

Notified Concession Officer's Report to Decision Maker

Officer's Report to Decision Maker: Kingsley Timpson, Operations Manager, North Canterbury

### **Notified Application for a notified lease/licence**

**Applicant:** North Canterbury Alpine Trust

**Permission Record Number:** CA-26544-INS

The purpose of this report is to provide a thorough analysis of the application within the context of the legislation, the statutory planning framework and actual and potential effects, so the Decision Maker can consider the application; and confirm that it should be notified; and make a decision in principle whether it should be granted or declined.

#### **1.0 Summary of proposal**

##### **Context:**

North Canterbury Alpine Trust (the Trust) is a not for profit organisation that has operated the Boyle River Outdoor Education Centre for just over 40 years. The Trust provides for outdoor education needs for the schools and community groups of Canterbury. Whilst the main focus of the Trust's work is school or community groups, they also offer team-building for corporate organisations.

The Trust holds separate concessions with the Department for the lease of staff accommodation (CA-15847-ACC) and an easement for water pipes, phone and power cables and a driveway (CA-18865-OTH) since 2006, and an easement for a mini hydro system (40055-OTH).

The Trust applied for a concession in October 2009. The application has been worked on by a number of permission advisors and has taken longer than it has been anticipated to be completed. There are various reasons for this, which include requiring further information to establish and identify all activities and locations being applied for.

The structures applied for are already in existence as they were built on private land prior to the tenure review which has resulted in the land becoming classed as public conservation land. The structures are an integral part of the operation at the Outdoor Education Centre, as are inextricably linked with the outdoor education work conducted by the Centre.

During the course of processing the application for the outbound structures, it came to light that there are a number of structures that are half on the Trust's private land but encroaching on DOC managed land too. The Trust were asked to make a further application in respect of those structures, which was received on 24.08.2017, and which forms the basis of the lease element of the concession.

**Type of concession sought:** Notified Lease / Licence

**Term sought:** 30 years

**Description of the proposed activity:**

Guiding activities, including walking, mountain biking, climbing, and abseiling, at various locations. In addition, the lease and licence of structures and buildings that support the guiding activities and overall outdoor education work of the Education Centre.

### Guiding Activities (licence)

The guiding activities are set out more fully in Tables 2-5; essentially, they consist of one or more of the following activities: walking, mountain biking, climbing, abseiling, at a variety of locations primarily including Poplars Conservation area, Lake Sumner Forest Park and Lewis Pass Scenic Reserve.

The main focus of the locations is immediately surrounding the Education Centre, however trips are also carried out which takes them further afield too, to include locations within the Buller, Greymouth and North Canterbury districts.

The application form has split the locations into three 'zones' in which the guiding activities take place; see Tables 2 – 4 below.

Zone A: The Education Zone – Guiding activities taking part in the area immediately surrounding the Education Centre, as showing on Map 1, and Table 2.

Zone B: Guiding Activities within the North Canterbury surrounding areas, as showing in Table 3.

Zone C: Guiding Activities outside of the surrounding areas, as showing in Table 4.

### Associated Guiding Activity Structures (licence)

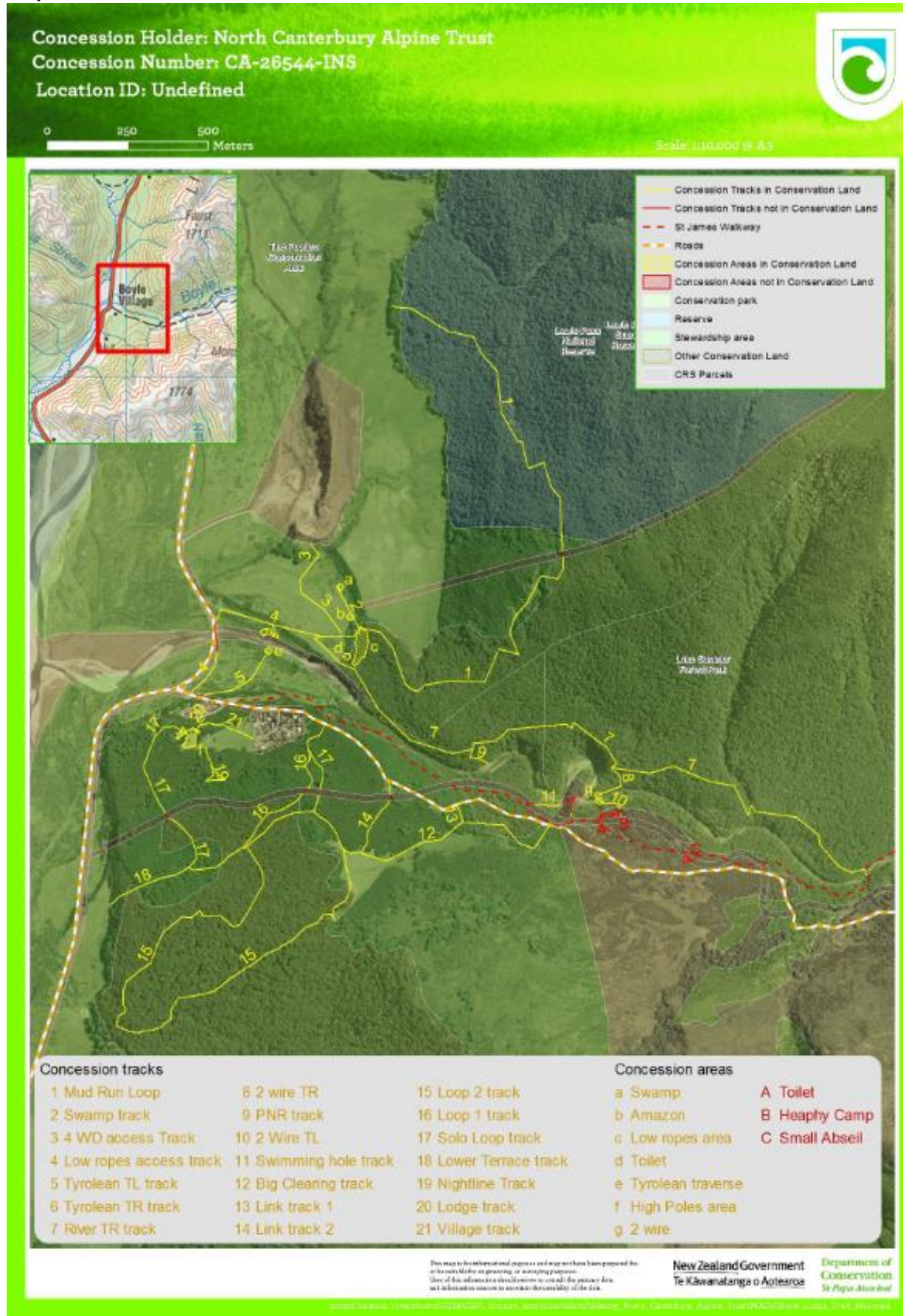
The applicant has built significant infrastructure over the years within the surrounding vicinity of the Education Centre i.e. within the Poplars Conservation area, Lake Sumner Forest Park and Lewis Pass Scenic Reserve. These include a large set of tracks, plus structures to include the low and high ropes areas, as showing on Map 1, and Tables 1 and 2, below.

