

Crown Pastoral Land Tenure Review

Lease name: BEN NEVIS

Lease number: PO 241

Public Submissions - Part 1

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

July

10

MJ & JM Sole

1936 Omakau - Chatto Creek Road
RD 3
ALEXANDRA 9393

Phone (03) 447 3336
E-mail solem@xtra.co.nz
17 November, 2009

Darroch Valuations
P O Box 215
DUNEDIN
Ph: (03) 479-3653
Fax: (03) 474-0389

Email: david.paterson@darrochvaluations.co.nz

Dear David

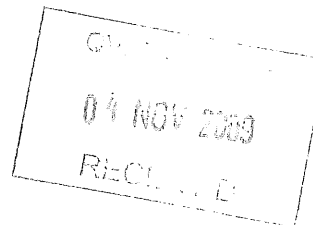
Brief submission on Ben Nevis Tenure Review - NOTICE OF PRELIMINARY PROPOSAL

There are some hand stacked tailings with associated dwelling ruins bordering both the true left and right banks of School house creek up towards where the creek opens out into Nevis Valley. While public access is proposed via marginal strip up Schoolhouse creek these historic features are beyond the marginal strip and warrant public access and heritage protection by way of historic reserve or widened marginal strip. They extend both sides of the river into river terraces and faces over a distance of kilometre or so.

Access up the creek is easy going and any one making the effort will be naturally drawn to explore these varied alluvial hand stacked sluicings with their varied arrangements from herring bone tailings to high tip face waste deposits. As the proposal stands any exploration will be subject to free hold land owner consent.

Yours sincerely,

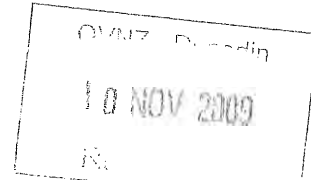
Matthew Sole





DARROCH VALUATIONS

David Patterson
PO Box 215
Dunedin



I am writing to your department about the Ben Nevis Pastoral Lease tenure review. My name is Don Clark of Carrick Station across the river in the Nevis from Ben Nevis Station.

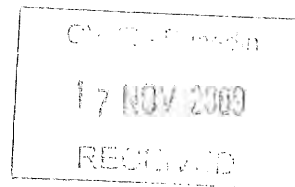
Late in 1960s Ben Nevis ,Graigroy and Carrick station ran 250 cows in the valley 25% Graigroy 25% Carrick 50% Ben Nevis ,they had free roam of the whole valley

Russell Brown brought Ben Nevis about 1968, he wanted to split up the cattle company. It was decided that he could but it was agreed lands and survey would work it out.

It was split 25% 25%,50% as it was running for years up to this time
Ben Nevis [Russell Brown] agreed to put the fence up at his cost, it was meant to go on ridge next to the river. He put it right down next to river. Lands and Survey said it was to close to the river. Ben Nevis station said they would maintain the fence and if it got flooded out it would then remove to the bank above the river

I would like this condition to be written in . DOC are not good at repairs of their fences on their land. We have a fence on our top block next to DOC, snow breaks them down in the winter and they don't repair them to well after Christmas [Feb]. Our sheep go out on this block about 20th Dec. I would like you to write in tenure that if a big flood comes down and clean outs the cattle fence ,that they would stand by their agreement that was made in 1967-68.

Don Clark
Carrick Station



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B. Submission on Ben Nevis Tenure Review Preliminary Proposal

This submission is made by:

Selwyn C. Yeoman
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Calton Hill
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03 4877167
Email<Selwyn.yeoman@clear.net.nz

Ben Nevis Proposals

1.1 Retention of 8,807 ha. Higher Altitude Lands to Crown Control.

This land area has high landscape and natural values and is recreationally important. I think its retention by the Crown is appropriate subject to the proposed continuation of rights to take and convey water- a long established high level water race - a recreation concession and grazing concession.

1.2 Retention of 140 ha Lower Altitude Lands to Crown Control (CA4)

This land area is composed of lower hill slopes. It has high historic, landscape and natural values. Its retention as Crown land is appropriate subject to proposed conditions.

1.3 Retention of 160 ha. Of Lower Altitude Lands by the Crown.(CA5)

This land situated in the middle reaches of Doolans Creek catchment has high botanical values and landscape values. Its retention by the Crown under the conditions proposed is appropriate.

1.4 Retention of 8 ha. of Floodplain Land by the Crown.(CA3)

This small land area is on the Nevis River floodplain. It has high historic, landscape, public access and natural values. Its retention as Crown land is appropriate.

1.5 Retention of 52 ha. of Lower Altitude Land by the Crown.(RI Scenic)

This small land area is on the Nevis lower slopes and valley floor. It has high landscape, public access and natural values. Its retention as Crown land is appropriate.

1.2-1.5 all represent low land/valley floor lands which are frequently disposed of in the review process but which also need to be represented in the Conservation estate, or at least retained in Crown ownership.

