

## **Crown Pastoral Land Tenure Review**

**Lease name: DINGLEBURN**

**Lease number: PO 151**

### **Public submissions – Part I**

These submissions were received as a result of the public advertising of the preliminary proposal for tenure review.

**May**

**04**

Resource Management & Regulatory Services

10151/1



In reply please quote  
File Ref: 402007

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DTZ NEW ZEALAND  
ALEXANDRA  
15 DEC 2003  
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11 December 2003

DTZ New Zealand limited  
43 Tarbert Street  
PO Box 27  
ALEXANDRA

Dear Sir/Madam

**DINGLEBURN TENURE REVIEW; SUBMISSION FROM QUEENSTOWN LAKES DISTRICT COUNCIL.**

Please find enclosed the submission of the Queenstown Lakes District Council on the Dingleburn tenure review. Please do not hesitate to contact the writer if you have any questions with respect to this submission.

Yours faithfully  
**CIVICCORP**

A handwritten signature in black ink, appearing to read 'Tim Williams'.

Tim Williams  
**POLICY PLANNER**

**SUBMISSION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL ON THE DINGLEBURN TENURE REVIEW PROPOSAL**

**DATE:** 11 December 2003

**SUBMITTER:**

Queenstown Lakes District Council

**ADDRESS FOR SERVICE:**

C/- Tim Williams  
CivicCorp  
Private Bag 50077  
QUEENSTOWN

Telephone (03) 442 4735



Dear Sir/Madam

This submission is lodged on behalf of the Queenstown Lakes District Council.

The Queenstown Lakes District Council appreciates the opportunity to submit on the Dingleburn tenure review proposal.

The Council has an interest in tenure review proposals within this District for five reasons:

- Ensuring sufficient public access is provided;
- Ensuring indigenous biodiversity values are identified and managed appropriately;
- Ensuring heritage values are recognised and provided for;
- Ensuring outstanding natural landscapes, outstanding natural features and other significant visual amenities are protected.
- Ensuring ongoing economic interests such as mining are protected.

The Council is submitting on the following points:

- (a) **THE COUNCIL REQUESTS THAT THE SECTION OF PRIVATE ROAD BETWEEN POINTS 'a - b' PROPOSED TO PROVIDE PUBLIC ACCESS BY MOTORISED VEHICLE BY WAY OF EASEMENT BECOME A PUBLIC ROAD.**

**Reasons:**

1. By making this section of road 'public' it will ensure the quality of access that is expected of publicly accessed roads is maintained.
2. By placing ownership of this section of the road in the public domain all users will pay for its maintenance, rather than the lessee who will no longer be the sole user.

**(b) THE COUNCIL REQUESTS THAT A RESERVE BE ESTABLISHED AT POINT 'a' PROVIDING ACCESS TO THE LAKE.**

**Reasons:**

1. A reserve at point 'a' would allow access to the Lake for a wide range of users due to the close proximity of the road and consequently motorised vehicles.
2. The establishment of a reserve would ensure public access to the Lake which is not available within close proximity of motorised vehicles from point a on.
3. A location and approximate size of the reserve can be identified by the coordinates of:  
E2216303, N5626254; E2216264, N5626089; E2216396, N5626089;  
E2216418, N5626183

**(c) THE COUNCIL SUPPORTS THE EXTENT OF THE PUBLIC ACCESS PROVIDED BY THE PROPOSAL, THE PROPOSED PROTECTION OF OUTSTANDING NATURAL LANDSCAPES AND ECOLOGICAL VALUES.**

**Please do not hesitate to contact the writer if you have any questions with respect to this submission.**

Yours faithfully

Tim Williams  
POLICY PLANNER

2. 1515/1  
369



Department of Botany

Division of Sciences  
PO Box 56, Dunedin  
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Te Whare Wananga o Otago

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December 16, 2003.

DTZ New Zealand Ltd.,  
PO Box 27,  
ALEXANDRA.

DTZ NEW ZEALAND  
ALEXANDRA  
- 5 JAN 2004  
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**SUBMISSION ON PROPOSED TENURE REVIEW:  
DINGLEBURN PASTORAL LEASE**

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it, based on my knowledge of the areas involved, gained over many years of ecological research on the tussock grasslands and pastoral leases of the Lakes Region of Otago.