### Structures (lease / licence)

During the course of processing the application it came to light that there were a number of structures that were either in full or in part situated on Conservation Land. A further application ([DOC-3165980](#)) was received in respect of those structures, listed below, and are numbered on the map of the lodge provided by the applicant (see map 2). NB. This map includes non-conservation land too; the conservation land barrier is depicted by a thin red line.

1. Part of Sinclair Cottage - lease
2. The Pod - lease
3. Colin East shed - lease
4. Storage containers – lease
5. Part of the parking area - licence
6. The shed storage area - lease
7. Compost area - licence
8. Toilet – licence

**Map 1: Zone A – Education Zone**





Map 2: Buildings / Structures



**TABLE 1: Buildings / Structures applied for**

LICENCE STRUCTURE	LOCATION	GPS Co-ordinates	INFORMATION
Swamp activity: vertical posts and horizontal platform	Poplars Conservation Area	As per map	See Map 1
The Amazon	Poplars Conservation Area	As per map	See Map 1
Low ropes area	Lake Sumner Forest Park	As per map	See Map 1
Tyrolean traverse – poles	Poplars Conservation Area	As per map	See Map 1
High poles area	Poplars Conservation Area	As per map	See Map 1
Two wire bridge	Lake Sumner Forest Park	As per map	See Map 1
Styles	Poplars Conservation Area	Unknown	Near SH7
Bolts	Windy Point, Poplars CA	-42.517102 172.384571	Windy Point
Repeater	Poplars Conservation Area	-42.55274 172.36914	1m <sup>2</sup> footprint
Part of the parking	Poplars Conservation Area	Unknown	See Map 2
Compost area	Poplars Conservation Area	Unknown	See Map 2
Toilet	Poplars Conservation Area	Unknown	See Map 2

<b>LEASE AREA</b>	<b>LOCATION</b>	<b>GPS Co-ordinates</b>	<b>INFORMATION</b>
Part of Sinclair Cottage	Poplars Conservation Area	-42.517166750 172.384000272	See Map 2
The Pod	Poplars Conservation Area	-42.517172681 172.383884937	See Map 2
Colin East shed	Poplars Conservation Area	-42.517190474 172.384110242	See Map 2
Storage containers	Poplars Conservation Area	-42.517222106 172.384190708	See Map 2
Shed storage area	Poplars Conservation Area	-45.516978936 172.383466512	See Map 2
Water storage tanks x 2	Poplars Conservation Area	-42.517550 172.384194	See Map 2
Shed (next to water storage)	Poplars Conservation Area	Unknown	Adjacent to 2 x water tanks

**TABLE 2:****Zone A: The Education Zone (immediately surrounding the Boyle River Outdoor Education Centre)****Guiding Activities**

Name of Conservation Area	Activity	DOC Facilities	Months/season	Max. Party Size (incl. Guides)	Frequency of Use (trips)	Duration of Visit: Less than 1 hour; 1 – 4 hours; 4 – 24 hours
<b>The Poplars Conservation Area, Lake Sumner Forest Park, Lewis Pass National Scenic Reserve, Conservation Area Nina Doubtful Rivers,</b>	The following activities make up what it classed as ‘outdoor education activities’, in addition to the specified walking / biking in Table 2. <ul style="list-style-type: none"> <li>• Team and individual challenges using course infrastructure</li> <li>• Lower Sylvia Falls – plunging into pools</li> <li>• Orienteering courses over the flat areas of Zone A</li> <li>• Navigation activities</li> <li>• Tubing in the Boyle / Lewis rivers</li> <li>• River crossing the Boyle / Lewis rivers</li> <li>• Nature study</li> <li>• Bivvy building</li> </ul>	Nil	All year	12	160  Use of the zone potentially daily as unsure when courses run	4-24 hours
	Mud Run	Nil	Feb, Mar, Apr, Nov	12	1-4 times per week	1 – 4 hours
<b>The Poplars Conservation Area, Lake Sumner Forest Park, Lewis Pass National Scenic</b>	<b>Walking/Tramping (See Map 1)</b> Track 1: Mud Run loop Track 2: Swamp track. This links the Swamp/Pond activity (Structure A) with the Amazon activity (Structure B) and the Low Ropes area (also known as the Trees Ropes Course area) (Structure C) Track 3: 4 WD access track for emergencies and maintenance	Track	All year	12	160  Use of the zone potentially daily as	4-24 hours

<p><b>Reserve, Conservation Area Nina Doubtful Rivers,</b></p>	<p>Track 4: Low Ropes access track                  Tracks 5 and 6 give access to the Tyrolean Traverse activity (Structure E-                  consisting of a pole either side of the River)                  Track 7: River TR Track - parallels the Boyle River linking the Trees Ropes                  Course with the DOC Boyle Swing Bridge                  Tracks 8 and 10 give access to the 2wire bridge over the Boyle River                  (structure G)                  Track 9: Point of No Return track and gives final access to the Boyle River                  Track 11: Swimming hole track links the St James to the Boyle swimming                  hole just downriver from the 2 wire                  Track 12: Big Clearing Track                  Track 13: Link Track 1                  Track 14: Link Track 2                  Track 15: Loop 2 Track                  Track 16: Loop 1 Track                  Track 17: solo loop track                  Track 18: joins loop 2 and is known as lower terrace track, linking to Boyle                  Base Hut                  Track 19: Night line track                  Track 20: Lodge track used to access Boyle Village terrace                  Track 21: Village Track is used by staff to access the Boyle OE centre from                  their living quarters</p>				<p>unsure when courses run</p>	
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**Table 3: Zone B: The Boyle, Lewis, Maruia, Lake Sumner and St James area**

