

Crown Pastoral Land Review of other Crown Land

Lease name: MT GLADSTONE

Lease number: OM 016

Public Submissions

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

March

10

12 JAN 2009

Caroline Mason

From: Plumstone [plumstone@xtra.co.nz]
Sent: Friday, 2 January 2009 6:09 p.m.
To: Caroline Mason
Subject: Mt Gladstone Tenure review.
Attachments: NZDA Sub Mt Gladstone Dec08.doc

Please find attached submission on behalf of the Nelson Branch of the New Zealand Deerstalkers Association in regard to the Mt Gladstone area.

I write on behalf of the club as local secretary, and in support of our National office submission.

Warren Plum
Secretary NZDA
Nelson
PO Box 495,
Nelson.



NELSON BRANCH NZDA

PO BOX 495, NELSON
Phone 035479143
Email: plumstone@xtra.co.nz

view

29/12/2008

DTZ TENURE REVIEW
POBox 142
Christchurch
carollne.mason@dtz.co.nz

NZDA NELSON Submission: Mt Gladstone Crown Land (Part 3 CPL Act)

The Nelson branch of the New Zealand Deerstalkers' Association (NZDA) makes the following submission on the Crown land resulting from this expired Pastoral Occupation Licence (POL).

The Nelson branch of the New Zealand deerstalkers is an active hunting club with over 250 members in the Nelson region, and as such has an interest in properties under review in the Northern part of the South Island. Many Nelson members currently hunt on regular basis in the Marlborough and Kaikoura areas, and any opportunities to increase access opportunities are strongly supported by our group.

1 Mt Gladstone Expired **POL** (3804 Ha):

The Due Diligence Report shows the POL expired in 1985, and should have reverted to the Crown at that time. But instead it has been rolled over at the expired peppercorn rental of \$20/year (1c/Ha/year). Much of the POL is mountain scree above 1100 metres, including the Hodder watershed above Trail Stream, Trail Stream itself, Mt Gladstone (2,371 m) and the Red Hills (2,411 m). There is very little grazing as there is no soil on most of the expired POL. The photo supplied with the Review, looking across Trail Stream, shows its mountain scree nature well.

The POL lies next to the most used route to the Inland Kaikouras, namely up the Hodder River gorges and over the expired POL to the Inland Kaikoura Scenic Reserve. This reserve contains two of the highest peaks outside the Mt Cook region, namely Mt Tapuae a Uenuku (2885 m) and Mt Alarm (2877 m). It is the primary land reserved in the Inland Kaikoura Range, one of New Zealand's major mountain ranges. The Range is readily visible from Wellington and Wairarapa on a clear day and from Christchurch hills as a small blob on the northern horizon.

The area has four big game species. Chamois is the most important recreationally, but there are also wild goats and wild pigs and occasional red deer. Recreational hunters can come from significant distances eg Blenheim, Wellington, Nelson, and Christchurch to hunt in the Inland Kaikoura Ranges.

The only recreational huts in the Inland Kaikoura Range are sited on the expired POL, at about 1400 metres on the true left of the Hodder, and are maintained by the Marlborough Tramping Club. These huts get significant use, probably more than that recorded by the Pitts, as many people do not ring them for permission, nor record their names in the Tramping Club's hut books. At certain times in the 1990s recreational use was said to be about 3,000 per year. Though this may have dropped off recently, it is still likely to be about 2,000/year.

2 Improved Public Access - farm tracks and out-of-river access:

The issue with public access to Tapuae a Uenuku Scenic Reserve is that the river route through the two Hodder Gorges floods when there is heavy rain, or high snow-melt, and is then unsafe to use. There is no route, apart from the route up/down Trail Stream, to avoid the upper gorge. An alternative out-of-river route from near Trail Stream to the Hodder Bridge would be desirable.

Also the legalising of public walking access across the Gladstone Downs freehold from Hodder Bridge to the descent track to the Hodder (5 km) would be helpful in providing permanent public access.

NZDA proposes these two public access matters should be discussed with the adjacent landowners. Though the Pitts have been happy to permit public use the farm track access provided users ask permission, this is not secure public access. When ownership changes new owners have a habit of stopping public access across their land unless it is legally provided for.

Public access across the freehold land is up for discussion, because L1NZ has a responsibility to provide (5 83 (c) (i) *'the securing of public access to and enjoyment of Crown land'*) and so this is the best, and probably only, opportunity to discuss the matter.

Public access is also important because the Hodder is the major route to access the Inland Kaikoura Ranges, and an escape route is desirable, should the river be flooded. Any such access agreement should include access for recreational hunters with made-safe firearms and dogs.

3 Marlborough Tramping Club Huts:

These two huts on the true left of the Upper Hodder at about 1400m provide important shelter for recreational users in what can be a very severe mountain environment, with the very strong winds and cold that the Kaikouras are known for. The Marlborough Tramping Club does a marvellous job of maintaining these huts, one of which it built itself, and one it took over from the Tararua Tramping Club of Wellington.

The Club should be allowed to continue providing this service, and it should be formalised, should it so desire. In the due diligence report, there is no record of a licence or permit having been issued for the hut, so the present arrangement appears to be an informal one.

4 Conservation Park status for the Crown land being allocated to DOC:

The Crown land proposed to be allocated to DOC is primarily wildland scree slopes and mountain tops. It is hardly the scenic views stuff of scenic reserve. NZDA proposes instead that the land transferred be as part of the recently formed Kaikoura Conservation Park. This is in line with the Government's objectives for tenure review. of adding the land to present or new conservation parks. Conservation Park status is more in line with the dominant users of the Mt Gladstone POL area - recreational trampers, hunters, climbers, cross-country skiers etc, and its open space characteristics.

5 Conclusions:

1 Surrender the whole former POL to Conservation Area/Conservation Park: NZDA strongly supports the whole former POL area of Crown land to become conservation area, and then part of the Kaikoura Conservation Park, in line with Govt's High Country Objectives of forming conservation parks from this new public land. The Crown land proposed for freeholding has minimal value for grazing. This would save significant costs, as the boundary then becomes the unformed public road shown in the cadastral map.

2 Better public access negotiated: NZDA wishes to see an adequate land access route reserved across the freehold land to/from the Hodder Bridge, to ensure secure land-based public access, and avoid flood conditions in the Hodder, as described above.

