the resource management issues of the region, and sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management. Key to the management of soils is the maintenance or restoration of a vegetative cover over non-arable land that is sufficient to prevent land degradation or the onset of erosion (Ch7 Objective 1). Sustainable management of water resources requires safeguarding the life-supporting capacity of water, including associated aquatic ecosystems and significant habitats of indigenous fauna and vegetation (Ch9 Objective 3). Policy 11 in Chapter 9 promotes land use practices which maintain or enhance water quality. Large landscapes are a feature of the Canterbury high country and the CRPS recognises the importance of protecting both the interconnectedness of landscape components and the vast, open nature of these landscapes.

Environment Canterbury has recently notified its Proposed Natural Resources Regional Plan (NRRP) to address the resource management issues identified in the CRPS and to provide more specific standards and methods, including rules, to achieve the objectives. The NRRP recognises the close relationship between land and water ecosystems by promoting the integrated management of soil and water resources across the region. In particular, the provisions of the plan emphasise the links between land use practices and the management of water quality.

Our Ref: PL5C-103; AG5T-55
Your Ref:
Contact: Cathie Brumley

The Soil Conservation chapter (Ch8), Objective SCN1 seeks to: "...maintain soil quality and an intact and resilient vegetation cover sufficient to minimise the risk of induced erosion, safeguard the life-supporting capacity of the soil, and prevent, as far as practicable, the movement of soil into water bodies". The objective contains specific guidelines for intact and resilient vegetation cover. Policy SCN1 provides options to restore such a cover where it has become depleted.

Policy WQL5 of the Water Quality chapter includes a range of regulatory and non-regulatory methods to manage the riparian margins of rivers to maintain or improve water quality.

The Canterbury Regional Pest Management Strategy (2005) [which is a revised combination of the former CRPMS (1998) and the Canterbury Regional Pest Management Strategy Biodiversity Pests (2002)] identifies a number of species of plants and animals for control or management as pest species.

In line with these statutory responsibilities and documents, and Section 24 of the Crown Pastoral Lands Act (1998), Environment Canterbury technical and planning staff have reviewed the Preliminary Proposal for Mt Cook Pastoral Lease to assess the impacts, if any, of this proposal on the sustainable management of the land, including pest management, indigenous biodiversity protection, recognition and protection of significant landscapes, soil conservation and the integrity of the water bodies. Our comments and recommendations are listed below.

General comments

The Mt Cook Pastoral Lease is described in the Conservation Resources Report (CRR) as "an important part of one of New Zealand's best-known views". The Burnett Range is identified as a "regionally significant landscape" in the Canterbury Regional Landscape Study (Boffa Miskell and Lucas Associates 1993), recognising the important contribution of the range to the Mt Cook vista and to the more extensive Mackenzie Basin landscape. Much of the significance of the landscape values lies in the visibility of the underlying geology and physical processes of formation of the mountains, retained by the naturalness and intactness of the vegetation cover.

On 9 February 2005, the Cabinet Policy Committee noted that of the 10 high country objectives for the management of Crown-owned land in the South Island high country, the objectives for promoting ecologically sustainable management and protecting significant inherent values of reviewable land "**are of primary importance**". Objectives to enable freeholding of land capable of economic use and to secure public access can occur if they are consistent with the primary objectives. Tenure review was noted as a key tool for achieving these objectives.

One of the issues for tenure review is the likelihood of changing, or intensifying, land uses that may result from the freeholding of land, and the effects of these changes on the primary objectives, both within the land to be freeholded and on the wider landscape or catchment. The protection of extensive landscapes, for example, can be affected by small-scale changes in land use or land cover. Any intensification of land use, which is likely to be accompanied by the use of fertilizer and/or irrigation, has the potential to affect the water quality and the instream habitat of the streams flowing across the property, and consequently the water quality of the downstream catchment. While it is outside the tenure review brief to dictate how land should be used, it is well within the objectives to ensure that the designations given to land are appropriate to the long-term sustainable management of the land and the long-term protection of significant inherent values identified for the land.

