



Crown Pastoral Land Tenure Review

Lease name : Quailburn

Lease number : Po 336

Public submissions

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

August 03



Department of Botany

Division of Sciences
PO Box 56, Dunedin
NEW ZEALAND

University of Otago
Te Whare Wananga o Otago

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Manager,
DTZ (NZ) Ltd.,
PO Box 27,
ALEXANDRA.

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November 27, 2002.

SUBMISSION ON PROPOSED TENURE REVIEW: QUAILBURN PASTORAL LEASE

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it, although my knowledge of the areas involved is more superficial than many others I have responded to to date.

I have read the proposal for tenure review of the Quailburn Pastoral Lease very carefully and am generally very impressed. With the distribution of the Lease's (7414 ha) proposed allocation of some 71% (5278 ha) to full Crown ownership and control and the remainder (29%; 2136 ha) to be freeholded, the balance is clearly strongly in favour of allocation to public conservation/recreation lands.

Moreover, the natural values of the area proposed for transfer to the Crown are relatively very high and, given that the whole of the Quailburn Block (CA1) represents important altitudinal sequences, including sections of both the main branch and the east branch of the Ahuriri River, and all of the extensive northern boundary of the block is contiguous with the Ohau Conservation Area, this would represent a very significant gain for conservation. There is obviously a high level of biological and habitat diversity, and high natural landscape values in this Quailburn Block, from mountain beech forest to alpine scree, plus a range of wetland types. I accept that the small areas of degraded land in this block should remain with the balance of the block and be protected as a component of it. It is to be hoped that monitoring of representative areas of this block, on transfer to the Department of Conservation, will be initiated for the significance it could have for future management of other areas of South Canterbury high country.

The second, much smaller area of proposed conservation land (Area CA2: 402 ha), would also make an important addition to the protected natural areas network, given its diversity of glacial features and wetland types from a rare stand of copper tussock grassland to a series of important kettle holes containing a range of turf communities with high biodiversity and also habitat values for several nationally and regionally threatened wading birds (black stilt, rycbill, black-fronted tern). The provision for public foot access plus non-motorised vehicle and horse access to this area, as well as access for conservation management purposes, are appropriate.

In conclusion, I offer my unqualified support for this 'preliminary proposal' which is a very pleasant change from most of the several other tenure review proposals which I have commented on to date. I commend all those involved with this proposal, particularly the lessors, and trust that it will remain unchanged to completion.

I thank you again for the opportunity to comment on this proposed tenure review.

Yours sincerely,

Alan F. Mark FRSNZ.
Professor Emeritus

From:
Sent: Tuesday, 10 December 2002 10:55 p.m.
To:
Subject: Quailburn PL Draft Tenure Review

Dear Ken,

I'd like to support this proposal as written. I congratulate the participants on the outcome. I support entirely. Well done, a great outcome for the NZ public.

regards

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South Canterbury Branch
29a Nile St
Timaru

08.12.02

The Manager
DTZ New Zealand Ltd
Land Resources Division
P.O.Box 27
Alexandra



FOREST
& BIRD

ROYAL FOREST AND
BIRD PROTECTION
SOCIETY OF
NEW ZEALAND INC

Dear Sir/Madam

Re: Quailburn Tenure Review - Preliminary Proposal

The Branch and its members have visited Quailburn and walked or travelled through some of the property and were impressed by the natural values and forests seen there.

So, in general, the Branch fully supports the preliminary proposal which would see significant parts of the property retained by the Crown for conservation purposes.

Yours faithfully,

Fraser Ross,
Field Officer for SC Branch.

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From:

DTZ NEW ZE
ALEXANDRIA
13 DEC
RECEIVED

10.12.02

Dear Sir,

Quail Burn Station
Aurora Valley.

This is to say that I
fully endorse the proposal
for the tenure review of the
above station.

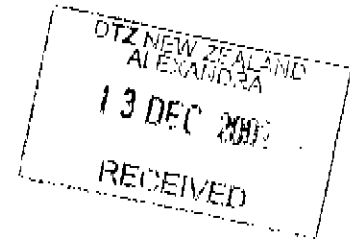
Yrs. faithfully

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

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



Dear Sir

Re: Preliminary Proposal for Tenure Review: Quailburn Pastoral Lease.

