

To the Department of Conservation

Submission on the proposed Remarkables/Kawarau Conservation Park reclassification

25 February 2021

Introduction

1. The Department of Conservation has called for submissions on the proposed reclassification of the Remarkables/Kawarau Conservation Park to National Park status.
2. The proposed change is of direct interest to the work of the New Zealand Walking Access Commission and to the New Zealand public.
3. We do not object to our submission being published.
4. We would be happy to discuss any aspect of our submission.
5. Our contact is Ric Cullinane, Chief Executive | Tumuaki.
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About the New Zealand Walking Access Commission Ara Hīkoi Aotearoa

6. The New Zealand Walking Access Commission Ara Hīkoi Aotearoa is the Crown agent responsible for providing leadership on outdoor access issues. We administer a national strategy on outdoor access, including tracks and trails. We map outdoor access, provide information to the public, oversee a code of responsible conduct in the outdoors, help to resolve access disputes and negotiate new access.
7. The Commission has an office in Wellington and a network of regional field advisors throughout Aotearoa/New Zealand. An independent board governs our work. Our governing piece of legislation is the Walking Access Act 2008.

Access for a variety of modes

8. The Commission establishes, maintains and improves a range of access opportunities, including walking, cycling and mountain biking, using motorised vehicles including bikes and scooters, on horseback, with firearms and accompanied by dogs.

Value of outdoor access

9. Outdoor recreation provides a range of direct and indirect benefits to communities and the country.
10. Outdoor recreation is both a means to an end (health, fitness, therapy, regional development, pest control and tree planting), and an end in itself (fun, satisfaction, connection to nature). Participation in outdoor recreation occurs across our lifetime. It contributes to regional

economies, community, and social wellbeing, and understanding of conservation and biodiversity outcomes.

11. Research also shows positive links between mental health and outdoor recreation and access to green space. For instance, Sport NZ has linked outdoor physical activity to mental wellbeing (e.g. Active NZ - Recreational Physical Activity and Mental Wellbeing, Sport NZ 2018).
12. Free, secure, and practical public access is crucial to enable outdoor recreation. Without legally secured, free and practical access to the outdoors, it is impossible for many people to recreate in it.

The Commission's engagement with the reclassification proposal

13. The Commission's primary interest is ensuring access to the proposed National Park is secured and maintained.
14. The Commission submits that if National Park status is granted, existing access tracks and modes must be maintained.
15. While the Commission acknowledges the proposed reclassification applies to existing public conservation land parcels, public access must be seen in the wider context of adjoining land. The Commission has made access recommendations on the Glenaray land tenure review process and will work with Queen Elizabeth II National Trust (QEII NT) to ensure enhanced public access over the proposed covenant on Remarkables Station. Other opportunities to improve access through change in tenure of significant adjoining properties will continue to enhance access to the proposed National Park.

Structure of the Submission

16. The Commission has provided an overview (Table 1) and map (Figure 1) of public access rights in the Remarkables/Kawarau Conservation Park.