The history of management of the Mt Cook lease has been predominantly extensive grazing and minimal on-farm developments, retaining overall the natural values for the land. The rapid and extensive wilding spread from small areas of planted forestry, however, highlights the vulnerability of this landscape to human-induced changes.

Regional councils and landowners have a responsibility under the RMA to maintain the quality and quantity of water in water bodies and to protect important natural, cultural, landscape and amenity values identified for the land. These responsibilities are also fundamentally important to the primary objectives of the CPLA for the long-term "ecologically sustainable management" of the land, which must include both the management of land and water within the lease, and the management of any downstream effects of land use on land or water beyond the lease. These considerations should underpin the process of tenure review and guide the establishment of designations and conditions for Crown and freehold land.

The Mt Cook lease provides the frame to one of New Zealand's truly iconic landscapes and one of the most photographed views. The tenure review process has a clear role to identify and enable the protection of those significant inherent values that provide the distinctiveness of the high country natural landscape, "(preferably) by the restoration of the land to full Crown ownership and control" (s24(b)). While there are a range of statutory options for managing and protecting important natural values of the land, the tenure review process provides the primary mechanism for enabling this protection through the appropriate designation of land to either the Crown or to freehold.

The authors of the CRR are to be commended for producing a very clear, thorough, well-researched and readable summary of Mt Cook's inherent values. This has provided a comprehensive basis for identifying the requirements for the protection of these values and the threats to their protection. The focus for the following discussion will be the ability of the Preliminary Proposal to provide for the integrated and long-term, ecologically sustainable management of land and water resources of the Mt Cook lease and to protect the range of significant inherent values identified for the land.

Soil Conservation

The following discussion of issues relating to the management of soil conservation values has been based on soil and vegetation information sourced from satellite imagery, Land Use Capability (LUC) mapping and the property maps prepared for the Soil and Water Conservation Plan works.

On the basis of land use capability, the Preliminary Proposal has included the majority of land with limited potential for production, or with high erosion risk, within the land to be retained by the Crown. This is seen as a good outcome for soil conservation and the proposal is to be commended.

The current upper boundary to the lease follows the original retirement fence built in 1967 with a 100% subsidy from the Government. While there is no binding agreement of any sort between the lessee and the Council, or the former Waitaki Catchment Board, this subsidy was conditional on the higher Class VIII and eroded Class VII land above the fence being permanently retired from sheep grazing. A further grant was paid out in 1980/81 to repair the fence following severe damage from intense rainstorms. The retired area was converted to Pastoral Occupational Licence for 10 years from 1 March 1970 and on expiry became Crown Land.

Under the Preliminary Proposal, the boundary between freehold and conservation land follows closely the boundary between Class VI and VII land and restores most of the steeper mountain slopes to Crown ownership. This boundary is supported on soil conservation grounds and provides a practical and safe line for fencing. Currently the proposal shows only partial fencing of the freehold land. A requirement of freeholding should be to stock proof the entire boundary to prevent any stock moving into the steeper, erosion-prone land. An area of Class VII faces below Big Hill at the mouth of the Jollie River proposed for inclusion in the freehold land is quite stable and well vegetated and poses little risk of erosion.

Recommendations

- *That the upper boundary of the land proposed for freeholding should be fenced completely to prevent the movement of stock onto the steeper, erosion-prone faces of the Burnett Range.*

Indigenous vegetation, habitat and wetlands values

Tenure review provides a valuable opportunity to help achieve two key objectives of the Reserves Act 1977 and the New Zealand Biodiversity Strategy (2001). These are, respectively, "preservation of representative samples of all classes of natural ecosystems and landscapes" and to "maintain and restore a full range of remaining natural habitats and ecosystems to a healthy functioning state". A Complimentary Objective of the tenure review process is to ensure that conservation outcomes are consistent with the New Zealand Biodiversity Strategy.

