

## **Crown Pastoral Land Tenure Review**

**Lease name: BRAEMAR**

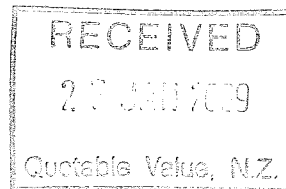
**Lease number: PT 121**

### **Public Submissions - Part 1**

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

**August 09**

10 SmacksClose  
Papanui  
Christchurch 8051



Re : Braemar Tenure Review

Dear Sir,

I would prefer to see the land designated to become freehold and placed under a Conservation Covenant, to be instead included in the land to remain in Crown control.

It's mentioned that under the Covenant the land will be protected and allow extensive pastoral use. However under the special conditions there is allowance for cultivation and earthworks.

This is at complete odds to having the land placed under a Conservation Covenant.

If the land is only to be used for extensive grazing, then it holds little value to the farmer. Therefore there is little point in his ownership of it and paying rates on it. A grazing concession on this portion of the property for ten years would be acceptable.

However, the point is that the land should remain in it's natural state due to the values that you mention i.e. ....has significant inherent landscape values relating to it's contribution to the landscape qualities of the Mackenzie basin.

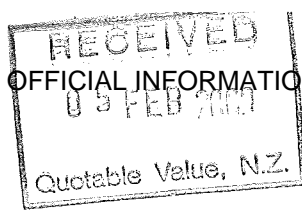
This is viewed not just from the local roads but also from the air, with at least two local airports. It therefore has considerable tourist significance. Far more than any value gained by farming.

Plus the basin is significant in New Zealand folk law.

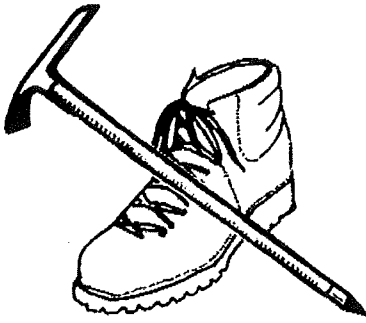
For these reasons the land should be retained in Crown control.

Also the idea of leaving the interpretation of land use to the head of the local Conservation department, leaves the situation open to abuse.

Regards  
Geoff Clark



107002



# Christchurch Tramping Club Inc.

FORMED 1932

*Affiliated to: FEDERATED MOUNTAIN CLUBS OF N.Z. /INC.*

PLEASE ADDRESS ALL CORRESPONDENCE TO THE HON. SECRETARY P O BOX 527, CHRISTCHURCH

Email [SECRETARY@CTC.ORG.NZ](mailto:SECRETARY@CTC.ORG.NZ)

WEB [WWW.CTC.ORG.NZ](http://WWW.CTC.ORG.NZ)

The Commissioner of Crown Lands  
C/- QV Valuations  
PO Box 13443  
Christchurch 8141

3 February 2009

Dear Sirs

## **BRAEMAR TENURE REVIEW**

We have received details of the preliminary proposal put to the holders of Braemar Pastoral Lease. This lease is important both for its intrinsic values and also because it is the threshold to public alpine lands to the north of the present lease. We consider the actual split proposed and the provisions for protection of landscape values on the land to be freeholded to be reasonable.

Two issues require further comment:

### **The status of land within the lease used by the Defense Force**

The continued use of this land by the army and control of access for safety reasons is in the national interest. However we understand that it has often been difficult to find out whether access has been possible during times when the land is not being used by the army. At present the public does not know if the land is used by the Army for 10 days or 10 months during each year. Under the preliminary proposal the Commissioner may continue this arrangement. We submit that if this occurs a much more transparent system is required for balancing public access with military needs. Ideally any agreement between the Commissioner and the NZ Defense Force should establish specific periods annually when the land will be closed. If this is not possible, the Defense force should publicly notify closures in the main regional newspapers.

