

Crown Pastoral Land Tenure Review

Lease name: KILLERMONT

Lease number: PO 207

Public Submissions - Part 1

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

July

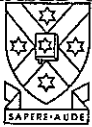
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Po 207/1

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"RELEASED UNDER THE OFFICIAL INFORMATION ACT"



Department of Botany

Division of Sciences
PO Box 56, Dunedin
NEW ZEALAND

DTZ NEW ZEALAND
ALEXANDRA
08 FEB 2005
RECEIVED

University of Otago
Te Whare Wananga o Otago

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February 4, 2005.

Manager,
DTZ New Zealand Ltd.,
PO Box 27,
Alexandra.

SUBMISSION ON PROPOSED TENURE REVIEW: KILLERMONT PASTORAL LEASE

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it, based on my knowledge of the area involved which has been gained over many years of ecological and botanical research on the tussock grasslands and associated mountain lands, particularly of the South Island high country.

Killermont Pastoral Lease is relatively complex ecologically and topographically, and appears substantially degraded. Nevertheless, it contains areas of very high conservation value and biological diversity, capable of ecological restoration under appropriate management. It also contains areas of important landscape values of the southern Mackenzie basin, particularly in relation to its location alongside SH 6 which has become a major tourist route.

I believe the proposed overall rationalisation between areas with high conservation, including landscape values to be allocated to full Crown management and control (1150 ha) and areas with productive values to be freeholded (3675 ha), is unacceptable in relation to the principles contained in the Crown Pastoral Land Act and the government's policy on the South Island high country, including tenure review. I am very concerned with the high proportion of land with significant conservation, including landscape values, which is proposed for freeholding.

The extensive areas of river flats and terraces associated with the Ahuriri River have been virtually all allocated to freeholding (apart from some [25 ha: Area CA2 on the Plan] of river terraces adjacent to the Ahuriri River). The comparable nearby area between the highway and the River less than 1km upstream, has similar values, and should also be transferred to full Crown ownership and management, despite the presence of numerous exotic species and plant cover here (as in Area CA2). This area is equally important to wildlife, including threatened species, as the area CA2. The terrace landforms in the Mackenzie basin have been largely unprotected to date and remain a recognised threatened LENZ Environment Type. This being the case, it would be highly desirable to also formally protect the c.300 ha area between the highway and the River to the east (downstream) of Area CA2. If not formally transferred to full Crown management and control, these additional areas should at least have Landscape Protection Covenants attached so as to preserve the important present aesthetic-landscape values associated with this part of the Red Flats. Such covenants should also be extended to the south of the highway for at least 600 m to embrace the area of lower terrace of Red Flats which the highway traverses. The landscape covenant should secure at least these parts on the Red Flats, against such landscape intrusions as exotic tree plantings and farm buildings.

The area of 1125 ha shown as CA1, which has been proposed for transfer to full Crown ownership and control is supported, both on ecological-conservation and landscape criteria. This area should be extended to include all of the Manuka Creek catchment within the property, as well as the c.100 ha area to its north, using the existing fencelines as shown on the enclosed map. Not only would this increase the ecological diversity of the areas to be protected but would also, importantly, provide for improved public

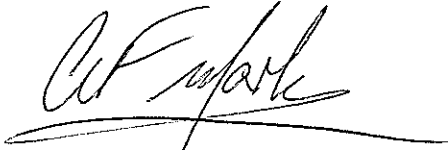
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access from the boundary of the property to the creat of the Wether Range, utilising the proposed easement a-b from Shortcut Road.

I trust that my recommendations will be seriously considered since they would achieve a balance of land allocation between freehold and conservation lands much closer to the principles outlined in the Crown Pastoral Land Act and an area partitioning much closer to that intimated by the previous Minister of Lands, Hon. Denis Marshall, when introducing this important exercise and its associated legislation in 1998.

I thank you for the opportunity to comment on this proposed tenure review.