The Land Environments of New Zealand landscape classification system (Leathwick et al. 2003) provides a framework for securing protection and/or restoration of examples of the full range of terrestrial vegetation and habitats. Land environments, and potential natural vegetation cover (in the absence of human modification) are classified at four different national scales: Level I (20 land environments nationally), Level II (100 land environments nationally), Level III (200 nationally) and Level IV (500 nationally). Each is nested within higher levels. The 500 Level IV environments provide the most detailed information on the diversity of New Zealand's terrestrial environments and is the best nationally comprehensive estimate of the 'full range' of ecosystems, habitats and biodiversity.

Analysis of Land Environments, in conjunction with spatial data depicting indigenous vegetation cover (from Land Cover Data Base) and current legal protection, has recently been carried out by Landcare Research (Walker et al. 2005) for the Department of Conservation. This analysis offers a useful method of identifying the most threatened environments, and therefore determining what should be priorities for protection of indigenous biodiversity, as part of tenure review. In reporting this work, the authors recommended that threat classification analysis be carried out using Level IV Land Environments, as these provide a more accurate, efficient and plausible assessment at regional and local scales.

Examples of four Level IV Land Environments are present on Mt Cook pastoral lease (Leathwick et al. 2003):

- P1.2d – mountains east of the Southern Alps (from Marlborough to Otago)
- E1.4c – steep inland dry foothills (from Marlborough to mid-Canterbury)
- E4.2a – easy rolling dry foothills (Canterbury inland valleys)
- K1.1a – upland well drained recent soils (along upper headwaters of main east S.I. rivers)

These Land Environments are listed, in altitudinal sequence (highest to lowest) as they occur on Mt Cook pastoral lease, in the table below. The table shows the threat category for each land environment nationally, and the proportion of each environment that is already protected in existing reserves or conservation covenants (from Walker et al. 2005). Presence/absence of examples of each land environment in conservation areas, conservation covenants, freehold described in the Mt Cook Preliminary Proposal are indicated (as well as existing freehold).

Lvl IV LENZ	Threat Category	Present proposed CAs	Present proposed freehold
P1.2d	Not threatened	Yes	Yes
E1.4c	Not threatened	Yes	Yes
E4.2a	Not threatened	Yes	Yes
K1.1a	Not threatened	Yes	No

All land environments present on Mt Cook pastoral lease have, at a national and regional level, retained most of their indigenous cover, are already fairly well represented in the existing network of protected areas, and are therefore not considered to be threatened.

The proposed conservation areas contain examples of all four land environments present on Mt Cook pastoral lease. CA2 and CA3 together also include most of the Tasman River bed and Jollie River delta that presently lies within the lease. The active riverbed environment is not identified or described within the LENZ framework, and so has not been assigned a threat category, but the Tasman River bed is recognised as being one of the best remaining, most natural examples of its type, and is habitat for several rare/threatened plant and bird species.

The Tasman River bed and Jollie River delta, are also both listed as wetlands of national and international significance.

It is not clear that these nationally and internationally significant wetlands have been adequately protected under the proposal, particularly the Jollie River delta wetland. This protection should be a priority under the tenure review proposal because of the significance of these sites. A minimum requirement for the protection of these sites should be the exclusion of stock access.

Recommendations

- *That the boundaries of the freehold land with the Tasman River bed and the Jollie River delta are managed to exclude any stock access beyond the boundary. Preferably this should be by the fencing of the freehold boundaries.*

Surface water and ground water resources

Management of the land surrounding rivers and wetlands will play a key role in the long-term protection of water quality and instream values, as well as influencing the quality of rivers downstream from the pastoral lease.

Small tributary streams on pastoral leases, because of their size and limited assimilative capacity, are particularly susceptible to degradation. Grazing of riparian margins, for example, reduces vegetation stature and trampling of soils and banks results in an increase in sedimentation. One of the most effective ways of maintaining water quality is to restrict stock access to water ways, avoid disturbance of the soil adjacent to water ways, and to maintain well vegetated riparian margins to trap pollutants in runoff from adjacent land.

