



Department of  
Conservation  
*Te Papa Atawhai*

10 February 2020

John Cowan  
Box 100  
Haast Postal Agency

By email: [catherine@glentanner.co.nz](mailto:catherine@glentanner.co.nz)  
[george@glentanner.co.nz](mailto:george@glentanner.co.nz)

Dear Mr Cowan

### **Your application for a grazing licence – Ref No 63919-GRA**

#### Proposal

1. You have applied for a concession to graze 736 ha of the Haast River which forms part of the Cook River and Haast River Conservation Area.

#### Process

2. I have considered your application and the information filed in support of it. I have also considered all information provided to me by the Department including the Department's Decision Support Document (DSD) with appendices. The latter includes the Hearing Report and summary of all submissions. In addition, I undertook a site visit and I have spoken to your representatives, Catherine and George Ivey. The purpose of these meetings and conversations was to help inform my understanding of the application and possible mitigation measures.

#### Decision

3. After careful consideration of all the documents provided to me and as a result of seeking clarification about potential mitigation measures, acting under delegation of the Minister of Conservation, I have decided to grant your application subject to a number of special conditions. In making my decision I have given effect to the principles of the Treaty of Waitangi as required by section 4 of the Conservation Act 1987. I have also had regard to the matters set out in sections 17U and 17W of the Conservation Act (the Act).

DOC-6178914

4. I am enclosing a signed copy of the DSD for your information and a copy of the approved grazing licence.

#### Issues

5. The primary issues for me arising out of the DSD were:
  - (a) Whether adverse effects of the grazing are capable of mitigation.
  - (b) Whether the stock can be kept within the licence area, and in particular prevented from straying into Mt Aspiring National Park.
  - (c) Whether the activity is contrary to the purposes of the Act or the purposes for which the land concerned is held.
  - (d) Whether the application is inconsistent with relevant planning documents.

#### My views

- (a) *Whether adverse effects are capable of mitigation*
6. Key issues raised in the DSD focused on ecological effects of the grazing activity, including those occurring outside of the licence area. In summary, the DSD describes these effects as:
  - (a) Continued decline in plant species diversity within and outside of the licence area.
  - (b) Likely reduced resilience of local populations of *Coprosma wallii*, as well as reduced growth and survival of other native plant species.
  - (c) Further degradation of wetlands.
7. Are these concerns capable of mitigation? In my view, the answer is: yes. I consider the first two matters can appropriately be dealt with by fencing of a design and standard to be agreed with the Department. You will be required, at your cost:
  - (a) I consider the first two matters can appropriately be dealt with by fencing to a design and standard and within a timeframe agreed by the Department
  - (b) To fence off the local populations of *Coprosma wallii*;

- (c) To fence off identified areas of ribbonwood (the latter being something that you indicated at the hearing you were prepared to do);
  - (d) To maintain the fences.
8. I will be requiring the Department to collect baseline data and to carry out appropriate monitoring on at least an annual basis to monitor effects of the grazing and to ensure compliance with the conditions I have imposed. Again, this will be at your cost.
9. With respect to further degradation of wetlands, I am mindful that the Haast river is a dynamic river system subject to heavy rain and significant floods. Accordingly, in my view, any degradation of wetlands could, in the scheme of things, be considered transient or minor.
- (b) *Whether the activity is contrary to the provisions of the Act or the purposes for which the land concerned is held*
10. I do not consider the activity to be contrary to the provisions of the Act. The Act, via Part 3B, expressly enables commercial activities, including farming, to be carried out provided adverse effects can be appropriately mitigated and the various tests in Part 3B are satisfied. I have already indicated my views on mitigation.
11. Nor do I consider the activity of grazing to be contrary to the purpose for which the land concerned is held. The land is stewardship area. By section 25 of the Act, such areas must be managed so that their natural and historic resources are protected. As I have formed the view that adverse effects can be appropriately mitigated to protect natural resources, it follows that I do not accept that grazing is contrary to the purposes of this stewardship area.
- (c) *Whether the application is consistent with relevant planning documents*
12. The DSD concludes that the adverse effects of the proposal are inconsistent with the Conservation General Policy (CGP) and the West Coast Conservation Management Plan (CMS). I have considered CGP 11.2 and have reached the view that the criteria in that policy can be met through appropriate conditions.
13. The primary driver of the CMS in relation to grazing is to ensure that adverse effects are avoided, remedied or mitigated and that the activity is monitored. The DSD has concluded that the application is inconsistent with various policies in the CMS. To begin with, the DSD places emphasis on CMS 3.3. I consider that the special conditions I will be imposing will satisfy the policies set out in CMS 3.3.3.2.

14. In relation to CMS 3.5 (authorised uses on public conservation land), I consider that the adverse effects that grazing will give rise to, can adequately be mitigated. I therefore disagree with the conclusion at para 6.17.6 of the DSD that the objective of protection of natural heritage has not been met.
15. In relation to para 6.17.18 of the DSD, I consider that the conditions I am proposing will mitigate effects of the activity and will result in the retention of natural values. Accordingly, I consider that the activity (with the special conditions I have required) is consistent with the desired outcomes of the CMS. That being the case, I am satisfied that section 17W(1) of the Act (consistency with the CMS) is met.

### Term

16. I am declining the requested term of 15 years and am, instead, substituting a term to expire on 31 October 2023. I consider a shorter period is more appropriate for three reasons. First, it provides a reasonable period of time to identify whether the special conditions I am imposing are effective (and if monitoring indicates that they are not, there is scope to suspend or terminate the concession sooner). Secondly, this is the date your other licences in the Haast expire so any applications for new licences can be considered within the broader context. Thirdly, I consider the wider concerns about grazing on public conservation land gives rise to a larger policy question of whether grazing should continue to be authorised in South Westland and, if so, where and for what periods. My view is that this is something better tackled through a review of the West Coast CMS.

### Summary

17. In summary, I am granting your application subject to the following special conditions and those listed in Schedule 3 of the licence document:
  - (a) Stock must be contained within the licence area and appropriate fencing will therefore be required to a design and standard and within a timeframe agreed by the Department;
  - (b) The local populations of *Coprosma wallii* and identified areas of ribbonwood must be fenced;
  - (c) Fencing and its maintenance are to be at your cost.
  - (d) The Department will collect baseline data and carry out appropriate monitoring on at least an annual basis and at other relevant times to monitor effects and to ensure compliance with these conditions at your cost.

(e) The application is granted for a term to expire on 31 October 2023.

18. To complete the process, please sign and return the licence document to Rebecca Beaumont at the Hokitika Service Centre via email [rbeaumont@doc.govt.nz](mailto:rbeaumont@doc.govt.nz).
19. You should be aware that s17ZJ(b) enables you to seek a reconsideration of any aspects of my decision. If you wish to seek a reconsideration, you must apply for that in writing before signing the grazing licence document.

Nāku noa, nā

A handwritten signature in blue ink, reading "Kay Booth", enclosed in a thin black rectangular border.

Kay Booth  
Deputy Director-General Partnerships