3 Recognition and protection for the Marlborough Tramping Club huts: The MTC huts should remain under MTC control, and be authorised to continue, should MTC desire this.

Yours faithfully,

Warren Plum
Secretary Nelson Branch NZDA.

2

FACSIMILE TRANSMISSION

DATE: 16-2-09

TO: Commissioner of Crown Lands FROM: A+B Pitts

AT: DTZ COMPANY: Mt. Gladstone

FAX NO: 03-363 5067 NO. OF PAGES 4 INCLUDING THIS ONE

MESSAGE:

Please receive follow 3 pages
of our Submission on Mt Gladstone
POL. Review.

Reneley Pitts.

SIGNED: _____

Commissioner of Crown lands

c/o oTZ

PO Box 142

Christchurch.

15th Feb 2009.

Submission on the Mt. Gladstone POL Om 016

Once again we write a further submission in support of retention of all grazable land in this POL. Further to our previous lengthy submissions of Oct 2005, April 2007, all of which are still relevant, we add the following statements of Information,

We did not agree to the Preliminary Proposal before it was summarised and advertised for public submissions.

Several points arise from the latest Review of other Crown Land Om 016 of November 2008 which is a summary that has been Circulated for pUblc comment (subsequently referred to as the Review),

1. In the Review, the public was not given the appendix relating to fencing. No fencing requirements were even mentioned. However, in the Preliminary Proposal map given to us by Murray McKenzie of DTZ on 13 Nov 2008, dated 7/12/07, the approximate length of fencing required is 3.5 kilometres, 'Why is this?' We estimate the cost of this unnecessary fence to be in the order of \$ 38,178.
Absolutely no account has been taken of our practical solution to the actual fenceline placement leaving a proposed fenceline that will be unmaintainable and ridiculously extravagant,
2. As stated under section 4.7, 5.1 and 5.2, of the Review, the land capable of sustained and economic grazing equates to approximately 35-37% of the total area of 3804 ha. (Lynn 1996) However the land area actually offered for disposal in fee simple equates to only 25% of the total POL area, leaving a balance of 10-12% or 380-450ha of grazable area excluded and **unused**.
This area is the land south of Trail Stream known as Red Hills, which is of most valuable and economic use to Mt. Gladstone as it encompasses the shaded and highest rainfall areas that provide essential summer grazing to balance the NW facing hot dry basins of the rest of the POL. Even the photo on page 1 of the Review shows no significant difference between land on either side of the designated boundary line.

This requires no fencing as all boundaries for grazing purposes are natural. This fencing option is no different to that which is already proposed for the balance of the area. (as shown edged in green on the plan attached in appendix 1) of the map that was given to us.

If this approximately 420ha, which has been grazed as part of the POL since 1852, is included in the area designated as the land suitable for disposal, we will be well under way to an agreement which should satisfy the Crown's requirements Part 3 CPLA1998 and our own.

3. We remind you that all of the so called significant areas, that 'require' to be retained in Crown ownership, are :

1, Existing as a result of past and current grazing management

2, As demonstrated in a recent crown purchase, (eg; "Birchwood"), *grazing* is essential to protect the habitats of the species that were deemed rare and endangered. DOC have now realised the flora and fauna are now more rare and endangered from a high fire risk, and plant and bird habitats are obliterated by rank vegetation, and have recalled previous owners and neighbours help to graze the Birchwood property again.

The areas of forest remnants mentioned in the DOC submission and quoted in the preliminary proposal may never have been part of a larger forest and may always have been just what they are today. It is misleading to second-guess nature as leading botanists Molloy, Burke and others have stated, No-one can say that the 'rare' species targeted on the Mt. Gladstone POL are endangered. They may always have been in this area as they are, as it suits them, and further spread not necessary to the continued survival of the species, due to the size, terrain and climatic conditions of the habitat. Dr. Molloy puts it this way, *"it is not a case of farming versus conservation. More often than not the two go hand in hand on the same piece of ground, especially in the high country". He also states that "no species have become extinct under a grazing regime".*

The crown should accept that after 157 years of **grazing** the "rare and endangered" species are still there along with the so called "SIV" landscape and its inherent economic value.

Domestic stock are not a problem in the POL. The stocking numbers have never been high to allow for the grasses and herbage that are eaten to recover and flourish. However the voracious spread of Haeraclum and the high numbers of feral goats which frequent the high country have impacted heavily on the area, and all species suffer as a result.

The issue of the Hodder Huts remains unresolved and we strongly object to DTZ negotiating with the Marlborough Tramping Club before the Preliminary Proposal was issued.

Our rights regarding improvements on the POL appear to have been ignored. We understand that our existing tracks, fences and the Huts are deemed Improvements under the Act, and need to be addressed.

Throughout this latest review there has been no inputs for a farming perspective, apart from our own, yet the CCL has power under s.85 to "consult any body or person...." etc. We believe this is a glaring omission that confirms our view, and that of others, that this review is **lacking balance**, and is clearly devised to suit the Conservation wish list.

Pastoral farming has cared for this POL and our previous submissions state clearly our view for the future.

We have found all three reviews of the POL, frustrating, tormenting and costly. The Crown has not met its own contracts with us, each ending in unfinished deadlines and uncertainty. We as a family have met all Crown requirements and do not lightly use the terms "frustrating, tormenting and costly".

The injustices by the Crown and agents towards us and previous POL holders is long standing, and clearly evident today as we sit in limbo awaiting after 5yrs of an undertaking by the crown, a decision that should have been made many years ago.

Once again the Crown has failed its own Act/s, the Pitts family, and NZ.

Yours faithfully,

Allan and Beverley Pitts

on behalf of the Pitts family.

Gladstone Downs

Private Bag 1221, Blenheim 7240





Marlborough Tramping Club Inc

PO Box 787 Blenheim

13 February 2009

Crown Pastoral Land Act 1998 Review of Other Crown Land - Mt Gladstone

Submission to the Crown re Land Tenure Review

Regarding the letters from DTZ Environmental received December 2007 and December 2008, reference "Mt Gladstone Tenure Review and Hodder Huts" we of the Marlborough Tramping Club (MTC) are concerned with what appears to be an instability of access to the Hodder Huts, Mt Tapuae-O-Uenuku and surrounding mountains.