TABLE 1: Access roads and easements to the Remarkables Conservation Area

Access Point	Legal Status of Access	Additional Information	Issue
[1] Remarkables Access Road	Public Access Easement 5207759.1 Crown land set apart as an access road reserve.	Valley floor carpark access is off State Highway 6, 2km south of Frankton. Access road passes through freehold title (PAE) before arriving on Crown reserve land.	PAE allows for payment of a reasonable fee. A \$10 toll is currently charged outside of winter ski season.
[2] Lower Wye Creek Track	Track falls on conservation strip and private title (no Public Access Easement)	Valley floor carpark access is off State Highway 6, a short distance from Wye Creek.	Track passes over private title (OT18D/1023) <u>with no PAE</u>
[3] Coal Pit Saddle	Legal road to/along Coalpit Saddle	Legal road is accessed off Coal Pit Road, Gibbston Valley. This rough 4WD track runs along Coal Pit Saddle leading to Glenroy Water Race Track/Ben Cruachan or Mt Rosa Track.	Legal road provides for vehicle and motorbike access which has, in some cases, contributed to damage of adjoining Crown land.
[4] Mt Mason/Mt Rosa track	Public Access Easement 5012561.4	PAE is accessed via carpark at Victoria Flats on SH6, Gibbston Valley.	
[5] Nevis Road, Bannockburn side	Legal road east to west via Duffers Saddle bisects Old Woman Range Conservation Area and Remarkables Conservation Area	Legal road is a 4WD track. Nevis Rd to Commissioners Creek to Southland district boundary closed to vehicles from 1/6-30/9 annually	Misalignment of formed road and legal road parcel in some areas.
[6] Nevis Road, Garston side	Legal road west to east via Nevis Crossing to Duffers Saddle bisects Hector Mountains Conservation Area	Legal road is a rough 4WD track. Nevis Rd to Commissioners Creek to Southland district boundary closed to vehicles from 1/6-30/9 annually	Misalignment of formed road and legal road parcel in some areas.
[7] Wentworth Track	Public Access Easement 5682579.1	Access on foot or MTB. Intersects with Coal Pit Road (between Doolans Crk Right Branch and Doolans Crk Left Branch)	
[8] Dark Elliots Track [9] Sunny Elliots Track	Public Access Easement 9931232.1	Access on foot, horse or MTB. Track closed 15/10 – 30/11 annually for lambing	
[10] Ryder Scotchmans Creek	Public Access Easement 9931232.3	Access on foot, horse or MTB.	
[11] Glen Nevis Access Track	Right of Way Easement 6050066.3 Conservation Covenant 6050066.4	Access on foot, horse or MTB. Conservation Covenant area adjoins Hector Mountains conservation area and provides for public access.	Track does not appear on DOC website.
[12] Glen Nevis Station Road	Legal road from valley floor continues to Hector Mountains Conservation Area	Legal road provides for access by vehicle, horse, by bike or on horse, with dogs and with firearms.	Formed road ends where easement 6050066.3 begins

