

Crown Pastoral Land Tenure Review

Lease name: MESOPOTAMIA

Lease number: PT 057

Public Submissions - Part 9

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

February 06



Photo 11 Moraine hollow wetland at base of eastern slopes of High Terrace c J36 372198.



Photo 12 Matagouri shrublands in Scour Stream, looking downstream. The CRR (p15) describes these as the "best example of stream-side matagouri scrub" on Mespotamia. A corridor up the stream deserves protection as conservation land because of these SIVs and to provide access to Sinclair Range.

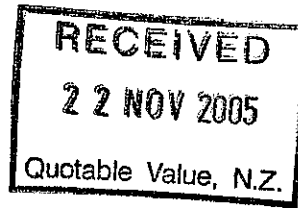
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Council of Outdoor Recreation Associations of New Zealand Inc

P O Box 1876 Wellington
Tel&Fax +64 4 934 2244
hugh@infosmart.co.nz

22 November 2005

QV Valuations
Box 13 443
Christchurch
Fax 03 341 1635
Barry.dench@gv.co.nz



Submission: Mesopotamia Tenure Review: Preliminary Proposal

This submission is made by the Council of Outdoor Recreation Associations of New Zealand Incorporated (CORANZ).

CORANZ is the national council of outdoor recreation associations, including national bodies for freshwater anglers, salmon anglers, public access and deerstalkers. Our members include:
New Zealand Federataion of Freshwater Anglers
New Zealand Salmon Anglers Association
New Zealand Deerstalkers" Association
Public Access New Zealand
Marlborough Recreational Fishers Association

CORANZ has a major interest in maintaining and increasing outdoor recreational opportunities on public lands in New Zealand, and enhancing recreation on public lands. Consequently we support fair and balanced tenure review.

Unfortunately the preliminary proposal for Mesopotamia Pastoral Lease is not fair and balanced. CORANZ supports the submission of its member association New Zealand Deerstalkers' Association, and the information and arguments put forward in its submission.

Yours truly

Hugh Barr
Secretary

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**A SUBMISSION FOR FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND [INC.]
ON THE PRELIMINARY PROPOSAL FOR TENURE REVIEW
MESOPOTAMIA PASTORAL LEASE**

Our Interest in this Tenure Review

For more than 20 years FMC has campaigned for reformation of the pastoral lease system to allow farming where sustainable, the return of the bulk of the high land to the Public Estate and for secure public access to that land. We have no doubt that many of the wider public share our vision for the future of the South Island high country.

Land to be returned to full Crown ownership

We are in agreement with the proposals for transfer to full Crown ownership of areas labelled CA1, CA2, CA3 and CA4 on the proposed designation plans under section 35 [2] and section 36 [1] of the Crown Pastoral Lands Act 1998. We also agree with the grant of a grazing, tourism activities and commercial filming and photography concession under section 170 [1] of the Conservation Act 1987 to Mesopotamia Station Ltd, over the land marked CA1, CA2 and CA3 on the plans.

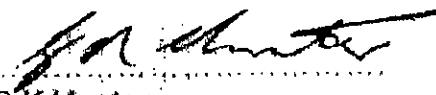
Land to be transferred to freehold ownership

We agree also with the proposal to transfer 5063 Ha approximately to freehold ownership by Mesopotamia Station Ltd. under sections 35 [3], 36 [3] and 40[1] of the Crown Pastoral Land Act 1998 and the proposed conservation covenants for areas CC1, CC2 and CC3 under section 77 of the Reserves Act 1977.

Public access

We believe the proposed easements together with the existing marginal strips provide suitable access for the public to the conservation land.

For Federated Mountain Clubs of New Zealand [Inc.]



G R K Hunter

Kalaugher Rd.
R D 21
Geraldine

19 November 2005

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GERALDINE TRAMPING CLUB



Submission on the Preliminary Proposal dated 16 September 2005 for Tenure Review of the Mesopotamia Pastoral Lease.

The Geraldine Tramping Club fully supports all aspects of the Preliminary Proposal. We believe it is well balanced and practical.

