

Crown Pastoral Land Tenure Review

Lease name: LAUDER

Lease number: PO 376

Public Submissions - Part 1

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

September 10



30 April 2010

Secretary
NZ Branch
AusIMM
P.O.Box 409
BlenheimCommissioner of Crown Lands
C/- DTZ
PO Box 27
Alexandra**Submission on Lauder Station tenure review under the Crown Pastoral Land Act 1998**

The AusIMM is a professional society of mainly geologists and engineers involved in the mineral exploration and mining industry, minerals research and minerals regulation. We consider that the mining of minerals in New Zealand is an essential activity to sustain our modern standard of living and provide materials essential in everyday life. At the same time, we fully support the concept of mineral development in an environmentally sensitive and sustainable manner. New Zealand is well endowed with minerals, but they must be accessed and identified in order for exploration and development to proceed. We are therefore concerned to ensure that any proposal involving the changing of land status does not result in the prevention of access to the land for mineral exploration and mining.

The Lauder Station area is prospective for, and has been mined in the past for coal (Lauder opencast mine, 1904-1924¹), lignite and peat resources. The area also has alluvial gold potential, and historic alluvial mine workings are present immediately north of the Station at the Cambrians diggings.

The Station is also prospective for schist-hosted hard rock gold resources, and has been investigated intermittently since the 1980's. Part of the area is currently under Prospecting Permit, and is part of a larger investigation into potential Bendigo-type lode gold mineralisation.

Our submission is that with the proposed change of status of Lauder Station to private land and land administered by the Department of Conservation, there should be no limitation to accessing the land for mineral exploration and mining under provisions in the Resource Management Act and Crown Minerals Act.

Yours sincerely

Cam Wylie
Chairman New Zealand Branch
Australasian Institute of Mining and Metallurgy

¹ Geological Resource Map Database G41/e43, GNS Science, Lower Hutt, New Zealand



Commissioner of Crown Lands
C/- The Manager
Darroch Limited.
PO Box 27
ALEXANDRA

Dear Sir/Madam

The Otago Fish & Game Council wish to submit on the preliminary proposal prepared by the Commissioner of Crown Lands for the Lauder Pastoral Lease property.

Our Submission:

The preliminary proposal does not adequately provide for all current or future recreational opportunities within the Lauder property. Specifically, there is no provision for the transportation of firearms and dogs to access land to be restored to conservation area. Since our initial submission we have become aware of hunting of upland game (Chukar and California quail) on the Dunstan Ranges adjacent to the Lauder property. Given the close proximity and similar habitat of the neighbouring properties it is likely that upland game birds either currently exist on the Lauder property or will spread there in the future.

The Reasons for our Submission:

- 1/. The Dunstan Range contains populations of highly prized upland game bird species. Until recently it was thought that upland game birds, and Chukar in particular, were sparsely distributed throughout Otago and generally in low population densities. However, staff observations and recent anecdotal reports note that upland game birds are more commonly observed and in higher numbers than previously thought. We suggest that the intensive possum control operation undertaken throughout Otago in recent years has led to less egg and chick predation and therefore more frequent sightings.
- 2/. Chukar live at high altitudes (up to 1800m) but often are found around 1000 to 1300m altitude. This can make access to hunt them problematic as much of land at this altitude is in private ownership or pastoral lease and/or far from the nearest public access point. Throughout Otago there is a lack of practical access to conservation land where upland game birds are located.
- 3/. The Rock & Pillar range (Strath Taieri) is an example where there is good upland game bird habitat (for both Chukar and California quail) but there is limited hunting opportunity due to the easement wording. Previous Tenure Review outcomes provided for public access but often did not allow the transportation of guns of dogs to conservation land as a process outcome. This has resulted in a lost opportunity with respect to upland game bird hunting that is seemingly unable to be rectified.
- 4/. The upland game bird hunting season starts at Queen's Birthday weekend in Otago and runs until the last weekend in August. This short hunting period, and the need for access to Conservation land is unlikely to interfere with peak farming activity such as lambing and therefore should be provided for in any negotiated outcomes.

Our Submission would be met by the Commissioner making the following decision:

A provision for the transportation of dogs and firearms along the easement marked a-b on the Lauder proposed designation plan **or** another practical route that provides for the transportation of dogs and firearms to land returned to the Conservation estate.

Dated: May 10th 2010

A handwritten signature in black ink, appearing to read "John Hollows". The signature is written in a cursive, slightly slanted style.

John Hollows
Environmental Officer
Otago Fish & Game Council



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

DTZ ALEXANDRA

13 MAY 2010

RECEIVED

10 May 2010

The Commissioner of Crown Lands
C/-Darroch Ltd.
PO Box 27
ALEXANDRA

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Lauder Station Pastoral Lease (Po 376)

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents over 11,000 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, as well as historic values 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 Clark (Labour-led) government's stated 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.*

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

* Note that regardless of the change of government and of government's policy, these objectives are still the law of the land as enshrined in the Crown Pastoral Land Act, 1998.

We recognize that additional (introduced by the Labour-led government) objectives have been reviewed and modified by the current (National-led) government, but we still believe they are fundamental to the future well-being of the South Island high country and should be given appropriate weight in the tenure review process.

FMC appreciates this opportunity to comment on the Preliminary Proposal for the review of Lauder Station Pastoral Lease.