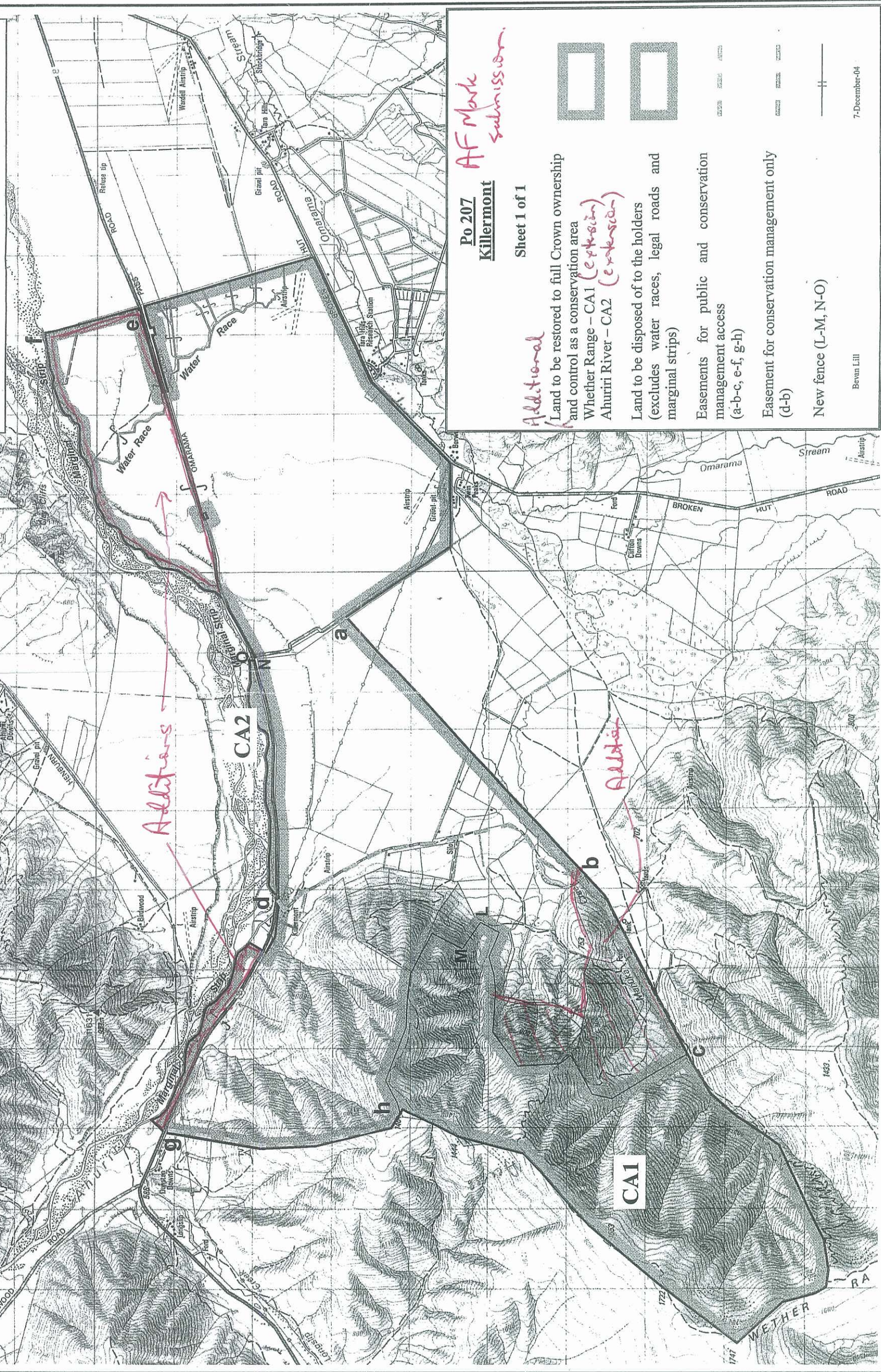
Yours sincerely,

A handwritten signature in black ink, appearing to read 'A F Mark', written over a horizontal line.

Alan F Mark FRSNZ.
Emeritus Professor.

Encl.

“Any fee simple title arising from freehold designation of Crown owned land will be issued subject to marginal strips along streams, rivers and lakes (that meet the criteria set out in Section 24 Conservation Act 1987) if the creation of marginal strips has not already been triggered by the issue or renewal of a lease.”



Po 207
Killermont
Sheet 1 of 1

AF Mark Submission

Additional

Land to be restored to full Crown ownership and control as a conservation area
Whether Range - CA1 (*Extension*)
Ahuriri River - CA2 (*Extension*)

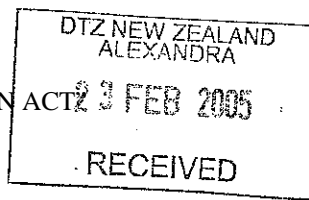
Land to be disposed of to the holders (excludes water races, legal roads and marginal strips)

Easements for public and conservation management access (a-b-c, e-f, g-h)

Easement for conservation management only (d-b)

New fence (L-M, N-O)

Bevan Lill
7-December-04



2



20th February 2005

The Commissioner of Crown Lands
C/o DTZ New Zealand Ltd
Land Resources Division
PO Box 27
ALEXANDRA

FOREST
& BIRD

ROYAL FOREST AND
BIRD PROTECTION
SOCIETY OF
NEW ZEALAND INC

Dear Sir

KILLERMONT - Pastoral Lease Tenure Review -

Submission on the Preliminary Proposal

We thank you for sending us a copy of this preliminary proposal on Killermont. We would be pleased if you would accept this submission on it. Our branch of the Society with a membership of approximately 170 takes a great interest in the tenure review process as it is an ever present issue in our area. The Society as a whole, as we do in our branch, believes it is extremely important in having an input at this stage of the tenure review process.

Our Society nationwide has 56 branches and a total of 40,000 members and is well known for its work in protecting all the natural values of New Zealand.

We fully support the Crown Pastoral Land Act 1998 and also the complementary objectives to that act recently announced. (Please refer to EDC Min 5/3; CAB Min (03) 11/5) These are:-

- *To promote the management of the Crown's high Country in a way that is ecologically sustainable.*
- *To promote the significant inherent values of reviewable land by the creation of protective mechanisms; or preferably, by the restoration of the land concerned to full Crown ownership and control.*
- *To secure public access to and enjoyment of high country land for the public to enjoy.*
- *To ensure that conservation outcomes for the high country are consistent with the New Zealand Biodiversity Strategy.*
- *To progressively establish a network of parks and reserves.*

That the Ministry of Lands has recently stated that it has intentions of purchasing some high country farms and intends to create 15 - 20 further parks is very positive for conservation and recreation in New Zealand. We believe Killermont should become part of one of these parks.

150 years ago it was assumed that all land from the seashore to the tops of the mountains could be farmed; no thought was given to any other values that might be present in that land. In hindsight we have found that some land should never have been farmed. For example it would have been wiser not to have grazed the high tussock covered land and the tussock there be left to act as a sponge to store water. The Tenure Review process is sensible and gives the nation an

-2-

opportunity to re-assess our pastoral land resources, with all their values, and re-designate some of this land without any farmer coming to any harm. Also it secures access to that land for the public to enjoy for ever. The nation also learnt that some of our lower country contains considerable biodiversity peculiar to New Zealand, and to New Zealand alone. We have recently adopted a biodiversity strategy to protect this as well.

With the kind permission of the Thomas family we inspected the property in conjunction with, at first the FMC representative, and then with our Southern Field Officer, Sue Maturin and a Dunedin Branch member. We have sighted the Conservation Resources Report on LINZ website. There appears to be no Designation Report on the site for Killermont.

Our comments and submissions are printed in *Bold Italics and summarised under 5 at the end.*

We see some good points in this proposal, but to fully meet the aims and objectives of Part II of the CPL Act 1998 some modifications will be required in so far as conservation and the public interest are concerned. It appears to us that there is some reluctance to erect any new fences to separate the designations desired in the review. Use is mostly being made of existing fences. This in our opinion is to the detriment of some of the significant inherent values present on the property.

