

Crown Pastoral Land Tenure Review

Lease name: BRAEMAR

Lease number: PT 121

Public Submissions - Part 6

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

August 09

Appendix Figures to Illustrate this Submission

Fig. 1. Braemar Station includes a prominent moraine plateau which slopes gently from about 900m to 700m over a distance of some 16km and well illustrates the glacial origins of the landscape. This feature is important because it is clearly visible across Lake Pukaki and from the Highway between Christchurch and Queenstown, and from the road to the tourist mecca of Mt Cook.

Fig. 2. The Jollie River is the northern boundary of the property which includes the Gammack Range, seen here to the right of the picture. Despite the wilding trees in the foreground, the northern part of Braemar Station and the Braemar Conservation Area provide magnificent settings for mountain recreation. It is entirely appropriate that the high country on Braemar should be returned to full Crown ownership and control, as conservation area CA 1.

Fig. 3. The proposed CA1 area includes several fingers extending into the adjoining Braemar Conservation Area. The largest finger extends up the Jollie River and includes part of the Gammack Range which reaches up to 2,500m. The Gammack Range is important as it is one of the dominant ranges forming the backdrop to the northwestern side of the Mackenzie Basin.

Fig. 4. We do not believe it is appropriate to include such wilding tree infested land in the proposed new conservation area CA1 as these wildings negate the conservation value of this otherwise significant natural landscape. It would be more appropriate for this area to be placed under a Sustainable Management Covenant, or some similar arrangement, at least until the wilding tree problem is resolved. The long term future of this land should then be reviewed again.

Fig. 5. New or upgraded fences are proposed at "U-V" and "V-W" along the boundary between CC1b and CA1. In places the existing fence traverses significant red tussock basins. We recommend that where possible the tussock basins are fenced into CA1 by siting the fence close to the access track which runs more or less parallel to the Mary Burn and leads to Landslip Creek.

Fig. 6. It is proposed that a new fence "U-V" should be constructed mainly on the south side of Landslip Creek where the creek runs through a small gorge beside CC1. This is appropriate as it would include the significant conservation values of the gorge within CA1, and would exclude grazing stock from the stream margin. In keeping with modern thinking about the management of stream margins, we believe that it is inappropriate for stock to have access to any part of Landslip Creek.

Fig. 7. We understand that it is proposed to include part of Landslip Creek shown here inside the new fence around CC1b to enable stock access to water. We assert that it is inappropriate for stock to have access to stream margins and instead, gravity-fed stream water should be piped to drinking troughs within CC1, and that the fence should be constructed entirely on the south side of the creek.

Fig. 8. The landscape of the moraine plateau has a strong NW to SE 'grain' due to glacial action and the direction of outwash streams. This 'grain' is reflected in a number of features including linear wetlands, strings of ephemeral tarns and the elongated red tussock basin with its enclosing ridges seen in this picture.

Fig. 9. *"The more elevated northerly section of the plateau within about 1km of Landslip Creek is considered visually sensitive and requiring protection"*. Land such as that illustrated here might be considered for addition to CA1, or at the very least be protected by much stronger conditions attached to the Conservation Covenant to conform with the conclusions in the Steven (2008) Report.

Fig. 10. The Steven (2008) Report also concluded that it is essential that the integrity of the landscape should remain. At present there is a consistently natural and highly legible and coherent character over the plateau continuing into areas to the north and east — *“there are very few visual intrusions”*.

Fig. 11. We understand that an easement will provide public access by foot and non-motorized vehicle along the boundary of CC1b as far as point “q”. However, at that point there is no provision for public access into CA1. We believe this to be an oversight and that at least public foot access should be provided along “q-r” and “q-s” into conservation area CA1. “q-s” heads towards the trees in this picture.

Fig. 12. It is some 10km from the Braemar Road to the Landslip Creek along the Mary Burn track shown here. Public access for mountain bikes is only provided as far as point “q” or about half the total distance. We believe it would be much more appropriate to provide mountain bike access all the way along the Mary Burn track to Landslip Creek as many recreational users will wish to travel much further up Landslip towards Braemar Dome or Mt Stevenson.



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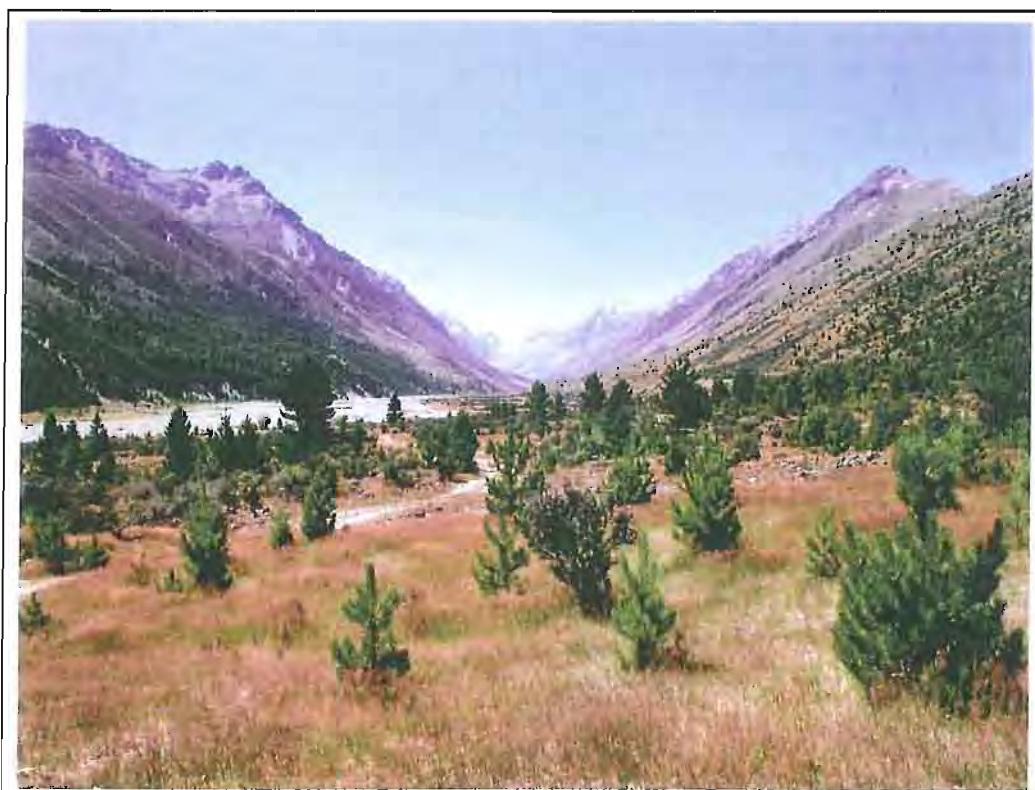