Chapter 4 of the Proposed Canterbury Natural Resources Regional Plan seeks to maintain water quality in a natural state, where rivers and their tributaries are largely unaffected by human activities (Objective WQL 1). The plan also promotes the retention, maintenance and planting of riparian vegetation to minimise bank erosion and to reduce runoff of sediment, nutrients and animal faecal matter (Policy WQL 5).

The impact of agricultural land use activities on water quality and aquatic ecosystems is well documented, most recently in the report "Growing for Good" by the Parliamentary Commissioner for the Environment.

The Preliminary Proposal, however, contains little acknowledgement of the relationships between land management and the long-term ecological sustainability of the aquatic ecosystems. The creation of a marginal strip, on its own, provides little protection to the stream from adjacent land use. Where stock, and cattle in particular, can freely access waterways, the high water quality of these water bodies will be at risk from bank erosion and water pollution. Under the Preliminary Proposal it is clear that, without any required physical barriers to access, stock will have free access to many of the streams crossing the freehold land, as well as access to the Jollie and Tasman riverbeds where they adjoin the freeholded land.

One of the issues for tenure review is the likelihood of changing, or intensifying land uses that is likely to result over the freehold land in response to the overall loss of land area, and the effects of these changes on the quality of water in water bodies that flow from this land. Once the property becomes freeholded, it can be used for a wide range of land uses, subject only to the Resource Management Act 1991 and the various statutory plans. It is reasonable to expect that the property will be developed further to improve its economic viability. Any intensification of land uses, particularly if accompanied by the use of fertilizer and/or irrigation, has the potential to affect the water quality and the instream habitat of the streams flowing across the property, and consequently the downstream water quality of the Rangitata River.

Although the future use of the property is beyond the scope of the tenure review process, the change in title from public leasehold land to freehold land offers a "one off" opportunity to ensure that the interests of the wider community are safeguarded. Once the property becomes alienated from Crown ownership it becomes very difficult to manage land uses to minimise adverse effects on water waterways. During the tenure review process, the alignment of new property boundaries should take into account the need to protect existing water ways and their aquatic ecosystems, and the measures, such as fencing, used to exclude livestock from water ways.

Small streams draining the Burnett Range

The streams draining the Burnett Range flow through the proposed area identified for freeholding, before discharging into the Tasman River. Surveys of similar catchments by Environment Canterbury show that water quality in these catchments is generally of very high quality and the stream ecosystems are in a healthy condition.

The impact of intensive land uses on the water quality of tributary streams can be avoided by ensuring that the bed and margins of permanently flowing streams draining the Burnett Range are excluded from the freeholded land, and that these margins are fenced. Under the current Preliminary Proposal, only the true left margin of Andrews Stream will have a new fence line.

An easement could be arranged to ensure that the landowner has access to the streams for stock drinking water supply.

Mikes Stream

Mikes Stream is described in the Conservation Resources report as a "large gentle stream", and from the account in the report it appears to be a typical spring fed stream. If this water way is typical of other inland spring fed streams in the MacKenzie Basin, the water quality will be very high.

The stream also contains important ecological values and appears to be in a very healthy state. The report commented that it "*provided the most significant habitat for fish on the property, both in terms of the diversity of native fish species and the presence of the threatened upland long jaw galaxies*", and that macro-invertebrate populations were quite diverse.

Spring fed waterways are particularly vulnerable to degradation from land uses. As noted above, the impacts of agricultural activities on waterways has been well established in New Zealand. Effective, practical protection of water quality and aquatic ecosystems can only be achieved by ensuring that stock do not have uncontrolled access to water ways.

Environment Canterbury is devoting considerable community resources through its "Living Streams" programme to restoring water ways, mostly groundwater fed streams, which have already been degraded as a result of land use activities. It is infinitely preferable to protect a waterway by preventing a decline in water quality and habitat values, rather than trying to restore a degraded water body.

Therefore, it is recommended that the lower reaches of Mikes Stream, where it crosses the area designated for freeholding, be retained in Crown ownership and fenced to exclude livestock.