Name of Conservation Area	Activity	DOC Facilities	Month or season	Max. Party Size (incl. Guides)	Frequency of Use (trips)	Duration of Visit: Less than 1 hour; 1 – 4 hours; 4 – 24 hours
The Poplars Conservation Area	Abseiling at Windy Point	N/A	All year	12	160	1-4 hours
The Poplars Conservation Area	Rock climbing at Windy Point	N/A	All year	12	160	1-4 hours
Lewis Pass National Scenic Reserve, Lake Sumner Forest Park, The Poplars Conservation Area	Snow living & climbing Libretto Range access from Boyle via Faust Track	Faust track	All year	12	5	1-4 hours
Lewis Pass National Scenic Reserve, Lake Sumner Forest Park, The Poplars Conservation Area	Guided Activity: walking	Faust Loop and Tops	All year	12	160	1-2 days
Lewis Pass National Scenic Reserve	Guided Activity: day walk Rolleston Pack Track	Rolleston Pack Track	All year	12	5	1-4 hours
Lewis Pass National Scenic Reserve	Guided Activity: walking Alpine Nature Walk	Alpine Nature Walk	1 Nov to 30 April	12	5	Less than 1 hour
Lewis Pass National Scenic Reserve	Guided Activity: walking	Sylvia Falls	All year	12	160	1-4 hours
Lewis Pass National Scenic Reserve	Guided Activity: walking Lake Daniels	Lake Daniel Track	All year	12	3	2 days
Lewis Pass National Scenic	Guided Activity: walking	Nina Valley Track	1 Nov to 30	12	8	3 days

Reserve and Conservation Area Nina Doubtful Rivers	Devilskin via Nina	Devilskin Saddle Route Doubtful Valley Track Tui Track	April			
Poplars Conservation area/Lake Sumner Forest Park	Guided Activity: walking  Lake Mann via Hope Kiwi or Doubtful	Hope Kiwi Track Three Mile Stream Track Three Mile Stream Route Hope Valley route Lake Mann Route	1 Nov to 30 April	12	2	3 days
Lewis Pass National Scenic Reserve/Lake Sumner Forest Park	Guided Activity: walking Lewis Tops from the carpark	Lewis Tops Track	All year	12	10	3 days
Lewis Pass National Scenic Reserve/Lake Sumner Forest Park	Guided Activity: walking Christabel	Rough Creek Track Lake Christabel Track Robinson River and Saddle Track	1 Nov to 30 April	12	1	3 days
Lake Sumner Forest Park	Guided Activity: walking Carlyle	Carlyle Hut Route	All year	12	2	2 days
Lewis Pass National Scenic Reserve, Lake Sumner Forest Park	Guided activity: tramping Lucretia Valley to Lewis Tops	Lucretia Valley Lucretia Hut Brass Monkey Bivvy	1 Nov to 30 April	12	1	2 days
Lewis Pass National Scenic Reserve, St James Conservation Area, Lake Sumner Forest Park, The Poplars Conservation Area	Guided activity: tramping  St James Walkway	St James Walkway: (all segments)	All year	12	8	4 days
St James Conservation Area	Guided Activity: Tramping  St James-Waiiau adventure	St James Cycle Trail (all segments) Fowlers Pass Track Stanley River Route Ada Track Henry Track Waiiau Pass Track Waiiau Pass Route Tophouse Road	1 Nov to 30 April	12	4	4 days

Lewis Pass National Scenic Reserve, St James CA	Climbing Faerie Queene and/or Gloriana Peak [Access via St James Track staying at Ada Pass hut from there they then climb.]	Faerie Queen – off track climbing Gloriana Peak – off track climbing	1 Nov to 30 April	3	3	2 days
Molesworth Recreation Reserve, Rainbow Conservation Area, St James Conservation Area	Guided: Mountain biking  Rainbow Road and St James Cycle Trail	Wairau Hanmer Springs Hydro Road St James Cycle Trail – all segments	All year	12	3	3 days
Hanmer Forest Park and Conservation Area Hanmer Field Base and Picnic Area	Mountain biking Hanmer	Dog Stream Track Woodland Walk Mt Isobel Track Jacks Pass to Mt Isobel Track Jollies Pass to Mt Isobel Track Chatterton River Tracks Waterfall (Dog Stream) Track Spur Track Joliffe Saddle Track	All year	12	3	1-4 hours
Lake Sumner Forest Park	Guided Mountain biking on Mag Road to Mag Hut from the Boyle Centre and then walking on St James Walkway back to OE Centre.	Boyle Shelter to Magdalen Hut	All year	12	20	4 – 24 hours
Lake Sumner Forest Park, Poplars Conservation Area	Guided walk: Poplars Tops	Boyle Shelter to Magdalen Hut Route along Poplars tops incl Mon Sex Millia (NB. The Tops are not on conservation land but parts in	1 Nov to 30 April	12	1	2 days

		between the tops are therefore it is these parts being applied for).				
Lake Sumner Forest Park, Lewis Pass National Scenic Reserve	Guided walk: Mt Lucia	Lucia Track	All year	12	2	1-4 hours
Lewis Pass National Scenic Reserve , Lake Sumner Forest Park,	Guided walk: Deer Valley	Deer Valley Track	1 Nov to 30 April	12	2	1-4 hours
Conservation Area Taramakau River / Otira River CA, Arthur's Pass National Park, Lake Sumner Forest Park, The Poplars Conservation Area,	Guided walk: Harper Pass Route (Arthurs Pass to Boyle OE Centre)	Aitkens to Kiwi Hut/Locke Stream Hut via Taramakau Valley and track Harper Pass Bivvy/Cameron Hut/ Hurunui Hut – Taramakau & Hurunui valley Tracks Hurunui Hut – Hurunui Valley Track Hope Kiwi Lodge – Huruniu Valley Track/Kiwi pack Track ( Kiwi River) Hope Half way Hut/Windy Point, Lewis Pass Road – Hope Kiwi Track, Hope Valley	1 Nov to 30 April	12	3	3 days