**Access Routes**

We note that apart from public access via the easement route "a-q" and "q - z4", the Crown land can be reached via public land in the bed of the Jollie River and also per the marginal strips indicated for the lower reaches of Landslip Creek. We consider these three access points reasonable providing the Landslip Creek marginal strips are delineated and marked by DOC. We submit that the strips should be implemented promptly when tenure review is completed.

Yours sincerely



Jenny Harlow

Secretary

cc: FMC, PO Box 1604, Wellington 6140  
David Round (FMC) via email

107003



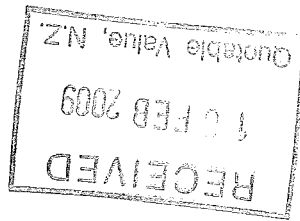
FOREST  
& BIRD

**Dunedin Branch**

PO Box 5793  
Dunedin

**2.2.09**

The Commissioner of Crown Lands  
c/-Quotable Value Ltd.  
PO Box 13 443  
CHRISTCHURCH  
Attn Carlyne Latham



Dear Sir,

I enclose these submissions on the preliminary proposal for Braemar Pastoral Lease on behalf of the Dunedin Branch of Forest and Bird.

Thankyou for the opportunity to make submissions on this proposal and for arranging permission for us to inspect the lease.

Yours sincerely

Janet Ledingham  
For the Management Committee of the Dunedin Branch, Forest and Bird Protection Society

Email [jledingham@xtra.co.nz](mailto:jledingham@xtra.co.nz)  
622 Highgate, Maori Hill, Dunedin 9010.  
Phone 03 467 2960

## Submission on the Preliminary Proposal for Braemar Pastoral Lease

### On behalf of the Dunedin Branch Forest and Bird Management Committee.

This submission is written on behalf of the Dunedin Branch of the Forest and Bird Protection Society which has approximately 565 members, many with strong interests in the High Country values and recreational opportunities as well as in botany and natural history in general. Many of the members enjoy active recreation in the back country and are very aware of the need to ensure the protection of natural values, vegetation and landscape, historical sites and to improve public access through the tenure review process.

The submission is written with reference to the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the 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.*

### Introduction

The Braemar lease comprises the Gammack Range between the Jollie River and Fork Stream together with the high moraine downland and terrace to the south of the Range. Most of the lease is above 900m and rises to 1500m. The land on the Gammack range above 1500m is retired pastoral lease which will become part of the proposed new Conservation Area.

The lease has outstanding landscape values as well as high ecological and recreation values. The significance of the landscape is well described in the Proposal and in the Conservation Resources Report (CRR).

### 2. The proposal:

The Preliminary Proposal is in two parts:

1. **Conservation Area CA1.** 13,446 ha (approximately) to be designated as land to be restored to full Crown ownership and control under section 35(2)(a)(i) Crown Pastoral Land Act 1998.

CA1 as proposed includes two priority natural areas identified as part of the PNA programme, namely, **Tekapo 2**, Landslip Creek and **Tekapo 17**, the head of Irishman Creek. Some of the values identified, in for example Tekapo 2, concerning rare moth species in Landslip Creek do not seem to be detailed in the CRR.

As stated in the proposal '*The area consists of vast tussock lands rising in an unbroken sequence from the boundary east of of Braemar-Mt Cook Station Road, north of Landslip Creek up to the Jollie River. It forms an outstanding landscape with a sequence of short tussock merging to tall tussock grassland and then to sub-alpine shrubland and herb fields with scree slopes*'. The wetlands to the east of Landslip Creek are of outstanding conservation value '*the most extensive area of elevated wetlands and tarn now existing in the Mackenzie Basin*'.

The Jollie River and Forks Stream riverbeds and adjacent shrublands and wetlands are habitat for a number of native birds and the Upper Forks Stream is a key breeding area for several native aquatic species, including the long-jawed galaxiid.