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 13,000 members of tramping, mountaineering, climbing and other outdoor recreation clubs throughout NZ, and indirectly represents the interests and concerns of many thousands of private individuals who also enjoy recreation in the back country.

On their behalf, FMC aims to enhance and have formally recognised, the recreation opportunities on leases under review, to protect their natural values, and to improve public access on high country pastoral leases through the tenure review process.

FMC fully supports the statutory aims of tenure review: "*to promote the management of reviewable land in a way that is ecologically sustainable... .. to enable the protection of the significant inherent values of the reviewable land... .. and to make easier the securing of public access to and enjoyment of reviewable land*" (Crown Pastoral Land Act 1998, S.24).

FMC is grateful for this opportunity to comment on the preliminary proposal for Quailburn Pastoral Lease.

THE PRELIMINARY PROPOSAL

The following designations and protective mechanisms are included in the proposal:-

1. 5278 ha (*approximately*) to be designated as land to be restored to full Crown ownership and control as a conservation area under Section 35 (2) (a) (i) of the Crown Pastoral Land Act 1998
2. 2136 ha (*approximately*) to be disposed of by freehold disposal to T J and J Cooke under Section 35 (3) of the Crown Pastoral Land Act 1998 subject to protective mechanisms.

Protective mechanisms:

- (a) An easement under Section 40 (2) (c) Crown Pastoral Land Act 1998 to provide for public access by foot, non-motorised vehicle powered by a person, and horse to the proposed conservation area.
- (b) An easement under Section 40 (2) (b) Crown Pastoral Land Act 1998 to provide for conservation management access to the proposed conservation area.

FMC POSITION

FMC supports the general principles of tenure review, especially those relating to enabling the protection of the significant inherent values of the reviewable land, promoting the management of reviewable land in a way that is

ecologically sustainable and securing public access to and enjoyment of reviewable land" (Crown Pastoral Land Act 1998, S.24).

FMC (Dr Mike Floate) carried out an on site inspection of much the property on Thursday 21 November 2002 and this submission is largely based on observations during that inspection. We are grateful to the runholder, Terry Cooke, for his cooperation and assistance in relation to this inspection.

We believe that this proposal would see very significant gains for conservation and recreation. Please refer to the Appendix for the list of illustrations which accompany this submission.

We strongly support the proposal that the 4,900 ha which constitute the whole of the Quailburn block (CA 1) should be designated as land to be restored to full Crown ownership and control as a conservation area. We believe this is important in securing protection for a variety of significant inherent values included within the area. No less than three formerly identified Recommended Areas for Protection (RAPs) were identified on Glen Eyrie Downs during the Protected natural Areas (PNA) surveys of the 1980. A further RAP on the Quailburn block on the flats opposite Ben Avon Station was also identified as an RAP during those PNA Surveys. It is pleasing to note that most of these areas are included within the 5,000ha proposed as new Conservation land. The significant inherent natural values include the landscapes to be seen from the Birchwood Road (Fig. 1), the landscapes which include Yellow Lake, Green Lake and Lake Egg, the beech forest remnant near the former homestead site (Figs. 2 and 3), and the extensive snow tussock grasslands over the higher country. Perhaps more importantly, from the FMC perspective is the gain in recreational resources. Notwithstanding the physical difficulties of access across the Ahuriri River, we still believe this proposal represents major gains in the recreational opportunities available in the Mackenzie/Ahuriri area. Because these are associated with fine landscapes with other high natural values, these ensure a high quality recreational experience. The Quailburn Road and access up the relatively gentle slopes above Quailburn Bush provide good access to the Ohau Conservation area and the old farm buildings are an important resource in themselves.

The historic woolshed (Fig. 4) is still in working order and is equipped with shearing stands and wool press which certainly provide interest for recreational visitors with a rural background (Fig. 5). The woolshed is only one of nine buildings at the roadend at the Quailburn yards. The other buildings were formerly staff accommodation, stables and office/storage buildings, some dating from the days when Quailburn was an outstation of the vast Benmore Run. Some of these buildings are still in reasonable condition and could be restored for use as recreational accommodation (Fig. 6). This could provide ideal overnight accommodation for people arriving from some distance (say Christchurch or Dunedin) and embarking on a trip through the Ohau Conservation area.