For many years the Pitts family have allowed access to trampers and climbers along an access route up the Hodder River to the MTC Hodder Huts and surrounding mountains, such as Mt Tapuae-O-Uenuku and Mt Alarm. The MTC very much appreciate the hard work and helpfulness of Alan and Beverley Pitts over many years. We totally support their desire to protect the area.

Beverley and Alan Pitts have done a remarkable job of monitoring the safe transilion of people through this corridor, keeping the general public and MTC well informed about weather and river conditions, including numbers of persons using the huts and tramping in the area. This situation has been most beneficial to all concerned. The Pitts family have a controlling stake in who and how many are entering their property. It is a situation that we as a tramping club and owners of the Hodder Huts have cherished for many years and with which we have been very comfortable.

With the Land Tenure Review proposed it appears that the Hodder Huts, including the Hodder River Valley, are being incorporated into Department of Conservation control.

It is very clear in the Pitts' SUBmission that if they lose the land on which the huts are situated, they intend to close off access through their property, which includes the lower farm area near the homestead and the climb over the bluff near the waterfall in the Hodder River. Also mentioned in the paragraph headed "Tramping Club Huts", it states that the huts, being on their land, belong to them and therefore with the land returning to Crown ownership, the possibility exists of all improvements being removed and the land being returned to its natural state.

Recently we, the MTC, received a letter from the Department of Conservation Renwick office, stating that the Hodder Huts would remain and that only minor upgrades would be imposed, such as signage. It also states that the huts would remain in MTC ownership in co-operation with DoC. Nowhere is there mentioned that there is to be a legal, safe access route for the general public to the Hodder Huts and beyond.

In this submission we, the MTC, strongly urge that as part of the tenure review process, a safe and clear legally binding access be established to the Hodder Huts and beyond, to allow the general public and tourists alike ~~the opportunity to explore this magnificent back country and alpine region~~

Signed

Beveridge

Date

15 Feb 09

B E Beveridge
President, Marlborough Tramping Club



New Zealand Deerstalkers' Association Incorporated

Level 1 45 - 51 Rugby Street POBox 6514 Wellington
 Phone; 04 801 7367 Fax; 04 801 7368
 Email: deerstalkers.org.nz
 Website: http://www.deerstalkers.org.nz

17 February 2009

Caroline Mason
 DTZ Tenure Review
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 Christchurch
 Fax 03 379 8440
caroline.mason@dtz.co.nz

NZ Deerstalkers' Association Submission: Mt Gladstone Crown Land (Part 3 CPL Act)

The New Zealand Deerstalkers' Association (NZDA) makes the following submission on the Crown land allocation resulting from the Part 3 CPL Act preliminary proposal (PP) for this expired Pastoral Occupation Licence (POL).

NZDA is the national association of deerstalkers and other big game hunters. We have over 50 branches and hunting member clubs throughout New Zealand. NZDA has 7500 members, and has been actively advocating for recreational deerstalking and hunting, running hunter training courses, trips, conferences etc since 1937, NZDA sets and maintains ethical standards for hunting.

A number of NZDA Branches have an Interest in hunting In the Inland Kaikouras, and specifically on this expired POL. They include Marlborough (Blenheim), Nelson, Wellington, Hutt Valley, North Canterbury Other branch membars and independent recreational hunters will also be interested. There are an estimated 60,000 big game recreational hunters in New Zealand.

1 Mt Gladstone Expired POL (3804 Ha) - public access needs Improvement:

I personally have been tramping and climbing in the Inland Kaikouras since 1974, and have made over twelve trips up the Hodder in the last 20 years. So I have good knowledge of the area and the issues.

The Due Diligence Report shows the POL expired in 1985, and should have reverted to the Crown at that time. But instead it has been rolled over at the expired peppercorn rental of \$20/year (0.5e/Ha/year). Much of the POL is mountain scree above 1100 metres, including the western Hodder watershed above Trail Stream, Trail Stream itself, Mt Gladstone (2,371 m) and the Red Hills (2,411 m). There is very little graZing as there is no soil on most of the expired POL, The photo supplied with the ReView, looking across Trail Stream, shows its mountain scree nature well.

The proposal is to transfer 954 Ha (25%) of lower lend In the expired POL to the adjacent Gladstone Downs-Mt Gladstone freehold owners, Alan and Beverley Pitts, The remainder, 2,850 Ha (75%) - is proposed for transfer to scenic reserve (DOC). There is no need for any of the expired POL to be transferred to the adjacent landowner, as they have no legal right to any of it as their Occupation licence (5 14 CPL Act) has expired, as distinct from lessee rights with a pastoral lease, which has renewable rights.

The expired POL lies next to the most used route to the Inland Kaikouras, namely up the Hodder River gorges and over the expired POL to the Inland Kaikoure Scenic Reserve. This reserve contains two of the highest peaks outside the Mt Cook region, namely Mt Tapuae O Uenuku (2885 m) and Mt Alarm (2877 m). It is the primary land reserved in the Inland Kaikoura Range, one of New Zealand's major mountain ranges The Renge is resdily visible from Wellington and WalraraPa on clear days, and lass readily from Christchurch hills as s small blob on the northern horizon,

1.1 Mountain huts:

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The only recreational huts in the Inland Kaikoura Range are sited on the expired POL, at about 1400 metres on the true left of the Hodder, and are maintained by the Marlborough Tramping Club. These huts get significant use, probably more than that recorded by the Pitts, as many people do not ring them for permission, nor do they record their names in the Tramping Club's hut books. At certain times in the 1990s recreational use was said to be about 3,000 per year. Though this may have dropped off recently, it is still likely to be about 2,000/year.

Access to and through this POL to the Mt Tapuae O Uenuku Scenic Reserve is a major issue with this expired POL for the following reasons. Legal public access to the Inland Kaikouras for tramping, mountaineering, recreational hunting, skiing etc is by the bed of the Hodder River, through the lower and upper Hodder gorges. Between 60 and 90 crossings of the Hodder are involved in accessing the two huts in the upper Hodder valley,

1.2 Access easement over Gladstone Downs to the Lower Hodder Gorge:

The bed of the river through the freehold land is Crown land because the existence of marginal strips along this river. The Pitts have been very good to the public in allowing public access when requested, across the first 5 km, via their farm track, which is well above the river. This is the route used by 99% of the public, because it is faster, and saves 30 river crossings and avoids any flood danger. Formalisation of this route, which presently depends solely on the owners' goodwill, is highly desirable to secure permanent public access to and enjoyment of the land allocated to DOC.