THE PRELIMINARY PROPOSAL

General description of proposal:

1. 3,000ha approximately to be designated as land to be restored to full Crown ownership and control as conservation area (under Section 35(2)(a)(i) Crown Pastoral Land Act 1998) outlined pink and marked "CA1" on the proposed designation plan, Appendix 2.
2. 1,225ha approximately to be disposed of by freehold disposal to Calder Farming Company Ltd (under section 35(3) Crown Pastoral Land Act 1998) outlined green on the proposed designations plan, Appendix 2 subject to the following:

Protective Mechanisms:

- (i) A conservation covenant over an area of approximately 190ha (under section 40(1)(c) and 40(2)(a) Crown Pastoral Land Act 1998) and shaded yellow and marked "CC1" on designations plan, Appendix 2 on terms and conditions as per draft document included in the proposal at Appendix 3 (sic) actually Appendix 5.
- (ii) A conservation covenant over an area of approximately 6ha (under section 40(1)(c) and 40(2)(a) Crown Pastoral Land Act 1998) and shaded yellow and marked "CC2" on designations plan, Appendix 2 on terms and conditions as per draft document included in the proposal at Appendix 3 (sic) actually Appendix 6.
- (iii) A conservation covenant over an area of approximately 17ha (under section 40(1)(c) and 40(2)(a) Crown Pastoral Land Act 1998) and shaded yellow and marked "CC3" on designations plan, Appendix 2 on terms and conditions included in the proposal at Appendix 3 (sic) actually Appendix 6.
- (iv) A covenant over three historic buildings with a combined area comprising approximately 1ha (under section 40(1)(c) and 40(2)(a) Crown Pastoral Land Act 1998) shaded yellow and marked "CC4" on designations plan, Appendix 2 on terms and conditions included in the proposal at Appendix 3 (sic) actually Appendix 7.

Qualified Designations:

- (v) An easement in gross to provide for public foot, mountain bike, horse and vehicle access and conservation management access (under section 36(3)(b) Crown Pastoral Land Act 1998) and shown as a dashed orange line marked "a-b" on the designations plan Appendix 2 including a car park at "a" on terms and conditions included in the proposal at Appendix 3.
- (vi) Continuation in force of easements 16D/601 and 16D/997 (under section 36(3)(c) Crown Pastoral Land Act 1998). A copy of these easements is included in the proposal at Appendix 3.

Introduction

A Report entitled *"Preliminary Report on the Recreational, Landscape, Historic and other Conservation Values, and Recommendations for the Outcomes of Tenure Review: Lauder Station"* was prepared by FMC in April 2006. That report is reproduced in the DOC Conservation Resources

Report (CRR), Appendix 7, on Lauder Station. We are pleased to note that many of the recommendations in that Report now appear as designations in the current Preliminary Proposal for Lauder Station. Other issues are revisited in this submission.

Lauder Station is a moderately sized (just over 4,000ha) pastoral lease on the eastern flanks of the Dunstan Range and includes the large and impressive Lauder Basin at the head of Lauder Creek. This basin occupies approximately half of the property. Much of the high country is above 1,000m and stretches up to a little over 1,500m on the boundary with Cluden Station along the crest of the Dunstan Mountains. Throughout the basin and along the range the tussock grassland is still in a largely unmodified state.

An important issue in this tenure review is public access to the Lauder Basin Conservation Area, which has remained land-locked for many years since its establishment in the 1980s.

The area offers a multitude of recreational opportunities in Lauder Basin and on, over and beyond the Dunstan Mountains in summer, and in some seasons for cross country skiing in winter.

FMC Submissions

The structure of this submission matches that of the Summary of Preliminary Proposal.

General description of proposal:

Designation 2.1 Land to be restored to full Crown ownership and control as Conservation Area (CA1). 3,000ha approximately to be designated as land to be restored to full Crown ownership and control as conservation area (under Section 35(2)(a)(i) Crown Pastoral Land Act 1998) outlined pink and marked "CA1" on the proposed designation plan, Appendix 2.

This area includes the Lauder Basin, a small area in the head of Woolshed Creek and the headwaters of Donald Stuarts Creek. FMC is delighted that the outstanding natural and landscape values of this substantial area of little modified tussock grassland have been recognised and designated for protection as Conservation Area CA1. This is highly satisfactory so far as FMC is concerned because the proposed area closely matches the area identified in the 2006 FMC Preliminary Report where we recommended that this area should be protected and eventually added to the Lauder Basin Conservation Area.

FMC Submission

FMC fully supports and strongly endorses the proposal that 3,000ha of high country land in the headwaters of Lauder, Woolshed and Donald Stuarts Creeks are to be restored to full Crown ownership and control as Conservation Area CA1.

Designation 2.2. 1,225ha approximately to be disposed of by freehold disposal to Calder Farming Company Ltd (under section 35(3) Crown Pastoral Land Act 1998) outlined green on the proposed designations plan, Appendix 2 subject to Protective Mechanisms.

The proposed freehold land consists of two parts: The mid-altitude slopes of both branches of Woolshed Creek, and the Woolshed Creek downlands and flats.

The summary of the proposal states that the **mid altitude slopes of Woolshed Creek** are situated in the large SE facing catchment which comprises two valleys (the N and S branches of Woolshed Creek) and a central spine. Most of this area is characterised by Arrow Steepland soils, classified Land Use Capability (LUC) Class VI, which should be capable of being managed in a way that is ecologically sustainable, so long as fertilisers are applied to maintain the nutrient status of the soil. This area should therefore be suitable for freehold disposal.