For all the above reasons the Quailburn block will be a very valuable extension to the existing Ohau Conservation Area. (Fig. 7),

FMC also supports the inclusion of an area of about 400ha on Glen Eyrie Downs, which includes small tarns, kettle holes and wetland communities on outwash gravels (Fig. 8). These are important features of the outwash plains and fans of the Ohau Basin, and they represent valuable additions to the diversity of features of significant inherent value for conservation in the area.

FMC notes that public access to the conservation area CA 2 is to be provided by way of an easement designated a - b on the plan accompanying the Preliminary Proposal. While we accept that this satisfies the requirement to provide secure public access to the proposed new conservation land, we have reservations as to the practicability of this access for foot travel. The proposed access easement crosses the Serpentine Creek and a number of its tributaries (Fig. 9). We are aware that like most outwash areas these creeks are sometimes dry, but on occasions are subject to flooding. FMC believes that alternative access along the farm access track (from Glen Eyrie Downs due north to the largest of the tarns) or down one of the recently created laneways (Fig. 10) could be made available to the public at such times. We seek an extension to the easement such that public access via the farm track or laneway be made available (subject to runholder consent) at times when the formal easement route is impassable.

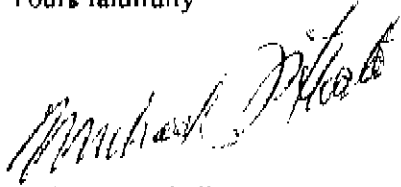
Please note that the illustrations (Figs 1 to 10) are attached and listed as an Appendix to this letter.

CONCLUSIONS

The tenure review of Quailburn pastoral lease provides an ideal opportunity to enhance the protection of the natural values in the Ahuriri/Mackenzie area. FMC strongly supports the proposals to create new conservation areas CA 1 and CA 2, and the access easement enabling public access over the route marked a - b to the area CA 2. We note that the new conservation area CA 1 will also be a very valuable extension to the existing Ohau Conservation Area.

We appreciate this opportunity to comment on the Preliminary Proposal for the tenure review of Quailburn pastoral lease, and wish to be heard in support of this submission if a hearing is held. We would be happy to be involved in further discussions regarding any of the issues discussed in this submission.

Yours faithfully



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

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APPENDIX. List of Figures Illustrating the FMC Submission on Quailburn Tenure Review Preliminary Proposal

Fig. 1 The significant inherent values of the Quailburn Block include landscapes. This is looking across the Ahuriri River from near Ben Avon Station and shows the 'Camelbacks' at the northern end of the Lease. The valley of Snowy Gorge Creek is partly obscured but the southern end of the Barrier Range can be seen. Quailburn provides access to some attractive and important recreation opportunities.

Fig. 2 As well as extensive tussock grasslands, and no less than three lakes, Quailburn includes a rare mountain beech remnant and shrublands on the scree slopes which include snow totara, coprosma and matagouri. These features are not only significant inherent natural values but they add significantly to the quality of recreational experience to be enjoyed.

Fig. 3 The beech forest is very open and includes a track which leads up a spur towards Ohau Peak which is located in the Ohau Conservation Area. This provides interesting and good access from the end of the Quailburn Road to an important recreation area.

Fig. 4 The historic 7-stand woolshed is still in working order, and provides additional interest for recreational visitors. It includes a wool room, covered yards, a drafting race and nearby, an interesting pot dip.

Fig. 5 The historic woolshed is a fascinating place for recreational visitors with a rural background. It includes a hand-operated wool press, shared pens for the shearers and still smells like a woolshed.

Fig. 6 There are nine buildings at Quailburn road end, some of which date from the 1870s when Quailburn was an out-station of the vast Benmore Run. Some of the buildings could be restored and would provide historic and appropriate accommodation for recreational visitors. This would be particularly useful for people travelling from a distance who could stay overnight before moving on the next day.

Fig. 7 This view shows the Quailburn block at the southern end of the Ohau Range. The upper boundary is just below the screes and snow patches which lie above about 1,200m. The view illustrates the easy access to the Ohau Conservation Area as seen from the proposed Conservation Area on Glen Eyrie Downs.