1.3 Escape Route over Gladstone Downs or Mt Gladstone when the river is flooded:

Another issue is an escape route from the surrendered POL, down the Hodder, when the river rises. All this riverbed is subject to flooding, and so is unsuitable for access when the river is high (rain or snow-melt). There is an escape route via the saddle from the upper Hodder, above the huts, and down the much smaller Trail Stream, on the proposed scenic reserve. However, an escape route around the lower Hodder Gorge would be desirable, even on the basis that it was only available when the river is in flood, NZDA proposes emergency access of this sort also be negotiated, An alternative escape route that has been used may involve access across the Mt Gladstone land.

1.4 Swap With the former licensees:

No improved public access easements are discussed or proposed in this PP. NZDA asks that these two public accesses be negotiated as a condition of transferring the 25% of the POL, to give certain long term public access, This access currently depends on the goodwill of the Pitts, or future owners, so is not certain or secure. A change of owner is likely to see this privilege withdrawn, something that happens increasingly with change of ownership these days,

Public access across the freehold land should be discussed, because LINZ has a responsibility to provide (S 83 (c) (i) "the securing of public access to and enjoyment of Crown land"). This is the best, and probably only, opportunity to discuss the matter with the Pitts, especially as they are receiving 25% of the expired POL that the Crown can otherwise keep. This is the only opportunity for LINZ to fulfil its obligations improve public access to this area of public conservation land, No public access easements at all are proposed in this PP.

2 Big game species:

The area has three big game species. Chamois is probably the most important recreationally, but there are also wild goats and wild pigs, possibly Red deer. Recreational hunters can come from significant distances eg Blenheim, Wellington, Nelson and Christchurch to hunt in the Inland Kaikoura Ranges.

It appears the Pitts have not encouraged recreational hunting when this was a POL So recreational hunting by the public will be a new recreational activity opened up by making this land public conservation land. There is significant potential for recreational hunting on the expired POL, and the adjacent Scenic Reserve.

3 Suitability for production as public conservation land:

I have been visiting the Hodder and the POL for the last 30 years. I have seen merinos grazing the hillside NW of Trail Stream (above the Hodder) on one occasion. But it is highly unlikely there is grazing for 650 wethers on the POL, as claimed on page 5 of the Review. Classes 6 and 7 lands have severe limitations for grazing. The expired POL has never been over-sown and top-dressed, as lower parts of the freehold land have, confirming pastoral development on what is primarily scree slope is not attractive.

4 Marlborough Tramping Club Huts:

These two huts on the true left of the Upper Hodder at about 1400m provide important shelter for recreational users in what can be a very severe mountain environment, with the very strong winds and cold

NZDA Sub Mt Gladstone Feb09.doc

that the Kaikouras are known for. The Marlborough Tramping Club does a marvellous job of maintaining these huts, one of which it built itself, and one it took over from the Tararua Tramping Club of Wellington, about 1974.

The Club should be allowed to continue providing this service, which should be formalised, should it so desire. In the due diligence report, there is no record of a licence or permit having been issued for the huts. So the present arrangement appears to be an informal one.

5 Conservation Park status for the Crown land being allocated to DOC;

The Crown land proposed to be allocated to DOC is primarily wildland scree slopes and lower mountain tops. It is hardly the scenic views stuff of scenic reserve. NZDA proposes instead that the land be transferred to the recently formed Kaikoura Conservation Park. This is in line with the Government's objectives for tenure review, of adding the land to present or new conservation parks. Conservation Park status is more in line with the dominant users of the Mt Gladstone POL area - recreational, hunters, trampers, climbers, cross-country skiers etc, and its open space characteristics.

6 Conclusion:

1 Better public access negotiated: NZDA wishes to see an adequate land access route reserved across the freehold land to/from the Hodder Bridge, to ensure secure land-based public access, and allow avoidance of flood conditions in the Hodder, as described above. Given that 25% of the expired POL is being proposed for the adjacent landowners, LINZ should formalise the present "by permission only" public access across the freehold land discussed above. No improved public access is proposed by LINZ in this PP. If this cannot be negotiated, then NZDA opposes the 25% of the reviewable land being allocated to the former licensees.

2 Land being transferred to POC be designated as Conservation Area/Conservation Park: NZDA strongly supports the land being proposed for transfer to DOC control to become conservation area, and then part of the Kaikoura Conservation Park, in line with Govt's High Country Objectives of forming or adding to conservation parks with this new public land. The Crown land proposed for freeholding has minimal value for grazing. Not freeholding it would save significant costs, as the boundary then becomes the unformed public road shown in the cadastral map, and needs no fencing.

2 Better public access negotiated: NZDA wishes to see an adequate land access route reserved across the freehold land to/from the Hodder Bridge, to ensure secure land-based public access, and allow avoidance of flood conditions in the Hodder, as described above. Given that 25% of the expired POL is being proposed for the adjacent landowners, LINZ should formalise the present "by permission only" public access across the freehold land discussed above. No improved public access is proposed by LINZ in this PP. If this cannot be negotiated, then NZDA opposes the 25% of the reviewable land being allocated to the former licensees.

3 Recognition and protection for the Marlborough Tramping Club huts: The MTC huts should remain under MTC control, and be authorised to continue, should MTC desire this.

Please contact me if you wish to discuss this Submission further,

Yours truly

Dr Hugh Barr
National Advocate



Caroline Mason

From: Diane Fitzgerald
Sent: Tuesday, 17 February 2009 4:08 p.m.
To: Caroline Mason
Subject: FW: Mt Gladstone Pastoral Occupation Licence submission
Attachments: Mt Gladstone POL submission.doc

Diane Fitzgerald
Office Co-Ordinator

DTZ

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Please consider the environment before printing this e-mail

From: Debs Martin [mailto:d.martin@forestandbird.org.nz]
Sent: Tuesday, 17 February 2009 4:07 p.m.
To: Diane Fitzgerald
Subject: Mt Gladstone Pastoral Occupation Licence submission

Please find attached the submission on behalf of Forest & Bird. A hard copy will also be posted.