Jollie River

The Conservation Resources report notes that the Jollie River catchment has important natural values (pg 5). The presence of a natural vegetation cover and the lack of intensive land uses in the catchment indicate that the water quality in the river is likely to be in its natural state.

To ensure that land use activities from the freehold area do not impact on the lower reaches of the Jollie River, the proposed marginal strip on the true right of the river should be extended downstream to join the road and fenced along the length of boundary adjoining the freehold land. A marginal strip and associated riparian vegetation will contribute to the protection of the water quality and aquatic ecosystems, as well as acting as a buffer for land use activities. This is consistent with s.24C of the Conservation Act 1987 which states that the purpose of marginal strips (among other things) is to protect water courses, maintain water quality and aquatic life, and to enable public access.

Given that section 24 of the CPLA seeks to both promote the management of reviewable land in a way that is ecologically sustainable (s.24(a)) and to enable the protection of the significant inherent values of reviewable land (s.24(b)), Environment Canterbury recommends that protective mechanisms are put in place to protect the inherent values of the tributary water bodies on all land proposed for freeholding.

Recommendations:

- *To retain all permanently flowing streams draining the Burnett Range, together with a marginal strip, under Crown ownership where they traverse land proposed for freeholding and to require the fencing of all marginal strips along the boundary of the freehold land to protect water quality and the aquatic ecosystems. If required, an easement should be provided to allow landowner access to take water for stock or to provide for stock crossing.*
- *To prevent stock access onto the Tasman and Jollie riverbeds.*
- *To extend the proposed marginal strip on the true right of the Jollie River downstream to join the road in the vicinity of point W on the Preliminary Proposal map.*

Landscape Values

The entire property is identified as a Regionally Significant and Regionally Outstanding Natural Feature and Landscape in the *Canterbury Regional Landscape Study 1993* (Volume 1). The CRR appears to endorse this in its discussion of the landscape units, and identifies vulnerability and threats associated with future use of the land. Key factors contributing to the landscape values are the naturalness of the vegetation cover, the highly visible geological features and processes of formation of the landscape, and the intactness of the landscape.

However the land designations in the Preliminary Proposal for the main Burnett Range area are inadequate to ensure the long-term protection of these values. The northern block of proposed freehold land, in particular, does not appear to have any logic in terms of wider landscape protection, and would be of very limited value for continued farming without significant improvements to vegetation cover and management. The CRR notes that "*Future efforts to improve stock carrying capacity by fencing, burning, grazing or pasture development would have a **dramatic** effect on landscape character*" (ECan emphasis). This assessment of vulnerability does not mention the impact of buildings and associated tracking within this landscape compartment; which may have an equally dramatic effect on landscape character.

The Preliminary Proposal recognises that the northern freehold block "... contains identified significant inherent values which are broadly similar to those identified in CA1." However it fails to make the connection that a key part of these values lies in the intact and cohesive nature of the landscape across the face of the Burnett Range.

If the tenure review process is to acknowledge and provide for the primary objective of the protection of significant inherent values, then the front faces of the Burnett Range must be managed, in their entirety, for landscape protection. This can only be achieved by retaining the land in Crown ownership so that any use of the land is subject to maintaining those values. Freeholding of the land removes any certainty of the protection of values, and District Plans may not provide adequate control against the adverse effects of land development.

A more logical northern boundary for the proposed freehold land in the north of the property would be in the vicinity of (and to the south of) McLeod Creek, an entrenched waterway that could be fenced from stock to the flats, with the fence then traversing the hill slope south to meet the freehold boundary just north of Mick's Point. The area north of McLeods Creek proposed for freeholding should be retained in Crown ownership with the option of a grazing concession subject to conditions to retain the intactness and naturalness of the main Burnett faces, as well as easements to provide access to the hydroelectric plant in Andrews Creek. Conditions on any concession should include a restriction on any further planting of conifers in areas where there is a risk of wilding spread. Such an approach would reduce the vulnerability of this important landscape to adverse effects associated with changes in land use and use intensity but would retain the option of continuing some limited use rights. It would also have the added benefit of freeing public access into the Burnett Mountains via the many waterways that traverse the northern extent of the proposed freehold block, and securing improved water quality in these waterways.