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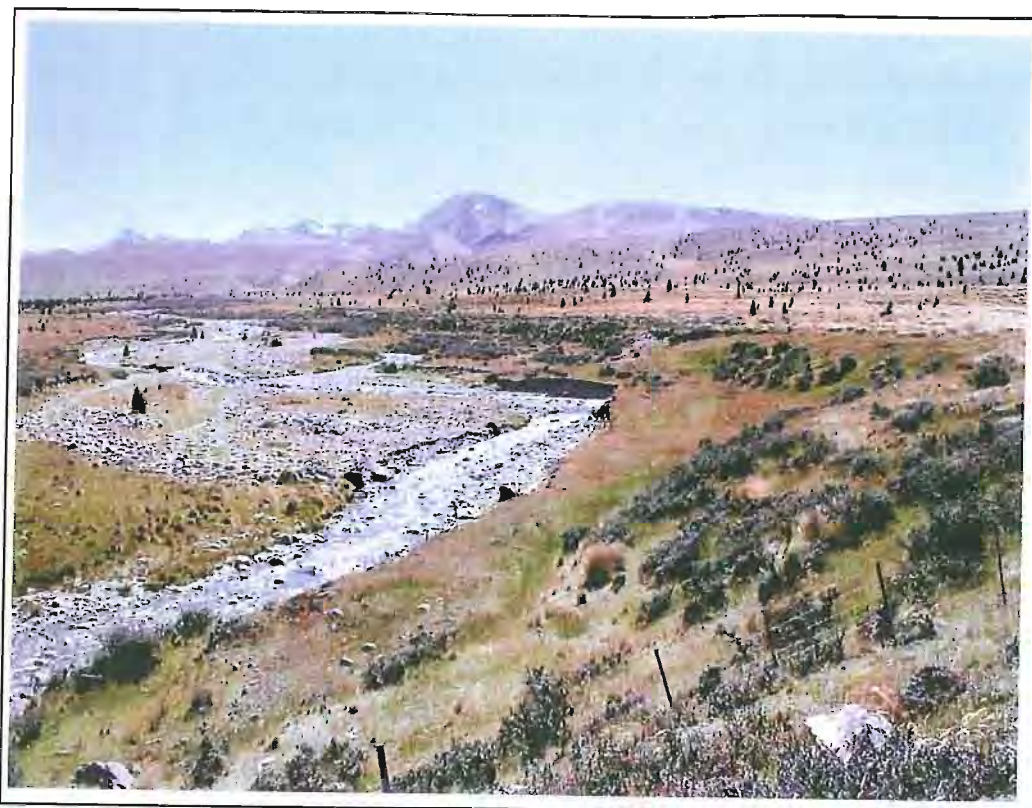


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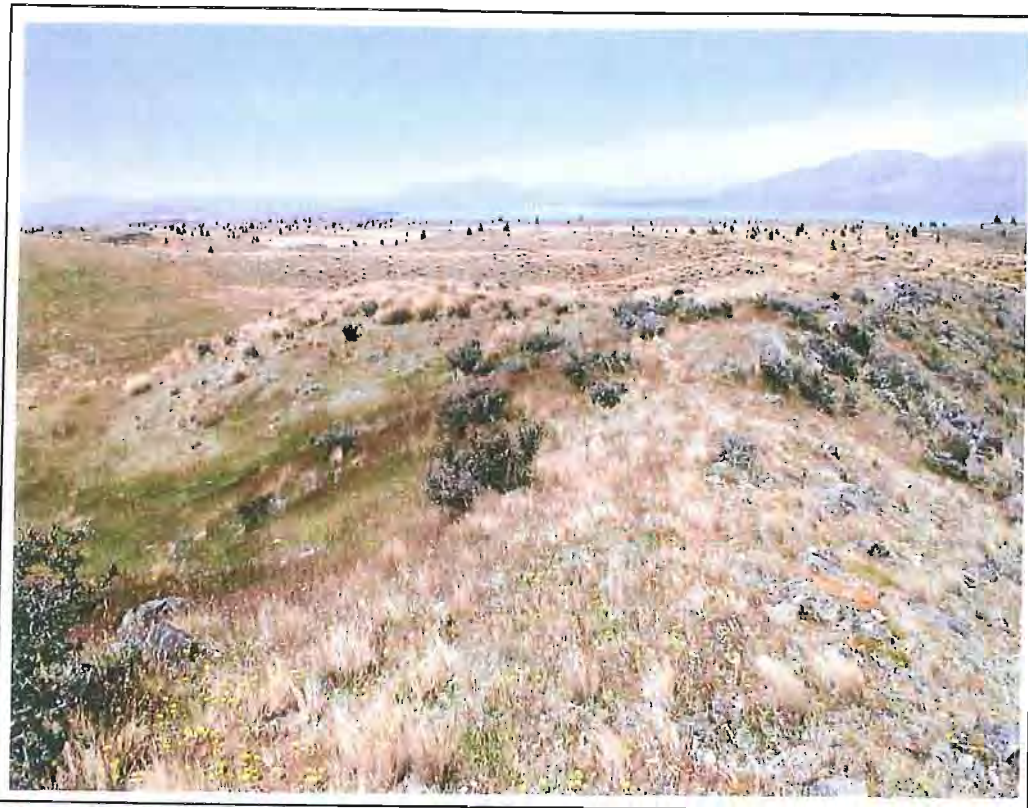


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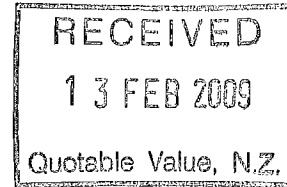


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SUBMISSION ON BRAEMAR TENURE REVIEW

To:
Carolyne Latham
Quotable Value
PO Box 13 443
Christchurch

Name:
John Wellington
272 Ballantyne Rd
Wanaka 9382

**MySubmission**

I believe that the easement for Publix access (shown as "q-z4") should not be restricted to walkers but should instead be for "non motorised access" This allows for the use of mountain bikes on the easement.

One of the desired outcomes from the Tenure Review process is to improve access to the High Country. There is increasing use of tracks by cyclists and mountain bikers, and this is usually taken into account when new tracks are being planned or constructed.

Several tracks that have come out of the Tenure Review process (Dingleburn, West Wanaka) in the Upper Clutha Basin have created tracks that are used by both walkers and mountain bikers. The bikes do not appear to have had any greater impact on farming activities than that of walkers.