However, there is also extensive shrubland cover on the lower valley slopes with significant inherent value which should be considered for protection either *“by the creation of protective mechanisms; or (preferably) by the restoration of the land concerned to full Crown ownership and control.”* (Crown Pastoral Land Act 1998, S.24(b)). We agree with the values accorded to these shrublands in the Conservation Resources Report (CRR, and described in Schedule 1 of the Deed of Covenant CC1). FMC supports the recommendation for protection under Covenant CC1, subject to our reservations stated below: see **Protective Mechanisms (i)**.

The **Woolshed Creek downlands and flats** are the lowest altitude part of the property, reaching a maximum height of 556m on Woolshed Hill. These downlands and flats are typically developed farmland with much of the area having been cultivated and used for arable cropping. This land is Classified in LUC Class III and IV, and as such should be capable of supporting ecologically sustainable farming land use, and therefore suitable for freehold disposal.

However, the area also contains several features of historic value in areas proposed for protection as CC2 and CC3. These features include a coal pit and associated mining machinery (CC2) and an area of water races and gold mining relics (CC3). We are especially pleased to note that the striking and important historic farm buildings, which date back to the origins of pastoral farming in Otago, receive special recognition. These historic values and their protection are discussed below in the section headed **Protective Mechanisms**.

FMC Submission

FMC recognises that there are two areas (the mid altitude slopes of Woolshed Creek, and the Woolshed Creek downlands and flats) which should be capable of being managed in a way that is ecologically sustainable. We also recognize that both areas contain features which have significant natural or historic values. So long as these significant inherent values are adequately protected, FMC has no objection to the freeholding of these lower lands on Lauder Station. Our reasons for concern about the protection of these significant natural and historic features are explained and discussed below.

Protective Mechanism (i):

2.2.1 Woolshed Creek Conservation Covenant. A conservation covenant over an area of approximately 190ha (under section 40(1)(c) and 40(2)(a) Crown Pastoral Land Act 1998) and shaded yellow and marked “CC1” on designations plan, Appendix 2 on terms and conditions as per draft document included in the proposal at Appendix 3 (sic) actually Appendix 5.

FMC recognises that the objective of this Covenant is to protect a range of significant natural inherent values identified in the CRR for Lauder Station. These values include a variety of shrublands and relatively uncommon or threatened species. They also include wetlands and alluvial terraces which provide habitat for species not found elsewhere on the property.

We understand that the proposed Covenant area is fenced to exclude stock (other than sheep) and that it is intended to provide protection from vegetation clearance, burning and grazing by stock other than sheep. It concerns us that there is no stipulated stock limitation or time duration for grazing by sheep, and that there is no provision for monitoring to ensure that the objective is being achieved. FMC recommends a grazing pressure no greater than that equivalent to an annual stocking rate of 2 SU per ha per annum for no more than 4 months in the year. We also recommend that a regular programme of photo-point monitoring should be established, with the provision that the stocking rate should be reduced if such action is shown to be appropriate by the results of monitoring.

Protective Mechanism (ii)

2.2.2 Lauder Coal Pit Conservation Covenant. A conservation covenant over an area of approximately 6ha (under section 40(1)(c) and 40(2)(a) Crown Pastoral Land Act 1998) and shaded yellow and marked "CC2" on designations plan, Appendix 2 on terms and conditions as per draft document included in the proposal at Appendix 3 (sic) actually Appendix 6.

FMC recognises that the objective of this Covenant is to manage the land to protect the historic significant inherent values of this area. These include a coal pit, mining machinery, water races and other remnants of coal mining activities.

FMC believes that adequate protection of these values should be achieved by the terms and conditions specified in the Deed of Covenant CC2 and CC3, and in Schedule 1 attached thereto, while at the same time permitting reasonable farming and maintenance activities. We are pleased to note that a photo-monitoring programme is proposed to establish that the objective is being achieved.

Protective Mechanism (iii)

2.2.3 Lauder Sluicings Conservation Covenant. A conservation covenant over an area of approximately 17ha (under section 40(1)(c) and 40(2)(a) Crown Pastoral Land Act 1998) and shaded yellow and marked "CC3" on designations plan, Appendix 2 on terms and conditions included in the proposal at Appendix 3 (sic) actually Appendix 6.

FMC recognises that the objective of this Covenant is to protect historic archaeological values including water races and gold mining remnants, and the recently identified remains of a sod-walled hut. The Covenant is intended to protect these historic features and values from threats exemplified by damage to water races and other local mining areas.

As with Covenant area CC2 above, we believe that adequate protection of these values should be achieved by the terms and conditions specified in the Deed of Covenant CC2 and CC3, and in Schedule 1 attached thereto, while at the same time permitting reasonable farming and maintenance activities to continue. We are pleased to note that a photo-monitoring programme is proposed to establish that the objective is being achieved.

Protective Mechanism (iv)

2.2.4 Lauder Station Buildings Conservation Covenant. A covenant over three historic buildings with a combined area comprising approximately 1ha (under section 40(1)(c) and 40(2)(a) Crown

Pastoral Land Act 1998) shaded yellow and marked "CC4" on designations plan, Appendix 2 on terms and conditions included in the proposal at Appendix 3 (sic) actually Appendix 7.