Recommendations:

- *That the northern boundary of the freehold area on the Burnett Range be moved southwards to run from the true left of McLeod Creek to the boundary line running inland from Micks Point as shown on the accompanying map.*
- *That the northern portion of the proposed freehold area on Burnett Range from McLeods Creek to Black Point be redesignated as Crown conservation land CA4 with the option of a grazing concession subject to conditions on management such as stocking levels, pasture development, forestry planting, burning, tracking and structures to retain the inherent values of the land.*
- *That all land subject to grazing is required to be fenced to prevent stock access to water bodies and to surrounding conservation land.*

Public access

Tenure review offers an opportunity to resolve public access issues on areas freeholded through the process, and to put in place access ways that meet the needs of the public while minimising interference with farming operations.

The Canterbury Regional Policy Statement recognises the need to promote and enhance public access to and along the region's water bodies, while recognising that restrictions are necessary in particular circumstances. (Chapter 10, Policy 7). The provision of practical and secure public access would ensure that interference with the rights and activities of adjacent landowners are kept to a minimum.

As with many other tenure review proposals, the Mt Cook Preliminary Proposal does not provide adequately for safe and practical public access to Crown land within (proposed) and adjoining the property. Some provision should be made to designate the formed public access roading as land to be retained by the Crown to avoid the need to reconfigure the road if access is denied at some future time across land outside the legal road corridor. At present, the formed public road is not contained within the legal road corridor along its full length. The location of this road should be recognised in any reconciliation of public access at the stage of tenure review, and removed from land to be freeholded where it exists outside the legal road corridor.

There also appears to be no provision in the Preliminary Proposal for public access from the formed legal road to the unformed legal road that provides access to the true left of the Tasman river, across the proposed freehold area in the vicinity of Mt Cook Homestead. These roads should be recognised within the tenure review proposal to provide for foot access for recreational users and vehicular access for Department of Conservation staff or search and rescue vehicles.

Recommendations:

- *That adequate provision be made for public access from the formed legal road to the unformed legal road that runs on the true left of the Tasman River – foot access for public and vehicular access for Search and Rescue or DoC staff.*
- *That any formed roads currently sited outside the legal corridor should be incorporated into land to be retained by the Crown to provide security of access and minimise interference with farming activities.*

Pest Plants

Weed control, and particularly wilding tree spread, should be addressed as part of the review. The CRR notes a spreading infestation of wilding European larch in the vicinity of Black Point (page 9) and Chop Creek. Further, a relatively recent planting of conifers is recorded (CRR page 10) near McLeod Creek; control of wilding spread from this planting should also be addressed to avoid on-going wilding spread from this source onto Crown estate. The wilding conifer infestation on and around Mt Cook Station was recorded by Environment Canterbury in a recent (2003) report on exotic wilding tree spread within the Canterbury High Country. This infestation could be regarded as one of the worst in the region in terms of extent and density of spread, and presents an ongoing threat to surrounding pastoral lease and public conservation land.

While wilding conifer spread is clearly the most obvious pest plant problem in this area, the presence of crack willow, gorse, and broom is also recorded in the CRR (page 11). This, too, should be addressed at the time of tenure review, as these plants pose a significant threat to the overall values of the area - both within and beyond the property - and eradication or containment should be advocated. If this matter is not addressed at the time of tenure review, there is a real risk of these plants becoming a financial burden on ratepayers and subsequent and/or adjoining landowners through uncontrolled spread and the need to control much greater areas of pest plants if infestations are allowed to spread.

It is recommended that some strategy or requirement for control of these problem plants should be incorporated into the tenure review agreement to manage this issue, where practicable.

