

Crown Pastoral Land Tenure Review

Lease name: CAMBRIAN

Lease number: PO 375

Public Submissions - Part 4

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

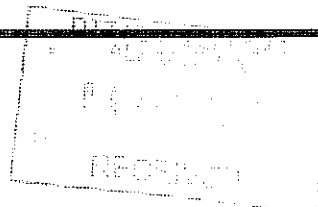
April

07

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Joan Gallagher

From: Bruce Mason [brucemason@ihug.co.nz]
Sent: Tuesday, 4 April 2006 10:06 a.m.
To: Alexandra
Subject: Submission - Cambrian tenure review



The discontinuous proposed public access easement a-b-c-d does not "secure public access to and enjoyment" of the land under review, as required by the CPLA.

A permanent arrangement should be negotiated with the owner of the land between the corner of Woolshed Creek Road and proposed easement start-point 'A' for public access.

The section b-c should have a link inside the boundary fence on the same terms as the proposed easement. This could have a sunset clause to come into effect when and if equivalent access is ever secured over the vehicle track linking b-c on the adjoining property.

Bruce Mason
RD 1
Omakau

Manager,
DTZ
Box 27
Alexandra.

Submission on proposed Tenure Review of Cambrians

Sir,

Our club is very concerned that a Conservation area is sitting land locked above Cambrians.

We can only give our support for the proposed access through Cambrians (with a slight change stated below) if it is seen by your department that there is a better access possibility in the future.

I realise that each review is taken as a stand-alone process but consideration must be given to future public access to this particular land-locked conservation area.

Should this not be possible we would support your proposal for access with a minor change: Being that the farmer has the right to exclude all but DOC traffic during lambing and calving times.

Reasons:

Farmers are not happy with any public passing through their farms during this period, and access rights like those proposed only make it more difficult for other recreational users to get access later; especially those falling outside the foot, bike and horse riding category that are all too-often left out of the access equation.

We consider a stand down period at that time of year of a couple of months to be not excessive.

Yours Faithfully
Secretary Central Otago Deerstalkers Club
Alan Mackie

New Zealand Deerstalkers Association Incorporated

Southern Lakes Branch

Box 98

Arrowtown

Manager,

DTZ

Box 27

Alexandra.

Submission on proposed Tenure Review of Cambrians

Sir,

The Southern Lakes Club though based in Queenstown has members throughout Central Otago. These members are concerned about access to the Conservation land beyond Cambrians. It is thought that the track through Cambrians is a good opportunity to get access up onto the top to bring that area within the reach of most recreational groups.

If it is possible we would like to see motorised travel available after lambing and calving through till winter.

We feel that track maintainance costs should not be left to the farmer and that the cost of supplying public access to the conservation ground beyond must have been taken into consideration when DOC took over the title to that area.

Yours Faithfully

On behalf of Southern lakes branch

NZDA

Alan Mackie



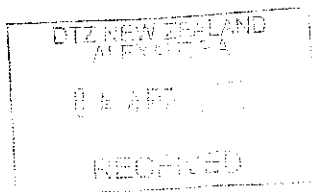
FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)

P.O. Box 1604, Wellington

1931
75
years
2006

2 April 2006

The Commissioner of Crown Lands
C/- DTZ New Zealand Ltd.,
PO Box 27
ALEXANDRA



Dear Sir,

Re: Preliminary Proposal for Tenure Review: Cambrian Pastoral Lease

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 13,000 members of tramping, mountaineering, climbing and other outdoor clubs throughout New Zealand. We also indirectly represent the interests and concerns of many thousands of private individuals who may not currently be members of clubs but who enjoy recreation in the back country.

On their behalf, FMC aims to enhance recreation opportunities, to protect natural values, especially landscape and vegetation, and to improve public access to the back country through the tenure review process.

FMC fully supports the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the more 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.

[EDC Min (03) 5/3; CAB Min (03) 11/5 refer]

FMC appreciates this opportunity to comment on the Preliminary Proposal for the review of Cambrian pastoral lease.

For your information we attach as an appendix to this submission, the report which FMC prepared on the tenure review of Cambrians in 1997 when this property entered the tenure review process. It should be noted that this entry date preceeded the enactment of the CPL Act in 1998, and that the report was written in that context.

THE PRELIMINARY PROPOSAL

FMC notes that the proposed designations are described as follows:-

2. Description of proposed designations

2.1 Land to be restored to full Crown ownership and control as a conservation area under section 35(2)(a)(i) CPL Act: Area: 1 hectare approximately

2.2 Land to be disposed of freehold disposal to the holder under section 35(3) CPL Act) subject to protective mechanisms and a qualified designation: Area: 980 hectares approximately

2.2.1 Conservation covenant under sections 40(1)(b), 40(2)(a) and 40(2)(b) CPL Act (CC1 and CC2)

2.2.2 Conservation covenant under sections 40(1)(b) and 40(2)(a) CPL Act (CC3):

2.2.3 Public and Conservation Management Easement under section 36(3)(b) CPL Act:

2.2.4 Continuation of existing easements:

FMC SUBMISSIONS

The details of FMC views on, and objections to, the Preliminary Proposal are presented below and are arranged in the same format as the Preliminary Proposal quoted above.