1. GENERAL:

- Killermont as it is at present could be described as a reasonably balanced high country property; there being flats on either side of SH8, well developed paddocks on the alluvial fans at the base of the Range Mountains in the vicinity of Manuka Creek and Frosty Gully, and then, at the back, is the extensive higher country for summer grazing.
- If and when water becomes available to irrigate the flats on the property there will be a big and significant change from extensive grazing to intensive farming.
- The lower hill country appears to be well watered with good streams.
- Apart from sweet briar, some wilding pines and the extensive areas of heiracium, it is relatively clean country.
- Below about 900ms on the alluvial fans, aerial over sowing and topdressing has taken place.

2. SIGNIFICANT INHERENT CONSERVATION VALUES PRESENT:

- First and foremost must be the outstanding landscape. Situated where it is at the southern end of the Omarama Basin - or the larger McKenzie basin - Killermont Hill (1464ms) above the homestead, and the associated high altitude ridge running south to the Wether Range dominates the skyline. This is what is seen by the travelling public proceeding south from Omarama towards the entrance to the Lindis Pass.

-3-

- Most of this higher country with the *exception* of the northern top of Killermont hill is to be returned to full Crown ownership and control, (CA1, approximately 1125 ha). *We fully support this.*
- Again, with the Ahuriri River as their northern boundary, the Killermont, or Red flats as they are known locally, are an impressive landscape. Although being mostly modified with very little short tussock remaining, they are essentially "McKenzie Country", as has been described, eulogised and written about so often, (See Boffa Miskell and Lucas Associates' report mentioned in the Conservation Resources Report, 2.2.1). These too are seen and appreciated by countless thousands of people as they travel south along SH8 on their way to the Upper Clutha and Central Otago.
- The lower slopes of the higher country above Manuka Creek and Frosty Gully support a considerable variety of sub-alpine vegetation, including mountain and Halls totara which is distinctive to this part of the basin. (McGlone reports (1998) that "There are few examples of these forests or shrublands left, so all remnants are important". See Conservation Resources Report, 2.4.1)
- The grey shrub lands on the alluvial fans of the upper parts of Manuka Creek, which are in mostly very good order. Worth commenting on is the fact that there are three varieties of olearia present. This creek is of sufficient width to have a marginal strip laid off. *Steps will be required to ensure that this is wide enough to protect at least some of these shrub lands.*
- The unique Ostler Fault line is an impressive landform where it bends in the vicinity of Shortcut Road opposite CA2. It is unique in that very few major faults bend through 90 degrees in such a short distance. *This should be suitably signed and interpreted for the public to fully understand and enjoy.*
- The tops of the range with its basins, alpine vegetation and its truly alpine atmosphere are well worthy of protection and will be important for recreation, walking or tramping, skiing in winter and perhaps possibly some mountain biking. The conservation values and recreational values for all this higher country are yet to be appreciated.
- The middle section of land north of SH8, between the road and the Ahuriri River (CA2, 25 ha) is of importance; *that it is being returned to full Crown ownership and control we applaud.* It will be an excellent resting place for travellers passing through the basin to view the landscape, the river flats, the Clay Cliffs, the braided river and its associated wildlife.
- The area of land north of this above the homestead, and on the same side of SH8, has equal value. *We submit that it be added to CA2.*
- The Ahuriri River bed itself has very significant inherent values in its braided river system.

Although considerably modified with exotic plants such as willow, lupins and various other invasive plants, it has considerable biodiversity. According to the LENZ report this type of country is at risk and not much of it is protected in New Zealand. While there is a marginal strip already in place on the river, the question arises, whether this is wide enough to protect it from cattle and other stock. There is a need for adequate protection of the ecological values in a river system where the flow of water can shift from one place to another at will.

More thought should be given to the possibilities of this river system recovering sufficiently for the protection of the bird life that could inhabit the whole area.

- The Ahuriri river, the north boundary of the property, contains a fishery of significant importance. *We see that this should be protected in every way possible from any damage that could be due to farming activities.* (see Fish and Game report attached to the Conservation Resources Report)

3. LAND TO BE DISPOSED OF AS FREEHOLD TO THE HOLDER

(a) This (3675ha) comprises:

- (i) A large block of land from the north facing slopes of Killermont Hill, behind the homestead, down to SH8.
- (ii) A small flat opposite the above between the road and the Ahuriri river.
- (iii) The land and associated fans in the lower parts of Manuka Creek and Frosty Gully.
- (iv) The main Killermont flats on both sides of the road.

It is important that there be debate again as to whether or not the upper northern portions of Killermont Hill should be returned to full Crown ownership and control for protection instead of becoming freehold. With a concentration of stock on the upper areas of this block, which goes up to 1464ms and is class VIII land, there will be considerable grazing pressure, as, being the top of a slope, stock will congregate and camp there. This will cause deterioration of what vegetation is left and a consequential change in the appearance of the hill which constitutes the landscape values.

The question of this area's ecological sustainability must be properly answered before freehold title is given to this upper portion of the northern block. We would agree that fencing could be difficult if it were to be returned to full Crown ownership and control for protection (the preferred method), but it must be seriously re-considered as this land is classed as VIII under the LUC system of classification, or if that is not considered at all feasible, a covenant must be worked out and put in place.

- (b) Most of the flats, while being of poorer quality soils, will be farmed more intensively with the

retirement of the back higher country. However it is expected that these flats are to be irrigated from the Ahuriri River under a recently announced scheme to irrigate a considerable portion of the McKenzie Country. *A National Conservation Order was gazetted in 1990 to protect the Ahuriri River. This creates some conflict of interest and raises the question - is the conservation order to be revoked?*

If and when these flats do become irrigated and developed, the landscape will change considerably with exotic pastures and perhaps shelter belts. In the vicinity of SH8 proper protection will have to be given by some mechanism to ensure that the road corridor is kept in its natural state and any development constrained in order to maintain the integrity of the "McKenzie Country" landscape. (This requirement is depicted on map 2 of the Conservation resources report)

Not much information in respect to the vegetation is available in the Conservation Resources Report on this flat area. *We believe a more thorough inspection should be given to ensure nothing of conservation value has been missed. The Statics for LENZ level IV environments lists this land as Critically unprotected.*

(c) We have some concern that the upper block, or paddock, above hill .753, already fenced off, is to become freehold. This block is steep and takes in the top end of a tributary of Manuka Creek. It contains a stand of tall tussock in relatively good order and in parts better than the contiguous block above it, which is to be returned to the Crown, CA1. Most importantly there is a good stand of totara just above the bottom fence line. There are also good patches of dwarf carmichaelia and other important sub-alpine plants and shrubs on this block.