FMC is delighted to learn that this Covenant is designed to protect the original farm buildings which date back to the origins of pastoral farming in Otago in the mid 19th Century. It is particularly noteworthy that some of these buildings are still in use for the purposes they were originally constructed. Four buildings from this era remain:- the homestead, the woolshed, the stables and a cook-shop. Three are largely original, but the homestead has subsequently been modernised.

We note that under the terms of the Covenant the three buildings which are still only a little modified from their original condition are recognised as having significant inherent historic value and are worthy of protection.

We understand that at one stage the protection of the entire farmyard was proposed but it is accepted that this would have been impractical. Instead we accept that the three buildings are to be protected with a 5m perimeter to enable stabilisation and/or a future buffer against future risk around each building.

FMC had recommended (in 2006) that consideration be given to the restoration of the buildings and the establishment of an Historic Farm Park. While restoration is not proposed as part of the current proposal it is satisfying to note that the proposal does recognise that "*restoration would be highly desirable*".

We note that the Deed of Covenant specifies, at Clause 2.1, that the objective is: "*The Land must be managed so as to protect the Values.*" FMC is pleased to note that Schedule 2 specifies that any repair or stabilisation of the buildings is subject to Ministerial consent, and is required to comply with the ICOMOS Charter.

FMC Submission

FMC recognises that there are four Conservation Covenants proposed over the land which is intended to be disposed on freehold title. These are shown on the designations plan as CC1, CC2, CC3, and CC4.

FMC recognises that the objective of Covenant CC1 is to protect a range of significant natural inherent values, particularly the shrublands, in the south branch of Woolshed Creek

We understand that the proposed Covenant area of CC1 is fenced to exclude stock (other than sheep) but that there is no stipulated stock limitation or time duration for grazing by sheep, and that there is no provision for monitoring to ensure that the objective is being achieved. FMC recommends a grazing pressure no greater than that equivalent to an annual stocking rate of 2 SU per ha per annum for no more than 4 months in the year. We also recommend that a regular programme of photo-point monitoring should be established with the provision that the stocking rate should be reduced if such action is shown to be appropriate by the results of monitoring.

FMC believes that adequate protection of the historic values within Covenant areas CC2 and CC3 should be achieved by the terms and conditions specified in the Deed of Covenant for CC2 and CC3, and in Schedule 1 attached thereto, while at the same time permitting reasonable farming and

maintenance activities. We believe that it is important that a photo-monitoring programme is proposed to ensure that the objective is being achieved.

FMC is delighted to learn that Covenant CC4 is designed to protect the original farm buildings which date back to the origins of pastoral farming in Otago in the mid 19th Century. Four buildings from this era remain:- the homestead, the woolshed, the stables and a cook-shop. We recognise that the homestead has subsequently been modernised.

We are pleased to note that under the terms of the Covenant the three buildings which essentially still remain little modified are recognised as having significant inherent historic value and are worthy of protection. FMC accepts that three buildings are to be protected with a 5m perimeter to enable stabilisation and/or a future buffer against future risk around each building.

FMC had recommended (in 2006) that consideration should be given to the restoration of the buildings and the establishment of an Historic Farm Park. While restoration is not proposed as part of the current proposal, it is satisfying to note that the proposal does recognise that "restoration would be highly desirable".

We note that the Deed of Covenant specifies, at Clause 2.1, that the objective is: "The Land must be managed so as to protect the Values." FMC is pleased to note that Schedule 2 specifies that any repairs or stabilisation of the buildings is subject to Ministerial consent and is required to comply with the ICOMOS Charter.

Qualified Designations:

2.2.5 An easement in gross to provide for public foot, mountain bike, horse and vehicle access and conservation management access (under section 36(3)(b) Crown Pastoral Land Act 1998) and shown as a dashed orange line marked "a-b" on the designations plan Appendix 2 including a car park at "a" on terms and conditions included in the proposal at Appendix 3 (sic) actually Appendix 4.

FMC understands that this easement will provide as of right management access, and public foot, mountain bike and horse access to CA1 and to the Lauder Basin Conservation Area. FMC is delighted that this long standing problem of a Conservation Area being landlocked and inaccessible to the public has eventually been resolved. We further understand that vehicle access will be at the discretion of DOC, and if this works through a permit system as operated on the Pisa Conservation Area, we will be pleased to support such a proposal.

We note that the proposed route (a-b) starts at a new car park and continues through the paddocks to the narrow point on the property at 'W'. From this point up to the boundary of CA1 we note that some proposed re-alignment and new track formation circumvents existing problems of crossing the property boundary, and traversing neighbouring (Cambrian) land. FMC approves of the proposed car park and new route (a-b).

FMC appreciates that this route will provide access to CA1, to the Lauder Basin Conservation Area, and a wide variety of recreational activities and routes on the Dunstan Mountains, including other properties under tenure review (such as Cluden Station), and recently established routes across a group of properties sometimes referred to as the "Lindis Six-pack".

FMC Submission

FMC recognises that a novel approach has been taken to dealing with a number of access issues on this property. FMC approves of the proposed car park at the end of the legal road and the new route (a-b) from the car park to the boundary of CA1, which resolves problems of the existing farm track crossing and re-crossing the boundary with Cambrian. We recognise that this provides secure public access to CA1 and beyond, for public foot, mountain bike and horse access plus discretionary vehicle access.

We understand that this route provides management access and the usual public access, but also provides public vehicle access at DOC's discretion. If this discretionary permit system operates in a similar manner to access on the Pisa Range, FMC would be happy to support the proposal.