I believe that the proposed access is suitable for cycling all the way to Z4. The access proposed is a bit off the beaten track and not that close to other recreational facilities and is therefore unlikely to receive high levels of general public use as more accessible tracks like Central Otago Rail Trail. Should any stock disturbance be created it would be very limited, and therefore cycling access should be allowed over the entire easement.

Also tracks restricted to "Walkers Only" are of lesser value to the public, and I believe that all access easements created out of the Tenure Review process intended for public use should be for "non motorised access" unless there is an overwhelming argument for any further restriction.

My submission would be meet by

The easements marked q-t, u-v, w-x, y-z, z1-z2 and z3-z4 including non-motorised vehicle access.

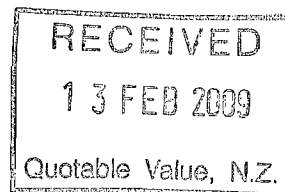
Signed

Date 13 February 2009

John Wellington

SUBMISSION ON BRAEMAR TENURE REVIEW

To:
Carolyne Latham
Quotable Value
PO Box 13 443
Christchurch



Name:
Upper Clutha Tracks Trust
PO Box 713
Wanaka

The Upper Clutha Tracks Trust

The Upper Clutha Tracks Trust is a non profit charitable organisation created by the Queenstown Lakes District Council in 2007. The Trusts objectives are:

"to promote, support, fund and advocate for the establishment of a functional interconnected network of tracks for walking, hiking, cycling, mountain biking, horse riding, roller skating, and any similar recreational leisure activities"

The Upper Clutha Tracks Trust Submission

The Trust believes the creation of a *foot only* public easement (Shown "q-z4") is a poor outcome for the public and is at odds with the public's expectations, and with one of the intended outcomes of the process - to improve access to the High Country. There is increasing use of tracks by mountain bikers, and this is usually taken into account when new tracks are being planned or constructed. The Trust understands that there are concerns that stock may be disturbed or scared away from water, but from the experience of completed reviews in our area that allow cycle access, the Trust believes that these concerns are overstated.

The Wanaka area has many Tenure Reviewed properties that have extensive public access that is functioning reasonably well. An example is West Wanaka Station. The station accepted public access over 15km of farm track around the lake shore. The property runs deer, sheep and cattle, and the run holder is not experiencing undue difficulties as a result of this access. Further this route is now very popular with cyclists. Another good example of the interaction of cyclists and farming activity is presented by the creation of the Central Otago Rail Trail, which is currently used by thousands of cyclists each year.

Where the Trust is developing walking and cycling tracks in the Upper Clutha Area, "walking" only Tenure review easements such as those created over Alpha Burn Station, have presented problems especially as the rest of the track on either side of these easements have been either already used by cyclists or can be used by them. These easements do not allow cycling which is a significant part of the recreational user spectrum, and as a result the easements created from Tenure Review are of limited value for the future construction of dual purpose tracks.

The Trust believes the proposed access is suitable for cycling all the way to Z4 and that the activity of cyclists will have only a minor effect on the farming operations. As the access proposed is in a secluded location and distant from other recreational facilities, it is unlikely to receive high levels of public use, such as that associated with tracks such as the Central Otago Rail Trail. We would anticipate between 50-100 visits per annum given the other opportunities for recreation in the area.

Therefore, any stock disturbance, if created at all, would be very limited, and therefore cycling access should be allowed over the entire easement.

The Trust believes that tracks restricted to "foot" only access are of significantly lesser value to the community at large, and that all access easements created out of the Tenure Review process intended for public use should be for "non motorised access" as a base standard unless there is an overwhelming argument for further restriction.

It is interesting to note in this case that a legal road runs a significant portion of the 4wd track, and that with the aid of a cheap handheld GPS the public could utilise the track where it coincides with the legal road and then follow the legal road where the two part. We believe the landowner is not giving that much up by allowing cycle access over those sections not already on the legal road.

The Trusts submission would be meet by

The easements marked q-t, u-v, w-x, y-z, z1-z2 and z3-z4 including non-motorised vehicle access.

Signed *Tim Dennis*
Trust Chairman

Date *13 February 2009*

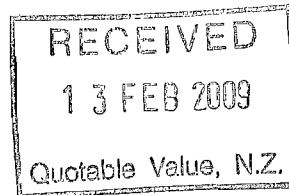


New Zealand Deerstalkers' Association Incorporated

Level 1 45 – 51 Rugby Street P O Box 6514 Wellington
Phone: 04 801 7367 Fax: 04 801 7368
Email: deerstalkers.org.nz
Website: <http://www.deerstalkers.org.nz>

12 February 2009

Commissioner of Crown Lands
C/o Carolyne Latham
Tel 03 341 1634
Quotable Value Ltd
Box 13 443
Christchurch
Carolyne.Latham@qv.co.nz



Submission: Braemar (Lake Pukaki) Tenure Review

This submission is made on behalf of the New Zealand Deerstalkers' Association Incorporated (NZDA).

NZDA is the national body of recreational deerstalkers and other big game hunters. We have 57 branches and a number of hunting club members throughout New Zealand. We have 7500 members, and have been actively advocating for deerstalking and recreational hunting, and running deerstalker training courses, trips, conferences etc since 1937. NZDA also maintains the ethical side of hunting by maintaining ethics for hunting, including fair chase, and strongly encouraging harvesting of animals taken for the table.

1 Summary of Braemar Proposal:

The lease of 15,216 Ha is near the eastern shores of Lake Pukaki. Proposed for surrender is CA1, of 13,216 Ha, as a conservation area (88%). Of this, the NZ Defence Force utilises approx 8,040 Ha within CA1 for ground manoeuvres and as a fall zone for live ammunition firing. This area will continue to be used by NZDF after surrender as conservation area. The area adjoins an NZDF property to the east and south which is also subject to live firing, and abuts the western boundary of Forks Stream.

The lease is on the north-eastern side (upper end) of Lake Pukaki, with the Jollie River as its northern boundary. Some land is at the south end of the Gammack Range. The western side of the Jollie River and much of the Gammack Range is conservation land.

There is a strip of freehold land between the lease and Lake Pukaki. The land designated for freeholding is lower land from Freehold Creek south, above the freehold land. The area used by NZDF is the area south and east of Landslip Creek. The surrendered land is generally above 1000 m, and is generally rock and scree, with almost no soil.

Mt Stevenson (2320 m) and its upper slopes have already been surrendered from the lease previously. An adjacent piece of Crown land (probably the Mt Stevenson piece) a former Braemar POL, was allocated to DOC in 1987, but has not yet formally been surveyed off as conservation land.