I have read the preliminary proposal for tenure review of the Dingleburn Pastoral Lease very carefully. Though the balance of the proposal is greatly in favour of the Crown, with some 10,110 ha to be designated as land to be restored to full Crown control and management, plus a further 6462 ha to revert to Crown ownership but with qualifications and concessions to permit continued grazing, access, and even commercial guided hunting for periods of 10-15 years, and 7135 ha (30% of total lease) to be freeholded, subject to certain protective constraints for landscape and nature protection. However, there are many serious problems with this proposal as it now stands, in relation to the requirements of the Crown Pastoral Land Act.

I support the 10,110 ha, shown as the four areas (CA1, CA2, CA3 and CA4) being returned to full Crown ownership and control. Given its location at the mouth of the Dingle Burn and its "significant inherent value" the area CA2 should be extended to provide at least 4 ha so as not to allow camping to encroach on to the area of mature kanuka woodland. I support the 8000 ha (approx.; in 13 separate areas) of ex-Hawea State Forest remaining as conservation area but am concerned with the proposal for 90 ha of current conservation land in the Timaru River and Dingle Burn catchments being exchanged with other land, essentially to achieve "rationalisation of the present bushline boundary" between conservation land and freehold land. Bushline boundaries (including regenerating saplings) in an unfenced state with cattle grazing as an option, achieve very little for conservation in the long term since cattle in particular are known to exploit a forest understorey, thereby preventing its regeneration and leading to the ultimate demise of the forest. Ideally these boundaries should be fenced as are those between the conservation land (ex Hawea State Forest) and the CA5HC block in the south (shown on the plan for "proposed upgrade").

I am also concerned that the proposal is to allow continued grazing by sheep (even at 70% of the previous level), on “steep mountain slopes” and at altitudes ranging up to 1835 m, on the 6322 ha Dingle Peak-Timaru River-Maungatika block, containing a range of described “significant inherent values” for “a term of 10 years to facilitate adjustment to the farming operation”. I recommend (and assume, since it was not mentioned) that there is no provision for burning with this proposal. A maximum period of five years to facilitate such adjustment, should be sufficient to satisfactorily adjust farming operations and is strongly recommended. Similarly, a five-year period, rather than the 15 proposed, is recommended for the continued grazing proposed for the 140 ha in four areas (CA6) along the Hunter Valley because of the high conservation values on the adjacent land and the potential of these fans, particularly the northern two, for ecological restoration.

The “Hunting concession” which is proposed over some 900 ha of the same “steep mountain land” between 900-1800 m, to exploit a population of red deer which mostly occupy adjacent forested conservation areas, should not preclude hunting by members of the general public. The southern boundary of this area is not shown on the map provided but presumably has been defined (and is to be limited to 900 ha). This hunting concession proposal should cover discretionary aspects of wild animal control by the Crown, as owners of this land and the adjacent forested land.

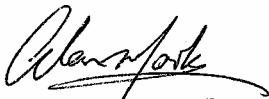
I am deeply concerned with four of the six proposed covenants on the land to be freeholded. Five of these areas (CC1-CC5) contain indigenous woody communities with considerable potential for ecological restoration, but only provided browsing/grazing mammals are excluded. Covenanting under freehold title with no restriction on animal incursion will not allow their potential to be achieved. With reference to each of these six areas, the 45 ha of CC3, described as “mixed kanuka/broadleaf shrubland/forest” occupies about a one km strip between conservation land above and the shoreline of Lake Hawea, and thus provides part of a valuable altitudinal sequence of plant communities. This area should be transferred to full Crown ownership and control, and ideally fenced, so that ecological restoration can occur. This option applies even more strongly with the 80 ha area of CC4, described as “mixed broadleaf shrubland/forest” and shown as forming a 1.4 km strip between conservation land and the lakeshore. There is more of a challenge with the larger area (120 ha) of “mixed kanuka/broadleaf shrubland/forest” on the steep hill slope, shown as CC5 but, given its location fronting Silver Island and the almost 100 ha of ex-Hawea State Forest that it encloses, this area should also revert to full Crown ownership and control, and ideally be extended across the 4WD easement track to the lakeshore. Given their shape and locations, areas CC1 of 80 ha and CC2 of 40 ha would pose greater problems to secure as Crown land. Their covenanting at least provides protection and security for the lakeshore in these locations. The largest area for covenanting, CC6 of 1700 ha, as proposed, will protect only landscape values which, although very significant in this area, are equally if not more important on the lakeface to the west, so that an extension of this covenant

westward to the lakeshore and including the 50 m-wide strip to the north, below the ex-Hawea State Forest, is strongly recommended. The covenant for this larger area should also formally prohibit burning as well as soil disturbance, plantation forestry, and building construction, while allowing other farm practises to continue.

