

Crown Pastoral Land Tenure Review

Lease name: HUNTER HILLS

Lease number: PT 082

Public Submissions - Part 3

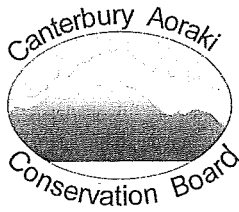
These submissions were received as a result of the public advertising of the Preliminary Proposal for Tenure Review.

July

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Submission 5

Submission 5



Federated Mountain Clubs of New Zealand (Inc)
P.O.Box 1604,
Wellington

Monday 21st December 2009

Mr Bob Webster,
Opus International Consultants Ltd (Christchurch Branch),
P.O.Box 1482,
Christchurch Mail Centre,
Christchurch 8140
Robert.webster@opus.co.nz

Dear Bob,

This is the submission of Federated Mountain Clubs of New Zealand (FMC) **and** the Canterbury Aoraki Conservation Board on the Preliminary Proposal for the tenure review of Hunter Hills Pastoral Lease under the Crown Pastoral Land Act 1998.

FMC is a long-established incorporated society whose objects include the conservation and wise management of New Zealand's natural wild lands and the promotion and defence of the public interest, including public access, in their management. The Canterbury Aoraki Conservation Board is a statutory body established under the Conservation Act 1987 as amended by the Conservation Law Reform Act 1990.

Both FMC and the Conservation Board were represented in a field examination of Hunter Hills on Sunday the 13th of December. Both FMC and the Board have had the advantage of reading the excellent and very thorough submission prepared by Mr Fraser Ross, who was also present on that field examination, on behalf of the South Canterbury branch of the Royal Forest and Bird Protection Society.

Both FMC and the Board wish to associate themselves with and support that submission. We see little advantage in simply reiterating in other words, or even the same ones, Mr Ross's fine descriptions and observations and sensible recommendations. For the sake of emphasis we will indeed make certain observations and dwell on those recommendations. But our first and primary point is that

1. FMC and the Canterbury Conservation Board support in full the submission of the South Canterbury branch of the Royal Forest and Bird Protection Society, and adopt its language and recommendations as their own.

2. The landscape value of Hunter Hills Station is high. The entire property is visible from the Hakataramea Valley road for a considerable part of the valley's length. The higher country presents itself as a still largely unaltered natural landscape rising from altered lower country which nevertheless still retains many natural qualities. As Hunter Hills is situated towards the upper end of the valley, the observer, whether travelling towards or away from the Hakataramea Pass, is more intensely bound up with and focussed on the landscape than he or she might be further down where the valley is broader and the hills further away. We must therefore reject the suggestion shown on the map 'Hunter Hills Landscape Values' that values exist only in the gorges of Two Mile Stream. That is certainly the most dramatic landscape, but pleasing and fine landscape is more than just high drama. Any damage to or alteration of the higher country of Hunter Hills Station as it stands at present would be immediately noticeable and jarring.
3. We are pleased that CA1, recommended for retention in Crown Control as a conservation area, will protect most of the 'acutely threatened land' as identified in the LENZ threat categories. We emphasise, though, that land not of an acutely threatened type or even (at present) of a threatened type at all may nevertheless have significant values for conservation and landscape, and should not therefore automatically be dismissed from consideration for possible retention by the Crown. At the very least protective covenants may well be appropriate.
4. We support the proposal to restore to or retain in full Crown control the 615 hectares in the area CA1. This will protect most of the land falling into the LENZ acutely threatened and at risk categories, and a little of the chronically threatened. It will ensure that a continuous altitudinal sequence is protected from valley floor to ridge line, and protect the identified invertebrate and aquatic values. It will also ensure that public access is available from the legal road on the valley floor to the Hunter Hills Conservation Area.
5. Like South Canterbury Forest and Bird, however, we consider the proposed southern boundary, running up the ridge to the south of Cabbage Tree Gully to be unsatisfactory. There is fine snow tussock to a comparatively low altitude in the two hill blocks to the south of CA1 as far south as Scour Stream. If this area were to be freeholded future management could lead to a depletion of the native vegetation and consequent incongruous lines in the landscape. We therefore recommend that these blocks be added to the area remaining in Crown ownership.
6. Failing such an addition, we certainly recommend that a protective covenant be imposed on those blocks to allow only light grazing and forbid burning.
7. Since the ridge to the south of Cabbage Tree Gully (the site of the presently-proposed boundary) is also the natural route for ascent to the top of the hills, it is also important that any boundary fence which might be erected there be on a line which would indeed allow practical public access on the Crown side.