There are significant numbers of tarns and wetlands on the surrendered land, and it has high landscape values, and is visible from much of the McKenzie Basin.

The surrendered land is subject to wilding pines spread, as is most land in this area.

NZDA agrees that the surrendered lands proposed are incapable of economic use in an ecologically sustainable way.

2 Big game animals: Big game animals on the land being surrendered are primarily tahr. Hunters at public meetings discussing the tenure review complained at the lack of public access for hunters to hunt this area, though tahr numbers were estimated as high. Chamois and Red deer should also be present, though probably at low numbers.

2.1 Wild Animal Management Plan:

NZDA sees the presence of tahr, Red deer and possibly chamois as a positive for the surrendered land, as allowing public hunting access to the CA1 area, that was previously closed, as the lessee appears to have denied hunting access. Hence there is a need to manage the surrendered area for its recreational hunting value. NZDA asks that a recreational hunting management plan be developed in consultation with the recreational hunting community for this block, and for adjacent public conservation areas.

2.2 Tekapo-Pukaki Conservation Park: NZDA proposes that the surrendered land, plus land surrendered from Mt Cook Station, and other leases that are going through Tenure Review between Lakes Tekapo and Pukaki, form the nucleus of a new Tekapo-Pukaki Conservation Park. This is in line with the Government's objectives of forming conservation parks with land surrendered via tenure review.

3 Public Access:

The Braemar area can be accessed via the Braemar Road leaving SH 8 near the Tekapo Military Camp, and then via the Mt Cook Road up the eastern side of Lake Pukaki.

There is little discussion of the public access being provided as a result of this Tenure Review, except that access from the Braemar-Mt Cook Station road is available via marginal strips at the Jollie River. This is access already available.

3.1 Public access from the South along/near the legal road:

Public vehicle access needs to be provided from the South. Presumably, the legal road is being used, with easements in a number of places, so that vehicle access is secured. According to the NZMS 260 Lake Tekapo map (137), there is a formed farm track from the Braemar Road just west of the Mary Burn Bridge, until it leaves the line of the legal road, where it crosses back across the Mary Burn.

NZDA would prefer to see the whole of this easement/legal road made accessible to motorised vehicles ie accept that the formed road is the legal road. Surely the intent of placing the access on the legal road is to allow it to be used by motorised vehicles for its length – some 4 km, to the CA1 boundary.

3.2 Public access to CA1 at its South-west corner: The proposed easements q-r and q-s should be open to the public for vehicles and walking, and not only to DOC vehicles and walking. This would allow public access to the SW corner of CA1, which is for some reason not explained, is not permitted for the public, though it is for DOC. It is also desirable to have public vehicular access to near point z4 on CA1, above Landslip Creek.

NZDA notes that S 24 (c) (i) of the Crown Pastoral Lands Act requires "*The securing of public access to and enjoyment of reviewable land;*". This securing of access to, and enjoyment of surrendered land is far more fully achieved if vehicular and foot access is available to the SW corner of CA1. NZDA requests this change to the PP.

3.3 Marginal strips eg Landslip Creek: NZDA is surprised that the significant stream Landslip Creek does not appear to be having marginal strips laid off along it, in spite of its bed in most cases being greater than three metres, the required bed width requiring strips.

4 Defence Department Closure of part CA1 should be only when required: The Defence Department owns an adjacent pastoral lease for defence training purposes. NZDA appreciates that Defence needs areas for training and firing munitions. However, as the 8,040 Ha of proposed conservation area makes up 60% of the total area of CA1, the Defence Department should be required to only close the area when necessary, and to make most use of its own land for live firing etc, where there is a danger to the public. NZDA is sympathetic to the need for Defence to undertake live round firing etc, but wants to see a fair balance between the proposed underlying use and closure of a conservation area by Defence, and normal public use, as required for conservation areas under the Conservation Act.

5 Surveying off of the Braemar POL allocated to DOC in the 1987 land allocation: Surveying off this POL should be part of this Tenure Review, as it appears it has not yet been done. It should have occurred soon after DOC was established.

6 Conclusions:

1 NZDA supports the surrender of CA1, but wants better walking and vehicular access to it

2 Better public vehicular and foot access needs to be provided to the SW corner of the proposed CA1, and to z4.

3 Marginal strip access up Landslip Creek: The width of the bed would appear to be wide enough for marginal strips to be provided over a significant part of its length.

4 Defence Department live firing use: Once land becomes conservation area, the public should have significant access rights, and the "live firing" exercises or closure should not be the norm.

5 Formation of a Tekapo-Pukaki Conservation Park: This would allow better recreational management of all the conservation areas in this zone that have been surrendered from pastoral leases.

6 Survey off of the former Braemar POL: This would allow legal public use of this allocated conservation area.

Thanking you

Yours truly

Dr Hugh Barr
National Advocate

cc Department of Conservation, Canterbury

107017

Carolyne Latham

From: Mike Clare [mclare@doc.govt.nz]
Sent: Monday, 16 February 2009 3:09 p.m.
To: Carolyne Latham
Subject: FW: Submission on.Braemar access.2009doc.doc

Hi Carolyne

Did you get this one?

Cheers

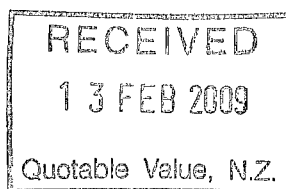
Mike

From: Poma Palmer
Sent: Monday, 16 February 2009 1:04 p.m.
To: Mike Clare
Subject: FW: Submission on.Braemar access.2009doc.doc

Mike, I'm not sure why David has sent this to me (other than he perhaps sees some CMS relationship?); can you deal with it?

Cheers,
Poma

From: Sonya and David Hodder [mailto:s.d.hodder@xtra.co.nz]
Sent: Monday, 16 February 2009 12:57 p.m.
To: Poma Palmer
Cc: Taihape Deerstalkers; Hugh Barr (TTC)
Subject: Submission on.Braemar access.2009doc.doc



Submission on - Braemar Pastoral Lease - Tenure Review Report

16 February 2009

The Conservator
Department of Conservation
Canterbury
195 Hereford St
Christchurch

Attn: Mr P Palmer

The NZDA North Canterbury Branch supports the general proposition of the report in that the front country be

RELEASED UNDER THE OFFICIAL INFORMATION ACT

either protected for conservation or visual purposes or made freehold for farming type purposes and that the higher, class 7 and 8 lands be returned to full Crown ownership and control.