Although the proposal notes that “approximately 70% of the reviewable land being retained by the crown for conservation purposes” it also states (p. 9) that “the scale of the farming operation will be little affected by the proposal.” This situation provides some added justification for the recommendations which I have made which, although they would result in some reduction in production potential, would substantially improve the conservation outcomes, consistent with the Crown Pastoral Land Act, in relation to this proposal as it now stands.

I trust, therefore, that my recommendations will be given serious consideration, and I thank you again for the opportunity to comment on this proposed tenure review.

Yours sincerely,



Alan F. Mark FRSNZ.  
Professor Emeritus.

DTZ NEW ZEALAND  
ALEXANDRIA  
14 JAN 2004  
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10 STAKES CLOSE  
PAPANUI  
CHRISTCHURCH. S.

Re: Dingleburn Review,

Generally I am happy with the proposal in the Dingleburn Tenure Review, however there are two points that I am totally against

- 1 Grazing concession on 140 hectares in the Hunter Valley
- 2 Free holding land titled Green Bush flat and CC1. Instead include all of CC1 and G.B. flat into CA1.

There is no way that I will accept a proposal of stock and fencing on Conservation land.

The proposal of erecting signs to warn recreational users, photo monitoring of land and plants Doc staff spending time and money is completely unnecessary if CC1 and the rest of the land in the G.B. flat was included in CA1. So all land past point 'm' on the map now becomes CA1.

CC1 covers a relatively large area of the proposed freehold land of G.B. flat so must be of sufficient value to retain in CA1. Likewise, the rest of G.B. flat may have a high proportion of exotic plants but as stated elsewhere regeneration of native bush or grasslands would probably be fairly rapid and anyway open grassland would be a welcome contrast to the steep hillsides and bush valley.

It is stated that grazing would be 'discrete' on 'modified' land, surely the entire block of 16,000 hectares has been grazed the same way but that is no reason for it to continue.

Basically the reason for these tenure reviews is to return to the Crown land that is still of value to recreational users so there is little point in allowing grazing to continue especially in an area of such importance. On the other hand I accept further grazing on CA5 for a limited period for the farmers livelihood because it would not greatly affect recreational users.

It is also stated that the appropriateness of the grazing regime will be assessed because;

- a) grazing occurring on the opposite side of the river.

If you allow one station to graze the land, sometime in the future you will be allowing the other to do the same. Therefore we are looking at 400 stock grazing along here in the future.

b) Grazing is opportunistic

Therefore the Crown at present is not preventing stock grazing on the upper valley and the farmer [H.V. Station] doesn't care, and the Meads also have wandering stock even after putting up fences.

c) Negative impacts on nature and public enjoyment.

I'm stuffed if I want to see barbed wire or electric fences, bleating or moaning stock up a frigten riverbed that is supposed to be conservation land.

If you fenced everything off at point 'M' and left everything at that there is no longer any hassle with landowners or recreational users, no fencing problems, DOC does not have to keep monitoring everything and costs would be reduced for everyone.

REGARDS  
Geoff Clark





**FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)**  
P.O. Box 1604, Wellington.

16151/1  
4. (371)

14 January 2004

The Commissioner of Crown Lands  
C/- DTZ New Zealand Limited  
PO Box 27  
**ALEXANDRA**



Dear Sir,

**Re: Preliminary Proposal for Tenure Review: Dingleburn Pastoral Lease**

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 15,000 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 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 Dingleburn Station.

**The Preliminary Proposal**

FMC notes that the proposal includes the following designations:-

1. 10,110ha (approximately) to be designated as land to be restored to full Crown ownership and control under Section 35(2) (a) CPL Act as conservation area.

2. 6,462ha (approximately) to be restored to Crown control under Section 35(2)(b) and 36(1) (a) CPL Act as conservation area subject to qualifications:

**Qualifications:**

*(a) Concession for sheep and cattle grazing under Section 36(1)(a) CPL Act over an area of approximately 140 hectares, comprising four discrete areas of fan within the Hunter Valley for a term of 15 years for up to 200 stock units per annum.*

*(b) Concession for sheep grazing under Section 36(1)(a) CPL Act over an area of approximately 6,322 hectares, comprising land between Timaru Creek and the Dingle Burn, for a term of 10 years for up to 600 stock units per annum.*

*(c) Concession licence for commercial guided hunting under Section 36(1) (a) CPL Act over an area of approximately 900 hectares, located north of the ridgeline between Dingle Peak and Maungatika for a term of 15 years.*