Fig. 8 Glen Eyrie Downs is the lowland part of Quailburn (~600m), situated in the Ohau Basin on the outwash deposits which lie between the Ohau Range and Lake Ohau, and extend southwards towards Ohau Downs and Omarama. These outwash deposits include some important kettle holes which are ephemeral wetlands and contain a great diversity of plant communities and attract a great diversity of birdlife. Whilst not extremely important for recreation, FMC supports the proposed designation as conservation land.

Fig. 9 This view shows where the proposed access easement crosses the Serpentine Creek. As in most outwash areas, such creeks are sometimes dry, but on occasions are subject to flooding. FMC believes that alternative access needs to be provided under such conditions.

Fig. 10 FMC recommends alternative access over the farm track (from Glen Eyrie Downs to the Proposed Conservation Area) or down one of the recently created laneways (shown in this view). We seek an extension to the easement (subject to the occupier's consent) such that alternative public access is available when the proposed easement is impassable.

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Fig.1 The significant inherent values of the Quailburn Block include landscapes. This is looking across the Ahuriri River from near Ben Avon Station and shows the 'Camelbacks' at the northern end of the Lease. The valley of Snowy Gorge Creek is partly obscured but the southern end of the Barrier Range can be seen. Quailburn provides access to some attractive and important recreation opportunities.



Fig. 2 As well as extensive tussock grasslands, and no less than three lakes, Quailburn includes a rare mountain beech remnant and shrublands on the scree slopes which include snow totara, coprosma and matagouri. These features are not only significant inherent values but they also add significantly to the quality of recreational experience.

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Fig. 3 The Quailburn Bush is a very open beech forest and includes a track which leads up a spur towards Ohau Peak which is located in the Ohau Conservation Area. This provides interesting and good access from the end of the Quailburn Road to an important recreation area.



Fig. 4 The historic 7-stand woolshed is still in working order, and provides additional interest for recreational visitors. It includes a wool room, covered yards, a drafting race and nearby, an old fashioned pot dip.

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Fig. 6 There are nine buildings at Quailburn road end, some of which date from the 1870s when Quailburn was an out-station of the vast Benmore Run. Some of the buildings could be restored and would provide historic and appropriate accommodation for recreational visitors. This would be particularly useful for people travelling from a distance who could stay overnight before moving on the next day.



Fig. 7 This view shows the Quailburn block at the southern end of the Ohau Range. The upper boundary is just below the screes and snow patches which lie above about 1,200m. The view illustrates the easy access to the Ohau Conservation Area as seen from the proposed Conservation Area on Glen Eyrie Downs.



Fig. 8 Glen Eyrie Downs is situated in the Ohau Basin on outwash deposits which lie between the Ohau Range and Lake Ohau, and extend southwards towards Ohau Downs. These outwash deposits include some important kettle holes or ephemeral wetlands which contain a great diversity of plant communities and birdlife. Whilst not extremely important for recreation, FMC supports the proposed designation as conservation land.

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Fig. 9 This view shows where the proposed access easement crosses the Serpentine Creek. As in most outwash areas, such creeks are sometimes dry, but on occasions are subject to flooding. FMC believes that alternative access needs to be provided under such conditions.



Fig. 10. FMC recommends alternative access over the farm track (from Glen Eyrie Downs to the Proposed Conservation Area) or down one of the recently created laneways (shown in this view). We seek an extension to the easement (subject to the occupier's consent) such that alternative public access is available when the proposed easement is impassable.

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The Manager
DTZ (NZ) LTD
PO BOX 27
ALEXANDRA

Dear Manager

We support and endorse the proposal for the tenure review of
Quail Burn Station.

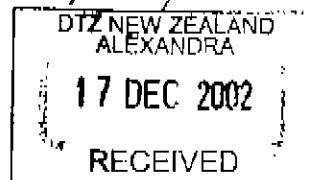
Yours sincerely

12th December 2002



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Ben Dhu Ltd.,
P.O. Box 149
Omaru
14/12/02



The Manager
D.T.Z. New Zealand Ltd
Land Resources Division,
P.O. Box 27
Alexandra,

Dear Sir,

We wish to object to the proposed public and D.O.C. access to Glen Eyrie Downs block along Glen Eyrie Ribbonwood boundary, which is part of Quailburn Tenure Review
our reasons being:-

- 1 Blind part of road because of wilding pine trees,
- 2 Deer have been shot in that part of Ben Dhu deer farm.
- 3 Danger to school car on that part of road due to poor visibility coming from either direction,
- 4 No parking area because of wilding trees at the proposed turn off.