The issues to be resolved are:

1. Access of public to land effected by occasional use by the NZ Army
2. Restrictions to flying over the army use lands
3. public vehicle access to the land returned to state control
4. lack of illustration of type of land at access points

Access

Without actually visiting the station submitters have no idea whether the proposed access routes are practical and sustainable. Some digital photos would overcome this perhaps?

From sheet 1 of 3 the access route appears to be off the county or legal Braemar Road which provides access from the Highway near Tekapo to the Jollie Rv and Mt Cook Pastoral Lease station near the head of Lake Pukaki on the north bank..

The proposed access route is then a presumed farm track across to the property boundary where it takes a 90 degree turn to the right to parallel the boundary along the point a to q. There it splits into four with the longest route going to point Z4 which appears to be on the boundary between the new freehold land and the conservation land CA1.

I expect the Dept of Conservation to provide practical 4WD public access onto this public conservation land ex Braemar Stn either:

***via the route shown Z4 to a, or**

***from the Braemar road near Coxs creek [sheet 2] or**

***via the legal road shown going through the middle of the CA1 land said to be occasionally used by the NZ Defence Force and restricted for safety reasons.[sheet2].**

I have in the recent past tried to get flown into the back of Braemar station and found that even aircraft have to deviate around the PL land occasionally used by the Army.

I do not believe this is a reasonable requirement over public land that is not owned or being used by the Defence Forces. – I better arrangement is required.

While on access I recommend the DoC show greater support for the public access to these lands coming back from Pastoral Lease use. Ie: do not give the Department superior access to the land while only recommending inferior access for the public.

This refers to instances where 'management' access for the Dept is via 4WD tracks and the 'public' access is for walking/horses and mountain bikes! Ie non motorised!

It would also be of interest as to whether the local council engineering staff had been consulted about the suitability of the access route proposals.

Yours faithfully

David Hodder

Secretary
NZDA North Canterbury Branch
PO Box 9034
Christchurch 8149

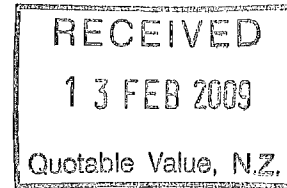
Attention:

This e-mail (and attachments) is confidential and may be legally privileged.

SUBMISSION ON BRAEMAR TENURE REVIEW

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Several tracks that have come out of the Tenure Review process (Dingleburn, West Wanaka) in the Upper Clutha Basin have created tracks that are used by both walkers and mountain bikers. The bikes do not appear to have had any greater impact on farming activities than that of walkers.

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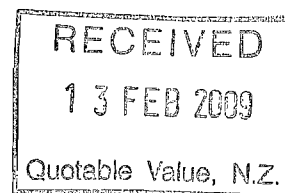
Signed

Date 13 February 2009

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The Wanaka area has many Tenure Reviewed properties that have extensive public access that is functioning reasonably well. An example is West Wanaka Station. The station accepted public access over 15km of farm track around the lake shore. The property runs deer, sheep and cattle, and the run holder is not experiencing undue difficulties as a result of this access. Further this route is now very popular with cyclists. Another good example of the interaction of cyclists and farming activity is presented by the creation of the Central Otago Rail Trail, which is currently used by thousands of cyclists each year.

Where the Trust is developing walking and cycling tracks in the Upper Clutha Area, "walking" only Tenure review easements such as those created over Alpha Burn Station, have presented problems especially as the rest of the track on either side of these easements have been either already used by cyclists or can be used by them. These easements do not allow cycling which is a significant part of the recreational user spectrum, and as a result the easements created from Tenure Review are of limited value for the future construction of dual purpose tracks.

The Trust believes the proposed access is suitable for cycling all the way to Z4 and that the activity of cyclists will have only a minor effect on the farming operations. As the access proposed is in a secluded location and distant from other recreational facilities, it is unlikely to receive high levels of public use, such as that associated with tracks such as the Central Otago Rail Trail. We would anticipate between 50-100 visits per annum given the other opportunities for recreation in the area.

Therefore, any stock disturbance, if created at all, would be very limited, and therefore cycling access should be allowed over the entire easement.

The Trust believes that tracks restricted to "foot" only access are of significantly lesser value to the community at large, and that all access easements created out of the Tenure Review process intended for public use should be for "non motorised access" as a base standard unless there is an overwhelming argument for further restriction.

It is interesting to note in this case that a legal road runs a significant portion of the 4wd track, and that with the aid of a cheap handheld GPS the public could utilise the track where it coincides with the legal road and then follow the legal road where the two part. We believe the landowner is not giving that much up by allowing cycle access over those sections not already on the legal road.

The Trusts submission would be meet by

The easements marked q-t, u-v, w-x, y-z, z1-z2 and z3-z4 including non-motorised vehicle access.

Signed *Jim Dennis*
Trust Chairman

Date *13 February 2009*



New Zealand Deerstalkers' Association Incorporated

Level 1 45 – 51 Rugby Street P O Box 6514 Wellington

Phone: 04 801 7367 Fax: 04 801 7368

Email: deerstalkers.org.nz

Website: <http://www.deerstalkers.org.nz>

12 February 2009

Commissioner of Crown Lands

C/o Carlyne Latham

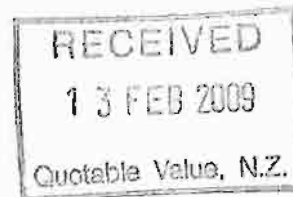
Tel 03 341 1634

Quotable Value Ltd

Box 13 443

Christchurch

Carolyne.Latham@qv.co.nz



Submission: Braemar (Lake Pukaki) Tenure Review

This submission is made on behalf of the New Zealand Deerstalkers' Association Incorporated (NZDA).

NZDA is the national body of recreational deerstalkers and other big game hunters. We have 57 branches and a number of hunting club members throughout New Zealand. We have 7500 members, and have been actively advocating for deerstalking and recreational hunting, and running deerstalker training courses, trips, conferences etc since 1937. NZDA also maintains the ethical side of hunting by maintaining ethics for hunting, including fair chase, and strongly encouraging harvesting of animals taken for the table.

1 Summary of Braemar Proposal:

The lease of 15,216 Ha is near the eastern shores of Lake Pukaki. Proposed for surrender is CA1, of 13,216 Ha, as a conservation area (88%). Of this, the NZ Defence Force utilises approx 8,040 Ha within CA1 for ground manoeuvres and as a fall zone for live ammunition firing. This area will continue to be used by NZDF after surrender as conservation area. The area adjoins an NZDF property to the east and south which is also subject to live firing, and abuts the western boundary of Forks Stream.

The lease is on the north-eastern side (upper end) of Lake Pukaki, with the Jollie River as its northern boundary. Some land is at the south end of the Gammack Range. The western side of the Jollie River and much of the Gammack Range is conservation land.