**Table 4: Zone C 'Further a-field'**

<b>Name of Conservation Area</b>	<b>Activity</b>	<b>DOC Facilities</b>	<b>Month season</b>	<b>Max. Party Size (incl. Guides)</b>	<b>Frequency of Use (trips)</b>	<b>Duration</b>
Craigieburn Forest Park	Guided Activity: walking  Craigieburn Forest Park	*Nature Walk *Hut Creek Walk *Dracophyllum Flat Track *Lyndon Saddle Track *Helicopter Hill Track *Craigieburn Valley Track *Camp Saddle Track *Craigieburn Picnic Area to Lyndon Saddle	All year	10	2	2 days
Craigieburn Forest Park	Guided Activity: mountain biking  Craigieburn Forest Park	*Lyndon Saddle Loop *Craigieburn Valley Loop *Broken River ski field road *Broken River ski field to Camp Saddle *Dracophyllum Flat Track	All year	10	2	1 day
Cave Stream Scenic Reserve	Guided Activity: walking  Cave Stream	*Cave Stream Lookout Walk *Cave Stream Inlet Walk *Cave Stream loop Track *Cave Stream Outlet Walk	All year	10	2	1-4 hours
Arthur's Pass National Park	Guided Activity: Tramping  Exploring Arthurs Pass	*Village Historic and Interpretive Walk *Devils Punchbowl Falls *Bridal Veil Track *Old Coach Road Walk *Bealey Valley Track *Temple Basin Track *Dobson Nature Walk *Otira Valley Track *Bealey Spur Track *Arthurs Pass Walking Track	All year	10	2	2 days



		*Avalanche Peak Track *Scotts Track				
Moana Scenic Reserve, Conservation Area- Taku Street-Moana	Guided Activity: walking	Velenski Walk	All year	10	2	4 – 24 hours
Arnold River Scenic Reserve	Guided Activity: walking	Rakaitane Track	All year	10	2	4 – 24 hours
Conservation Area Hohuna Forest, Hohuna Scenic Reserve	Guided Activity: walking	Mt French Track	All year	10	2	4 – 24 hours
Conservation Area Mitchells, Lake Brunner Scenic Reserve	Guided Activity: walking	Carew Falls Track	All year	10	2	4 – 24 hours
Arnold River Scenic Reserve	Guided Activity: walking	Arnold Dam walk	All year	10	2	4 – 24 hours
Woods Creek Amenity Area	Guided Activity: walking	Woods Creek Walking Track	All year	10	2	4 – 24 hours
Conservation Area – Paparoa Range South, Roaring Meg Ecological Area	Guided Activity: walking and mountain biking	*Croesus Track *Moonlight Track	All year	10	2	4 – 24 hours
Rapahoe Range Scenic Reserve	Guided Activity: walking	Port Elizabeth Walkway	All year	10	2	4 – 24 hours
Paparoa National Park	Guided Activity: walking Exploring Paparoa Nat park	*Pancake Rock and Blowholes walk *Truman Track *Punakaiki Cavern *Inland Pack Track *Pororari River Track *Fox River Cave Walk	All year	10	2	4 – 24 hours
Cape Foulwind Recreation Reserve	Guided Activity: walking	Cape Foulwind Tracks	All year	10	2	4 – 24 hours
Conservation Area	Guided Activity:	Constant Bay Track	All year	10	2	4 – 24

Doctors Bay	walking					hours
Victoria Forest Park	Guided Activity: walking	*Alborns Coal Mine Track *Tawhai Walk	All year	10	2	4 – 24 hours
Victoria Forest Park, Rahu Scenic Reserve	Guided Activity: walking	*Duffys Creek Track *Lake Stream Route *Mt Haast Route	All year	10	2	4 – 24 hours
Conservation Area – Boatman Creek – Caplestone, Victoria Forest Park	Guided Activity: tramping & mountain biking	*Kirwans Track *Waitahu Valley *Inglewood Branch Track *The Caplestone to Gannons Road Track	All year	10	2	2 days
Victoria Forest Park	Guided Activity: mountain biking Vic park Mtb #1	*Big River Road and Hut *Big River – Waiuta Historic Township	All year	10	2	4 – 24 hours
Victoria Forest Park	Guided Activity: mountain biking Vic park Mtb #2	*Murray Creek Track *Murray Creek to Waitahu Valley (Devils Tail) *Lankey Creek *Tram Track *Konini Track, *Golden Fleece walk, *Waitahu River Road, *Cement Town Branch Walk, *Tram Track.	All year	10	2	4 – 24 hours
Craigieburn Forest Park	Guided Activity: walking Lagoon Saddle adventure	*Cass-Lagoon Saddle Track Cora Lynn Road *Cass Lagoon saddle Track – Lagoon Saddle *Cass Lagoon Saddle Track: SH73 to Cass	All year	10	2	4 – 24 hours
Arthur's Pass National Park	Guided Activity: walking	*Mingha Track *Deception Valley Route	All year	10	2	2 days
Arthur's Pass National Park	Guided Activity: walking	*Bealey bridge to Anti Crow Hut Track *Anti Crow Hut to Carrington Hut Track	All year	10	2	2 days
Mt Te Kinga Scenic Reserve	Guided Activity: walking	Te Kinga Track	All year	10	2	4 – 24 hours

**Table 5: Hut use applied for:**

<b>Name of Conservation Area</b>	<b>DOC Facility</b>	<b>Month season</b>	<b>Max. Party Size (incl. Guides)</b>	<b>Frequency of Use (trips)</b>
Wanganui / Otira Catchments	Bluff Hut, Hokitika River	all year	12	1
Wanganui / Otira Catchments	Cedar Flat Historic Hut, Toaroha River	all year	12	1
Wanganui / Otira Catchments	Cedar Flat Hut, Toaroha River	all year	12	1
Wanganui / Otira Catchments	Crystal Bivvy, Toaroha River	all year	12	1
Wanganui / Otira Catchments	Frew Hut, Whitcombe River	all year	12	1
Wanganui / Otira Catchments	Frew Saddle Bivvy, Frew Creek	all year	12	1
Wanganui / Otira Catchments	Poet Hut, Mungo River	all year	12	1
Wanganui / Otira Catchments	Rapid Creek Hut, Hokitika River	all year	12	1
Arawhata	Stafford Hut	all year	12	1
Wanganui / Otira Catchments	Toaroha Saddle Bivvy	all year	12	1
Wanganui / Otira Catchments	Top Toaroha Hut, Toaroha River	all year	12	1
Wanganui / Otira Catchments	Yeats Ridge Hut, Toaroha River	all year	12	1
St James Conservation Area	Ada Pass Hut	all year	12	6
St James Conservation Area	Anne Hut	all year	12	5
St James Conservation Area	Boyle Flat Hut	all year	12	6
St James Conservation Area	Cannibal Gorge Hut	all year	12	10
St James Conservation Area	Christopher Cullers Hut	all year	12	3
St James Conservation Area	Christopher Hut	all year	12	5
St James Conservation Area	Jervois Hut	all year	12	3
St James Conservation Area	Lake Guyon Hut	all year	12	3
St James Conservation Area	Magdalen Hut	all year	12	15
St James Conservation Area	Old Bridge Hut	all year	12	3
St James Conservation Area	Pool Hut	all year	12	3
St James Conservation Area	Rokeby Hut	all year	12	3
St James Conservation Area	Scotties Hut	all year	12	6
St James Conservation Area	Stanleyvale Shelter	all year	12	3