We would endorse the conservation values and the SIV's detailed in the proposal and in the Conservation Resources Report. We noted the presence of wilding trees as a consequence of spread from Mt Cook and Cox's Downs Station and see this as an important continuing issue to be resolved. We note that the Braemar lessee has made some attempts at control over the area to be freeholded.

The area proposed for CA1 will be an important and valuable addition to the Conservation estate and will be enjoyed by trampers, botanical trampers and those with other natural history interests, cross-country skiers and those who simply wish to walk and enjoy the scenic values.

**We agree wholeheartedly with the proposal to restore this land to Crown ownership and control as a Conservation Area but have major concerns about the wilding infestation in the lower Jollie Valley and a number of other matters as noted below.**

### **Lower Jollie Valley**

The presence of the wildings in the lower Jollie seem to us to have destroyed many, if not most of the SIVs and makes it difficult to justify the inclusion of the land up to Second Creek and up the slopes on the true left as far as and Tomnahurich Rock in the CA. (Figures 1-2).

Nature conservation is not currently ecologically sustainable on the Lower Jollie due to the presence of the wilding trees. We note that DOC considers that they can most efficiently deal with the wilding pine problem in the Jollie but submit that that will be a major cost to the taxpayer unless some financial gain to offset this is possible from the tree-felling operation.

The creation of a Special Lease over this area with conditions to endure removal of the wildings is another possibility, but may not be the best way to ensure the removal of the trees as soon as possible.

### **Recommendation**

**We accept inclusion of the Lower Jollie in the CA in the belief that DOC will urgently address the wilding problem there – and will, we hope, be able to offset the cost to the taxpayer of this operation by gaining some return from the timber.**

### **Public Access to the Jollie Valley from the Braemar-Mt Cook Road.**

In the press release on the occasion of the completion of the Mt Cook tenure review it was stated that:-

*'Vehicle access to the property is from the Braemar/Mt Cook Station road along the eastern shore of Lake Pukaki. Public walking access up the Jollie River will be by way of an easement through existing freehold land held by Mt Cook Station. This access was offered by Mr Burnett, although strictly speaking it was outside the scope of the tenure review'. from the press release on the completion of the Mt Cook review*

We have since noted an instruction to include in the proposal reference to 'the existing DOC public access easement over Cox's Downs up the Jollie River' but can not find such a reference in the proposal. If this is indeed the case we see no problem, but if it is not formalized some further action is needed to ensure access apart from the river route (likely shortly to be obstructed by wilding trees).

### **Recommendation**

**There should be an easement to allow access to the Jollie River Valley over the Cox's Downs part of the 4WD track.**

**Landslip Creek**

**The new fence at Landslip Creek should be on the true left to ensure there is no pollution by stock – with provision for a water pipe for stock if need be.**

**Re Public access to the sections of CA1 to the south of Landslip Creek and adjacent to CC1, (to be restricted from time to time by the NZDF for safety reasons).**

This area of CA1 is very attractive to those who enjoy wetlands and the surrounding area for botanical and other values (botanical trappers) and it appears that access is likely to be restricted frequently. We find this unsatisfactory. A CA surely warrants as open access as possible especially to an area such as this which is easy terrain and therefore possible for ageing botanists to access for recreational and study purposes as well as younger people.

**Recommendations**

**The Defence Force seems to have a huge area and we strongly recommend that better access is negotiated with them. There should also be some mechanism established so that the general public can find out well in advance when access to the area will be closed.**

**New fence proposed between CC1b and the western boundary of the CA1 from r-z4.**

It seems that if the line of the present fence equates with the new fence significant areas of red tussock and wetland would be excluded from CA1. see (Figures 3-4). The question of the use of the Maryburn Hut and access to it should be clarified.