There is a strip of freehold land between the lease and Lake Pukaki. The land designated for freeholding is lower land from Freehold Creek south, above the freehold land. The area used by NZDF is the area south and east of Landslip Creek. The surrendered land is generally above 1000 m, and is generally rock and scree, with almost no soil.

Mt Stevenson (2320 m) and its upper slopes have already been surrendered from the lease previously. An adjacent piece of Crown land (probably the Mt Stevenson piece) a former Braemar POL, was allocated to DOC in 1987, but has not yet formally been surveyed off as conservation land.

There are significant numbers of tarns and wetlands on the surrendered land, and it has high landscape values, and is visible from much of the McKenzie Basin.

The surrendered land is subject to wilding pines spread, as is most land in this area.

NZDA agrees that the surrendered lands proposed are incapable of economic use in an ecologically sustainable way.

2 Big game animals: Big game animals on the land being surrendered are primarily tahr. Hunters at public meetings discussing the tenure review complained at the lack of public access for hunters to hunt this area, though tahr numbers were estimated as high. Chamois and Red deer should also be present, though probably at low numbers.

2.1 Wild Animal Management Plan:

NZDA sees the presence of tahr, Red deer and possibly chamois as a positive for the surrendered land, as allowing public hunting access to the CA1 area, that was previously closed, as the lessee appears to have denied hunting access. Hence there is a need to manage the surrendered area for its recreational hunting value. NZDA asks that a recreational hunting management plan be developed in consultation with the recreational hunting community for this block, and for adjacent public conservation areas.

2.2 Tekapo-Pukaki Conservation Park: NZDA proposes that the surrendered land, plus land surrendered from Mt Cook Station, and other leases that are going through Tenure Review between Lakes Tekapo and Pukaki, form the nucleus of a new Tekapo-Pukaki Conservation Park. This is in line with the Government's objectives of forming conservation parks with land surrendered via tenure review.

3 Public Access:

The Braemar area can be accessed via the Braemar Road leaving SH 8 near the Tekapo Military Camp, and then via the Mt Cook Road up the eastern side of Lake Pukaki.

There is little discussion of the public access being provided as a result of this Tenure Review, except that access from the Braemar-Mt Cook Station road is available via marginal strips at the Jollie River. This is access already available.

3.1 Public access from the South along/near the legal road:

Public vehicle access needs to be provided from the South. Presumably, the legal road is being used, with easements in a number of places, so that vehicle access is secured. According to the NZMS 260 Lake Tekapo map (I37), there is a formed farm track from the Braemar Road just west of the Mary Burn Bridge, until it leaves the line of the legal road, where it crosses back across the Mary Burn.

NZDA would prefer to see the whole of this easement/legal road made accessible to motorised vehicles ie accept that the formed road is the legal road. Surely the intent of placing the access on the legal road is to allow it to be used by motorised vehicles for its length – some 4 km, to the CA1 boundary.

3.2 Public access to CA1 at its South-west corner: The proposed easements q-r and q-s should be open to the public for vehicles and walking, and not only to DOC vehicles and walking. This would allow public access to the SW corner of CA1, which is for some reason not explained, is not permitted for the public, though it is for DOC. It is also desirable to have public vehicular access to near point z4 on CA1, above Landslip Creek.

NZDA notes that S 24 (c) (i) of the Crown Pastoral Lands Act requires "*The securing of public access to and enjoyment of reviewable land;*". This securing of access to, and enjoyment of surrendered land is far more fully achieved if vehicular and foot access is available to the SW corner of CA1. NZDA requests this change to the PP.

3.3 Marginal strips eg Landslip Creek: NZDA is surprised that the significant stream Landslip Creek does not appear to be having marginal strips laid off along it, in spite of its bed in most cases being greater than three metres, the required bed width requiring strips.

4 Defence Department Closure of part CA1 should be only when required: The Defence Department owns an adjacent pastoral lease for defence training purposes. NZDA appreciates that Defence needs areas for training and firing munitions. However, as the 8,040 Ha of proposed conservation area makes up 60% of the total area of CA1, the Defence Department should be required to only close the area when necessary, and to make most use of its own land for live firing etc, where there is a danger to the public. NZDA is sympathetic to the need for Defence to undertake live round firing etc, but wants to see a fair balance between the proposed underlying use and closure of a conservation area by Defence, and normal public use, as required for conservation areas under the Conservation Act.

5 Surveying off of the Braemar POL allocated to DOC in the 1987 land allocation: Surveying off this POL should be part of this Tenure Review, as it appears it has not yet been done. It should have occurred soon after DOC was established.

6 Conclusions:

1 NZDA supports the surrender of CA1, but wants better walking and vehicular access to it

2 Better public vehicular and foot access needs to be provided to the SW corner of the proposed CA1, and to z4.

3 Marginal strip access up Landslip Creek: The width of the bed would appear to be wide enough for marginal strips to be provided over a significant part of its length.

4 Defence Department live firing use: Once land becomes conservation area, the public should have significant access rights, and the "live firing" exercises or closure should not be the norm.

5 Formation of a Tekapo-Pukaki Conservation Park: This would allow better recreational management of all the conservation areas in this zone that have been surrendered from pastoral leases.

6 Survey off of the former Braemar POL: This would allow legal public use of this allocated conservation area.

Thanking you

Yours truly

Dr Hugh Barr
National Advocate

cc Department of Conservation, Canterbury

107017

Carolyne Latham

From: Mike Clare [mclare@doc.govt.nz]
Sent: Monday, 16 February 2009 3:09 p.m.
To: Carolyne Latham
Subject: FW: Submission on.Braemar access.2009doc.doc

Hi Carolyne

Did you get this one?

Cheers

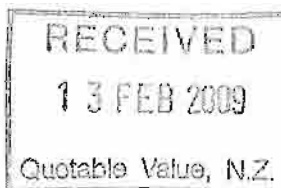
Mike

From: Poma Palmer
Sent: Monday, 16 February 2009 1:04 p.m.
To: Mike Clare
Subject: FW: Submission on.Braemar access.2009doc.doc

Mike, I'm not sure why David has sent this to me (other than he perhaps sees some CMS relationship?); can you deal with it?