We are delighted that the proposal will solve the long standing problem of the Lauder Basin Conservation Area being landlocked and inaccessible to the public. We appreciate that it will also provide access to a range of recreational activities on the wider area of the Dunstan Mountains and surrounding areas.

Qualified Designations:

2.2.6 Continuation in force of easements 16D/601 and 16D/997 (under section 36(3)(c) Crown Pastoral Land Act 1998). A copy of these easements is included in the proposal at Appendix 3 (sic) probably Appendix 8 and Appendix 9.

We understand that 16D/601 is an appurtenant right to a water race, and that 16D/997 is a right to convey water over the property.

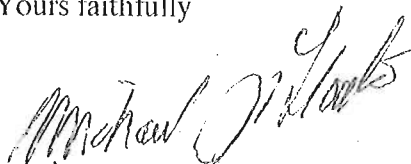
FMC has no objection to the continuation in force of these two Easements.

FMC Submission

FMC has no objection to the continuation in force of these two Easements.

Finally, FMC is grateful to Darroch Ltd and the Commissioner of Crown Lands for this opportunity to offer our submissions on the Preliminary Proposal for the Tenure Review of Lauder Station.

Yours faithfully



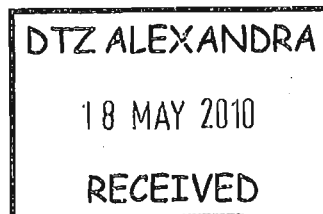
Phil Glasson
Hon. Secretary, Federated Mountain Clubs of NZ, Inc.



WALKINGACCESS
ARA HĪKOI AOTEAROA

14 May 2010

Luana Patterson
Darroch Valuations
PO Box 27
Alexander 9340



Dear Luana

Re: Preliminary Proposal for Tenure Review: Lauder Pastoral Lease

Thank you for providing the Walking Access Commission (the Commission) with the opportunity to comment on the preliminary proposal for the tenure review of the Lauder pastoral lease under Part 2 of the Crown Pastoral Land Act. As you will appreciate this is the first opportunity that the Commission has had to comment on this proposal.

We consider that the proposed public access provisions from a car park (to be established at the end of Lauder Station Road) rising from there to the narrow point on the property at 'W' and from there on to the point 'b' terminating where the proposed conservation area (CA1) commences, provide good public walking access. The Commission understands that the proposal for public walking access along the proposed route will help resolve a long standing problem by providing access to the previously landlocked Lauder Basin Conservation Area. The proposal will also provide access for recreational activities on the Dunstan Mountains.

The proposal provides for enduring, practical and secure public access to the designated conservation area (CA1) and the hinterland. The Commission notes that access for walking, mountain biking, and horse riding has been made but vehicle access is at the discretion of the Department of Conservation. There is no explanation of why this should apply to the "hinterland". The Commission would appreciate clarification from you on this point.

The Commission would like to discuss the legal nature and content of the proposed easements (if accepted) with you.

Yours sincerely

Mark Neeson
Chief Executive



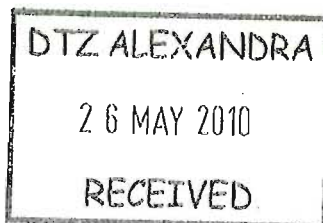
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Commissioner of Crown lands,
C/o Manager,
Darroch Ltd.,
PO Box 27,
ALEXANDRA



May 24, 2010.

**SUBMISSION ON THE PRELIMINARY PROPOSAL FOR TENURE REVIEW:
LAUDER STATION 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 GOOD knowledge of the ecology of the northern Dunstan Mountains, particularly the upper slopes of the area involved, based on studies in the area over several years.

This is a very encouraging proposal which appears to have several very good features within the 4225 ha, with some 3000 ha or 71% of the property being proposed as a single block for returning to full Crown ownership and management as conservation land (labelled CA1 on the plan), and 1225 ha on the lower slopes proposed for freeholding but containing four proposed conservation covenants (one Ecological (190 ha) and the other three Historic (of 24 ha), totalling 214 ha, as well as realignment of a 4WD track with public access provisions, and a public car park.

This preliminary proposal certainly appears to fulfill the conditions of the Crown Pastoral Land Act, 1998 which, despite the changed policies announced by the current Government, is still the relevant legislation covering the important issue of tenure review of high country Crown pastoral leasehold lands. The proposal should therefore be implemented with minimal change.

Dealing in more detail with several aspects of this proposal, the 3000 ha of land proposed to be restored to full Crown ownership and control as a **Conservation Area** (shown as 'CA1' on the attached designation map), includes the Lauder Basin, the headwaters of the Donald Stewarts Creek and a small area at the head of Woolshed Creek. This extensive area has outstanding intrinsic values, particularly ecological, indigenous biodiversity and landscape values and, moreover, adjoins the existing Northern Dunstan Conservation Area (ex Cambrian P.L.) to the northeast. The proposal also resolves an important access issue to the upper slopes of the northern Dunstan Mountains, including to the Northern Dunstan Conservation Area. Much of this area is >1000 m and, extending up to 1565 m along the crest of the northern Dunstan Mountains where it adjoins Cluden P.L., it has very limited ability to provide for ecologically sustainable productive pastoral use. The area is generally dominated by upland narrow-leaved snow tussock (*Chionochloa rigida*) grassland and the transition into upland slim snow tussock (*C. macra*) grassland, mostly in good condition (now a relatively rare situation throughout most of Central Otago, as mentioned in the Preliminary Report: p. 5). There are localised areas of high-alpine cushionfield and fellfield with a wide range of alpine plant species, including a small population at the saddle adjacent to the 4WD access track, of the local endemic forget-me-not, *Myosotis oreophila*, the main population of which occupies a localised area some 1.6 km to the northeast, on the Northern Dunstan Conservation Area (see Dickinson, et al. 2007). The several other

important ecological-biological aspects of this area, reported under 'Ecological Values' in the Preliminary Report are endorsed, as are the Recreational Values and Landscape Values (pp. 5-6).