8. We have no objection to the proposed water supply easement concession r-s.
9. We also support the proposal to retain the 467 hectares of land in CA2 in full Crown ownership and control. This is a fine area of very interesting botany and dramatic gorge scenery. It seems to be the home range of native falcons. We concur with Forest and Bird's remarks about the existing electric fence and the 'new fence', and the wisdom of including the whole of the true left branch of Two Mile Stream within the fenced reserved area.
10. An important question arises as to public access to this block. As the proposal appears on paper, the only legal access would be by descending from the existing Hunter Hills Conservation Area. This would be profoundly inconvenient, and would effectively mean that the public would, for purely practical reasons, be excluded. Public access must be provided for. It could be achieved perfectly simply by altering slightly the nature of the Access for Conservation Purposes Easement c-d-f-g-h, so that it offers legal access to all the public instead of just Departmental staff. A legal road, of course, runs from near the Hunter Hills homestead to point c.
11. The opportunity should also be taken to make the easement line d-e open to all the public. This would offer a useful and convenient direct route to the top of the Hunter Hills.
12. We understand, however, from discussion with the Walking Access Commission that meandering marginal strips may *already* exist in the lower freehold country along the whole length of Anderson and Two Mile Streams. We have no knowledge of whether this is actually the case. As far as we can see, none are shown or mentioned in the proposal documents and maps. If these strips exist, and have linkages to public routes in the lower country, then that would lessen the need to alter the Access Easement c-d-f-g-h to one available to the public. Such an easement would still be useful and convenient, however. It follows very naturally from the legal road up to point c. Streamside travel can easily involve gorges, bluffs and vegetation issues which would not arise on a track.
13. We are also uncertain about the existence and nature of existing marginal strips on the land under review. The access easement is shown and described as stopping and starting at several streams ~ Wyatt, Two Mile and Anderson ~ because existing marginal strips render easements across the streams unnecessary if not legally impossible. Yet, as Forest and Bird mentions, the Conservation Resources Report states on page 33 that there are at present no marginal strips on the land. The explanation of this seeming discrepancy may be that the marginal strips might be expected to arise automatically under the Conservation Act when the land is alienated from the Crown. The land of Two Mile Stream, however, will not be alienated from the Crown, yet a marginal strip is still shown between i and j. Whatever the explanation may be, it is important that the matter be clarified.

14. We agree with Forest and Bird's remarks about the realignment of the existing old snow/retirement fence. The proposed line could be jarring to the eye and allow harm to healthy snow tussock communities. A lower fence would also be easier to maintain and repair.
15. We also agree that protective covenants should be imposed over the described areas to be freeholded which have high conservation and landscape values to limit stock numbers and prohibit burning, tree-planting and the spraying, clearance or cultivation of areas of indigenous vegetation.
16. We thank Mark and Nikki Giles for their hospitality and courtesy in offering us tea and access. We are obliged to you and Opus also for your helpfulness and patience.

Yours sincerely

David Round
(on behalf of FMC & the Canterbury/Aoraki Conservation Board)

Address for service:
C/- Brenda Preston
Department of Conservation
Private Bag 4715
Christchurch

Submission 6

Submission 6



DAVID HENSON

**Flat 2, 32 Picton Avenue,
Christchurch, 8011,
New Zealand.**

Phone: +64-3-942.3954

E.mail: david-henson@paradise.net.nz

Bob Webster,
Opus International Consultants Ltd,
P.O. Box 1482,
Christchurch, 8140.

20th December 2009

Dear Bob Webster,

PRELIMINARY PROPOSAL – HUNTER HILLS TENURE REVIEW

I write to comment on this proposed tenure review. Owing to other commitments I have not had the opportunity to inspect the property directly so my comments are based on detailed study of information on the LINZ website and hard copy supplied to me. The comments are based on the viewpoint of a trumper who would visit the Hakataramea Valley and Hunter Hills for recreational purposes.

THE RECREATIONAL SETTING

The Hakataramea Valley is relatively remote and probably receives low recreational traffic under present circumstances. However as tenure review progresses and more public land becomes available with assured access routes use is likely to grow. The former South Canterbury Catchment Board had a programme of constructing 4WD tracks along the summit ridges of the outer ranges in its district. These were available to relevant Government agencies and neighbouring land-holders. Many of these tracks are now on Conservation Land and have mellowed so that they provide comfortable tramping and mountain biking routes. Section 2.8 of the Conservation Resources Report (CRR) describes the actual and potential recreational values of the lease and adjoining land in some detail.