Recommendations

Environment Canterbury acknowledges and supports the areas proposed to be protected by retaining in Crown control, as contributing to soil conservation management and the protection of the significant inherent natural values of the area. The identification and recognition of the important landscape values of this pastoral lease need to be provided for in the designations by retaining in Crown

ownership those areas whose inherent values are dependent on the retention of the naturalness and intactness of the vegetation cover and vulnerable to the effects of land use intensification.

The following recommendations are made for changes to areas designated for Crown ownership or freeholding to provide for the ecologically sustainable management and protection of the Mt Cook land into the future:

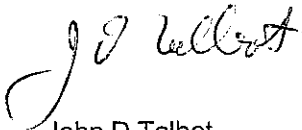
- (1) That the upper boundary of the land proposed for freeholding should be fenced completely to prevent the movement of stock onto the steeper, erosion-prone faces of the Burnett Range.
- (2) That the boundaries of the freehold land with the Tasman River bed and the Jollie River delta are managed to exclude any stock access beyond the boundary. Preferably this should be by the fencing of the freehold boundaries
- (3) That the following changes are made to designations for Crown owned and freehold land to protect land with significant inherent values:
 - *That the northern boundary of the freehold area on the Burnett Range be moved southwards to run from the true left of McLeod Creek to the boundary line running inland from Micks Point as shown on the accompanying map.*
 - *That the northern portion of the proposed freehold area on Burnett Range from McLeods Creek to Black Point be redesignated as **Land to be Restored or Retained in Crown Control as Conservation Area CA4** with the option of a grazing concession subject to conditions on management such as stocking levels, pasture development, forestry planting, burning, tracking and structures to retain the inherent values of the land.*
 - *That the boundaries of all freehold land and Conservation land subject to grazing concession are required to be fenced to prevent stock access to water bodies and to surrounding conservation land.*
- (4) Include as part of the tenure review process, consideration of the requirements for maintaining the quality of water in water bodies and the protection of instream habitat values where those water bodies are identified as having significant inherent natural values. For the Mt Cook lease these considerations should include:
 - *To retain all permanently flowing streams draining the Burnett Range, together with a marginal strip, under Crown ownership where they traverse land proposed for freeholding and to require the fencing of all marginal strips along the boundary of the freehold land to protect water quality and the aquatic ecosystems. If required, an easement should be provided to allow landowner access to take water for stock or to provide for stock crossing.*
 - *To prevent stock access onto the Tasman and Jollie riverbeds and the Jollie River delta.*
 - *To ensure that any concession for grazing over conservation land requires the exclusion of stock access to water bodies.*
 - *To extend the proposed marginal strip on the true right of the Jollie River downstream to join the road in the vicinity of point W on the Preliminary Proposal map.*
- (5) That a more comprehensive assessment of public access needs and public recreational values for land within the Mt Cook lease is undertaken with the objective to provide practical and secure access to Crown Land as well as to and along waterways. This should include:
 - *Adequate provision for public access from the formed legal road to the unformed legal road that runs on the true left of the Tasman River – foot access for public and vehicular access for Search and Rescue or DoC staff.*
 - *That any formed roads currently sited outside the legal corridor should be incorporated into land to be retained by the Crown to provide security of access and minimise interference with farming activities.*

- (6) That a more comprehensive and binding strategy including requirement for control of wilding conifers and other problem plants be incorporated into the tenure review agreement for both Crown owned and freehold land.

Any amendments proposed to the boundaries for freehold and Crown land designations have been shown on the accompanying maps.

Thank you for the opportunity to comment on this Preliminary Proposal.

Yours sincerely

A handwritten signature in cursive script, appearing to read "John D Talbot".