**Recommendation**

**We strongly recommend that the line of the new fence follow the present track line so that the Maryburn and adjacent tussock land and wetland is included in CA1**

**2. 1770ha (approximately) to be designated as land to be disposed of by freehold disposal to the holder under section 36(3)(b) and section 40(1)(c) of the Crown Pastoral Land Act 1998, subject to a qualified designation and protective mechanism.**

**Qualified designation:**

Pursuant to section 36(3)(b) Crown Pastoral Land Act 1998:

- (i) An easement in gross to provide public access by foot and non-motorised vehicle over tracks marked "a-b", "c-d", "e-f", "g-h", "i-j", "k-l", "m-n", "o-p", and by foot over tracks marked "q-t", "u-v", "w-x", "y-z", "z1-z2", and "z3-z4" on the plans.
- (ii) An easement in gross to provide foot and motorised vehicle access for conservation management purposes over tracks marked "a-b", "c-d", "e-f", "g-h", "i-j", "k-l", "m-n", "o-p", "q-r", "q-s", "q-t", "u-v", "w-x", "y-z", "z1-z2", and "z3-z4" on the plans.

**Recommendation**

**Re (ii) above. Provision for public access to CA1 should surely also be made between q-r and q-s. We would ask that foot and mountain bike access be available up to Landslip creek.**

**Protective Mechanism:**

Conservation Covenants CC1a and CC1b over the proposed freehold under section 40(1)(c) and section 40(2)(a) of the Crown Pastoral Land Act 1998, for the purpose of protecting the lakeside and landscape values of the areas shown in yellow wash on the plans.



### **Recommendation**

**The Special conditions for the above covenants need to be amended to read - 1.2 and 1.3 and 1.4 should also be subjected to DOC approval before the activities detailed can be undertaken. There should be no cultivation, over-sowing, earthworks, tree planting, , structures, roading or tracking and monitored sheep grazing only.**

The values within CC1b warrant its inclusion in CA1.

It is important that there are no disturbances to the CC1b landscape and ecological values which would detract from the experience of those travelling alongside the Maryburn. While this area is not lakeside land it still deserves landscape protection from cultivation, earthworks and other soil disturbance, as of course does CC1a which is visible from the lakeside and across the lake.

### **Marginal Strips**

We note and applaud the identification of marginal strips for the lower reaches of Landslip Creek giving alternative access to CA1 from the Braemar- Mt Cook Station Road across existing freehold land

### **Summary**

**We agree wholeheartedly with the proposal to restore this land designated as CA1 to Crown ownership and control as a Conservation Area but have major concerns about the wilding infestation in the lower Jollie Valley as noted below.**

**We accept inclusion of the Lower Jollie in the CA in the belief that DOC will urgently address the wilding problem there – and will, we hope, be able to offset the cost to the taxpayer of this operation by gaining some return from the timber.**

**There should be an easement to allow access to the Jollie River Valley over the Cox's Downs part of the 4WD track – this seems already to be in place but is not mentioned in the proposal documents available to the public.**

**The new fence at Landslip Creek should be on the true left to ensure there is no pollution by stock – with provision for a water pipe if need be.**

**Public access to the sections of CA1 to the south of Landslip Creek and adjacent to CC1, (to be restricted from time to time by the NZDF for safety reasons). The Defence Force seems to have control over a huge area of CA1 the need for which should surely be reviewed.**

**We strongly recommend that better access is negotiated with them. There should also be some mechanism established so that the general public can find out well in advance when access to the area will be closed.**

**We strongly recommend that the line of the new fence between CC1b and the western boundary of the CA1 from r-z4 follow the present track line so that the Maryburn and adjacent tussock land and wetland is included in CA1**

**Provision for public access to CA1 should surely also be made between q-r and q-s. We would ask that foot and mountain bike access be available up to Landslip creek.**