THE LAND SPLIT

A study of the ecological information in the CRR indicates that the proposed conservation areas, CA1 and CA2 cover many of the important conservation sites.

PUBLIC ACCESS

The only definite proposal to provide access through the existing lease to the Hunter Hills Conservation Area is a vague combination via CA2 set out in the summary of proposal document. While it is clear that this will ensure legal access to CA1 itself this is not the best route to the tops because it leads to relatively steep ridges above CA1. Consequently this route is likely to suit only agile trampers rather than a broader portion of the outdoor public who may want reach the range top.

A better option would be via the route c-d-e currently proposed as a DOC management easement. There is legal access from the valley road to the lease boundary as shown on cadastral information supplied on the LINZ website (Plan 1, attached to the CRR). This access runs past Hunter Hills homestead but a short diversionary easement before the access passes the homestead would preserve privacy. Above point e the terrain to the ridge top is gentler and thus provides easier access to the main ridge.

The failure to provide access from the valley to CA2. is also unsatisfactory. The stated rationale for this is that CA2 is "separated from the Hakataramea Valley Downs Road by several kilometres of highly developed existing freehold which is not included in the review". While this may be technically correct it is misleading. The closest formed road access is per Moorland Settlement Road which is on the true left of the river as distinct from the main valley road which is on the true right. The proposal also makes it clear that there are several streams with marginal strips which are not part of the surrounding freehold and therefore allow public access to CA2. These are Anderson, Two Mile, and Wyatt Streams.

The most suitable riparian access would be via Two Mile Stream because this is the easiest and most direct route to the bottom tongue of CA2. between points i and j. From here it is easy to reach the present lower farm track where it crosses CA2 and thence up 4WD tracks to the summit ridge. Much of this route is already through CA2 or the Hunter Hills Conservation Area. There are small sections where the track crosses portion of the proposed freehold but it would be reasonable to create pedestrian easements over these sections. Attached is a map illustrating this access. Where the route follows existing stream access or is through CA2 it is shown in green and in red where easements are suggested.

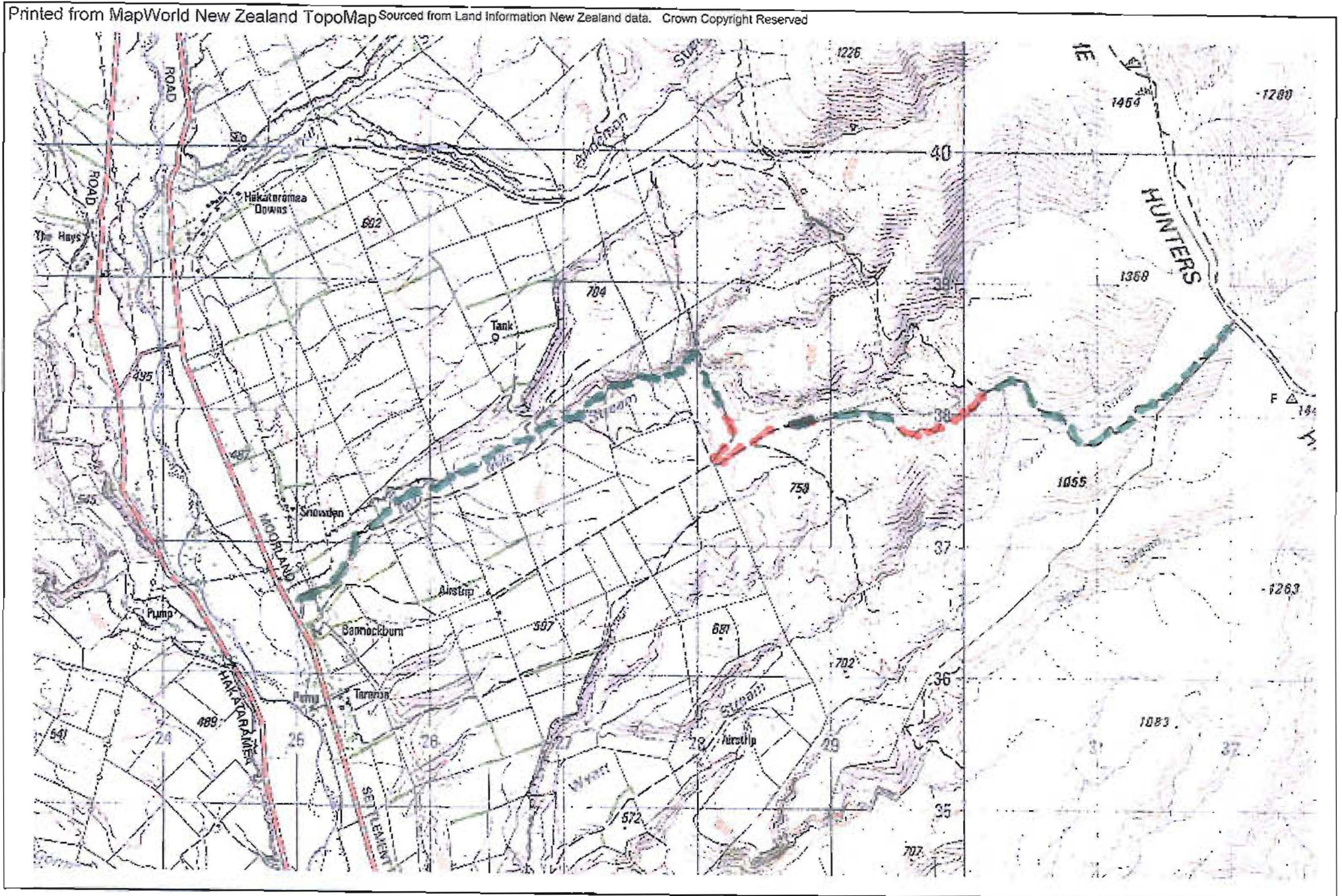
Tramping and walking opportunities are greatly enhanced if there is a choice allowing ascent and descent via different routes and in this case a traverse of part of the summit ridge.