This tussock and the associated sub-alpine plants will inevitably disappear if continually grazed: as will also the integrity of the landscape. (See Photo # 1)

(d) The upper portion of the block further to the south contiguous to the one above, (c), and at about the same altitude (800-900ms), also contains a good stand of both Halls totara and mountain totara, cassinia, hebes, pimelea and other plants of a sub alpine nature.

These plants are of a rarity and quality to be adequately protected, this area should be re-examined with the object of returning it to the Crown for protection. We see no reason as to why the fence cannot be shifted from above to below these totaras.

(e) If the top river flats east of SH8 were to return to full Crown ownership and control and added to CA2 this would then protect most of the riverbed. It would also help protect the considerable fishery of the river. The riverbed north of SH8 at the lower end, below CA2, could then conceivable be fenced off to protect the considerable values both present and re-coverable .

4. ACCESS:

Access g-h from SH8 to the proposed conservation area at .1464 will take approximately 2-3

hours to reach. The comment in the proposal that it will have limited practical use for cyclists we would agree with.

Access a-b-c will require at least 2-3 hours for a walker to reach the conservation area, a distance of about 8ks. (See photo # 2)

5. A SUMMARY - TO MEET OUR CONCERNS .

We believe the aims and objectives of the CPL Act 1998 have not been completely met in this proposal i.e., "to protect the significant inherent conservation values present" and at the same time "promote the ecological sustainability of the land to become freehold".

(1) The area north of Killermont Hill which we mention in **LAND TO BE DISPOSED OF 3 (a)** should be re-visited with the object of returning it to full Crown ownership and control.

As we have already mentioned, is it ecologically sustainable? Here again our contention is supported both ecologically and landscape wise by Map 2 of the Conservation report.

Another alternative for this area: Section 97, Part 4 of the CPL Act 1998 should be seriously considered. A "**Sustainable management Covenant**" taken out in favour of the Commissioner to be used to protect the values in the upper section of this area of land.

(2) We believe that the paddock or block we mention in 3 (c) above, the upper part of the block further to the south 3 (d), should be fenced off, and both areas should then be returned to **full Crown ownership and control for protection**, (importantly the totara) . Also to protect the landscape values. (See photo # 1)

We observe that Map 2 of the Conservation Resources Report, "Killermont Values" mostly covers these two areas as regards ecological and landscape values.

(3) Where the Ostler fault, and scarp, enters and leaves the property, the whole area, and its surrounds, should be left in its natural state: this is an important natural feature and must be suitably protected by a covenant, registered against any freehold title for the public to enjoy.

(4) As any district scheme can be altered at any time, or readjusted at ten yearly intervals, there should be a separate covenant attached to any freehold title issued to protect the significant inherent values present, and the "McKenzie Country" landscape, from forestry, undue earthworks and structures.

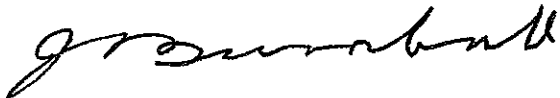
(5) That more of the ecological values of the Ahuriri River itself are given protection by returning the upper section east of SH8, above CA2, to full Crown ownership and control, and the lower section below CA2 have the marginal strip fenced off.

(6) When the marginal strip is laid off in Manuka Creek ensure it is wide enough to give some

protection to the shrublands alongside this stream.

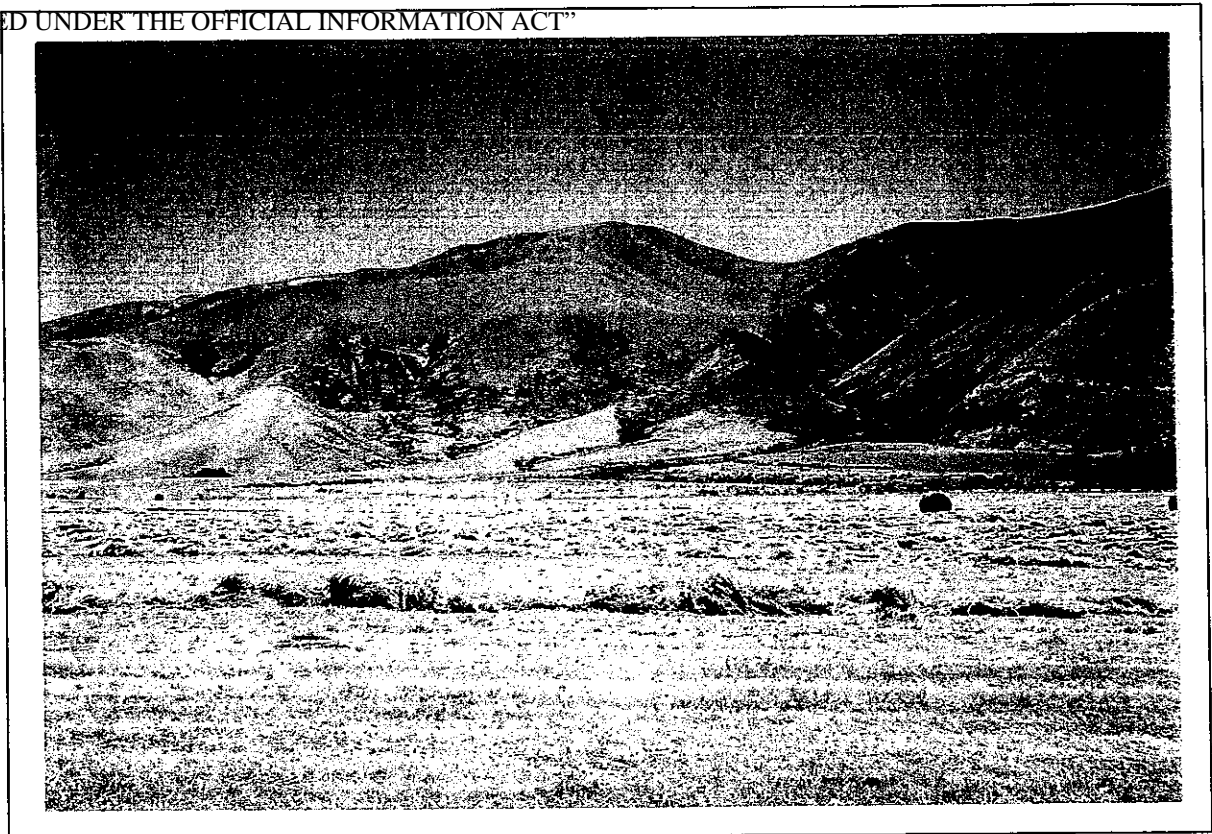
We thank you for the opportunity to make these comments on a comparatively good preliminary proposal, but which can be made better. We await with interest the outcome.