.....
Digby Abbott Past-President

20 November 2005

Ribbonwood Rd
R.D. 21, Geraldine

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Barry Dench

From: Biemond Market Gardens [biemond@xtra.co.nz]
Sent: Tuesday, 22 November 2005 9:04 p.m.
To: Barry Dench
Subject: Submission

Dear Barry

Thank you for the opportunity to submit on the tenure review proposal for Mesopotamia Station.

Southern lakes Deerstalkers has currently about 120 members

A big percentage of our members are avid Tahr and Chamois hunters that makes the Tenure review of this property of special interest to us.

Submission

The upper Rangitata has been a traditional recreational hunting area for deer, tahr and chamois hunting. It is acknowledged that the current lessees have generally provided unfettered access through the property for hunters to access public land.

The bulk of public use of the public land currently adjoining Mesopotamia is related to recreational hunting. We expect that the land that passes to the crown as part of this proposal would continue this usage pattern as the bulk of the access to and enjoyment of the land in question.

Historically both foot and vehicle access has been available up the true right of the Rangitata. Due to the distances to be travelled, vehicular access is extremely important to facilitate practical hunting access for recreational hunting. The current proposal does not cater for the retention or enhancement of existing vehicular access.

Game animals on public land are a public resource the public should have access to that resource.

Public land should have the automatic presumption of unfettered access on foot, vehicle, air, boat or whatever means is necessary to practically access the land or water in question. From there, any restrictions should be on the provision of an identified and quantifiable need for restriction. Criteria should be developed for the occasions when that restriction might apply.

3.3 Specific Provisions

3.3.1 Vehicular access

There needs to be contiguous vehicular access to the end of area CA1. This could be done by connecting the sections of existing public road to provide practical vehicular access all the way to the end of CA1. This should include any bridges and culverts (compensation for such may be appropriate) and the road vested in and maintained by the local authority.

3.3.2 Access easements

For those that hunt, access itself is no use unless the carriage of firearms, necessary for hunting is permitted. All access easements and public roads should specifically be designated as including the carriage of firearms. These provisions could be included in a code of conduct developed to cater for such carriage.

Failure to address the issues in 3.3.1 and 3.3.2 may in fact create access issues in the future when clearly the CPLA has the purpose of solving them.

3.3.3 Tourism Concession & No public hunting in area CA3

Currently under this proposal the area designated as CA3 will be restored to the crown and managed for conservation purposes by the Department of Conservation. It is also proposed that the current lessee be granted a 30 year tourism concession that includes hunting. It is also proposed that the public be excluded from hunting in this area. There has been no rationale given for such restrictions.

Southern lakes Deerstalkers does not believe this can be done within the current concession and policy environment.

Such restriction is contrary to clause 20.1 (a) of the concession document where it states that:

"Nothing expressed or implied in this Document shall be construed as:

Conferring on the Concessionaire any right of exclusive occupation or use of the land".

The granting of a concession for area CA3 when the public is excluded is doing precisely that.

We also believes that excluding the public from hunting on public land also contravenes current DoC policy.

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The DoC Deer Control Policy 2001 states on page 1:

“The right of New Zealanders to hunt deer on public conservation land for recreation, trophy value and venison is being enhanced through this policy statement. The existing hunter permit system will be streamlined and restrictions on recreational hunting will be removed, as a first step towards removing the need for hunting permits entirely. This will make it easier in future to hunt deer.”

On page 4 it continues:

“The department will continue to encourage both commercial and recreational hunting on public conservation lands where this is consistent with management for conservation. Commercial and recreational hunters will generally have open access to public conservation lands.”

On page 8 it states:

“The department currently regulates recreational hunting by issuing hunting permits. Recreational hunters have open access to almost all public conservation lands with few restrictions on what deer they can kill and when they can kill them.”

It is clearly the intent of the policy to remove restrictions on hunting and to have generally open access for recreational and commercial hunting. This is also consistent with the Canterbury Conservancy’s approach to recreational hunting in that hunting permits now cover all of the conservancy for a 12 month period. Again more open access.

This applies as equally to tahr and chamois as it does to deer.

We believe that the restrictions proposed could only be imposed following a review of legislation to allow the formulation of properly constituted game management plans. In their current form these restrictions may create unintended precedents for future tenure reviews.

Any restrictions that might be imposed would by necessity include a 5 yearly monitoring and review provision.