PROPOSAL 2.1 Land to be restored to full Crown ownership and control as a conservation area under section 35(2)(a)(i) CPL Act: Area: 1 hectare approximately

FMC understands that this area contains a peat bog that is part of a much larger wetland and tussock-plateau which is spread over four pastoral leases:- Cambrian, Lauder, Cambrian Hill and Cluden. The wetland is in particularly good condition and supports an array of invertebrates. It is immediately adjacent to a delightful area containing two tarns on Lauder Station land (currently under review). It appears that no provision has been made for access to this new Conservation Area in the Proposal for Cambrian. In order to satisfy the requirements of the CPL Act this deficiency must be overcome by the provision of public foot and non motorised vehicle access up the farm track on the spur between Welshmans Gully and Donald Stuarts Creek.

FMC Submission

FMC unreservedly endorses and supports this proposal for return to full Crown ownership and control with the proviso that public foot and non motorised vehicle access on the farm track up the spur between Welshmans Gully and Donald Stuarts Creek is also included.

PROPOSAL 2.2 Land to be disposed of freehold disposal to the holder under section 35(3) CPL Act) subject to protective mechanisms and a qualified designation:Area: 980 hectares approximately

The proposal document states that the proposed freehold land comprises low altitude predominately Class VI land which is suitable for ongoing pastoral use. FMC does not disagree with this analysis and accepts that the proposal should promote the ecologically sustainable use of the land so long as it is adequately maintained.

FMC is also aware that there are significant shrublands in the Donald Stuarts Creek gorge which may deserve protection. This will be discussed under proposals 2.2.1 and 2.2.2.

FMC Submission

FMC supports the proposal to freehold 980ha of Cambrian pastoral lease so long as adequate protection is provided for the significant shrublands in Donald Stuarts Creek gorge.

PROPOSAL 2.2.1 Conservation covenant under sections 40(1)(b), 40(2)(a) and 40(2)(b) CPL Act (CC1 and CC2):

FMC is aware that this covenant comprises two areas adjacent to Donald Stuarts Creek. This area is predominately native shrubland and contains a range of vegetation types including kanuka, manuka, matagouri and Halls totara. We agree that such communities have become relatively rare within the Dunstan ecological district because most such areas have been converted to improved pasture. The Halls totara remnants are very important because they represent a formally widespread forest type that existed prior to human occupation.

FMC is pleased to note that the two covenanted areas will be fenced to prevent grazing, and that the covenant conditions will not allow any removal of the vegetation. The two portions of the covenant are separated by a band of semi-improved pastoral grazing land which we understand is important for farm management purposes.

FMC suggests that a monitoring programme should be introduced so that the rehabilitation and regeneration of the shrublands can be assessed.

FMC also believes that public access should be provided so that the values protected in these covenant areas can be enjoyed. This is particularly relevant when many of the users of the track up the spur between Donald Stuarts Creek and Woolshed Creek will be there to enjoy the natural and landscape values of the Lauder Basin Conservation Area. If public access was available they would also be able to appreciate the shrubland values in Donald Stuarts creek.

FMC Submission

FMC is convinced that the preferred mechanism for the protection of significant inherent values is return to full Crown ownership and control, as indicated in the CPL Act 1998. However, in this case, it appears that there may be extenuating circumstances which make the alternative of Covenancing acceptable. Those circumstances include the natural protection afforded by the steep and rocky landscape, the isolated nature of the small areas concerned, and the provision of fencing to exclude grazing stock from the protected areas.

One of the serious limitations of covenant protection is that there is no provision for public access to appreciate the natural values which the covenant is intended to protect. FMC proposes that public foot access should be designated (in the form of easements) from the 900m contour on the track leading to the Lauder Basin Conservation Area, down to CC1 and linking to CA3 and CC2.

PROPOSAL 2.2.2 Conservation covenant under sections 40(1)(b) and 40(2)(a) CPL Act (CC3):

The proposal document states that this is an area of approximately 2ha of regenerating shrubland on a steep rocky bluff. FMC understands that the nature of the terrain and the vegetation will largely limit any grazing by stock. We also understand that the conditions of this covenant are subtly different to recognise that there will be occasional grazing from the fringes because the nature of the terrain may not totally exclude stock from the protected area. FMC accepts that it is probably not practical to fence this covenant area.

FMC Submission

FMC is not entirely happy with this proposal but it is not easy to see how better protection could be provided. We therefore reluctantly accept the proposal.

PROPOSAL 2.2.3 Public and Conservation Management Easement under section 36(3)(b) CPL Act:

FMC understands that the purpose for this easement is to provide public access by foot, horse and non-motorised vehicle over that portion of the route from the St Bathans Loop Road to the Lauder Basin Conservation Area and hence the Dunstan Mountains. Conservation Management Access is also to be made available.