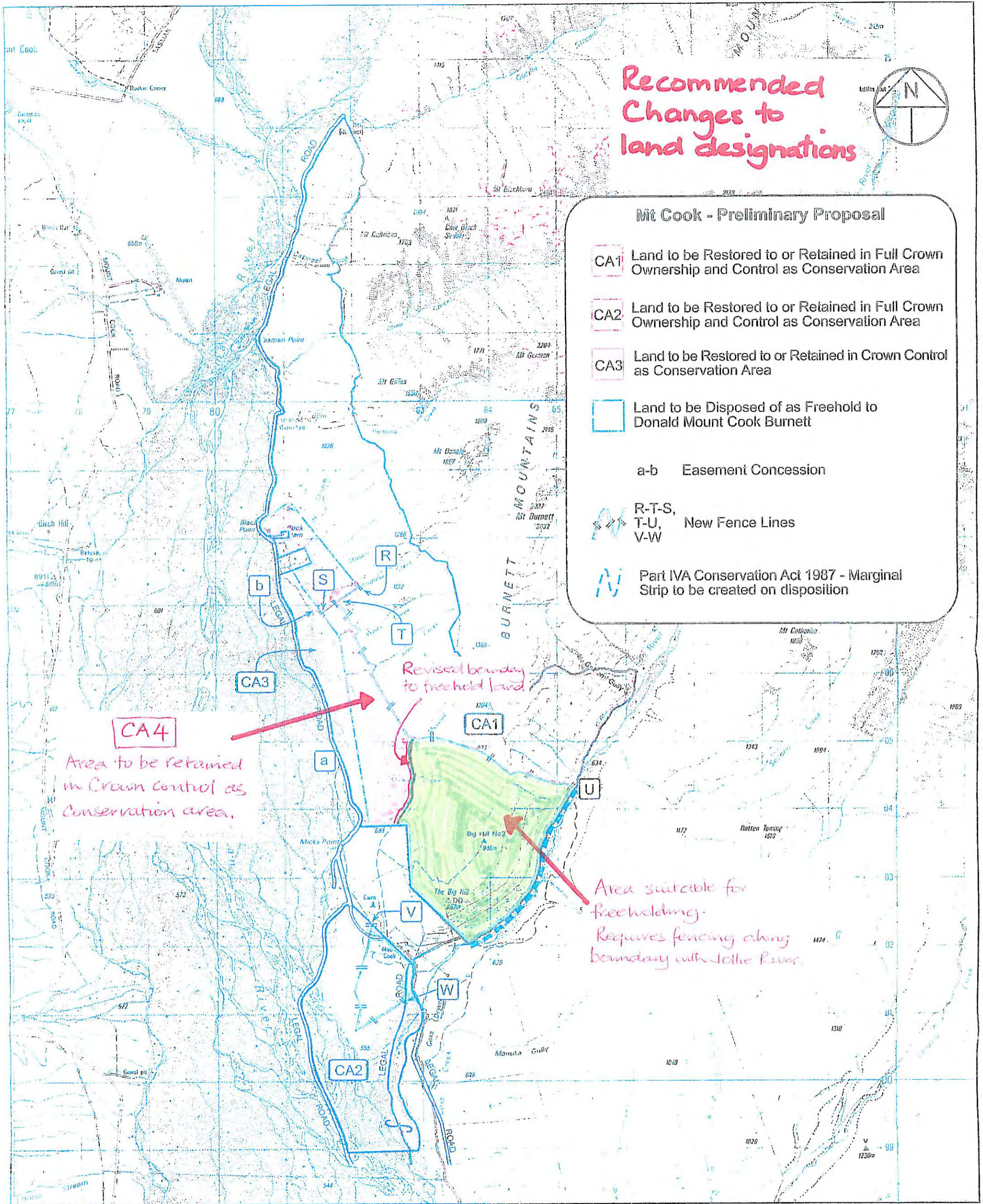
John D Talbot

DIRECTOR OF POLICY AND PLANNING

Attachments:

Map 1— showing recommendations for changes to proposed Designations Plan.

Ecan Submissions Map



Mount Cook

Scale 1:50000



ANTHONY & ASSOCIATES
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Version	1	2	3	4	5
Canterbury Land District					Sheet 1 of 1
Topographic Map 260 - H36, H37					Date 22/03/02