1.6 Disposal of 4,451 ha to Pioneer Generation as Freehold

This area of land includes lower slopes and terraces and the valley floor. It has high landscape values, high historic values because goldfield sites are spread across the floodplain and up the side slopes in some areas; rare plants and native skinks are found on mine tailings on the floodplain, rare native fish are found in tributaries. These animals are all endangered and need as much protection as they can get. Much of the land between the Nevis Road and the river is important for public access for recreational activities including angling and kayaking, nature and history appreciation. The valley floor is an important landscape feature which contributes to its outstanding landscape status. . It is not appropriate to freehold much of this land down towards the river.

1.6.1 Conservation Covenants (CC1,CC2,CC3)

These cover lower altitude slopes proposed for freehold and focus on botanical values. Given the threats to conservation values elsewhere, if these are proposed they should be included.

1.6.2 Landscape Covenants (CC Landscape)

The landscape covenant is flawed. It doesn't cover all the values present – public access rights to and along the river and generally over the lower floodplain are not mentioned. Native fish require specific protection in tributaries but aren't covered. Rare plants and skinks aren't mentioned and so aren't protected either.

Of most concern, the covenant designed to protect specified values in perpetuity has a clause in schedule 2 which requires the Minister to allow hydro development.

The Minister abrogates his responsibilities by allowing such an exception. The covenant is valueless and the proposed freeholder demonstrates no willingness to recognise a range of values held by new Zealanders in relation to our increasingly rare wild waterways.

1.6.3 Public Access Easements

There are public access easements over the proposed freehold in several locations leading to Crown land areas, some at higher altitude, to two access point on the river, and down the valley. These all deserve inclusion where land is freeholded .

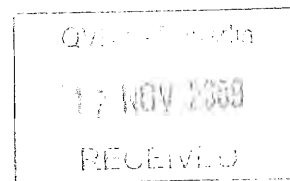
The multiple values of the valley floor are such that the whole needs to be strongly protected.

My family has taken much pleasure in this part of the valley over many years. Our kayaking interests especially would be completely obliterated if this area is freeholded as it is clear the freeholder intends to press ahead with hydro generation. More recently we have begun to take a conservation interest in new Zealand's native fish, and these too will become even more threatened than they are already if the proposals go ahead.:

Selwyn C. Yeoman

Date: November 17th 2009.

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B. Submission on Ben Nevis Tenure Review Preliminary Proposal

This submission is made by:

Russell McKendry
39 Parapara Beach Road
RD2 Takaka 7182
Golden Bay
New Zealand
0064 (03) 5248485
rhmckendry@farmside.co.nz

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1.6.1 Conservation Covenants Covenants (CC1,CC2,CC3)

I cant advise on their appropriateness)

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Of most concern, the covenant designed to protect specified values in perpetuity has a clause in schedule 2 which requires the Minister to allow hydro development. The covenant is therefore valueless.

1.6.3 Public Access Easements

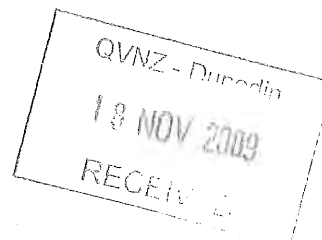
There are public access easements over the proposed freehold in several locations leading to Crown land areas, some at higher altitude, to two access point on the river, and down the valley. These all deserve support where land is freeholded.

I support the strong opposition of Fish and Game to freeholding valley floor land with important multiple values. Even if a secure covenant was proposed it is more appropriate to protect these lower lying valley floor areas through retention in Crown ownership.

Submitter's name
Russell McKendry

Date
Tuesday, 17 November 2009

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B. Submission on Ben Nevis Tenure Review Preliminary Proposal

This submission is made by DJ Cassells, 5 Brisbane St, Queenstown

021511152

jay.cassells@gmail.com

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Of most concern, the covenant designed to protect specified values in perpetuity has a clause in schedule 2 which requires the Minister to allow hydro development. So the covenant is valueless

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Even if a secure covenant was proposed it is more appropriate to protect these lower lying valley floor areas through retention in Crown ownership.

Submitter's name: DJ Cassells

Date 17 November 2009

David Paterson

From: rob.blackbeard@xtra.co.nz
Sent: Sunday, 22 November 2009 10:45 p.m.
To: David Paterson
Subject: Submission on Ben Nevis Tenure Reveiw

Submission on Ben Nevis Tenure Review Preliminary Proposal

Dr R & Mrs I Blackbeard

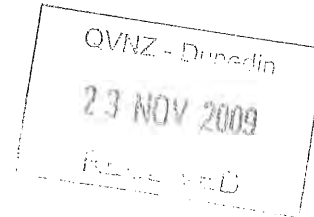
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1.1 to 1.5 Retention by the Crown is appropriate

1.6 Disposal of 4,451 ha to Pioneer Generation as Freehold

This should not be permitted as it is important for public access for recreational activities and has significant landscape values

1.6.1 Landscape Covenants (CC Landscape)

This is of no value whatever if Hydro schemes are allowed in perpetuity.

This is still iconic wild and natural country and should remain so for future generations.

R & I Blackbeard

22/11/09