Thank you for the opportunity to comment.

Yours sincerely



David Henson



 EXISTING / PROPOSED PUBLIC ACCESS  SUGGESTED EASEMENTS

Submission 7



P O Box 1876 Wellington
Tel&Fax +64 4 934 2244
hugh@infosmart.co.nz

21 December 2009

Bob Webster
Opus International Consultants Ltd
Box 1482, Christchurch 8140
robert.webster@opus.co.nz

Submission: Hunter Hills Tenure Review Preliminary Proposal

This submission is by the Council of Outdoor Recreation Associations of New Zealand (CORANZ). CORANZ is the national association of seven major national outdoor recreation associations – New Zealand Deerstalkers' Association, New Zealand Federation of Freshwater Anglers, New Zealand Four Wheel Drive Association, Option4 – Recreational Sea Fishers' Trust, Public Access New Zealand, New Zealand Bowhunters Society, New Zealand Salmon Anglers Association; Jet Boating New Zealand, and the regional Marlborough Recreational Fishers Association.

CORANZ member associations have approximately 20,000 members in total, and represent one of the larger membership alliances of outdoor recreation associations in New Zealand. Many of our members can and do recreate in the South Island High Country.

1 Summary of CORANZ submission:

CORANZ supports the Proposal but would like to see more public easements in the easements purchased solely for DOC available to the public to use. **1,082 Ha is being repurchased** for public use.

2 The Proposal:

The Hunter Hills lease (2,688 Ha) is on the east side of the upper Hakataramea Valley, against the Hunter Hills. It is 45 km northeast of Kurow.

Two areas **CA1 (615 Ha in the north)** is being re-purchased by the Crown, and contains a full altitudinal sequence. It provides the opportunity for secure foot access to the Hunter Hills. **CA2 (467 Ha in the south-east)** being repurchased). It covers the upper catchments of four streams. Both are on the uphill side of the lease, and rise to over 1,000 m. Both adjoin conservation areas in the Hunter Hills. Both these areas back onto conservation land on/near the crest of the Hunter Hills.

3 Public access and recreational activities:

CA1 is accessible from the Hakataramea Valley via a legal road, or via a narrow strip of Crown land. CA2 is accessible from the Hunter Hills Conservation Area. DOC access easements a-b, c-d-e, c-d-f, k-l and m-n could also provide public access from farm tracks across the lower freehold land. It is disappointing that these are only for DOC management purposes.

Recreational activities for the surrendered areas include tramping, recreational hunting (provided these open areas are Wild Animal Recovered helicopter (WARO) free). Horse and cycle riding are also available.

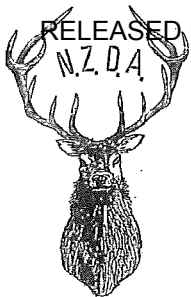
4 Conclusion:

CORANZ supports the Preliminary proposal, and its re-purchase of 1,082 ha of higher land backing onto conservation land on the Hunter Hills. CORANZ would also like to see public use of one or more of the farm tracks where access has been purchased for DOC.