Cheers,
Poma

From: Sonya and David Hodder [mailto:s.d.hodder@xtra.co.nz]
Sent: Monday, 16 February 2009 12:57 p.m.
To: Poma Palmer
Cc: Taihape Deerstalkers; Hugh Barr (TTC)
Subject: Submission on.Braemar access.2009doc.doc



Submission on - Braemar Pastoral Lease - Tenure Review Report

16 February 2009

The Conservator
Department of Conservation
Canterbury
195 Hereford St
Christchurch

Attn: Mr P Palmer

The NZDA North Canterbury Branch supports the general proposition of the report in that the front country be

19/02/2009

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either protected for conservation or visual purposes or made freehold for farming type purposes and that the higher, class 7 and 8 lands be returned to full Crown ownership and control.

The issues to be resolved are:

1. Access of public to land effected by occasional use by the NZ Army
2. Restrictions to flying over the army use lands
3. public vehicle access to the land returned to state control
4. lack of illustration of type of land at access points

Access

Without actually visiting the station submitters have no idea whether the proposed access routes are practical and sustainable. Some digital photos would overcome this perhaps?

From sheet 1 of 3 the access route appears to be off the county or legal Braemar Road which provides access from the Highway near Tekapo to the Jollie Rv and Mt Cook Pastoral Lease station near the head of Lake Pukaki on the north bank..

The proposed access route is then a presumed farm track across to the property boundary where it takes a 90 degree turn to the right to parallel the boundary along the point a to q. There it splits into four with the longest route going to point Z4 which appears to be on the boundary between the new freehold land and the conservation land CA1.

I expect the Dept of Conservation to provide practical 4WD public access onto this public conservation land ex Braemar Stn either:

***via the route shown Z4 to a, or**

***from the Braemar road near Coxs creek [sheet 2] or**

***via the legal road shown going through the middle of the CA1 land said to be occasionally used by the NZ Defence Force and restricted for safety reasons.[sheet2].**

I have in the recent past tried to get flown into the back of Braemar station and found that even aircraft have to deviate around the PL land occasionally used by the Army.

I do not believe this is a reasonable requirement over public land that is not owned or being used by the Defence Forces. – I better arrangement is required.

While on access I recommend the DoC show greater support for the public access to these lands coming back from Pastoral Lease use. Ie: do not give the Department superior access to the land while only recommending inferior access for the public.

This refers to instances where 'management' access for the Dept is via 4WD tracks and the 'public' access is for walking/horses and mountain bikes! Ie non motorised!

It would also be of interest as to whether the local council engineering staff had been consulted about the suitability of the access route proposals.

Yours faithfully

David Hodder

Secretary
NZDA North Canterbury Branch
PO Box 9034
Christchurch 8149

Attention:

This e-mail (and attachments) is confidential and may be legally privileged.



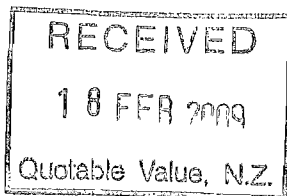
Department of Botany

Division of Sciences
PO Box 56, Dunedin
NEW ZEALAND

University of Otago
Te Whare Wananga o Otago

Tel: National 03 479 7573 International 64 3 479 7573
Fax: National 03 479 7583 International 64 3 479 7583
Email: amark@otago.ac.nz

Commissioner of Crown lands,
Quotable Value Ltd.,
PO Box 13 443,
CHRISTCHURCH.



February 12, 2009

SUBMISSION ON PROPOSED TENURE REVIEW: BRAEMAR PASTORAL LEASE

Dear Sir,

Thank you for sending me a copy of this proposal for the tenure review of Braemar Pastoral Lease (~15,216.18 ha). I appreciate the opportunity to comment on this important proposal and I do so based on my knowledge of the vegetation in this region of the upper Mackenzie Basin and the South Island high country in general.

This preliminary proposal for this tenure review is essentially in two parts:

1. Conservation Area CA1 of some 13,446 (~88% of the property) is proposed as land to be restored to full Crown ownership and control. This extensive area embraces two recommended areas for protection from the first series of surveys, the Mackenzie Ecological Region, for the PNA programme, namely Landslip Creek (RAP Tekapo 2) and upper Irishman's Creek (RAP Tekapo 17) so, inevitably they contain features of very high inherent (heritage) value. As stated in the preliminary proposal, "The area consists of vast tussock lands rising in an unbroken sequence from the boundary east of the 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 subalpine shrubland and herb fields with scree slopes." The extensive wetlands to the east of Longslip Creek are also of exceptional conservation value, being "the most extensive area of elevated wetlands and tarns now existing in the Mackenzie Basin." The riverbeds and wetlands associated with the Jollie River and Forks Stream are also of extremely high conservation and ecological values, in terms of native bird and aquatic vertebrate (galaxiid) habitats.

I am also aware of the serious extensive wilding conifer infestation, particularly in the Lower Jollie Valley, sourced presumably from the nearby, upwind Mt Cook and Cox's Downs Stations and, despite some obvious attempts by the Braemar Statuion lessee to contain the problem, it clearly remains as a serious and on-going threat. Resolution of this issue will obviously depend on concerted action among the affected land occupiers, which should be addressed urgently by LINZ as the Government department with oversight responsibilities for management of Crown pastoral leasehold lands. Note, such initiative has been taken by all affected stakeholders, including several runholders and Government agencies (MfE, LINZ, DOC), with a similar wilding tree problem on and near Mid Dome in northern Southland, with which I am involved as a trustee.

This proposed CA1 area will be an important addition to the formally protected public conservation lands, with important values for biodiversity and landscape conservation, as well as various forms of recreation.

I therefore endorse the recommendation to restore this area to full Crown ownership and control, for management by the Department of Conservation, but containment of the wilding tree problem here and close by, should be the initial responsibility of LINZ and not a charge solely on the

Conservation Department. Unless this issue can be so attended to, urgently and comprehensively by all affected stakeholders, including LINZ, DOC, and the relevant land occupiers, I would have reservations about transferring to the DOC, that land in the Lower Jollie Valley up at least as far as Second Creek.

I am also concerned about the possible limited public access to the extensive part of the CA1 area that is identified by the NZ Defence Force as restricted access "for public safety reasons", being Defence Force use. Provision should be made for an effective means of notifying the interested public when access must be prohibited because of Army manouvres.

Also, the new fence proposed between the western boundary of the CA1 area and the Conservation Covenant (landscape) within the area to be disposed of through freeholding (CC1b), would exclude some ecologically important areas of copper tussock (*Chionochloa rubra* ssp. *cuprea*) grassland and associated wetlands. I recommend that the new fence here should follow the line of the exiting vehicle track (and legal road), 100-200 m to the west of where it is shown on the plan, so as to include the Mary Burn and adjacent tussockland and wetland in the conservation area CC1.

2. Area to be disposed of by freehold disposal (~1770ha), subject to some qualified designations and protective mechaism.