*(d) Right of Way easement concession under Section 36(3) (b) CPL Act for droving stock on a route from Timaru Creek to the Dingle Bum.*

*(e) Concession licence under Section 36(3) (b) CPL Act for access for farm management purposes across marginal strip at the Dingleburn Bridge for a term of 30 years.*

3. 7,135ha (approximately) to be designated as land to be disposed of by freehold disposal to the holder under Section 35(3) CPL Act, subject to Part IVA of the Conservation Act 1987, Section 11 of the Crown Minerals Act 1991 and the following protective mechanisms under Section 40(1)(b) CPL Act:

**Protective mechanisms:**

Under Section 40(2)(a) CPL Act:

*(a) Conservation covenant under Section 77 of the Reserves Act 1977 over five individual areas totalling 365ha (approximately) for the purpose of preserving the natural landscape amenity and natural environment.*

*(b) Conservation covenant under Section 77 of the Reserves Act 1977 over one area totalling 1700ha (approximately) for the purpose of preserving the natural landscape.*

Under Section 40(2) (c) CPL Act:

*(c) Easement under Section 7(2) Conservation Act 1987 to provide for public access variously by motorised vehicle, on foot and by non-motorised vehicle and for access for management purposes on a route from the end of the Dingleburn legal road to the Dingle Burn and Hunter River.*

*(d) Easement under Section 7(2) Conservation Act 1987 to provide for public access on foot and by non-motorised vehicle from the Dingle Bum bridge to the Dingleburn Conservation Area.*

4. 8,000ha (approximately) to remain as conservation area under Section 37(1)(a) CPL Act comprising ex-Hawea State Forestland between Timaru Creek and the Dingle Burn.

5. 90ha (approximately) of Conservation land to be disposed of by way of exchange with other land designated by the proposal under the Conservation Act 1987 under Section 37(1)(c). This area comprises small portions of land which result from rationalism of the present bush line boundary between Conservation area and land designated in the proposal to be disposed of to the holder.

### **FMC Submissions**

You will recall that following the ‘Early Warning Meeting,’ FMC provided a Report in November 1999 entitled “Preliminary Report on the Recreational and Related Significant Inherent Values of Dingleburn Station.” We are now pleased to note that many of the recommendations made in that report have been incorporated into the Preliminary Proposal for the tenure review of Dingleburn Station.

This submission is arranged in the same sequence as the proposal quoted above.

#### **Preliminary Proposal Item 1.**

We applaud the proposal that 10,110ha (CA1, CA2, CA3 and CA4) be restored to full Crown ownership and control as Conservation Area. We note however, that over a distance of about one kilometer between Bricks Gully and Yards Gully (near the head of Lake Hawea) a proposed 20m wide strip of freehold land along the road would isolate a section of CA1 near the shore of the lake. We further note that no such provision appears in the Proposed Designations Report.

We presume this proposed freehold strip is to provide farm access across proposed conservation land for management purposes, but in similar circumstances such access is usually provided by way of an easement over conservation land in favour of the holder.

#### **FMC submission:**

We see no reason why such an easement cannot provide adequate access for farm management purposes and strongly recommend that farm access should be provided by way of an easement over the proposed conservation land (CA1).

#### **Preliminary Proposal Item 2.**

FMC is also pleased to note the proposal that some 6,462ha (CA5 and CA6) to be restored to Crown control as conservation area subject to qualifications: FMC does however have some reservations about the nature of the qualifications. The first of these relates to CA6.

We note that CA6 consists of four fans in the Hunter Valley which are mainly covered by pasture grasses. These fans are surrounded by conservation land CA1. It is proposed that these be grazed under the terms of a Grazing Concession. We also note that paragraph 3.2.2 of the Proposal states that “*stock will be confined to the proposed concession areas by existing fencing.*” However, paragraph 3.2.2.1 notes that there have been past grazing/fencing/flood problems. It also indicates that there is potential conflict with habitat management of the riverbed. ]

FMC submission:

FMC recommends that a condition of the Concession should be that the four fans are regularly monitored for security of fencing and grazing damage to the surrounding Conservation Area. If monitoring reveals problems then the terms of the Concession may need to be revised. FMC submits that provision for such revision should be made in the schedules attached to the concession document.

We note that Grazing Concession GC2 provides for annual grazing by 600 SU over an area of 6322ha of Conservation Area CA5. This amounts on average to 1 SU per 10ha and as such may only have minimal impact on the ecology of the area. However, monitoring will be required to ensure that this is the case because it is likely that grazing will be concentrated in certain areas. Even at the lowest stocking rates, removal of animal products (meat and wool) inevitably results in slow but steady depletion of soil nutrient reserves.