Kind regards,

Debs Martin
Regional Field Officer (Top of the South)
Royal Forest and Bird Protection Society of NZ Inc
215 Akersten Street
PO Box 266
Nelson

Phone 03-545-8222

18/02/2009



"And forget not that the earth delights to feel your bare feet and the winds long to play with your hair."
Kahlil Gibran, "The Prophet"

Top of the South Regional Office
POBox 266
Nelson 7040



17 February 2009

Commissioner of Crown Lands
c/- DTZ
PO Box 142
CHRISTCHURCH

Dear Sir/Madam

Re: Review of Other Crown Land— Mt Gladstone Pastoral Occupation Licence

This submission is presented on behalf of the Royal Forest and Bird Protection Society of NZ (Inc).

1. Introduction

Forest and Bird welcomes this preliminary proposal on the unrenowable Mt Gladstone pastoral occupation licence. The proposal, in general, coincides with the solution advocated by Forest and Bird since 1991.

We do however have concerns about a number of matters which we believe require further attention to properly implement the objects of Part 3 of the Crown Pastoral Land Act 1998. These concern a section of the boundaries contained in the present proposal, fencing requirements, land management and the adequacy of provision for public access.

As far as the adequacy of the current public submission process is concerned, a major deficiency in the Summary of Public Information is the absence of any outline of the purpose of pastoral occupation licences or the history of this particular occupation licence. In our view these are very important aspects of the background to the present proposal and a summary of them should therefore have been included.

2. Support in general for the proposal

Forest and Bird support the broad intention of the present proposal. In particular we fully support the retention in full Crown ownership and control of the whole of the Red Hills, the entire catchment of Trail Stream and the higher altitude terrain on the northern faces of Mt Gladstone. We also fully support the designation of the land proposed for retention in full Crown ownership and control as Scenic Reserve, and hope that it will be immediately added to the Tapuae O Uenuku Scenic Reserve which has always been too

small to adequately protect the values of the highest mountains in New Zealand outside of the Southern Alps.

We do on the other hand have some significant concerns about the proposed freehold boundary across the central section of the Awatere face of Mt Gladstone as outlined in the next section.

3. Boundary adjustments required

As far as areas proposed for freeholding are concerned, we accept the proposals for freeholding the area between the Hodder River and vertical gridline 61 and, in the west, the area between Gladstone and Totara streams. However, we do not consider that a case can be made for freeholding the remainder of the areas south of the present POL boundary given the altitude and characteristics of the terrain in this part of the licence area. There appears to be no good reason for switching to this proposed "contour" boundary. If there is going to be an arbitrary boundary, then retention of the present straight line would be as sufficient. However, we propose that instead the boundary here should follow the existing fenceline across this section of the Mt Gladstone northern face, with the surrender of the modest area of existing freehold land that this would involve being traded against the considerably larger areas of occupation licence currently being proposed for freeholding. Such a boundary would be much more in keeping with the objects of the Crown Pastoral Land Act with grazing remaining available above this boundary through a Department of Conservation concession. With respect to these areas, we do not consider that the justification given for the proposed boundaries (i.e. that "these areas are considered to be capable of economic use that **appears** to be ecologically sustainable at the present time" [emphasis added]) is adequate fulfillment of the requirements of the objects of s.83 of the Crown Pastoral Land Act. Further comments on this issue will also be traversed in our concerns regarding fencing requirements, and a proposal for a covenant on sustainable land use practices.

4. Fencing requirements and limitation of grazing

New fences proposed need to be of adequate extent to exclude stock from the entire catchment of Trail Stream in the east and the areas of Gladstone and Totara streams in the west above the resulting freehold/scenic reserve boundary. Apart from these, if our proposals for utilising the existing fenceline are adopted, we see no need for any new fences across the northern face of Mt Gladstone.

Our initial preference is for grazing not to be permitted through the extended area we believe should be retained in Crown ownership. Ewans¹ study of the effects of removing grazing from native grasslands concluded that removal of grazing has generally been considered beneficial to the indigenous components of native grasslands, although the results are variable and need to be considered in context. Grazing selectively reduces biodiversity by reducing plant communities to a subset of grazing resistant plants and

¹ Ewans, **Richard**, 2004. **Effects of removing grazing from native grasslands in the eastern South Island of New Zealand: a literature review.** Department of Conservation.

makes the ecosystem more vulnerable to weed invasion. Lee et al² in a study of tussock regeneration found that grazing affected regeneration by reducing the overall recruitment of tussock seedlings, reduced the proportion of seedlings in the smallest size class, and reduced mean seedling height.

However, if there is to be any grazing beyond the freehold boundary, then it should be done through a DOC concession and include the issues outlined above. Fencing would then need to be adequate to ensure stock did not access beyond the boundaries outlined in the preliminary proposal. Furthermore, any grazing in these areas should be at ecologically sustainable levels.

5. Sustainable management covenant

Although a recommendation is that a covenant is not required because there are no SIVs in the area, and it is simpler to dispose of in freehold title if there is not a sustainable management covenant, Forest & Bird submits that there are other values whereby a covenant should be considered.

Firstly, if our recommendation to modify the existing fenceline is adopted, then a covenant could provide for the grazing options suggested above. Secondly, the area of land to be freeholded will adjoin an important scenic reserve that is accessed by around 450 - 700 people per year. The landscape values of the area need protecting from any inappropriate land use in the area that would detract from these values. One such example is the possibility of forestry, as well as any potential threat from the spread of wildings.

6. Public access

Among the objects listed in s.83 of the Crown Pastoral Land Act is "to make easier the securing of public access to and enjoyment of Crown land" and in this objective, Forest and Bird submits that the proposal falls short of meeting the requirements of the Act. In particular, the following two aspects of public access need to be provided for in the final agreement:

An access agreement needs to be created up the unnamed stream (we understand to be known as "Surprise Creek") which flows into the Hodder River from the west about 1km below Trail Stream and extended across the low saddle into Trail Stream about 800m up this unnamed stream. This provides the easiest access into Trail Stream and an easement securing this access should be a condition of freeholding this part of the current licence area.