Lewis Pass Scenic Reserve	Brass Monkey Bivvy	all year	12	3
Lake Sumner Forest Park	Cameron Hut	all year	12	3
Lake Sumner Forest Park	Cold Stream Hut	all year	12	3
Lake Sumner Forest Park	Doubtful Hut	all year	12	6
Lake Sumner Forest Park	Doubtless Hut	all year	12	5
Lake Sumner Forest Park	Gabriel Hut	all year	12	3
Lake Sumner Forest Park	Harper Pass Bivvy	all year	12	3
Lake Sumner Forest Park	Hope Halfway Hut	all year	12	6
Lake Sumner Forest Park	Hope Kiwi Lodge	all year	12	5
Lake Sumner Forest Park	Hurunui Hut	all year	12	4
Lake Sumner Forest Park	Hurunui Hut No 3	all year	12	3
Lake Sumner Forest Park	Jollie Brook Hut	all year	12	3
Victoria Forest Park	Lake Christabel Hut	all year	12	3
Lake Sumner Forest Park	Lake Man Bivvy	all year	12	3
Lake Sumner Forest Park	Lucretia Hut	all year	12	3
Lake Sumner Forest Park	Mackenzie Hut	all year	12	1
Lewis Pass National Reserve	Manson-Nicholls Memorial Hut	all year	12	1
Victoria Forest Park	Mid Robinson Hut	all year	12	1
Lake Sumner Forest Park	Nina Hut	all year	12	10
Lewis Pass National Reserve	Pell Stream Hut	all year	12	1
Lake Sumner Forest Park	St Jacobs Hut	all year	12	3
Lake Sumner Forest Park	Steyning Hut	all year	12	3
Lake Sumner Forest Park	Three Mile Stream Hut	all year	12	3
Lake Sumner Forest Park	Top Hope Hut	all year	12	3
Victoria Forest Park	Top Robinson Hut	all year	12	3
Lake Sumner Forest Park	Windy Point Shelter	all year	12	10

A copy of the application is attached at: [DOC-2947603](#)

## 2.0 Information available for consideration

### Information received:

#### From applicant:

Application form and supporting documents: [DOC-2947603](#)

Second application form detailing further structures: [DOC-3165980](#)

Finalised list of Guiding Locations: [DOC-3143148](#)

#### From whanau/hapu/iwi (if sought)

- Iwi consultation – initiated by Buller and Greymouth districts but no responses received (as noted in the RFC form, linked below).

#### From DOC staff (including Operations, technical and legal comments)

Request for Comments form: [DOC-2947610](#)

### Requested information not received:

All requested information has been received.

## 3.0 Acknowledgement of complete application (s17S)

The applications are complete as required under s 17 S.

## 4.0 Analysis of proposal (s17T, 17U, 17V, 17W, 17X, 17Y)

*Section 17T(2) requires the Minister to decline an application within 20 working days of it being deemed complete, if "...the application does not comply or is inconsistent with the provisions of this Act or any other relevant conservation management strategy or plan..."*

The application is considered complete for the purposes of section 17T(2).

### Public notification s17T(4):

Any licence application with a term over 10 years must follow a notified process, as must any lease application. Therefore, as this application is for a 30 year term lease / licence this process is appropriate.

### Analysis of Effects s17U(1) and (2):

#### Applicants Assessment of Effects

The following effects have been identified by the Trust and are listed below using their words from their application. Advisor 'Comments' are set out under some of the headers, where appropriate, together with suggested special conditions.

#### General Effects:

The effects of their activities are cumulative in nature and the Trust have two main strategies to avoid cumulative effects:



- Vary travel routes – by applying to have a large geographical area with many tracks, the Trust will vary course routes and therefore spread the impact so that it is minimal in nature.
- Integrated use of the Environmental Care Code, Water Care Code and Leave no Trace principles.

**Comment:** The Trust has applied for a wide range of tracks, most of which have a low frequency of use applied for each year. There are a number of locations with high frequency numbers such as climbing at Windy Point.

#### Rubbish:

The activity has the potential to cause rubbish or mislaid equipment to be left at campsites or along tramping routes. To mitigate this potential effect the Trust plans ahead and disposes of waste properly. The pack in and pack out principles are adhered to therefore ensuring no waste is left.

**Comment:** Standard 'Leave no Trace' conditions will ensure that the applicant adheres to the principles of pack in and pack out.

#### Water contamination risk:

Water could be contaminated by faeces, grey water, and food scraps. The Trust avoids contamination of water by ensuring that all groups properly dispose of waste by using toilet holes at least 70m from waterways and tracks, and washing dishes at least 10m from waterways. Food particles are filtered out and carried out with the rubbish.

**Comment:** Standard conditions require that toilet waste is buried at least 50m from waterways. The Trust's policies are even tighter and therefore in line with DOC protocol.

#### Risk of fire:

The risk of fire whilst cooking is mitigated by the use of gas or Trangia stoves situated on non-flammable surfaces such as rocks or gravel. In dry areas ensure that all dry, flammable material in the vicinity of the stove is removed. Before setting out, check in with the local DOC office to check whether any fire bans are in effect. No campfires in dry weather unless in low risk areas such as open riverbeds.

**Comment:** North Canterbury district office has said that they have no issue with the Trust making fires where the conditions are safe, i.e. no fire restrictions. The Trust must leave no evidence of the fire when they leave a site. The following condition will be added:

- *The Concessionaire is authorised to light a fire within a constructed fire place when conditions are safe to do so, that is, during a season / period where fire is not restricted. If a fire is lit, the fire place must not be any closer than 2 metres from any flammable materials. In addition, embers must not be able to travel more than 2 metres onto any flammable materials. At the conclusion of the visit to the site, the fire place is to be dismantled and there is to be no evidence that a fire has been present.*

#### Spread of weeds or other pests:

Max of 30 students a year arriving from overseas and could bring exotic plant seeds or insects in with their boots or equipment. To avoid any contamination the Trust instructs all students to clean boots and packs prior to entering the country. The Trust also carry out a check of boots and gear before entering conservation land.

**Comment:** Standard conditions are applied requiring the applicant to comply with MPI's 'Clean, check, dry' cleaning methods to prevent the spread of didymo.