Yours faithfully

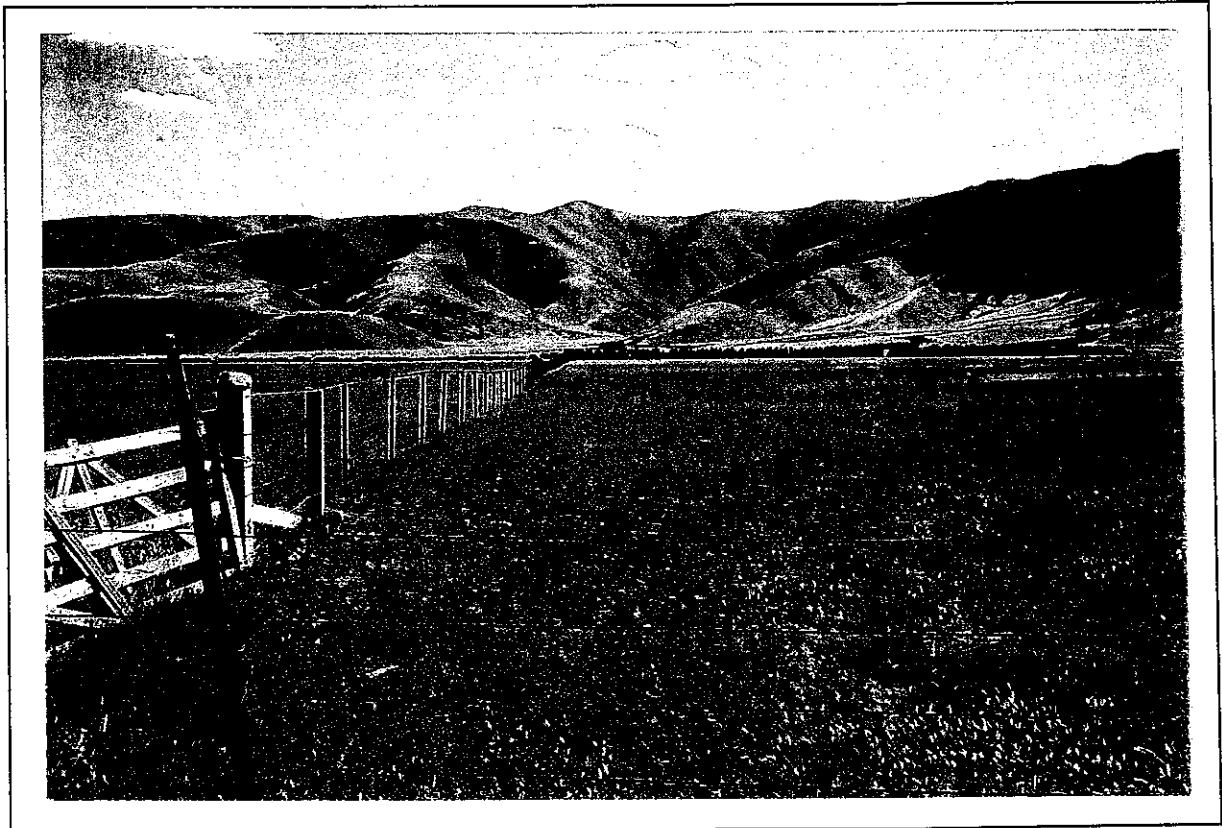
A handwritten signature in black ink, appearing to read "John L. Turnbull". The signature is fluid and cursive, written in a dark ink on a white background.

John L. Turnbull
For Upper Clutha Branch

c.c. Photographs attached



1. This photo clearly depicts a distinct line between the developed country below the fence we mention in 3 (c) in the body of our submission. The land above is in tussock at the moment and if this tussock were to be grazed out, the landscape would alter.

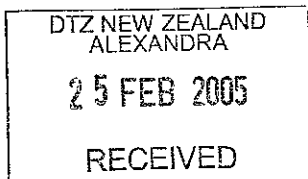


2. This photo depicts the length of the walking access route from Shortcut road to CA1 in Manuka Creek.



FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)
P.O. Box 1604, Wellington.

3



23 February 2005

The Commissioner of Crown Lands
C/- DTZ New Zealand Limited
PO Box 27
ALEXANDRA

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Killermont Pastoral Lease

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 15,000 members of tramping, mountaineering, climbing and other outdoor clubs throughout New Zealand. We also indirectly represent the interests and concerns of many thousands of private individuals who may not currently be members of clubs but who enjoy recreation in the back country.

On their behalf, FMC aims to enhance recreation opportunities, to protect natural values, especially landscape and vegetation, and to improve public access to the back country through the tenure review process.