While it is possible to follow the Hodder River from the public road through the Awatere Valley by far the easiest access through the lower reaches is via a vehicle track on Mt Gladstone freehold land. The proposal notes that this access is regularly used, but is

² Lee, W.G.; Fenner, M; Duncan, R.P, 1993. Pattern of natural regeneration of narrow-leaved snow tussock *Chionochloa rigida ssp. rigida* in Central Otago, New Zealand. *HZ Journal Botany* 31: 117-125

presently only available by permission only. Since (a) this is the main access to both the new areas of scenic reserve proposed to result from this process and the highest mountains in New Zealand outside of the Southern Alps; and (b) is only currently available with the permission of the freehold owner, it would be much more in keeping with the requirements of the Act if public access across this part of the Mt Gladstone freehold could be better "secured" in the current process than it is at present.

6. Conclusion

We hope the above comments are useful to you in your deliberations. As you will be aware, Forest and Bird has been advocating for a number of years for progress on achieving the objects of the Crown Pastoral Land Act with respect to occupation licences and are hence very pleased to see some resolution in sight with respect to Mt Gladstone. It is, however, critical that any review clearly measures up to the objects of the Act. And in this regard we consider the current preliminary proposal needs further attention in the areas we have outlined in this submission.

Forest and Bird appreciates the opportunity to make a submission on the proposal, and would welcome further discussion that might facilitate an improved outcome.

Debs Martin
Regional Field Officer

Andrew Dennis
Committee Member



Caroline Mason

From: Hugh Barr [hugh@infosmart.co.nz]
Sent: Tuesday, 17 February 2009 4:11 p.m.
To: Caroline Mason
Subject: CORANZ Submission: Mt Gladstone expired POL
Attachments: Mt Gladstone POL CORA17Fe09.doc

Caroline: Council of Outdoor Recreation Associations of NZ submission attached.
Regards
Hugh Barr
Secretary
Tel 64 4 934 2244 Fx 64 493422440276860063
hugh@infosmart.co.nz

Council of Outdoor Recreation Associations of New Zealand Inc

POBox 1876 Wellington
Tel&Fax +6449342244
hugh@infosmart.co.nz

17 February 2009

DTZ Tenure Review
Box 142
Christchurch
carolinemason@dtz.co.nz

CORANZ Submission: Mt Gladstone Crown Land (Part 3 CPL Act)

This submission is made by the Council of Outdoor Recreation Associations of NZ (CORANZ) on this Part 3 Crown Pastoral Lands Act review of the Mt Gladstone expired Pastoral Occupation Licence (now Occupation Licence).

CORANZ is the national association of seven major national outdoor recreation associations – New Zealand Deerstalkers Association, New Zealand Federation of Freshwater Anglers, New Zealand Four Wheel Drive Association, Option4 – Recreational Sea Fishers' Trust, Public Access New Zealand, New Zealand Bowhunters Society, New Zealand Salmon Anglers Association; Jet Boating New Zealand, and the regional Marlborough Recreational Fishers Association. CORANZ member associations have approximately 20,000 members in total, and represent one of the larger membership alliances of outdoor recreation associations in New Zealand.

1 Mt Gladstone Expired POL:

I personally have been tramping and climbing in the Inland Kaikouras since 1974, and have made over twelve trips up the Hodder in the last 20 years. So I have good knowledge of the area and the issues.

The Due Diligence Report shows the POL expired in 1985, and should have reverted to the Crown at that time. But instead it has been rolled over at the expired peppercorn rental of \$20/year (0.5c/Ha/year). Much of the POL is mountain scree above 1100 metres, including the western Hodder watershed above Trail Stream, Trail Stream itself, Mt Gladstone (2,371 m) and the Red Hills (2,411 m). There is very little grazing as there is no soil on most of the expired POL. The photo supplied with the Review, looking across Trail Stream, shows its mountain scree nature well.

The proposal is to transfer 954 Ha (25%) of lower land in the expired POL to the adjacent Gladstone Downs-Mt Gladstone freehold owners, Alan and Beverley Pitts. The remainder, 2,850 Ha (75%) - is proposed for transfer to scenic reserve (DOC). There is no need for any of the expired POL to be transferred to the adjacent landowner, as they have no legal right to any of it, as their Occupation licence (S 14 CPL Act) has expired, as distinct from lessee rights with a pastoral lease, which are perpetually renewable.

The expired POL lies next to the most used route to the Inland Kaikouras, namely up the Hodder River gorges and over the expired POL to the Inland Kaikoura Scenic Reserve. This reserve contains two of the highest peaks outside the Mt Cook region, namely Mt Tapuae O Uenuku (2885 m) and Mt Alarm (2877 m). It is the primary land reserved in the Inland Kaikoura Range, one of New Zealand's major mountain ranges. The Range is readily visible from Wellington and Wairarapa on clear days, and less readily from Christchurch hills as a small blob on the northern horizon.

2 Better Public Access from Hodder Bridge to the Hodder Lower Gorge needed:

CORANZ makes the same points as the New Zealand Deerstalkers' Association, ie we support their submission, which covers in detail the need for negotiating better and more permanent easements across the initial 5 km of farm tracks to the Lower Hodder gorge, and for an emergency access around the lower gorge when the riverbed route through the lower gorge is impassable.

Such negotiation is possible because the Crown has no legal obligation to hand on to the adjacent owner areas of expired POL, but should fulfil its obligation for public access because of this.

If the Crown wishes to do this, it should also agree to gain adequate public access to the transferred public land. The Preliminary proposal provides no public access easements at all, whereas it should, to meet LINZ's obligation under the CPL Act, to "secure public access to and enjoyment of Crown land". The major importance of public use of this route demands provision of better public access.

3 Conclusion:

CORANZ requests the following:

1 Better public access negotiated: CORANZ wishes to see an adequate land access route reserved across the freehold land to/from the Hodder Bridge, to ensure secure land-based public access, and allow avoidance of flood conditions in the Hodder, as described above. Given that 25% of the expired POL is being proposed for the adjacent landowners, LINZ should formalise the present "by permission only" public access across the freehold land discussed above. No improved public access is proposed by LINZ in this PP. If this cannot be negotiated, then CORANZ opposes the 25% of the reviewable land being allocated to the former licensees.