FMC submission:

To ensure that the system is being “*managed in a way that is ecologically sustainable*” (CPLA S24) soil nutrient monitoring and maintenance should be carried out as a condition of the Concession.

FMC has no objection to the granting of a Concession Licence for guided hunting over an area of some 900ha in Conservation Area CA5.

FMC has no objection to the granting of a Right of Way Easement Concession for stock droving over a route from Timaru Creek to the Dingle Burn.

FMC supports the granting of a Concession Licence for farm management purposes over the marginal strip at the Dingle Burn Bridge, so long as this route is also available for public foot and non-motorised vehicle access.

**Preliminary Proposal Item 3.**

We note that the Preliminary Proposal includes a designation for the disposal of 7,135ha by freehold disposal to the holder. We further note that this freehold disposal is subject to a number of protection mechanisms. Some of these are of concern to FMC and we discuss these below and submit certain recommendations which relate to the CPL Act and the declared government objectives for the South Island High Country [EDC Min (03) 5/3; CAB Min (03) 11/5 refer].

FMC notes that 5 separate areas, totalling 365ha are proposed to be protected under a Conservation Covenant within the proposed freehold area. Four of these are areas of regenerating scrub and bush along the lower parts of the Lake Hawea faces, while the fifth is more mature shrubland/forest located on the steep slopes adjacent to Silver Burn. We note that all 5 areas are to be protected under the same covenant, the objective of which is “*to preserve the values*”. These values are described as “*vegetation which has regenerated through a predominantly natural succession process into diverse shrublands*” which are listed in Clause 3 of Schedule 1 attached to the Conservation Covenant document.

Our concern with these areas relates to potential stock damage hindering the natural regeneration processes. We have two concerns:- The first relates to the provision in Clause 3 of Schedule 1 (replacing Clause 3.1.1 of the standard Covenant) that the owner may graze the land. This appears inconsistent with the stated objective “*to preserve the values*”.

FMC submission:

FMC submits that to achieve this objective and “*to ensure that conservation outcomes for the high country are consistent with the NZ Biodiversity Strategy*”, Clause 3.1.1 of the Standard Covenant should be retained.

Our second concern relates to the security of fencing and the threats of stock invasion and grazing damage around the margins of the Covenant areas. Some areas are fenced and appear to be well protected against marginal damage (for example CC4 is fenced along north and south boundaries). Other areas are not fenced and are fringed with a gradation of scrub from open fern/pasture to more dense regenerating bush.

While we accept that stock are unlikely to penetrate dense scrub we believe that with planned improvements and increasing intensity of grazing on the surrounding freehold pasture, the risk of stock damage to the margins of regenerating vegetation is significant.

FMC submission:

FMC submits that to achieve the stated objective of “*preserving the values*” regular monitoring of the regenerating vegetation should be carried out. If grazing damage is observed then it should be a condition of the Covenant that secure fencing must be put in place.

FMC notes that there is provision for landscape protection under a Conservation Covenant over the area CC6 on the slopes above Timaru River below Corner Peak and Dingle Peak. The Lake Hawea face immediately to the west of this area is highly visible, especially as seen from the Haast Heritage Highway (SH 6). This important scenic route is used by thousands of tourists travelling along the shore of Lake Hawea between the West Coast and Queenstown, and the lake face landscape deserves to be protected.

FMC submission:

FMC submits that the area covered by a Landscape Protection Covenant should be extended to include the lake face below Corner Peak and Dingle Peak.

**Easements**

FMC supports the provision for foot, non-motorised vehicle and motorised vehicles from point ‘a’ to ‘b’ shown on the designations plan (Sheet 4 of 4). We note from the text that there is provision for car parking at the yards at ‘b’ (not at ‘a’ as shown in error on the map Sheet 4 of 4).

FMC submitted in its Report in 1999 that public access over the Dingleburn Station Road from the Timaru River to the vicinity of Dingleburn homestead should be legalised. FMC still believes that this is the ideal to strive for but accepts that there are practical difficulties. The difficulties include safety considerations (made more severe by the likely increase in traffic following tenure review), absence of passing places around the bluffs, and the need for public (Council?) ownership.

FMC believes that public legal access over this road should be the long term aim but accepts that this is unlikely to be achieved through tenure review.