FMC fully supports the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the more recently stated government objectives for the South Island high country especially the following:-

- *to promote the management of the Crown's high country in a way that is ecologically sustainable.*
- *to protect significant inherent values of reviewable land by the creation of protective measures; or preferably by restoration of the land concerned to full Crown ownership and control.*
- *to secure public access to and enjoyment of high country land.*
- *to ensure that conservation outcomes for the high country are consistent with the NZ Biodiversity Strategy.*
- *to progressively establish a network of high country parks and reserves.*

[EDC Min (03) 5/3; CAB Min (03) 11/5 refer]

FMC appreciates this opportunity to comment on the Preliminary Proposal for the review of Killermont pastoral lease.

The Preliminary Proposal

FMC notes that the proposal includes the following designations:-

1. An area of approximately 1125ha (CA 1) to be restored to full Crown ownership and control as a conservation area.

2. An area of approximately 25ha (CA 2) to be restored to full Crown ownership and control as a conservation area.
3. An area of approximately 3675ha to be disposed of by freehold disposal to Killermont Run Ltd. subject to a protection mechanism.

FMC Submissions

You will recall that in June 2002, FMC submitted a report on the "Recreational and Related Significant Inherent Values of Killermont and Dunstan Downs". FMC is pleased to note that a significant number of our recommendations for the outcomes of tenure review are included in the current Preliminary Proposal. There are however, some significant omissions, notably that of landscape protection for the very visible faces above State Highway 8, and also the flats along the Highway, both of which will be addressed in this submission. This issue impacts on both Items 1 and 3 of the Preliminary Proposal (ie the proposed Conservation Area CA1, and the proposed freehold).

The details of FMC views on, and objections to, the Preliminary Proposal are presented below and are arranged in the same format as the Preliminary Proposal quoted above. FMC submissions on landscape protection are mainly dealt with under Item 1, where landscape issues first arise.

Preliminary Proposal, Item 1.

An area of approximately 1125ha (CA 1) to be restored to full Crown ownership and control as a conservation area.

We applaud the proposal that 1125ha (CA 1) will be restored to full Crown ownership and control as Conservation Area.

FMC notes that the area CA1 includes *"the leading ridge rising to the Wether Range, and the mountain land slopes at the head of Mamuka Creek."*

We also note that the Proposal document states that *"This is a particularly important area in terms of landscape values as part of the outstanding natural landscape within the perimeter of the Mackenzie Basin. The area has a very high degree of naturalness, intactness and cohesiveness and therefore has very high visual values... .. This landscape also forms the backdrop to a number of impressive views across the Mackenzie Basin. It should be noted however, that the proposed area CA1 is only part of the significant landscape recognised in other reports. Previously, the area was described in the Conservation Resources Report as "one of the most extensive outstanding natural landscapes in the Canterbury Region" and Boffa Miskell Partners and Lucas Associates (1992) described the landscape as "one of the most investigated, painted, written about, visited, eulogised and argued over landscapes in New Zealand".*

In the 2002 Report, FMC observed that *"the natural values and landscapes... .. have a fundamental impact on the recreational value of the property and greatly influence the quality of recreational experience enjoyed."*

The FMC Report also stated that *"The scarp face of the Dunstan Range overlooks the Lindis Pass highway and is a prominent landscape feature for tourists and other travellers heading west towards*

the Pass. Particularly obvious are the steep faces above and behind the homesteads of both Killermont and Dunstan Downs which are in fact only about 3km apart. These steep faces appear as a buttress at the south-eastern extremity of the Mackenzie Basin and should be protected for a number of reasons. The slopes have highly significant landscape values, above the improved pasture land, the tussock grassland is relatively unmodified, and the higher, eroded LUC Class VIII land cannot be managed in a way that is ecologically sustainable. Furthermore, the slope on Killermont has recently (2004) been observed to include a prominent rocky shrub covered bluff close to the highway which deserves protection.

In the Conservation Management Strategy (CMS) for Otago the Lindis Pass area is included in the Hawea-Lindis Special Place (#23) and the CMS notes that *"the area contains many magnificent landscapes able to be viewed by travellers on State Highways 6 and 8. The latter includes Okahu (the Lindis Pass), a journey through depleted short tussock and snow tussock covered hills which is renowned for its dramatic light and shadow effects on the subtly detailed terrain and vegetation. The Lindis Pass has been recognised as a nationally significant landscape."* [our emphasis].

FMC recommended that: *"Any land which becomes freehold alongside SH 8 and which is visible from this major tourist highway, should be protected from the adverse effects of inappropriate subdivision and development such as tracking, afforestation or erection of structures. Such protection would be best provided by a binding conservation covenant because we believe that landscape protection provisions of District Plans are not sufficiently secure or long-lasting to afford adequate protection."*

We also note that the recent Conservation Resources Report on Killermont (copied October 2002) shows Killermont Hill as an area mapped with significant landscape values. The Report stated that *"The north end of the Dunstan Range and the Wether Range as a whole are a significant part of the high skyline ranges enclosing the Mackenzie Basin. The north end of the Dunstan Range, called Killermont Hill in this report, is particularly significant. It is the closest part of the ranges to the highway and increasingly dominates the view from SH 8 travelling south, as the highway runs straight towards it and around its base."* [our emphasis].

The area of landscape value includes both CA 1 and also the slopes of Killermont Hill above the homestead. For all the reasons quoted above and spelled out in our 2002 Report, FMC believes this entire area should be protected, ideally as a Conservation Area, but at the very least under a binding landscape protection covenant. Either mechanism should protect the nationally recognised outstanding landscape values from the adverse effects of inappropriate developments (including fencing, tracking, afforestation, subdivision and the erection of structures) but the CPLA states a clear preference for return to full Crown ownership and control.

FMC submission:

FMC submits that the proposal must be revised in order to fulfil the CPLA statutory objective to *"protect significant inherent values of reviewable land by the creation of protective measures or (preferably) by restoration of the land concerned to full Crown ownership and control."* This could be done by registering a binding landscape protection covenant over the Killermont Hill slopes above the homestead or (preferably) by extending the area of the proposed Conservation Area CA 1 to include those slopes.

Preliminary Proposal, Item 2.

An area of approximately 25ha (CA 2) to be restored to full Crown ownership and control as a conservation area.