Yours truly

Hugh Barr
Secretary

Submission 8



New Zealand Deerstalkers' Association Incorporated
Level 1 45 – 51 Rugby Street P O Box 6514 Wellington
Phone: 04 801 7367 Fax: 04 801 7368
Email: deerstalkers.org.nz
Website: <http://www.deerstalkers.org.nz>

December 20th 2009

Robert Webster
Opus International Consultants Ltd
Box 1482
CHRISTCHURCH 8140
robert.webster@opus.co.nz

Dear Sir,

Submission: Hunter Hills Tenure Review

This submission is from the New Zealand Deerstalkers' Association (NZDA). NZDA is the national body of recreational hunters which has been recognised by successive central governments as the voice for all recreational hunting. NZDA has 52 branches and a number of affiliated hunting clubs throughout New Zealand. It has 7,800 members and has been actively advocating for deerstalking and recreational hunting, running deerstalker training courses, trips and conferences since 1937. NZDA maintains the ethical side of hunting by considering human aspects including fair chase, and strongly advocates the fullest possible use of the animal taken.

There are a number of NZDA branches which hunt in the South Canterbury area, including North Canterbury (Christchurch), Malvern, Ashburton, South Canterbury, and Southern Lakes, members of which are all interested in hunting this area.

Outline of proposal

It is understood that the Crown is interested in repurchasing some 1080 Ha of the approximately 2,688 Ha of the station lease.

NZDA concerns

From recent telephone enquiries made it appears there are no great concerns about this area and the current owner of Hunter Hills has historically been generous in granting access permission for recreational hunters and for recreational hunting in this area.

Should the options suggested by the tenure review proceed, NZDA would ask that legal access be provided, or, if already provided, be maintained, for recreational purposes to the appropriate area(s).

We would suggest that a suitable notification of a desire to use the public access way would be appropriate and would minimise disturbance to farming operations should legal access traverse land that has not been transferred to the Crown.

Yours faithfully,

Alec McIver
National President

C I H Forsyth
South Island Executive member

Submission 9



18 December 2009

Robert Webster
Opus International Consultants
PO Box 1482
Christchurch

Dear Bob,

Re: Preliminary Proposal for Tenure Review: Hunter Hills Pastoral Lease (Pt 084)

Thank you for providing the Walking Access Commission with the opportunity to comment on the preliminary proposal for the tenure review of the Hunter Hills pastoral lease.

The Walking Access Commission notes:

The intention to create two conservation areas:

- One (CA1) at the northern end of the property will be accessed at its western extremity from the Hakataramea Valley Road or via an unformed legal road.
- The second (CA2) toward the southern end of the lease under review is some 5 km away from CA1 and will be accessed by the public ".....from upslope, via the existing Hunter Hills Conservation Area which adjoins CA2."). An easement for management purposes is proposed to allow this area to be accessed by the Department of Conservation.

The Commission has considered the preliminary proposal and believes that the information provided is not sufficiently complete to enable us to make an informed assessment and provide advice. For example from a walking access perspective, the designation plan does not show existing marginal strips on adjoining properties. These could be important to the identification of existing and possible new walking access opportunities. (We note that the author of the report states that allowance has been made for existing marginal strips on the leasehold block being considered where easements are to be provided).

Elsewhere, from Land Information New Zealand maps we note that:

1. An unformed legal road runs from the end of Hakataramea Downs Road past the Hunter Hills homestead and ends up-slope in the vicinity of the airstrip and Two Legged Stream. Only a portion of this unformed legal road is shown on the designation plan.
2. A cadastral map indicates that that Lot 1 DP 79875, RS 40001 and 40003 of the adjoining free hold property (between Hunter Hills and the road) are subject to the marginal strip provisions.

The Waterways inspection report (prepared by Survey Services dated April 2008) considers the streams in the pastoral lease being reviewed and advises that certain streams including "...Anderson and Two Mile streams all qualify as waterways having an average width of 3m or more..." This being the case the lower reaches of these streams in Lot 1 DP 79875, RS 40001 and 40003 of the adjoining free hold property (between Hunter Hills and the road) should be subject to the marginal strip provisions referred to above.

The Commission asks that:

1. Consideration be given to providing public walking access from the Hakataramea Downs Road using:
 - The marginal strips provided along Scour and Anderson's streams (to allow public walking access to the route the preliminary proposal suggests for management access refer 2 below), and
 - Two Mile Stream directly to CA2.
2. Public walking access is provided over the proposed access for management purposes route (shown on the designation plan) by way of an easement in gross in favour of the public.

The Walking Access Commission would like to discuss the legal nature and content of the proposed easements (if accepted) with you.

Yours sincerely



Mark Neeson
Chief Executive