FMC also recommended that there should be public foot and mountain bike access from Dingleburn along the lakeside track to the Hunter River at Green Bush. We understand that such provision would have created management problems for the holder, and that an alternative has now been proposed. FMC supports the formation of the proposed new track (i-j-k-l-w-m-n-q-p) which we understand will be cut and benched to a width of 1m, and be suitable for mountain bike use.

FMC submission:

We do however, assert that unless this lakeside track is formed as part of the current review, the CPL Act requirement for secure public access will not be met.

FMC has reservations about the foot and mountain bike access provision from the Dingleburn Station Road to the mouth of the Dingle Burn. As submitted in our 1999 Report the ideal would have been across the existing Dingle Burn Bridge near the homestead. This would permit equally easy access to the Dingle Valley and to the lakeside track to Green Bush and the Hunter River.

We understand that the holders see such access as a major intrusion into their privacy in the immediate vicinity of their homestead. We further understand that the proposed alternative consists of a cut and benched track (suitable for mountain bike use) around the lake side of the Peninsula. Whilst FMC understands the privacy issue, we do not understand the need for such a long diversion around the outside of the Peninsula.

FMC submission:

FMC submits that a better alternative would be a cut track around the north side of the small lake (tarn) on the Dingleburn Flats, continuing around the base of the slope (say the 400m contour) to the Dingle Burn Bridge. This would then provide easy access to both the riverbed leading to the Upper Dingle, and up the side of Lake Hawea to the Hunter River, but would still provide greater privacy for the runholders.

FMC argues that it is important to minimise the length of the diversion around the homestead, given that trampers heading for the Dingle will already have walked some 10km along the Dingleburn Station Road from the carpark at 'b'. We therefore strongly urge reconsidering the route around the Peninsula and re-siting this along the south side of the Peninsula, beside the small lake (tarn) on the flats.

FMC has no objection to the proposed foot and non-motorised vehicle access from the Dingle Burn Bridge to the Conservation Area CA2. We understand that this access will be within an extended marginal strip 40m wide on each side of the Dingle Burn below the bridge.

FMC supports the proposal for public foot and non-motorised vehicle access from the Dingleburn Bridge to the Dingleburn Conservation area. We understand that under normal conditions this is likely to be along the riverbed, within the marginal strip, but that a high water alternative will be formed along the true left bank of the Dingle Burn. So long as this is done, the requirement to provide secure public access will be fulfilled.

FMC supports the two proposed public access easements marked on the designations plan as (x-z) to Junction Hut, and as (x-y) providing access to Corner Peak and Dingle Peak. We note however, that the proposal refers to the existing 4WD track to Junction Hut. It is our understanding that this track to date is only partly formed.

FMC recommendation:

In order that the access requirements of the CPL Act are satisfied, it will be necessary to complete the formation of this track (x-z) as part of the tenure review of Dingleburn Station.

FMC has no objection to the easement for conservation management purposes over the existing farm track to Green Bush Hut, and to the conservation area in the Upper Dingle Valley.

**Preliminary Proposal Item 4.**

FMC supports the proposal that some 8,000ha of former Hawea State Forest land between Timaru River and Dingle Burn remain as conservation area.

**Preliminary Proposal Item 5.**

We note that some 90ha of conservation land is proposed for disposal in exchange for other land designated by the proposal. We find this proposal obscure and find it difficult to comment except that the principle of exchange appears logical so long as there is no significant net change in total area of conservation land.

**Conclusion**

FMC fully supports the proposal to designate a large area of mountain land between the Dingle Burn and Lake Hawea, together with other land with significant inherent values adjacent to Lake Hawea and Timaru River, as land to be returned to full Crown ownership. In total this constitutes over 10,000ha of new conservation land. This will be an excellent outcome of this tenure review.

We also support many of the access routes proposed. In particular we support (a-b) for public foot and vehicle access, and the following routes for public foot and non-motorised vehicle access:- (i-j-k-l-w-m-n-q-p), (x-y), (x-z), and (e-f-fl). So long as all proposals for tracks to be formed are completed as part of this review, we believe that the CPL Act requirement for secure access will be satisfied.

We do not agree with the necessity to route the access (c-g) around the north (lake) side of the Peninsula and instead propose a route to the Dingleburn Bridge around the south side of the Peninsula close to the 400m contour, just north of the small lake (tarn) on the flats.

FMC does not accept the need for a freehold strip 20m wide through Conservation Area CA1 linking CC1 and CC2. As with other completed reviews on other properties we argue that an easement for farm management purposes would be quite adequate.