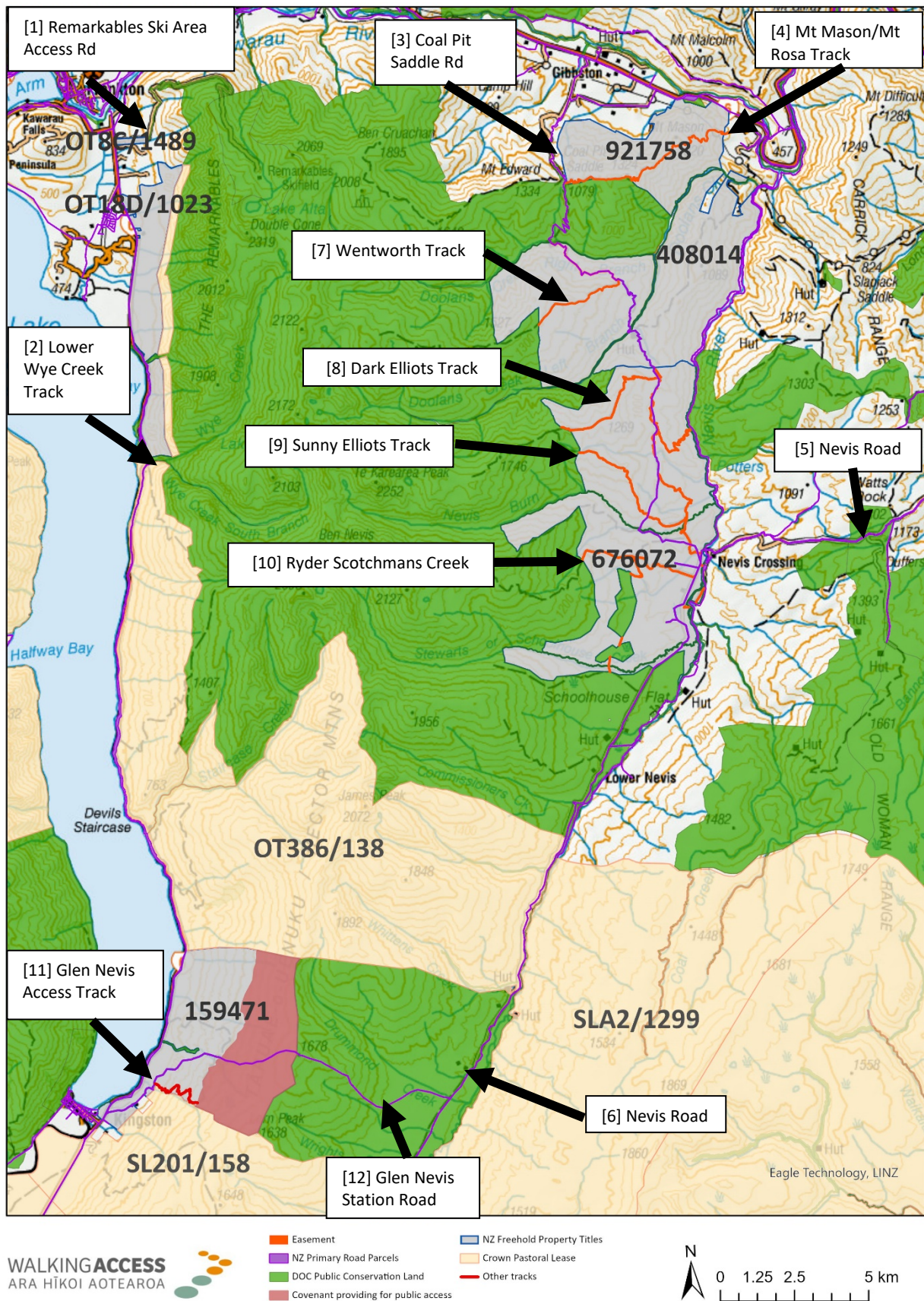


FIGURE 1. Existing public access to Remarkables Conservation Area

Recommendations

17. Remarkables Ski Field Access Road

Notwithstanding access easement 5207759.1 allowing for charging of a reasonable fee to access the Remarkables Ski Field Access road, the Commission believes this is contrary to:

- National Parks Act 1980 which guarantees *“the public shall have freedom of entry and access to the parks, so that they may receive in full measure the inspiration, enjoyment, recreation, and other benefits that may be derived from mountains, forests, sounds, seacoasts, lakes, rivers, and other natural features”* and;
- Conservation Act 1987 which provides that *“the entry to and use of conservation areas by the public shall be free of charge”*.

Should the reclassification occur, the Commission recommends this access easement condition is addressed (through amendment or land purchase) to provide for free, year-round entry.

18. Wye Creek

Marginal Strip exists up both banks of Wye Creek but is largely unusable for access given the terrain. Current access up the formed track from State Highway 6 to the carpark area partially crosses adjoining freehold land, for which no formal access easement exists. The owners of this land are in discussion with QEII National Trust with a view to placing a covenant over some or all of this block. The extent of the proposed covenant is unknown. The covenant is an opportunity to secure enduring access and the Commission recommends the Department works with QEII NT and the landowners to ensure this.

19. Increasing access points

As opportunities arise in adjoining properties, through land tenure disposal, Overseas Investment Office notification or in other ways, the Commission recommends the Department actively seeks out and supports improved access opportunities.

20. Legal road parcels

Misalignment of formed road/track and legal road parcels is not uncommon but can present barriers to entry. The Commission recommends the Department work with territorial authorities to seize opportunities to realign formed road/track with legal road parcels where opportunities arise.

Conclusion

Thank you for considering this submission from the New Zealand Walking Access Commission.