FMC supports the proposal that about 25 ha of the Ahuriri terraces between SH 8 and the Ahuriri River are designated Conservation Area (CA 2). We recognise and support the arguments that this is important habitat (breeding and feeding) for key bird species (black stilt, wrybill, banded dotterell and black fronted tern). FMC is also aware that the river itself is the subject of a National Water Conservation Order and the riverbed is recognised as a Site of Special Wildlife Interest. These values add public interest for recreation and to its value for conservation.

Importantly, FMC also recognises and supports the access this area will provide to the Ahuriri River for fishing, kayaking and other recreational activities. Because the recreational values of the margins of the Ahuriri River are also important for passive kinds of recreation (such as family picnics) we would argue that the area of CA 2 should be extended to include that part of Killermont Station between SH 8 and the Ahuriri river, west of the homestead, as far as the western boundary of the property.

Stock wandering from farmland into the riverbed is an ongoing problem in this area, and the proposed reduction in river frontage would serve to reduce the extent of this problem if SH 8 becomes the boundary of the new freehold property.

FMC submission:

FMC fully supports the proposal that 25ha of Ahuriri River terraces adjacent to SH 8 be restored to full Crown ownership and control as Conservation Area CA 2. FMC recommends that CA 2 be extended to include the narrow strip of land between SH 8 and the Aruriri River to the west of the homestead. A revised freehold boundary along SH 8 would serve to minimise the threat of wandering stock gaining access to the riverbed.

Preliminary Proposal, Item 3.

An area of approximately 3675ha to be disposed of by freehold disposal to Killermont Run Ltd. subject to a protection mechanism.

FMC does not support this proposal in its entirety for reasons which will be explained. Evidence for, and references to, the landscape values of some parts of Killermont proposed to become freehold have been presented above (see Item 1). FMC believes therefore, that the significant landscape values of Killermont Hill should be protected, preferably by return to full Crown ownership and control. This is the main reason that FMC does not support the entire freeholding proposal. Even if our submission that the land should be returned to full Crown ownership and control and added to Conservation Area CA1 is not accepted, then a Conservation Covenant to protect landscape values should be the alternative. Such a Conservation Covenant should be registered on the freehold title and this condition should be formally recognised as a protection mechanism in the substantive proposal.

Similarly, the landscape values alongside State Highway 8 are important because this is the tourist route between the Gateway city of Christchurch, and the tourist destination of Queenstown. The Conservation Resources Report describes a "widely arcing terrace scarp" which clearly defines the alluvial plain. The scarp is also a significant geomorphological feature consisting of an alluvial terrace edge which merges into a tectonic ridge associated with late Quaternary faulting. The ridge also

defines the near skyline seen from the highway and could be used to define the boundary for a landscape protection covenant area. We propose that the flats adjacent to the highway, and a strip of land extending 200m south from the scarp edge should be protected from the adverse effects of developments (such as the planting of shelterbelt trees or erection of other intrusive features) by the designation of a landscape protection covenant over this area. The 200m wide strip along the top of the scarp is necessary to obscure from the Highway any trees which might be planted as part of new developments on the proposed freehold on the 'Red Flat'.

The highway also provides a deep sense of space which is a key attribute of the wider Mackenzie basin as well as offering good views of the Clay Cliffs so long as the open nature of the flats between the highway and the river is preserved. The Conservation Resources Report states that: *"This sense of space is greatest east of the fault trace where views are not inhibited by a highway scarp. Excellent views of the Clay Cliffs Badlands feature are also possible from SH 8 due to an open foreground. An ever changing perspective of this feature can be gained for virtually the whole time while crossing the plains of Killermont"* FMC believes that the views of the Clay Cliffs and an appreciation of the wider aspects of the landscape should be protected by the inclusion of a binding landscape protection covenant over the entire area of flats between SH 8 and the Ahuriri River at the eastern end of the property (for a distance of approximately 4km) along the highway.

FMC submission:

FMC submits that the landscape values adjacent to State Highway 8 (the tourist route through the Mackenzie Country) should be protected. This protection should be in the form of a Conservation Covenant protecting landscape values from adverse effects over two separate areas. The first of these areas covers the highly visible front faces of Killermont Hill above State Highway 8 (Note that this only applies if our proposal for an enlarged Conservation Area CA1 is rejected). The second is an area of flats alongside the highway across the Mackenzie Basin, including the alluvial terrace scarp and the tectonic ridge with which it merges. Over this area a binding Conservation Covenant should be designated to protect the basin landscape from the adverse effects of development over that land including a 200m wide strip extending southwards from the crest of the widely arcing terrace scarp which runs alongside the highway for some 3 to 4 km. The area of flats between SH 8 and the Ahuriri River (extending for about 4km to the eastern boundary of Killermont) should be similarly protected under a binding Conservation Covenant designed to protect the open space values of the landscape and clear views of the Clay Cliffs.

There is an important area on the sunny (south) side of Frosty Gully which is characterised by tall tussock grassland with a remnant area of totara-celery pine forest on old scree slope on the lower slopes of the gully. Here the tall tussock is in good condition, better in fact than on the adjacent part of the proposed Conservation Area CA 1. This entire area is already fenced (between approximately 800 and 1150m) and could be added to the proposed Conservation Area CA 1, which it adjoins on the slopes above Manuka Creek.

FMC submission:

FMC submits that a fenced block on the sunny (south) side of Frosty Gully should be added to the proposed Conservation Area CA 1, so as to protect the significant natural values of the tall tussock grassland and a remnant area of totara-celery pine forest included within the block.

Proposed Protective Mechanism (over the land proposed for freeholding)

Easements to provide for public and management access to the proposed conservation areas.

These access easements are proposed for public foot and mountain bike use over the routes marked "a-b-c" and "e-f" and "g-h" and for conservation management only over the route marked "d-b" on the plan.