The 1225 ha to be disposed of by **freehold title** to Calder Farming Coy Ltd, subject to four Protective Mechanisms and two Qualified Designations, occupying the mid and lower slopes of Woolshed Creek catchment, is also endorsed. This land is mostly <1000 m and is associated with Arrow Steepland soils with a Land Use Capability Class IV classification. It is considered to be capable of ecologically sustainable productive use, as are the outwash flats below, which are now mostly developed arable farmland of LUC Class IV and III.

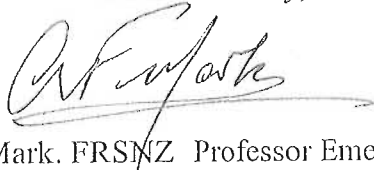
As for the associated proposed **Protective Mechanisms**, the **Woolshed Creek Conservation Covenant 'CC1'** of 190 ha is intended to protect an area of mixed shrubland and localised wetlands with several relatively uncommon or threatened indigenous species (e.g., *Olearia lineata*, *O. odorata*, *Aristotelia fruticosa*, and several invertebrates), that were recognised in the Conservation Resources Report. This area is already fenced and is to be managed to exclude all stock grazing except sheep, and also to be protected from any indigenous vegetation clearance by burning or other means. A stocking rate and period should also be specified appropriate to long-term protection of the intrinsic values, and representative permanent photo points to be established and monitored periodically, to ensure retention of these intrinsic values. Also included should be the ability to reduce the stocking rate (and/or period), should monitoring results demonstrate the need to do so.

The three **Historic Conservation Covenants** (CC2: Lauder Coal Pit C.C. of 6 ha; CC3: Lauder Sluicings C.C. of 17 ha; and CC4: Lauder Station Buildings C.C. of 1 ha) are each endorsed, together with the conditions which have been specified for each covenant, including permanent photo point monitoring for CC3, in the relevant sections of the proposal document.

Of the two **Qualified Designations**, the one to provide an easement in gross to allow public foot, mountain bike, horse and vehicle access, and conservation management access, shown as the dashed orange line marked a-b on the designation plan, is approved. It is accepted that public vehicle access between these two points (and beyond into the CA1: Lauder Basin Conservation Area) should be at the discretion of the Department of Conservation. The construction of a new track from the existing cattle yards and the proposed realignment of the existing track in places, to avoid the present incursions into Cambrian Station, are also endorsed, as is the construction of a car park at the end of the legal road, as shown on the designation plan of the proposal document. The second **Qualified Designation**, to allow continuation in force of easements 16D/601 and 16D/997, being an appurtenant right to a water race and a right to convey water over the property, respectively, are both approved.

I trust that this response and recommendations will be given serious consideration and I thank you again for the opportunity to assess and comment on this preliminary proposal for tenure review.

Yours sincerely,



Alan F. Mark. FRSNZ Professor Emeritus

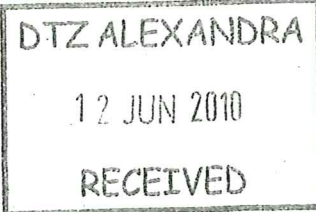
Reference cited:

Dickinson, K.J.M., Kelly, D., Mark, A.F., Wells, G., Clayton, R. 2007. What limits a rare alpine species? Comparative demography of three endemic species of *Myosotis* (Boraginaceae). *Austral Ecology* 32: 155-68.

Chris Pearson
5322 Whitetail Dr #9
Springfield IL 62703
USA
PH 217 585 6803

Friday, June 11, 2010

Commissioner of Crown Lands
c- The Manager
Darroch Limited
P O Box 27
Alexandra0



To Whom it may concern

I would like to make the following submission for Preliminary Proposal for the Lauder Station which is a Pastoral Lease which is undergoing tenure review under the Crown Pastoral Land Act 1998. I strongly support the proposal I would like to express the wish that they be fully adopted. I am quite familiar with this area as a result of cross country ski trips I have made to the Dunstan range during the 1980's and 1990's. The area CA1 includes a large area of very important high country land that would be a very important addition to DOC holdings in Central Otago. The tops here often have skiable snow during the winter and the headwaters of Lauder Creek (which I admit I have not personally explored) appears to have significant potential for hunting, tramping, fishing and other types of outdoor recreation. I also note that the proposed public access route potentially would provide a much needed access route on the eastern end of the range, assuming that it does provide practical access.

So for these reasons I can give my full support to the proposed tenure review.