**The values within CC1b warrant its inclusion in CA1**

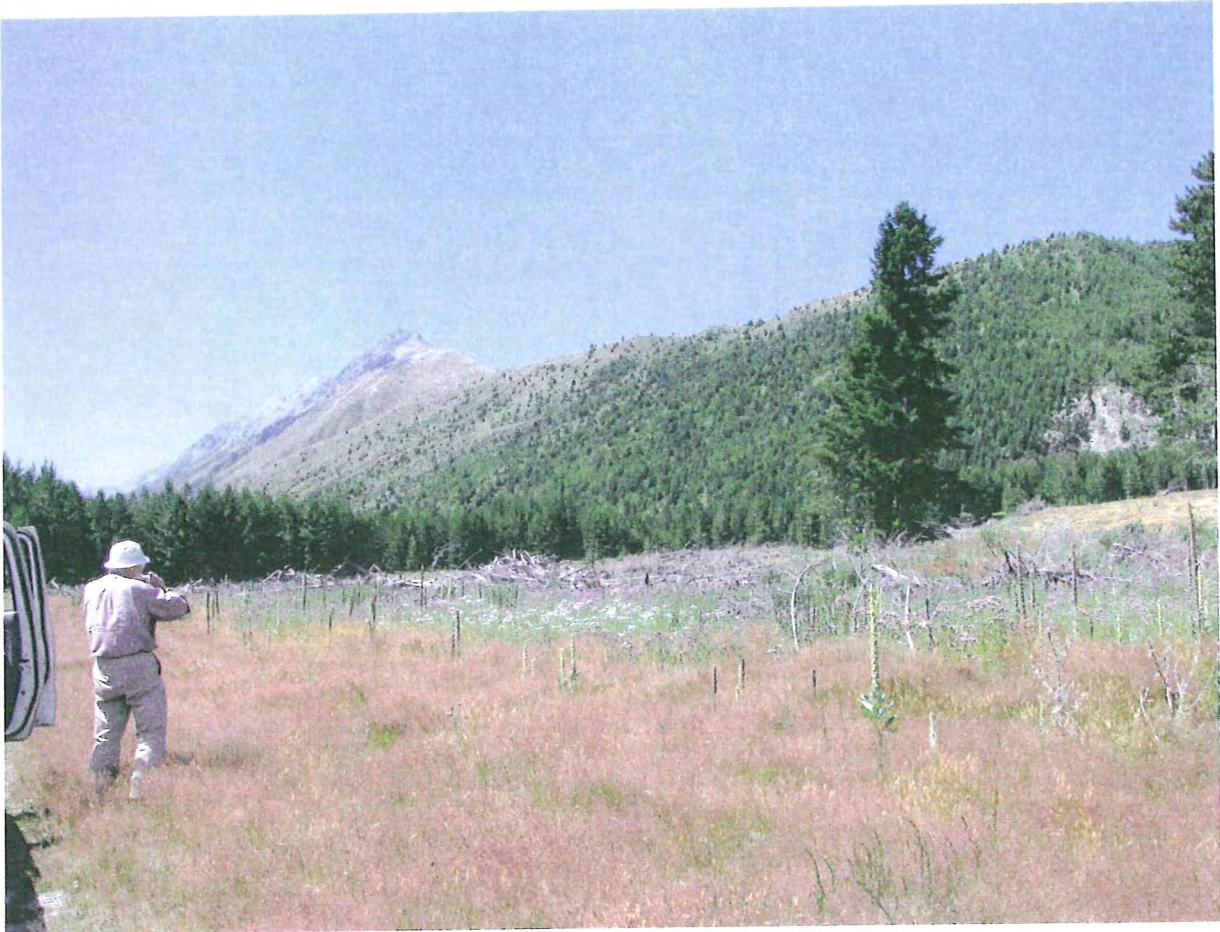


Figure 1. Taken from the 4WD track. An example of the tussock that should be included in the CA and would be if the fence line was moved to follow the track. Present fence line is highlighted.



Figure 2. A further example of the tussock that needs to be included in the CA and will not be if the existing fence line is used.





Figures 3 &4 Showing the extent of the wilding tree problem in the lower Jollie Valley