#### Damage to Vegetation:

The Trust anticipate some disturbance to native vegetation when tramping away from established tracks and would expect the disturbance to be most concentrated at campsites. To mitigate any impacts the Trust camp and travel on durable surfaces, avoiding fragile areas, and discouraging the formation of social trails between campsites.

- *The Concessionaire must avoid disturbing fragile vegetation and will stick to durable surfaces where possible.*

#### Impacts on wildlife:

The Trust identifies that some activities may have an impact on some native birds. To mitigate any impact the Trust 'respect wildlife' by ensuring that their groups avoid disturbing the behaviour of river dwelling birds by moving past them quickly. No feeding or handling of birds. Clean up any spilled food and store food in rat proof closed packs.

- *The Concessionaire will ensure that birds and animals are not fed or handled, and any leftover food is cleaned up.*

#### Lack of knowledge / misinterpretation of Maori culture:

To respect the history and culture of Maori the Trust consults with runanga, and trains new staff on the history and culture of local iwi. Avoid wahi tapu or other sites.

#### Damage to historical sites:

Leave sites of historic significance exactly as found.

#### Noise effecting other visitors / negative impact on other users:

The sound of students talking, yelling or singing could impact other users. The Trust ensure that the groups are considerate of all other users. The Trust ensure that group size is appropriate so as not to displace other users of the site. Camping equipment is always carried so that if huts are 50% full the groups will camp away from the hut out of sight of other users.

#### Climbing:

The Trust has managed the use of bolts at the sites applied for over many years. They explained that the site at Windy Point is small and only really good for one group at a time. As such they wanted to put up signage at the site to ask that anyone wanting to use the bolts at that site would first contact the Education Centre, to co-ordinate usage of the site to avoid an excess of users.

*Paragraph removed for purposes of notification.*

- *The Concessionaire may install and maintain signage at Windy Point to advise the public that they must contact the Education Centre prior to using the bolts.*

Bolting is discussed further under the CMS section below, whereby appropriate conditions are recommended on the management of the bolts.

#### Lease / Licence Application Effects:

#### Important plant and bird habitat:

The applicant states that they have a positive impact on the area as they avoid destruction of native plants, and seek to re-establish native plants within the area. Keep the area weed and pest free.

**Science and Technical Comments – Nick Head, technical advisor:****Mud Run Loop – impacts on ecosystem:**

(See Map 1, track 1, the Mud Run Loop for a visual of the location)

The site inspected for 'mud running' is a relatively extensive wetland on an elevated terrace above the Nina River immediately north of the confluence of the Boyle River. It is bordered by extensive mountain beech forest on the adjoining slopes of the Poplars Range.

The wetland comprises mosaics of native sedges and rushes that form notably intact cover. Dominant species include *Carex secta*, *Carex diandra*, *Carex gaudichaudiana* and bog rush (*Schoenus pauciflorus*). Composition varies in response to subtle environmental gradients and ecotones such as local wetness, drainage etc. The rare sedge (*Carex tenuiculmis*) (At Risk Declining) is present, and more thorough survey is highly likely to reveal further rare and/or threatened taxa. Delicate plant communities of moss, liverworts and native wetland herbs occur between the sedge-lands. Patches of manuka and *Coprosma propinqua* are present on drier places within the wetland, but overall the wetland is very boggy.

The wetland is an excellent example of its type in the Boyle Ecological District. Its composition is highly representative of original composition expected for such ecosystems. For the most part it is in good condition, has intact cover of native vegetation with natural variation, with very few weeds present.

Wetlands nationally have undergone enormous loss. Less than 10% remains of their original extent. As a result, the protection of wetlands (and their restoration) is a national priority (MfE 2007). In addition to loss (typically drainage for agriculture) wetland ecosystems are highly sensitive to disturbance, such as pugging from stock, or in this case humans. Pugging breaks up the structure of the wetland, destroys native vegetation cover, and churns up the substrates. These adverse effects, in turn, can facilitate weed invasion, alter natural hydrological functioning such as drainage patterns (through channelization), and cause sedimentation to waterways.

The adverse effects described above were clearly apparent from previous (summer) 'mud running' through the wetland. This included considerable damage to native plant communities, pugging damage to the structure of the wetland, altered drainage patterns. Overall, the impacts from mud running are damaging the ecological integrity of this significant wetland.

**Comment:**

The Department's technical advisor has clearly identified significant risks to the wetland. Although some damage has already occurred, it is possible to avoid further damage and allow the wetland to recover. For the recovery to happen, human impact must be avoided, and for this reason, it is recommended that the mud run loop part of the application is declined, and options will be set out for the decision maker at the end of this report for their consideration.

**District Office Comments:****Canterbury Region:**

District Office comment that these are existing (although not formally permitted) activities and there have been no previous complaints of adverse effects of any kind and that they do not expect any significant effects from the continuation of the activities, so long as standard conditions are adhered to. Support is given to this application. Also:

- The applicant owns and maintains all the tracks on Map 1.

- Rolleston Pack Track is now closed.
- Faust Tops track is not a DOC track. (it is however on DOC land)
- Lucia track is not a DOC track. (NW side of Mt Lucia is however on DOC land)
- The mountain biking is on the true right of the Hope River is in Poplars Station not DOC land.

**Buller:**

For Pancake Rock and Blowholes walk the concessionaire must take the group around the walk in a clock wise direction. Fox River Caves track is currently closed due to geotechnical instability and it is likely to be formally closed in the future so recommended to decline / remove this track.

- *The Concessionaire must walk in a clock wise direction around the Pancake Rock and Blowholes walk.*

**Iwi consultation:**

Consultation took place via the Buller and Greymouth district offices. Greymouth did not receive any comments from iwi. Buller heard back from Ngati Waewae; they were happy for the application to proceed.

**Purpose for which the land is held s(17U(3):**

Land held under the Conservation Act is held for Conservation purposes. Conservation is defined at Part 1 section 2(1) as means 'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'.

In this situation, the infrastructure is already in place, having been in place for many years on private land until tenure review took place resulting in the land becoming conservation area. The area is already modified, and is providing the users of the facility with a good knowledge and appreciation of the environment, together with recreational enjoyment. To remove the existing infrastructure would be disruptive to the environment, and would potentially cause more significant effects than leaving the structures there would.