The preferred point of access from our point of view would be back toward Omaru near the top end of Ben Dhu airstrip, where there are no tall trees on the Ben Dhu side of the road and visibility is good both ways.
Good to park vehicles off road on Ben Dhu side.

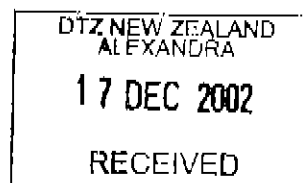
Yours sincerely

Stewart Ross, (Director)
Per F.W. Ross.

OFFICIAL INFORMATION ACT

Ken Taylor

From: Eugenie Sage [sage@caverock.net.nz]
Sent: Tuesday, 17 December 2002 5:23 p.m.
To: Ken Taylor
Subject: Re: Quailburn



Dear Ken

I have a major resource consent hearing this week so there will not be a formal submission by 20 Dec. To avoid upsetting your other commitments through a late submission you could include the following "informal comments" in your analysis:

Quailburn

Forest and Bird supports the preliminary proposal, notes that it is one of the better implementations of the Crown Pastoral Lands Act among preliminary proposals notified to date, thanks the lessee and congratulates those involved.

Forest and Bird supports the FMC submission by Mike Floate and the request for alternative wet weather foot access along the 4WD by consent of the landholder.

A small wetland to the south east of the power pylons and 4WD track which DoC identifies in its Conservation Resource Report (Map Quailburn Recommendations Glen Eyrie Downs) as being of ecological value has not been included in the area proposed for transfer to DoC. This is presumably because straight line fences are easier. Forest and Bird asks that it be included as conservation land to prevent it being destroyed or degraded by intensive farm development in future.

Thank you.

Eugenie Sage
Regional field officer
Royal Forest and Bird Protection Society
PO Box 2516
Christchurch Mail Centre
Ph 03 3666 317
fax 03 3660 655
www.forest-bird.org.nz
sage@caverock.net.nz

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Public Access New Zealand

INCORPORATED

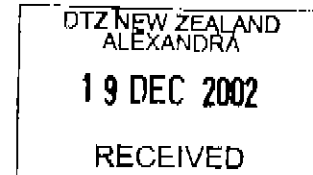
R D 1 Omakau 9182 Central Otago New Zealand
www.publicaccessnewzealand.org

Phone & Fax 64-3-447 3554
panz@es.co.nz

19 December 2002

Commissioner of Crown Lands
C/- DTZ New Zealand Ltd
Alexandra

FAXED



Fax (03) 448 9099

Submission on Qualburn Tenure Review

PANZ wishes to congratulate all officials and LINZ agents involved in preparation of the Preliminary Proposal. This provides a very good outcome for the Crown. Greatest appreciation is due to the lessee for his willingness to proceed with the proposal.

Of the approximately 23 reviews advertised so far under the Crown Pastoral Land Act, this is the first in our view that complies with the objects of the Act. Our inspection of the property leads us to believe that all areas containing significant inherent values have been identified for Crown retention. The Summary of the proposal states that "this review meets and exceeds the requirements" of the Act (our emphasis). It certainly "meets" it, but does not exceed. The proposal reflects what the Act requires in terms of the objects for tenure review. It certainly exceeds what has been offered in the other 22 reviews, but that is because these are deficient in meeting their legal requirements.

We make the following comments on aspects requiring further consideration. These are relevant matters and should not be disallowed from consideration just because they are not "new information". Public consultation legally requires open mindedness entailing willingness to reconsider decisions already made, irrespective of any constraining instructions from LINZ.

Public Access Easement

The Summary of the proposal and the public advertisement state that this is for foot, non-motorised vehicle, or horse access. However the draft easement document confines public access to foot. This is unacceptable. The distance involved (over 2 km) and level terrain make it not particularly attractive for walking, and the alternative non-motorised options should be provided for.

The route follows "a partly formed farm track", near the property boundary. Without knowing the width of the easement it is uncertain if all of the track will be within the easement area. The width should ensure that it is.