FMC is concerned about the security of Conservation Covenant areas (CC1, CC2, CC3, and CC4) from the risk of grazing damage to regenerating scrub and forest. We argue that Clause 3.1.1 of the Covenant should be retained and that provision should be made for fencing if monitoring reveals that grazing damage around the margins is occurring.

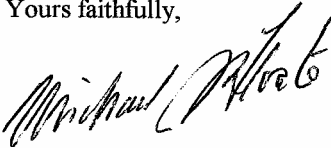
The landscape protection provisions on Covenant Area CC6 are good but should be extended to the west to include the entire (proposed) freehold lake face above the Dingleburn Road. This is highly visible from SH 6 across Lake Hawea.

As submitted in the 1999 FMC Report, we still believe that the Dingleburn Station Road (from the end of the public road to Dingleburn) should be legalised. This is the ideal to strive for but we accept that there are practical difficulties. FMC believes that public legal access over this road should be the long term aim but accepts that this is unlikely to be achieved through tenure review.

FMC believes that the outcomes of this tenure review will go a long way towards achieving important objectives and priorities for the Hawea – Lindis Special Place declared in the Conservation Management Strategy for Otago.

We thank you for this opportunity to comment on the Preliminary Proposal for the review of Dingleburn Station and finally, we thank the lessees of Dingleburn Station for permitting an inspection of the property in relation to this proposal. It was particularly valuable that the lessees themselves accompanied a party of NGO representatives on that inspection in December 2003.

Yours faithfully,



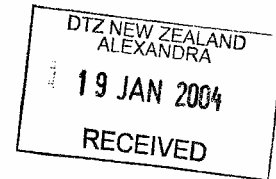
hb Barbara Marshall  
Secretary, Federated Mountain Clubs of NZ, Inc.



5.

16 January 2004

The Commissioner of Crown Lands  
DTZ (NZ) Ltd  
Land Resources Division  
P O Box 27  
Alexandra.



**CROWN PASTORAL LAND ACT  
DINGLEBURN TENURE REVIEW**

**SUBMISSION ON PRELIMINARY PROPOSAL**

**INTRODUCTION:**

We acknowledge and fully support the concept of Tenure Reviews under the Crown Pastoral Land Act being an entirely voluntary process.

We support and respect the needs and wishes of the individuals concerned to support the proposal for their personal reasons and wish to make our comments from a personal view point, farming perspective, the perspective of a NZ taxpayer and rate payer, but also as a nearby operator who may be directly affected by the Commissioner's decision in the future .

**OUR SUBMISSION:**

We totally oppose the terms and conditions of the Preliminary Proposal as it fails to meet the Objects of the Crown Pastoral Land Act and is an insult to the Mead family personally and high country farmers generally as it completely overlooks the economic, cultural, historical and nature of pastoral lease farming.

The objects of Part 2 of the CPL Act are outlined in Section 24:

**24** *Objects of Part 2 – The objects of this part are:*

**(a)** *To:*

**(i)** *Promote the management of reviewable land in a way this is ecologically sustainable.*

Your proposal suggests that ecological sustainability will be achieved “by designating as land to be retained as conservation area a large majority of the reviewable land where grazing is being carried out without nutrient replenishment”. However you fail to produce any references to the “considerable body of evidence that suggests this use is unsustainable”. There is no indication that you have researched the considerable body of scientific evidence that argues to the contrary, or investigated neighbouring properties where this is not the case, or where oversowing and topdressing is financially viable up to over 1400m altitude. This argument is extremely unprofessional and completely inappropriate to be used in these circumstances. e.g.

What are the scientific (peer reviewed) papers you refer to and who are the academic researchers?

There is mounting evidence that all land requires hands on knowledge, management, and inputs of grazing by animals, to maintain the health and biodiversity of grazing land to ensure it is ecologically sustainable to support future generations. Some of the most productive areas of the world have been actively farmed by people and animals for in excess of 10,000 years.

The definition of ecology includes native and exotic flora and fauna (including people) and does not discriminate between native and exotic species.

How do you explain the 140 plus years of successful farming enterprises that have occupied this property, farmed the land productively and contributed substantially to the economy of New Zealand over this period?

**24 (a) (ii) Subject to subparagraph (i), enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument; and**

The entire property is “capable of economic use” and should be granted freehold disposal as in 24 (c) (ii).