The public are not excluded from the licence area, and are therefore free to wander and enjoy the area. Only the lease aspects will be excluded, for the safety of the equipment being stored, or the people that will use the structures. In terms of the guided activities taking place on public conservation land, the Concessionaire provides a skilled and safe way for children to take part in outdoor education; this is in line with the objective to enjoy and appreciate the environment. The activities are not contrary to the purpose for which it is held.

**Consistency with Relevant Management Strategies and Plans s17W:**

Analyse and discuss how the activity proposed fits or otherwise with the policies and outcomes of the relevant management strategies and plans. Do not quote large sections of the planning documents, paraphrase and analyse against the activity proposed. Consider the **intention** of the rules and what they are trying to achieve, discuss whether the activity will be "consistent with" (or not) the strategies and plans. Ensure you use the correct terminology as the legal test for this is "consistent with".

**Conservation General Policy**

Any application for a concession to provide accommodation or related facilities, or to extend or add to an existing facility should meet the following criteria (Policy 10 d):

- i. The accommodation or related facility cannot reasonably be located outside of the public conservation area;
- ii. It cannot reasonably be built elsewhere on public conservation lands...where adverse effects would be less;
- iii. The applicant cannot reasonably use or share an existing structure or facility.

All structures are already in place in the immediate vicinity of the Education Centre. Those structures are interlinked with the activities that take place at the Centre and it is therefore reasonable that they remain where they are. The structures cannot reasonably be removed and located elsewhere, and it is appropriate that these structures are located where they are, as they are an integral part of the overall activity of outdoor education.

### **Canterbury Conservation Management Strategy 2016**

#### Place:

The Education Centre and the associated structures are located within the Northern High-Country Place. The entire place, with the exception of part Hanmer Forest Park, has been identified as an Outstanding Natural Feature and Landscape. The At Place Outcomes state that the outstanding landscape values of the Lewis Pass National Scenic Reserve and State Highway 7 corridor are protected whilst allowing for (amongst others) the Boyle River Outdoor Education Centre. Significant features include a variety of ecosystems, threatened or at risk species (such as lizards), and wetlands.

#### Structures:

Structures are provided for at 3.10 of the CMS. The following policies should be applied when considering applications to erect or **retain structures** or utilities.

- a) The purposes for which the lands and waters concerned are held;
- b) The outcomes and policies for the Place where the activity is proposed to occur;
- c) Whether the structure could reasonably be located outside of public conservation areas
- d) Whether the structure could reasonably be located in another location where fewer adverse effects would result;
- e) Whether the structure adversely affects conservation, including recreational values;
- f) Whether the structure is readily available for public use;
- g) Whether the structure is consistent with the visitor management zone
- h) Whether the activity promotes or enhances the retention of an existing structure;
- i) Whether the activity is an adaptive reuse of an existing structure;
- j) Whether the policies for private accommodation and related facilities should be applied;
- k) Whether any proposed road in a national park is provided for in the relevant national park management plan.

Items a, b, c and d, are discussed in the previous sections.

Comments in respect of the other policies:

- e) The structures do not adversely affect conservation, as the area is already modified. They do enhance recreational values to users of the site.
- f) The structures are available for booking by the public, in the main school groups.
- g) there is consistency with the visitor management zone.



j) The use of the area for outdoor education centre related activities is not classed as private use, as can be used by the wider public if booked.  
H, I and K are not relevant.

Guided activities:

Guiding locations are situated over the Northern-High Country. Guiding walking is not specifically discussed with in the CMS. Standard concessions criteria and adherence to At Place policies will be applied.

Climbing bolts:

Recreation activities using fixed anchors (bolting) is discussed at 3.23 of the CMS. The practice of placing fixed anchors into rock (bolting) is used for roped access activities such as climbing and abseiling. The applicant has applied for use of the climbing sites at Windy Point and Sylvia Flats, where they have installed 'permanent' bolts.

The Department works with the NZ Alpine Club as a representative advocate for climbers on these issues. The club has developed bolting technical guidelines to ensure safe and consistent bolting and environmental responsibility.

CMS policies state that the Department may authorise the placement of fixed anchors subject to certain criteria including liaising with NZAC and adhering to their bolting standards.

Policy 3.23.1 outlines the following requirements in terms of fixed anchor placement:

*3.23.1 May authorise the placement of fixed anchors for recreation on public conservation lands and waters, subject to the following processes and criteria:*

*a) Liaison with the New Zealand Alpine Club (NZAC) and other recreation groups as relevant to determine those areas where new or additional fixed anchors are either acceptable or unacceptable to the relevant recreation community and the Department, based on criteria including:*

- (i) avoidance of adverse effects on priority ecosystem units, threatened or at-risk species, and geopreservation sites;*
- (ii) avoidance of adverse effects on sites of significance to Ngāi Tahu;*
- (iii) the outcome and policies for the Place;*
- (iv) consideration of historical recreation use patterns;*
- (v) addressing safety and ongoing maintenance concerns; and*
- (vi) providing for a range of recreational experiences.*

*b) For areas where fixed anchors are authorised for climbing, NZAC should be informed and encouraged to take the lead on fixed-anchor management in consultation with the Department and the local climbing community, and with recognition of NZAC's Position on Bolting (2010) and Bolting Technical Guidelines (2005).*

*c) For areas where fixed anchors are authorised for uses other than climbing, a relevant organisation should be encouraged to take the lead on fixed-anchor management in consultation with the Department.*

The NZAC guidelines referenced in the CMS were updated in December 2017 and are referred to on their website as NZAC Bolting Philosophy and Standards (for route developers). The website also states that *'this document does not contain comprehensive instructions on how to place bolts safely. Proper training should be completed by route developers and climbers before undertaking any of the activities described in this document. NZAC run bolting workshops...'*

- *The Concessionaire must adhere to the bolting technical guidelines as set out in the NZAC Bolting Philosophy and Standards guidelines, December 2017, or any succession of this dated document.*

Further advice was provided by a Department Ranger, bolting technical advisor, as follows:

The benchmark that the Department uses for bolting is the Activity Safety Guidelines for Abseiling and Canyoning, as found in section 9 of the Abseiling Guidelines with [www.supportadventure.co.nz](http://www.supportadventure.co.nz). Under these guidelines, bolts anchored into the rock are required to be proof tested with load cells, the detail of those tests are set out within the guidelines. NZAC guidelines do not appear to require the same test.