Exclusion of Schedules

"The rights and powers contained in the Seventh Schedule of the Land Transfer Act 1952 and the Ninth Schedule of the Property Law Act 1952 are expressly excluded".

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There is express exclusion of the rights and powers contained in the Ninth Schedule of the Property Law Act, but not of those in section 126G which enable modification or extinguishment of easements through the Courts, without public process. Such a provision undermines the legislative intent of section 24(c)(1) CPLA to secure access. This is the central weakness behind easements so far negotiated during tenure review. Section 7(2) Conservation Act provides only partial security for the public from DOC instigating disposal (but probably not from adverse modification). Public notification and submission procedures apply, however this is not the case if a landowner instigated use of section 126G of the Property Law Act. This is notwithstanding that the easement is in perpetuity. Even this term could be modified or extinguished in future.

We submit that section 126G of the Property Law Act be expressly excluded from application by the terms of the public easement

Temporary Suspension

We are concerned about the 'temporary suspension' provisions of the draft easement document. These state the-

"The transferee may close all or part of the Easement Area and suspend public access to it under section 7 Conservation Act 1987 if reasons of public safety or emergency require closure, or otherwise in accordance with the provisions of section 13 of the Conservation Act 1987".

Section 7 Conservation Act is entitled 'land may be acquired and held for conservation purposes', and contains no powers of closure.

Section 13 Conservation Act only applies to conservation areas. The easement area will be private freehold. If there are genuine reasons for closure of the conservation area, that is where closures should apply. Notifying closure of the conservation area at the commencement of the easement is acceptable, however we believe that the easement itself cannot be closed under the Conservation Act.

These provisions reinforce the insecure nature of the easements and their failure to properly comply with "securing of public access to and enjoyment of reviewable land" as required by section 24 (c)(1) CPLA.

We submit, that to satisfy the "secure" access requirements of the CPLA, the temporary suspension provisions are deleted.

Yours faithfully



Bruce Mason
Researcher

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Public Access New Zealand is a charitable trust formed in 1992. Objects are the preservation and improvement of public access to public lands, waters, and the countryside, through retention in public ownership of resources of value for recreation. PANZ is supported by a diverse range of land, freshwater, marine, and conservation groups and individuals.

PANZ is committed to resist private predation of the public estate.

John J. Ryan

Dip. Ag., Dip. V.F.M., A.N.Z.I.V., M.N.Z.S.F.M.
REGISTERED VALUER
REGISTERED FARM CONSULTANT
Telephone (03) 329-8868
Fax (03) 329-8868
Tel Tapu No. 2 R.D. Christchurch, N.Z

19 December 2002

Mr Ken Taylor
DTZ
ALEXANDRA

DTZ NEW ZEALAND
ALEXANDRA
19 DEC 2002
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Fax 03 448 9099

Dear Sir

Tenure Review Submission - Quailburn

I refer to our conversation yesterday re the public submissions currently being invited on the proposed tenure review of the Quailburn/Glen Eyrie properties.

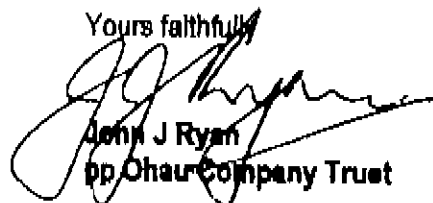
On behalf of the Ohau Company Trust, I wish to formally lodge an objection to the tenure review proposals as follows.

The proposed public access involving a foot and vehicle track and access gateway point to the Quailburn Road immediately adjoins the eastern boundary of the flats of the Ribbonwood property on Quailburn Road.

We believe that the locating of the entry point to this accessway is not in the interests of either Ribbonwood or the general public in that the access point is located on a bend where there is poor visibility. The accessway is also located adjoining an entry point gateway to the Ribbonwood property and it is likely that public parking at this point could block this gateway entrance to Ribbonwood. We believe that the relocating of the gateway and also the relocating of the accessway away from both the Ribbonwood gateway and boundary fence is essential to both the safety of the public and the day to day operations of the Ribbonwood property.

I would be prepared to discuss the details with you should you so require. Should there be a public hearing on the above matters, then I would wish to be heard in support of this submission.