The property has carried out a highly successful, financially, socially and ecologically sustainable farming operation for many years. It is also capable of expanding its operation into hunting, tourism, ski-ing, film making, nature tours etc, utilising the property assets in an ecologically sustainable way at the same time generating income to benefit the physical demands of the property whilst enhancing the local community economy and retaining the high country farming culture.

**(b) To enable the protection of significant inherent values of reviewable land:**  
**(i) By the creation of protective mechanisms; or (preferably)**  
**(ii) By the restoration to full Crown ownership**

You propose restoring 16572 ha (approximately) or 70% of the property to full Crown ownership.

There are no scientific papers supporting the reasons for the decision

Any indications as to what significant inherent values occur in the reviewable land that are inseparable and exist only in that location

What values are such importance and rarity as to deserve the protection and management provided under the Reserves and Conservation Acts (as opposed to other areas or properties)

No risk analysis for the values or identification of what they require protection from.

No mention of you investigating the alternative option 24 (b) (i) of the “creation of protective mechanisms”

No proposed management plan for the area is presented

No proposed budget for on going management of the area is prepared

No impact study of the anticipated cost to the tax payer for assuming administration of this land. The CPL Act was originally introduced because the Crown wished to remove itself from the cost of administering pastoral leases. By assuming full management of these areas they are exposing taxpayers to a huge increase in management costs that were previously borne by pastoral lessees, with a rental received in addition.

No analysis of the impact on the local community culture and business enterprises

No analysis of the productive returns able to be made from the area if it was to be freeholded, remain in pastoral production with covenants written to ensure the future ecological sustainability of the area.

Your proposal admits that the “grazing concessions do not compromise the protection of significant inherent values in the medium and long term.” In that case there is no reason why these areas cannot be freeholded as they are capable of ecologically sustainable economic use

The restrictions you have placed on the stock numbers, the grazing fees imposed and insurance requirements are exorbitant. Grazing fees cannot be applied at market rates because of the restrictions placed on the stock numbers and conditions applied. Fertiliser topdressing and oversowing should be permitted if required as these inputs would enhance the native and exotic species as has been proved throughout the high country for many years.

The areas to be transferred to Crown ownership or retained on short term grazing concessions remove from the property the desirable balance of grazing country required for a viable livestock enterprise. This is particularly evident in times of drought as these higher darker areas receive better rainfall and can be utilised to spell the lower drier parts of the property. Your proposal indicates that you have done little or no research into the management techniques applied in successful pastoral farming in the high country.

**24 (c) Subject to paragraphs (a) and (b) to make easier:**

- (i) The securing of public access to and enjoyment of reviewable land;**
- and**
- (ii) The freehold disposal of reviewable land.**

**(i)** You have created various Right of Way easements and marginal strips to satisfy the public access requirements. These are all possible to be set aside without the need to transfer the property to the Crown estate.

Your proposal contains no mention of providing public facilities at car parks or camping areas. It would be irresponsible to give the public access to these areas without providing toilet facilities, shelters, rubbish facilities, safe drinking water and hydrants for fire fighting. Otherwise the health risk to uses will become a huge issue.

(ii) We doubt that you have made the “freehold disposal of reviewable land” easier, knowing what a long and arduous process it has been to get the proposal to this stage. It is likely that your proposal will render the property uneconomic in the long term which will eventually force the owners to market the residual property to the highest bidder (probably from overseas). As a viable, financial and healthy high country property it will cease to exist, along with the culture that it represents.

Although you seem satisfied that freeholding the land will result in it being freed from the management constraints of its present tenure the restrictions of District Plan objectives and rules will still have a major impact on management decisions, and would safely protect landscape values without the need to remove them from the title of the property.

**CONCLUSION:**

Dingleburn Station would be one of the safest and most desirable pastoral leasehold farming properties in the high country. It has an excellent rainfall, long growing season, good soil types, excellent balance of country and has demonstrated that it is capable of producing some of the most expensive and highly sought after ultra fine Merino wool in the country. There is still huge development potential, from a farming, tourism and ecological perspective waiting to be realised if the property was to be freeholded in its entirety. This could only be achieved by private enterprise with hands-on land managers.

Protection for significant inherent values (if they exist) can be provided by protective mechanisms, as can the need for public access as already outlined in the proposal.

Your proposal to lock up the advantages of this desirable property do not satisfy the Objects of the CPL Act. Your proposal has failed to abide by the rules of natural justice in its proposed outcome.

This issue should be readdressed as outlined above and our submission is that the current proposal should be set aside until alternative options have been fully investigated.

Yours faithfully

Forest Range Ltd  
R.S. Emmerson, director