In the FMC Report on Killermont and Dunstan Downs (2002) a number of important issues were raised with regard to access to and recreational use of the Dunstan and Wether Ranges. The following are significant quotes from that Report:-

"There is currently no public access on either of these properties [Killermont and Dunstan Downs] although there are several 4WD tracks from the flats to the crests of the Dunstan and Wether Ranges on Killermont. There is a 4WD track for practically the entire length of Dunstan Creek. It runs for almost 30km up the valley floor from St Bathans until it climbs over Old Man Peak and drops down to the Lindis Pass highway (SH 8) near the junction of McLays Creek and Longslip Creek.

"There is an alternative route to the Omarama Saddle up the Omarama Stream on the boundary between Twinburn and Dunstan Peaks (both of which also in the tenure review process). Combining this with the route along the crests of the Dunstan and Wether Ranges (on Killermont) across to Omarama Saddle and down the valley of the Omarama Stream to the Mackenzie Basin would make an excellent round trip."

"These settings provide opportunities for a wide range of recreational activities including day walks, extended tramping, mountain bike and horse riding trips, cross country skiing and ski touring in winter, valley walking, fishing and shooting and more passive pursuits such as photography, botanising and bird watching. Many of these activities involve extended travel over several days and across the boundaries of several pastoral leases, so it is important that all these settings and recreational activities are considered in a coordinated way through the tenure review process to ensure that appropriate access routes and through routes become available for public use.

Although Mason did not refer to mountain bike riding, this has become much more popular in the 14 years since his account was written. Several mountain bike trips would be possible in the general area and access through Killermont would be important in making use of the Dunstan and Wether Ranges at the northern extremity of the general area. Reference has already been made above to the valley of the Dunstan Creek becoming an increasingly important recreational route. The Dunstan Creek route has been used more than once by the Goldfields Cavalcade.

Public access on foot and mountain bike and possibly also horse trekking in summer, and for cross country skiing in winter, are the main priorities for recreation in this tenure review."

Under the heading 'Access Requirements' FMC stated:- *"There needs to be a continuation to the north, out of the Dunstan Creek valley, to form a through route with connection to the Lindis Pass highway. [Although] the best route would be over Old Man Peak and down to SH 8 at the yards between McLays Creek and the cattle stop across the highway just uphill of the yards... ..storm conditions may arise and there could be other reasons for an alternative route on some occasions. In these cases, access across Killermont would be required. Any one of the three 4WD farm tracks from the tops to the flats on Killermont would serve this purpose. FMC has no strong views about which*

track should be designated as a public right of way and is prepared to accommodate the runholders views on this matter.

It is very pleasing to FMC to note that these requirements appear to be satisfied by the provisions of the Preliminary Proposal for the tenure review of Killermont.

FMC submission:

FMC therefore supports the proposals for public foot and mountain bike access over the designated routes and for management access over the proposed route.

Canterbury Conservation Management Strategy

FMC is aware that important objectives and priorities for conservation and recreation were set in the Conservation Management Strategy for Canterbury. Some of these are very relevant to the tenure review process and the outcomes of tenure review can materially assist in the achievement of those objectives.

Two particularly relevant objectives for the Waitaki Unit are as follows:-

"To seek to protect, maintain and enhance the natural landscapes and natural landscape values of the Waitaki – through appropriate methods such as tenure review and district plans."

"For recreation and access the Conservancy's objectives are to provide new recreational facilities and opportunities by the Department, other organisations and concessionaires where natural and historic resources and cultural values are not compromised, and to liaise with adjacent landholders to resolve conflicts over access for recreation to land managed by the Department."

FMC recognises that opportunities presented by the tenure review of Killermont have been taken to further these objectives.

Conclusion

There are some good features in this Preliminary Proposal for the tenure review of Killermont. These features include the proposed new conservation areas CA 1 and CA 2 on the Dunstan Range and adjacent to the Ahuriri River respectively.

FMC also supports and endorses the proposal for access to these Conservation Areas as proposed in the Preliminary Proposal for the tenure review of Killermont.

FMC does not accept that CA 1 adequately protects the significant landscape values of Killermont Hill which have been identified by Boffa Miskell Partners and Lucas Associates, by FMC, in the recent Conservation Resources Report on Killermont, and indeed in the Preliminary Proposal document itself.

FMC submits that the proposal must be revised to fulfil the CPLA statutory objective to "*protect significant inherent values of reviewable land by the creation of protective measures or (preferably) by restoration of the land concerned to full Crown ownership and control.*" This could be done by registering a binding landscape protection covenant over the Killermont Hill slopes above the homestead or (preferably) by extending the area of the proposed Conservation Area CA 1 to include those slopes.

Other recommendations for improved public outcomes from this review include landscape protection over parts of the Mackenzie Basin flats, an addition to CA1 to include tall tussock grassland and remnant totara-celery pine forest on the south side of Frosty Gully, and an addition to CA2 to include a narrow strip of riverbank land for recreation and protection of the riverbed from wandering livestock.

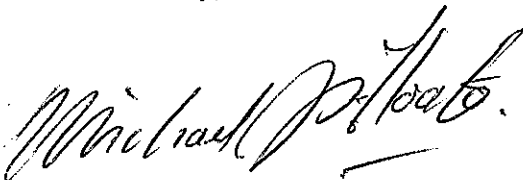
FMC submissions have been set out in this letter in the same format as the Preliminary Proposal for the tenure review of Killermont. Under each of the Proposal Items and Protective Mechanism we have summarised our recommendations under a subheading '*FMC Submission*'.

FMC believes that if these submissions are accepted and acted upon, the review would then be in accord with the Crown Pastoral Land Act 1998 and would assist in achieving the objectives stated both in that Act and the more recently declared government objectives for the South Island high country.

FMC believes that the outcomes of this tenure review could materially assist in achieving important objectives (especially landscape protection) and priorities for the Waitaki Unit as described in the Canterbury Conservation Management Strategy.

Finally, we thank you for this opportunity to comment on the Preliminary Proposal for the tenure review of Killermont. We also thank the agents (DTZ New Zealand) for arranging permission to visit Killermont and the runholder for permission to inspect the property and for hospitality and co-operation during that inspection.

Yours faithfully,



pp Barbara Marshall
Secretary, Federated Mountain Clubs of NZ, Inc.