Qualified designations:

i. An easement in gross to provide for 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, as above, plus "q-r" and "q-s" on the plans.

Recommendations:

Re ii above: the provision for public access to area CA1 should also include the two easements, q-r and q-s, that are to be provided for conservation management.

Note: Provision should also be made for foot and mountain bike access up to Longslip Creek.

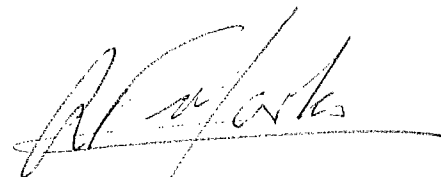
The Special Conditions to be applied to the two covenants, CC1a and CC1b should be amended to read: 1.2, 1.3, and 1.4 should also be subjected to DOC approval before the activities detailed can be undertaken. There should be no cultivation, over-sowing, earth works, tree planting, structures, roading, or tracking, and monitored sheep grazing only.

Marginal strips:

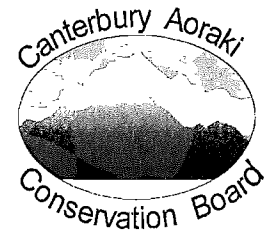
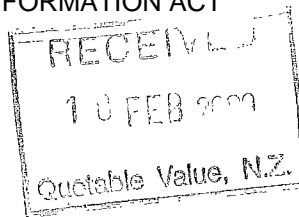
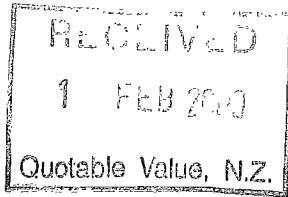
I endorse the provision and identification of marginal strips on the lower reaches of Landslip Creek, which would also provide alternative public access to the conservation area CA1 from the Braemar-Mt Cook Station Road across existing freehold lands.

I appreciate the opportunity to comment on this very important provisional proposal and I trust my submission will be given serious consideration.

Yours sincerely,



Alan F. Mark FRSNZ,
Emeritus Professor



12 February 2009

QV Valuations
Christchurch Office
P.O. Box 13443
Christchurch

Attention: Carolyne Latham

Dear Carolyne

Tenure Review of BRAEMAR PASTORAL LEASE

The Canterbury/Aoraki Conservation Board ((hereafter known as the 'Board') appreciates the opportunity to comment on the preliminary proposal for tenure review of **BRAEMAR PASTORAL LEASE** under the Crown Pastoral Land Act 1998.

The landscapes of the Mackenzie Basin are widely recognised and are the most extensive outstanding landscapes in the region. The neighbouring property of Mt Cook Station has already been added to the conservation land and this property is immediately adjacent to Aoraki/ Mt Cook National Park that in 1990 was inscribed on the list of World (Natural) Heritage Site. Therefore it is nationally and internationally recognised that the mountains, glacial features, landscapes and vegetation of the upper Mackenzie Basin are of importance for their preservation and conservation for both tourism and recreation purposes. Further conservation areas have recently been acquired from Mt Cook Station, which provides a link to the National Park. Conservation areas on Braemar therefore will ad to the network of conservation lands.

Members of the Board made a limited inspection of the lateral moraine terraces of Braemar Station and consider the area an integral part of the inter-montane range and basin landscape of the Mackenzie area. While the basin's landscapes have been modified over time through soil and vegetation modification as well as weed spread in the northern part (pine spp, larch), a high degree of naturalness has been retained and natural elements, patterns and processes are still dominant features of the landscape that contain numerous attributes that are strikingly visible from the State Highway approaching Aoraki/ Mt Cook National Park.

Ecological values on Braemar are exceptionally high over much of the leasehold land. Vast expanses of tussock grasslands, predominantly tall and red tussocks, as well as extensive wetlands cover the land, and are highly visible from the distance. The area also contains rare

and endangered species, both of flora and fauna, which add to the uniqueness of the place. A PNA (1998) report makes a mention of a moth that is only found on Braemar.

Adequate protection of the landscape is essential to retain the values that make it special for now and future generations to enjoy.

Proposal

1. The Board fully supports the proposal for conservation areas "CA 1" to be restored and retained in full Crown ownership and control.
2. The Board is aware of the extent of the wilding tree spread on Braemar and understands that the Department of Conservation has funding and is confident it can contain the spread of wilding trees and eventually remove this threat from the landscape. However this is a major burden to the taxpayers and this aspect should be recognised when it comes to compensation.
3. The Board does not support the proposal to designate areas of conservation land adjacent to the New Zealand Defence Force (NZDF) land to the NZDF which restricts access to the public. Instead the Board recommends that this area be managed and controlled by the DOC and arrangements be made to accommodate the requirements of the NZDF for days/times when access in that particular area has to be limited or restricted for public safety reasons.
4. The Board does not support the proposal for the area designated "CC1b" (1,770 ha) to be disposed of as freehold. This area contains a wide range of inherent values and has been assessed as a regionally outstanding and significant landscape in the Canterbury Regional Landscape Study 1993. The area contains rare and endangered species of both flora and fauna, and the protection of all these values is critical and cannot be guaranteed if the land is to be freehold. Access for the general public to enjoy these values may be limited. The proposed covenant mechanisms do not adequately protect these values into the future. Instead the Board recommends that the area designated as "CC1b" be added to "CA1" and be restored and retained in full Crown ownership. This would require a new boundary between CC1a and CC1b, the new boundary would need to be fenced and should be aligned and erected to be complimentary to the landscape and landform and incorporate the important ecological features and values into conservation land.
5. In the unfortunate event of CC1b becoming freehold, the Board requests that the boundary between CC1b and CA1 be renegotiated to ensure that the legal road is on conservation land to eliminate the need for easements over freehold property to give the public free and unimpeded access to the conservation area above Mt Cook Station. This would also require a fence to be erected along the new boundary to the west of the legal road.
6. Should CC1b become freehold then the covenant for the whole of CC1b should include the provision that it should remain unimproved, no cultivation, no earthworks or other soil disturbance, no over-sowing and/or topdressing and no (more) clovers introduced, as well as other clauses proposed for this land. Furthermore the covenant should include the removal of wilding trees of freehold land.

7. The proposal to allow stock access to Landslip Creek is not acceptable and contrary to the intention of the Natural Resources Regional Plan. Instead stock water should be provided via a pipe and troughs.

Thank you for the opportunity to comment.



pp Ines Stäger
On behalf of the Canterbury Aoraki Conservation Board

Address for Service:
Brenda Preston
Community Relations Officer
Department of Conservation
Private Bag 4715
Christchurch