Sincerely yours,


Christopher Pearson

Copy sent by EMAIL on 11 June

**OTAGO CONSERVATION BOARD**

Box 5244, Dunedin 9058

Phone: (03) 474 6936

Email:

mclark@doc.govt.nz

Our ref: SBC-08-34



DTZ ALEXANDRA

15 JUN 2010

RECEIVED

14 June 2010

Commissioner of Crown Lands
c/o Darroch Ltd
P O Box 27
ALEXANDRA 9340

Dear Sir

LAUDER STATION PRELIMINARY PROPOSAL

The Otago Conservation Board is appointed by the Minister of Conservation to represent the wider Otago community in advocating for the protection of biodiversity, the enhancement of recreational opportunities, and the conservation of natural and historic resources throughout Otago.

The North Dunstan Mountains are one of the Special Places in the Otago Conservation Management Strategy (Otago CMS). The slim snow tussock grasslands of the Lauder area are considered outstanding and probably the best remaining example of this vegetation type in Otago. There is already a significant conservation area on the range (Lauder Conservation Area) which lacks secure public access. The lower portion is unfenced from Lauder Station and subject to ongoing grazing damage. The objectives for the North Dunstan Mountains Special Place include extending protection to include higher altitude areas of conservation importance and improving public access (Otago CMS, page 305).

The Board is generally supportive of the preliminary proposal. It advances both of the Otago CMS objectives outlined above.

The Board is firmly of the view that the area designated as CA1 should be returned to full Crown ownership. It has high significant inherent values. Along with the neighbouring Lauder Conservation Area, it will protect an extensive area of slim tussock grassland that is relatively intact and of considerable importance.

We also note that the area supports alpine fell fields, narrow leaved tussock grasslands, and riparian shrublands that are worthy of protection in their own right. Ongoing grazing is not ecologically sustainable in this area, as evidenced by substantial areas of depleted tussock.

The CCI covenant is an appropriate mechanism to protect the lower altitude shrublands. The difficulties of protecting additional areas and at the same time maintaining a viable farming operation are acknowledged. It is appropriate that the area is fenced and that grazing of sheep only is permitted. Vegetation monitoring should be instituted in the covenant and provision made to reduce the level of grazing if there is evidence that the vegetation is suffering.

Two areas of historic significance are protected by smaller covenants lower in the property. Once again, the difficulties of protecting these while not unreasonably interfering with farming activities are noted. Because of this, monitoring will need to be undertaken regularly to ensure that the historic values of the covenants are not being adversely affected.

Secure public access to the North Dunstan Range is currently very poor, and the Lauder Conservation Area is effectively landlocked. The public access arrangements that are part of this proposal are therefore very important. It is particularly important to have public vehicle access. Tenure review has not been very successful at delivering public vehicle access to newly-formed conservation land in many parts of Central Otago. Because much of this land is at high altitude, access involves a long journey on foot or mountain bike through private land, often climbing 1000 metres in altitude. This is beyond the capabilities of many people and those who do make it are unlikely to have the energy or the time to explore the conservation area.

The Board believes that the arrangements to protect the road surface are appropriate. These arrangements are that access is at the discretion of the local Area Manager of the Department of Conservation, with the Department taking responsibility for the maintenance work that is needed as a result of public use. Providing prospective users with a key to a locked gate is an appropriate mechanism to achieve the desired outcome. It may be that the Department decides to manage the road as it manages other

facilities such as huts, and charges users a fee to be used for road maintenance.

Given these restrictions, the proposed seasonal closure is unnecessary. The Lauder Basin has the potential for back country skiing, but the proposed seasonal closure effectively precludes this recreational activity. Having to gain access to suitable areas by walking up and down would occupy a full winter's day and leave no time for skiing. Public vehicle access is essential if the area is to be of use to winter visitors. It may be that in the medium term, the proposed "access at the discretion of the Area Manager" arrangement to protect the road surface amounts in effect to a seasonal closure. However, tenure review must consider the long term. It is possible that improvements to the surface might be undertaken in the future and that winter public access becomes practical.

While the Board is comfortable with most of the preliminary proposal as it stands, we note that this is an important tenure review from the perspective of the public. Any future changes that might result in a reduction of the public or conservation interests would be of concern to the Board and should require the readvertising of the proposal.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'H. Langsbury', written over a horizontal line.

Hoani Langsbury
Chairperson

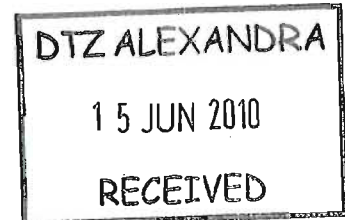
From: Bruce Mason [mailto:brucemason@ihug.co.nz]
Sent: Tuesday, 15 June 2010 2:53 p.m.
To: Alexandra
Subject: RANZ Submission on Lauder Station Tenure Review

Recreation Access New Zealand

RD 1
Omakau 9376
Central Otago

15 June 2010

Darroch Limited
alexandra@dtz.co.nz



Submission on Lauder Station Tenure Review

Recreation Access New Zealand (RANZ) welcomes the proposed reservation, as conservation area, of the Lauder Basin and Dunstan Mountain tops. In conjunction with the existing conservation area and the provision of public access, this will greatly extend public recreation opportunities in Central Otago. The existing conservation area has been 'land locked', without access, for many years. The preliminary proposal, if implemented, will remedy a major deficiency.

Public access easement

I welcome the intent of the easement, that is, in providing some assurance of public access, while protecting the easement (and conservation areas) from vehicle damage in wet conditions. I think that the proposed terms of the easement just about gets the balance right. It provides a useful model for use in tenure reviews easewhere.