FMC congratulates the participants in this review process for accepting that it is necessary to deal with public access as a cross-boundary issue between Cambrian and Lauder Station. Parts of the access are on one property and parts are on the other. It is entirely appropriate that provision is made in this tenure review for public access over those parts of the route on Cambrians.

As indicated in the discussion above (Proposal 2.2.1) FMC believes that there is a case to extend this easement into Donald Stuarts valley to provide public access to CC1, CC2 and CC3.

FMC Submission

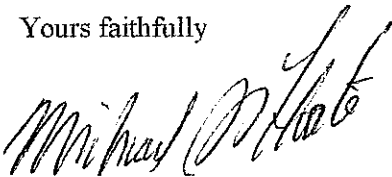
FMC endorses and supports the provision of much of the public access to the Lauder Basin Conservation through this tenure review. We anticipate that the remaining links will be provided through the tenure review of the neighbouring Lauder Station. We congratulate the participants in this review in dealing with access to the Lauder Basin Conservation Area as a cross-boundary issue involving both Cambrians and Lauder Basin tenure reviews.

PROPOSAL 2.2.4 Continuation of existing easements:

FMC understands that a number of existing easements are registered over the property, and that it is proposed that these should be allowed to continue. FMC is not aware of the nature of these easements and such is not specified in the proposal documents. We are therefore unable to comment on this proposal.

Finally, FMC thanks the Crown Agent, DTZ New Zealand Ltd, and the Commissioner of Crown Lands for the opportunity to comment on the Preliminary Proposal for the tenure review of Cambrian pastoral lease.

Yours faithfully


pp Barbara Marshall
Secretary, Federated Mountain Clubs of NZ, Inc.

APPENDIX.1.

**Cambrian pastoral lease (Po 375) Recreational
and other public interest values**

A Report to FMC prepared in 1997

This property has little of recreational value on its own. Its highest point is just above 1100m and there are few natural values except for an interesting gorge in the middle reaches of Donald Stuarts Creek which is surrounded by shrublands.

There are much greater opportunities for extended travel beyond the boundaries of Cambrian, and extensive areas of high natural and landscape value on the Dunstan Mountains and in the headwaters of Donald Stuarts Creek and Lauder Creek.

The most important issues during tenure review on Cambrian therefore consist of access to the natural values and recreational opportunities above and beyond the property boundaries, and of ensuring that the landscape values along such access routes are maintained.

The best access would appear to be up the spur on the true right of the Donald Stuart catchment. This track leads to the Lauder Conservation Area and it is most important during tenure review to ensure access to this formerly landlocked public conservation area. The same track continues around the head of the Lauder Creek catchment and on to the crest of the Dunstan Mountains. From here several opportunities open up. Travel would be possible along the range southwards to Cloudy Peak, the Ardgour Conservadon area, the Thompson Track or on to the Bendigo Conservation Area. Alternatively there are opportunities to traverse northwards to Cluden Pass, Dunstan Pass and the properties in the Lindis area which have also been considered in this overview of Tenure Review. Finally the same track also leads to several ways of crossing Cluden Station and reaching the Lindis Valley. Most of these trips involve long distances and are best suited to mountain bike, or possible X-C ski in winter. They may also offer opportunities for joint venture 4WD tours involving a number of runholders.

The alternative to the spur on the true right would be the track up the spur on i-he true left of the Donald Stuart catchment. Although not visited, this appears to lead to a small group of tarns at about 1100m. This could be an attractive venue for recreation with the possibility of extended tramping up the same spur to the head of the Lauder catchment and/or the Dunstan Mountains. Such trips are again on neighbouring properties and during this tenure review provision should be made for such future opportunities.

Lauder Station
Becks, RD2
Omakau

3rd April 2006

Commissioner of Crown Lands
C/- DTZ New Zealand LTD

After having read the Cambrian Tenure Review preliminary Proposal we send this submission.

We strongly recommend that access through the said property should be closed for the period from mid September to the end of November due to lambing and calving.

Disturbance of stock at this crucial time can result in mismothering and loss of valuable stock and income to the said farmer.

As existing tracks that are outlined on the proposed access route cross our property as well, we feel this has an effect on our stock and farming practice if access is not limited.

Yours Faithfully

Robert Calder

Per: Calder Farming Co.



Te Rūnanga o Ngāi Tahu

Level 6, Te Waipounamu House
158 Hereford Street
PO Box 13-046, Christchurch
Phone 03-366 4344
Fax 03 365 4424

23 March 2006

Ken Taylor
DTZ New Zealand
PO Box 27
ALEXANDRA

Tēnā koe Ken

CAMBRIAN TENURE REVIEW – PRELIMINARY PROPOSAL

Thank you for forwarding us the Preliminary Proposal for the abovementioned Tenure Review property.

Upon review of the Cultural Values Report Te Rūnanga o Ngāi Tahu are satisfied that the values identified have been appropriately integrated into this proposal.

Nāhaku noa, nā

A handwritten signature in black ink, appearing to read 'David O'Connell'.

David O'Connell
Strategic Environmental Projects Manager
Toitū te Whenua