2 Land being transferred to DOC be designated as Conservation Area/Conservation Park: CORANZ strongly supports the land being proposed for transfer to DOC control to become conservation area, and then part of the Kaikoura Conservation Park, in line with Govt's High Country Objectives of forming or adding to conservation parks with this new public land. The Crown land proposed for freeholding has minimal value for grazing. Not freeholding it would save significant costs, as the boundary then becomes the unformed public road shown in the cadastral map, and needs no fencing.

3 Recognition and protection for the Marlborough Tramping Club huts: The MTC huts should remain under MTC control, and be authorised to continue, should MTC desire this.

Please contact me if you wish to discuss this submission further.

Yours truly

Dr Hugh Barr
Secretary



Caroline Mason

From: Natasha Naus [nnaus@historic.org.nz]
Sent: Tuesday, 17 February 2009 5:30 p.m.
To: Caroline Mason
Subject: Mt Gladstone Tenure Review - Submission
Attachments: NZHPT submission - Mt Gladstone Tenure Review 17 Feb 09.pdf

Dear Caroline

Please find attached the NZHPT submission on the Pastoral Occupational Lease for Mt Gladstone.

Could you please reply and confirm that you received our submission.

If you have any questions regarding this submission please do not hesitate to contact me.

Kind regards

Natasha

Natasha Naus
Heritage Advisor, Crown Land Disposal, Central Region
Historic Places Trust | Pouhere Taonga
Levell Tadiu House, 1 Blair Street
PO Box 19173 | Wellington
Phone: 04 801 5088
Fax: 04 802 5180
www.historic.org.nz



Please consider the environment before printing this e-mail

New Zealand Historic Places Trust
Pouhere Taonga



Patron:
His Excellency The Hon
Anand Satyanand, PCNZM
Governor General of New Zealand

17 February 2008

Caroline Mason
DTZ
PO Box 142
Christchurch Mail Centre
CHRISTCHURCH 8140

Dear Caroline

Re: Review under Part 3 Crown Pastoral Land Act: Mt Gladstone

Thank you for providing the NZHPT with a copy of the notice and summary of the proposed designations for the review of the Mt Gladstone Pastoral Occupation Licence.

We would like to make the following submission:

NZHPT has carried out a desk top study including checking the Marlborough District Plan, the New Zealand Historic Places Trust (NZHPT) Register and the New Zealand Archaeological Association (NZAA) Site Recording Scheme.

There are no sites registered with NZHPT on the pastoral occupation licence land but two registered buildings are in close proximity on freehold land currently owned by Mt Gladstone Run Limited:

- The Mount Gladstone Cuddy (Category II Historic Place, Record No. 1491); and
- The Mount Gladstone Cobb Cottage (Category II Historic Place, Record No. 2936).

These buildings were constructed circa 1849-1850 and are linked to former run holders and pastoral farming in the Awatere Valley.

There are no heritage items identified in the Marlborough District Plan and no sites in the immediate location of land disposal are recorded with NZAA. However, given the long pastoral history of this area there is a possibility that unrecorded archaeological sites are present.

Some basic historic research using an old survey map from 1888 (SO 390) has revealed that a number of features and structures were present in the Gladstone Run area, these include:

- Mustering tracks;
- Red Hills Mustering Camp;
- Hodder wharf; and
- Gladstone Homestead.

The *Conservation Resources Report* (Department of Conservation, May 2005) gives a brief overview of the history of the lease holders but states that, "there are no known sites of historic interest on the Pastoral Occupational Licence". However, the NZHPT is not aware of any comprehensive heritage assessment or archaeological survey that would inform this view.

The NZHPT cannot be certain that there are no historic heritage values (including pastoral heritage) on the land and at this time we are unable to provide comment on possible protection measures required within that area.

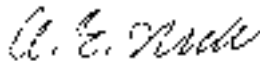
In order to address these concerns, the NZHPT recommends that:

1. A comprehensive heritage assessment of the land is undertaken that would identify key historic values; physical values; and cultural values as set out under the Historic Places Act 1993.
2. If archaeological, cultural, and/or pastoral heritage sites and features are identified through this research a comprehensive archaeological survey should be undertaken to ensure these sites are recorded within the New Zealand Archaeological Association Site Recording Scheme. NZHPT should be supplied with the results of the archaeological survey at that time.
3. If significant historic heritage places are identified in the survey, we would welcome the opportunity to make further recommendations on appropriate protection measures.

Current and possible future owners should be made aware that work affecting archaeological sites is subject to the archaeological authority process under the Historic Places Act 1993 and that if any activity by the owner or purchaser of the land may modify, damage or destroy any archaeological site(s), an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement.

The NZHPT looks forward to continuing to be consulted on the Tenure Review process and would welcome the opportunity to discuss our recommendations with you further.

Yours faithfully,



Ann Neill
General Manager
Central Region Office
New Zealand Historic Places Trust/Pouhere Taonga



Federated Mountain Clubs of NZ (Inc)



P.O Box 1604
WELLINGTON 6140
www.fmc.org.nz

secretary@fmc.org.nz

The Commissioner of Crown Lands
CI-DTZ
P O Box 142
CHRISTCHURCH

16 February 2009

Dear Sir



Submission: Review under Part 3 Crown Pastoral Land Act: Mt Gladstone Om 016

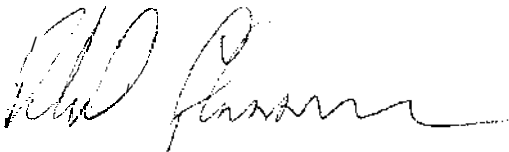
I write on behalf of Federated Mountain Clubs of NZ Inc. Federated Mountain Clubs has 100 member clubs which represent some 12000 members of tramping, mountaineering, climbing and other outdoor clubs throughout NZ, and indirectly represents the interests and concerns of many thousands of private individuals who may not currently be members of clubs but who enjoy recreation in the back country.