- *The Concessionaire must adhere to the bolting standards as set out within the Abseiling Activity Safety Guidelines, as referenced on the [www.supportadventure.co.nz](http://www.supportadventure.co.nz) website. This applies to both new and existing bolting infrastructure.*
- *The Concessionaire must maintain and test bolting equipment regularly and as recommended by Support Adventure. Testing must be done using a load cell as set out within the Abseiling Safety Guidelines as referenced on the [www.supportadventure.co.nz](http://www.supportadventure.co.nz) website.*

Conditions will be applied to ensure adherence to the relevant safety standards, as set out above. Adherence to standard and special conditions will ensure that the activity is consistent with the statutory plans.

#### Visitor Management Zones:

The activities taking place within 'Zone A', the Centre and the associated tracks and structures, take place within the rural and front country zoning. The Mud Run loop is the only activity within Zone A that takes place in a back country zone. Group sizes of max of 12 are below the prescribed limit of 15 set for back country, as such there are no issues with group sizes.

All on activities as listed in 'Zone B' take place within the zones, front country or back country and therefore the group size applied for is appropriate. Likewise, the group size for the off track activity of climbing Faerie Queen of 3 is appropriate as this is a remote and wilderness area.

#### **West Coast Conservation Management Strategy 2010-2020**

##### Place:

Guiding locations are situated in the following places. All places provided for walking on formed tracks:

- Hokitika place
- Mawhera Place
- Paparoa Place
- Kawatiri Place
- Inangahua Place

**Guided activities:**

Guiding is provided for a 3.6.4.6 and includes both walking and mountain biking, as applied for. Mountain biking is provided for at 3.6.4.9; relevant policies include requiring people using non-powered vehicles to remain on the formed track or road at all times, and cyclists encouraged to adhere to the 'Mountain bikers care code'. A condition will be added to ensure that this code is adhered to.

- *The Concessionaire must ensure that their clients adhere to the Mountain Bikers Care Code at all times.*

**Visitor Management Zones:**

Most guided activities would take place on front country sites, with just one back country site requested (Deception Valley Track). The prescribed limitation for group size in front country is 15, therefore the group size of 10 applied for is well within this limit. The CMS sets out that group size of 15 will be applied to the Deception Valley track therefore this is also within prescribed limits.

**Comment:** The activity applied for is consistent with all aspects of the relevant statutory plans.

**5.0 Relevant information about the applicant****Convictions on any charge related to the activity applied for or on any conservation related issue:**

None.

**Past compliance with concession conditions:**

No issues with compliance; the Trust has a good working relationship with the Department.

**Credit check result:**

N/A as existing SAP number.

**6.0 Proposed operating conditions****Concession Activity:**

The activity applied for is the lease of various buildings and infrastructure directly related to the Education Centre. In addition a licence to have installed and maintain infrastructure for the purpose of outbound courses within the vicinity of the Education Centre, plus the use of DOC managed land for various guiding activities.

**Term:**

A term of 30 years has been applied for, due to the length of time that the Trust has been operating here and wishes to continue; this seems appropriate and will follow a notified process.

**Fees:**

*Paragraph removed for purposes of notification.*

**Summary of special conditions as listed in effects assessment above:**

The following special conditions are recommended:

Fire:

1. *The Concessionaire is authorised to light a fire within a constructed fire place when conditions are safe to do so, that is, during a season / period where fire is not restricted. If a fire is lit, the fire place must no be any closer than 2 metres from any flammable materials. In addition, embers must not be able to travel more than 2 metres onto any flammable materials. At the conclusion of the visit to the site, the fire place is to be dismantled and there is to be no evidence that a fire has been present.*

Vegetation:

2. *The Concessionaire must avoid disturbing fragile vegetation and will stick to durable surfaces where possible.*

Wildlife:

3. *The Concessionaire will ensure that birds and animals are not fed or handled, and any leftover food is cleaned up.*

Guiding:

4. *The Concessionaire must walk in a clock wise direction around the Pancake Rock and Blowholes walk.*
5. *The Concessionaire must ensure that their clients adhere to the Mountain Bikers Care Code at all times.*

Bolting:

6. *The Concessionaire may install and maintain signage at Windy Point to advise the public that they must contact the Education Centre prior to using the bolts.*
7. *The Concessionaire must adhere to the bolting technical guidelines as set out in the NZAC Bolting Philosophy and Standards guidelines, December 2017, or any succession of this dated document.*
8. *The Concessionaire must adhere to the bolting standards as set out within the Abseiling Activity Safety Guidelines, as referenced on the [www.supportadventure.co.nz](http://www.supportadventure.co.nz) website. This applies to both new and existing bolting infrastructure.*
9. *The Concessionaire must maintain and test bolting equipment regularly and as recommended by Support Adventure. Testing must be done using a load cell as set out within the Abseiling Safety Guidelines as referenced on the [www.supportadventure.co.nz](http://www.supportadventure.co.nz) website.*

## **7.0 Applicant's comments on draft Officer's Report**

The applicant provided comments to the report on 3 April 2018:

*The North Canterbury Alpine Trust is happy with the report. We accept the decision on declining the mud run activity.*

## **8.0 Summary and Conclusions**

The application is considered to be not contrary to legislation and consistent with statutory plans, in the main. There is one area where the effects of the activity are significant, cannot be adequately

avoided, remedied or mitigated, and therefore is contrary to s17U(1) of the Conservation Act. Therefore the decision maker is recommended to decline the 'Mud Run Loop' activity under the provision set out at s17U(2) of the Act.

In all other matters, potential effects will be adequately avoided, remedied, or mitigated by the use of standard and special conditions.

## 9.0 Decision in principle

1. Deem this application to be complete in terms of s17S of the Conservation Act 1987;  
**Approved / ~~Declined~~**

and,

2. Agree that if this application is approved in principle then the intention to grant the concession will be publicly notified;  
**Approved / ~~Declined~~**

and,

3. Approve in principle the granting of a Notified Lease / Licence concession to North Canterbury Alpine Trust subject to the standard concession contract; and the special conditions identified in this report.  
**Approved / ~~Declined in principle~~**

4. Mud Run Loop activity is  
**Approved / ~~Declined in principle~~**

5. Fox River Cave Walk activity is:  
**Approved / ~~Declined in principle~~**

Having regard to s49(1) of the Conservation Act 1987, be satisfied that any intent to grant the concession would be of local or regional interest only, in which case the publication of the public notice on this matter be limited notice in the Christchurch Press.

Amanda Edmonds  
Permissions Advisor  
Date: 05/04/2018

Pursuant to the delegation dated 9 September 2015 the Operations Manager, North Canterbury, provides the following decisions:

Signed: \_\_\_\_\_  
Kingsley Timpson  
Operations Manager, North Canterbury  
Date: 12<sup>th</sup> April 2018