Yours faithfully


John J Ryan
pp. Ohau Company Trust

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ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INC.

Upper Clutha Branch
PO Box 38
LAKE HAWEA

18TH December 2002

The Commissioner of Crown Lands
C/o DTZ New Zealand Ltd
Land Resource Division
PO Box 27
ALEXANDRA



Dear Sir

QUAILBURN PASTORAL LEASE
TENURE REVIEW - PRELIMINARY PROPOSAL

We thank you for supplying us with a copy of the preliminary proposal for this lease. We would be pleased if you would accept this submission from our branch of the society.

Our society is well known throughout New Zealand for its work in protecting the environment and the interests of its members - and the public at large - in this respect. Our branch has a particular interest in the Central and the northern regions of Otago; and we fully support the aims of Part II of the CPL Act 1998 - Tenure Review.

We have viewed the Quailburn block from the Ahuriri river in the west and the Quailburn on the eastern side. We are very appreciative of Mr Cooke for showing us around the Proposed Conservation Area containing the kettle holes and tarns. (shown as Area CA2 on the plan attached to the proposal)

1. THE PROPOSAL:

1.1. Land to be designated as land to be restored to full Crown ownership and control as a conservation area (under Section 35 (2) (a) (i) Crown Pastoral Land Act 1998)

Area: 5278 ha (approximately) (as shown edged pink on the plan in Appendix 1).

1.2. To be designated as land to be disposed of by freehold disposal (under Section 35 (3) Crown Pastoral Land Act 1998) subject to protective mechanisms.

Area: 2136 ha (approximately) (shown edged green on the plan attached in Appendix 1).

Protective mechanisms:

(a) An easement under Section 40 (2) (c) CPL Act 1998 over the route marked "a-b" on the plan attached on Appendix 1 to provide for public foot, non-motorised vehicle powered by a person, and horse access to the proposed conservation area.

(b) An easement under Section 40 (2) (b) CPL Act 1998 to allow access for conservation management purposes over the route marked "a-b" on the plan attached in Appendix 1.

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2. DESCRIPTION OF PROPOSED DESIGNATIONS:

2.1. *An area of approximately 4876 ha (shown as Area CA1 edged pink on the plan attached in Appendix 1) is to become a conservation area.*

This comprises the whole of the Quailburn Station Block situated at the southern end of the Ben Ohau range. This block has significant inherent conservation values; the landscape values as seen from the Ahuriri side are outstanding and blend in well with the Conservation area to the north. The flats on the Ben Avon side were identified as a RAP during the PNA surveys. The remnant beech forest near the former homestead site is of great significance. So too are the shrublands in the vicinity containing mountain totara.

We believe this to be an outstanding addition to DOC estate and we fully endorse it. It fits in admirably with the CPL Act Section 24 (b) (ii) "...By the restoration of the land concerned to full Crown ownership and control...."

2.2 *An area of approximately 402 ha (shown as Area CA2 edged pink on the plan attached in Appendix 1) is to become a conservation area.*

We also fully endorse this addition to DOC estate. The kettle holes and small tarns are outstanding and were selected as a RAP at the time of the PNA surveys. There is a good representation of indigenous plants and in particular the remnant red tussock grassland. The tarns are important for bird life.

2.3 *An area of approximately 2136 ha (shown edged green on the plan attached in Appendix 1) is to be disposed of as freehold to TJ Cooke and J Cooke.*

The soils of this area are thin and the climate is harsh but with proper input it could become ecologically sustainable and put to economic use once freed from management restraints.

3. PROTECTIVE MECHANISMS:

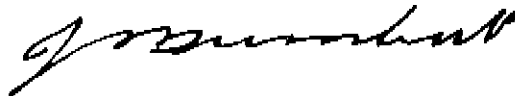
The two protective mechanisms for access to the Area CA2, (shown as "a-b" on the plan): one for public use with non-motorised wheeled access, horses and public foot access, and the other for conservation management access, should be adequate.

4. GENERAL;

While we may have some reservations regarding the ecological sustainability of the land to be disposed of as freehold, we support this preliminary proposal for the tenure review of Quailburn. The gains for conservation are considerable.

We thank you for the opportunity to comment.

Yours faithfully



John L. Turnbull

For Upper Clutha Branch Forest and Bird.