The Federated Mountain Clubs makes the following points

1. Federated Mountain Clubs has no objection to the freeholding of approximately 954 hectares as detailed in the Notice of Preliminary Proposal, and supports the retention of 2850 approximately hectares for designation as public conservation land.
2. The Conservation Resources Report states that (2.7.2 Legal access) "Legal public foot access to the property is available via legal roads along the Hodder River and the Awatere and Winterton Rivers, from the Awatere Valley Road. The most practical foot access is via freehold land in the Hodder Valley" and (2.7.3 Activities) "...The Hodder Valley provides the main tramping route for the ascent of the peaks of the Inland Kaikoura Range notably Tapuac O Ucnuku, Mt Alarm, and Mitre Peak."
3. The Pitts of Mt Gladstone Run have for many years allowed trampers travelling up the Hodder River to make use of a farm road on terraces adjacent to the river for the first 3km of valley. While this is a convenience the lower portion of the river is flat and easily travelled on foot, in contrast to the remaining 11 km where riverbed travel is not always possible, necessitating several detours one in particular which in avoiding a waterfall sidles some 100 metres up the hillside on the true right on Camden Pastoral Lease land also occupied by the Pitts family.
4. Federated Mountain Clubs is concerned by reports that should the Pitts not gain freehold title to their current occupation licence land they intend closing the practical walking access through the other leasehold land (Camden Run) they occupy in the Hodder Valley.
5. Federated Mountain Clubs acknowledges it may not be possible to remedy this situation through the mechanism of this review.

6. Federated Mountain Clubs asks that through this review all lawful steps be taken to secure practical public walking access from the Awatere Road to the Public Conservation Lands of the Inland Kaikoura Ranges via the Hodder River valley as required by Part 3 CPLA 1998 including provision of an easement to confirm the legal access referred to in the Conservation Resources Report.
7. The Federation wishes to place on record its gratitude to the Pitts family for many years of service to the tramping and climbing fraternity.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Phil Glasson', written in a cursive style.

Phil Glasson
Secretary



Caroline Mason

From: Lynda & Noel [noel.lynda@xtra.co.nz]
Sent: Saturday, 21 February 2009 8:38 p.m.
To: Caroline Mason
SUBject: Emailing: SUBMISSION ON MT GLADSTONE
Attachments: SUBMISSION ON MT GLADSTONE.doc

The message is ready to be sent with the following file or link attachments:
SUBMISSION ON MT GLADSTONE

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

SUBMISSION ON MT GLADSTONE CROWN PASTORAL LAND TENURE REVIEW

INDRODUCTION

The parcel of land under scrutiny in this tenure review is very well known to us. For many years now we have spent a great deal of time tramping, climbing, camping and enjoying the special high country features that it offers. Accordingly, we feel that we are in an ideal position to offer a practical, reasoned and "hands on" opinion that is free from personal self interest.

TRANSFER OF OWNERSHIP

We strongly believe that the preliminary proposal to retain in crown ownership 2850 HA of the total area of 3804HA is extreme. In the years that we have made regular excursions into the area we have witnessed summer grazing by sheep well up into the Red Hills area, Trail Stream and well along the east and west fences of the long ridge that runs up to the summit of Mt Gladstone. In fact, these roaming animals would probably drift to higher altitudes if it were not for natural barriers that impede their easy movement. Vesting of this land to scenic reserve status would seem to us to be a waste of land that could instead be put to practical, economic and productive capacity in a world which we are now being told by experts may become increasingly short of land available for food production and equally short of affordable quality food.

VEGETATION

We have during our visits to the area, noted an increase by the invasive weed Hieracium which we attribute to the uncertainty generated by the pastoral lease/Tenure Review process where by regular fertilizing and over sowing is probably curtailed because the land user is unsure of the long term or permanent use and/or ownership of the area. It must be realized that no pastoral farmer is going to commit financial resources to such improvements when the future is so uncertain. With certainty will come a commitment to increased productivity and consequently superior ground cover which will, in all probability, result in the suppression of such weeds.

RECREATION

The vast majority of people who visit this area use only the extreme eastern edge of it as they travel up the Hodder River en route to the Marlborough Tramping Club huts near the confluence of Staircase Stream and the Hodder. The Pitts family have for many years done a huge public service by allowing people access over their property to follow a dream of ascending Mt Tapuane - o - uenuku, the highest mountain in New Zealand north of the Mt Cook massif. They have answered phone calls at all hours of the day and night from climbers asking about current snow conditions, the weather and the state of the river. They also operate, on behalf of the Marlborough Tramping Club, a hut registration diary and have even been known to collect hut fees from those who may have been less than honest about their intentions to pay the very affordable fee. It would be a tragedy if the voluntary work of the Pitts family was to be lost to the climbing and

tramping fraternity. In our opinion it would also be a concern if the land bounded by the huts were to become part of the conservation estate and the huts compliant with all the bureaucracy that goes with it.

CHANGING LAND USE PATTERNS

In considering this preliminary proposal we suggest that an holistic approach needs to be taken in deciding the future of this land. i.e. can this area retain some productive capacity at the same time as enshrining some of the conservation values that other submitters may want, - we believe that a suitable trade off is possible given the Pitts family's historical connection with this land.

As part of that holistic approach we ask that changing land use patterns in Marlborough, (which are not dissimilar to other regions), be examined. In Marlborough we have witnessed thousands of hectares of highly productive and fertile soils that once produced fruit, vegetables, cereals, meat, wool and supplementary feed consigned wholly to the production of alcohol. We are also now seeing large areas turned over to the production of rape seed oil for conversion to bio-diesel. Marlborough now draws all its meat and most of its fruit and vegetables from outside its boundaries. We fully realize that these changes are hard to counter but would it not be better to keep as much of the land under consideration at Mt Gladstone in food production as possible given that we face a world increasingly under pressure to provide food for a burgeoning population. The productive capacity of the Mt Gladstone block admittedly may not be great but surely something is better than nothing.

Its great to enjoy a good bottle of wine by you actually need something to eat with it'

CONCLUSION

We believe that much of the land proposed for retirement to the crown is still useable in a pastoral context and that the benefits of allowing that to continue, (although not so obvious at this point in time), will be proven to be a wise decision in the future. We also believe that any conservation values will be well, if not better, managed by the Pitts family as they would by the Conservation Department given that it is being burdened by ever increasing areas of land to administer and budgets that proportionally do not seem to increase sufficiently to be able to address all of the issues.

We also believe that the management of the land by the Pitts family is at the very least equal to industry best practices and that if they re given some certainly over their use of this land they will respond to the challenges in a way that will ultimately be a win, win for everyone.

Thank you for considering our submission.

Kind regards

Noel & Lynda Pope

Waihopai Valley Road

RD6

Blenheim

Ph: 03 5724042

Email: noel.lynda@xtra.co.nz