I comment on the standard and special easement terms.

Standard term 4

Vulnerability to damage, especially during frost thaw, would rank in decreasing severity from the use of vehicles, horses, bicycles, and foot. The last is negligible to non-existent. However this clause could be used to unnecessarily bar all forms of access. If it is intended for vehicles, this clause should specify such. This general term must be read in conjunction with special term 14.

Special term 14

I am in agreement with the terms of the 'open period'. I wonder if this makes standard term 4 superfluous?

Special terms 15 and 18

In my experience of vehicle misuse throughout the Otago high country, locked gates and fences provide the only assurance of effective management of "off road" vehicles. Motor cycle users, etc., appear incapable of staying on designated tracks. In their case, exclusion is the only realistic option. Horse riders will be disadvantaged by having to obtain a key from DOC however this is a necessary inconvenience. I am strongly of the view that DOC should be the only holder and dispenser of keys. The Kinvara track

experience on the Rock and Pillars demonstrates that local occupier/manager control can result in discriminatory practice.

Special term 19

I wonder at the necessity of closure during lambing and calving given the intention to "land" (spelling p.12) lane fence the easement in the lower section. This coincides with the closed period for vehicles. Experience elsewhere indicates that the more that stock see walkers, in particular, over time the less the disturbance.

The intention behind ceasing such closures "...in the event that the Land ceases to be utilised for sheep and cattle farming" is welcome however I suggest the following amendment:

"...in the event that the paddocks immediately adjoining the easement cease to be utilised for sheep and/or cattle farming".

Additional special term

It would be pointless if DOC manages public use of the easement by periodic closures so as to prevent damage, if there are no restrictions on the Transferor from causing damage by allowing or inviting other users to use the easement during official periods of closure. I have in mind potential commercial users proving access for their clients. If there are closures, they should apply to everyone.

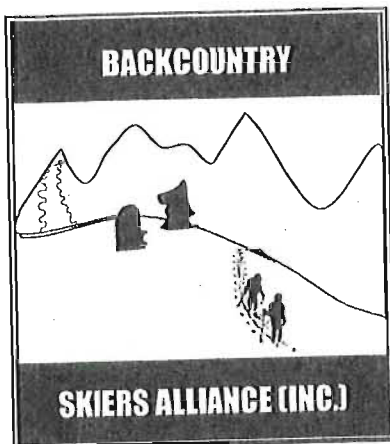
Bruce Mason

Recreation Access New Zealand

Recreation Access New Zealand is a campaign seeking protection of public access rights *and* better management of recreational resources by public authorities, through:

- The promotion of non-motorised recreation on New Zealand's public lands and waters.
- Sympathetic land management for non-motorised recreation.
- Public ownership and control of resources of value for public recreation.
- The supremacy of the public interest ahead of private or commercial interests in the management of public lands and waters.
- Secure public access to recreation areas.

www.recreationaccess.org.nz



Backcountry Skiers Alliance
PO Box 168
Alexandra

DTZ ALEXANDRA
 18 JUN 2010
 RECEIVED

9th June 2010

Darroch Ltd
 Box: 27
 Alexandra 9320

Submission on Lauder Station Preliminary Proposal

Thank you for the opportunity to submit on the proposed tenure review for Lauder Station.

BSA

Backcountry Skiers Alliance (BSA) is an incorporated Society established in 1996. Our objectives are to foster non-motorised winter recreation in backcountry areas, and to promote and protect the resources upon which our member activities are based. We have submitted on a wide range of land tenure and environmental matters throughout Otago. For many members BSA is the only outdoor organization they belong to.

The Northern Dunstan Range

This area has great potential for backcountry skiing but historically lacked good public access. The terrain, slope and altitude of the Lauder Basin provide all the ingredients for interesting skiing and we suspect that the area will be popular as a day trip from the valley floor. This will be especially true in the frequent southerlies conditions that render the Old Man Range unusable due to low cloud and blowing snow. The Northern Dunstans, being inland, are often clear and skiable in this situation.

In the summer months our members are likely to explore the area on foot or via mountain bike.

We agree with, and support the proposed mechanisms to protect the area's Ecological, Landscape and Historic Values.

We are pleased to see the proposed easement to enable access to the new Conservation Area boundary at "Y". The existing Lauder Basin Conservation Area can now be reached through here.

Winter Access

Unfortunately, a seasonal vehicular closure of the easement would in practice prevent our members being able to use the area for skiing.

We acknowledge that the road formation of the easement may be unable to sustain much vehicular use in adverse conditions and our members are mindful of the need to preserve the road surface, and of course the privilege of access.

In winter we would see no reason to drive beyond the existing snowline. For us it is important to make the horizontal distance by vehicle, and any access over 1000 m altitude would be a bonus and we are able to walk the remainder. We would be happy to see winter vehicular access controlled by the DOC Area Office.

The proposed lambing closure restriction would also prevent us from accessing the Dunstan Range just when the prime spring skiing occurs. Late September generally provides longer days, with peak snow depth in the upper elevations. At the same time there is often easier access as the snow line is better defined and the lower snow has usually disappeared.

We do however understand the disruption that vehicles and visitors can cause to farming operations at this time. Again we would be happy to see vehicular access controlled by DOC Area Office, with the additional requirement to contact the Farm Manager for prior permission.

Yours Sincerely



John Robinson
Secretary, BSA