It may be possible to negotiate a management system for hunting in this area that could address any concerns of the lessee and the public’s interests.

Hunting groups including ours would like to take part in this.

Hi Shaun This is supposed to be send in today

I have been away monitoring only just back so could not do anything while away
you can e mail it to the adress below

Cheers Hans

barry.dench@qv.co.nz

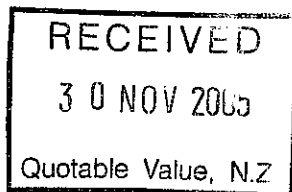
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Te Whare Wananga o Otago

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November 28, 2005.

Manager,
QV Valuations,
PO Box 13 443,
CHRISTCHURCH.**SUBMISSION ON PROPOSED TENURE REVIEW: MESOPOTAMIA PASTORAL LEASE**

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it, based on my knowledge of the area involved which has been gained with a field trip there several years ago to consider ecological and botanical features of the area and Mesopotamis Station in particular.

Mesopotamia Pastoral Lease is a large and relatively complex area, ecologically and topographically, and appears substantially degraded in many areas though natural erosion is clearly widespread. Nevertheless, it is clearly one of the iconic high country leases which is known to contain many areas of very high conservation value and biological diversity with also generally very important landscape values.

I believe the proposed overall rationalisation between areas with high conservation/ecological and recreation values plus spectacular landscape values, to be allocated to full Crown management and control (21,052 ha) and areas to be freeholded (5063 ha), while substantially in favour of conservation, was expected and is appropriate, given the overall nature of the terrain with its grossly inherent geological instability and active erosion.

In relation to the three areas (CA1; CA2 and CA3) being proposed for restoration or retention in Crown control as conservation areas, I endorse the proposal in relation to the areas involved but am concerned with several aspects of the recommended provisions for continued grazing, tourism activities and commercial filming and photography concessions under S 17Q(1) of the Conservation Act. The 30-year term proposed for many of these is excessive, given the increasing public interest in the area. Fifteen, or preferably ten years should be the maximum term.

The provision for public foot access, mostly up the several major streams, is generally good: many are actually marginal strips. The major exception involves adequate public access to the Sinclair Range via its eastern faces, an area with high potential public demand for day and weekend visits, given its proximity to the Rangitata Gorge road. Here the marginal strip up Scour Stream is unusable because of both dense scrub and several deer fences which cross it. A practicable alternative should be provided here. Both foot and mountain bike access should be provided along the proposed management easement "a-b-c". Similarly, practicable public access is required to Bullock Bow Saddle: the proposed management easement "b-d" is recommended here.

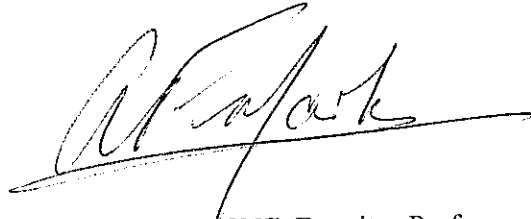
I am particularly concerned with the proposed exclusive hunting concession on a large block of relatively easily accessed conservation land (CA3). This, I believe, is unprecedented for public lands, for which hunting permits surely must be issued by the the Crown's agent (DoC) and certainly not by the concessionaire. This would be tantamount to having a private safari park on conservation land. A limited number of specified landing sites for helicopters should be stipulated over this area. The public must have access to this conservation area for hunting and other purposes, as of right, according to a long-standing tradition in this country. In addition, the provision for oversowing and topdressing on this conservation area should be excluded. It is often permitted on a covenanted area but it should not be granted on Crown owned and managed land. Access for hunters to the remaining conservation areas is also conditional on

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access being granted by the concessionaire, which is stated "will not be unreasonably withheld" but this is also a most unsatisfactory situation. This is to be public, not private land, for which access permission should be vested in the Crown.

I thank you for the opportunity to comment on this proposed tenure review and I trust you will take my concerns and recommendations seriously.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'A F Mark', with a long horizontal line extending to the right from the end of the signature.

Alan F Mark FRSNZ. Emeritus Professor.

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Carolyne Latham

From: David O'Connell [david.oconnell@ngaitahu.iwi.nz]
Sent: Thursday, 1 December 2005 3:50 p.m.
To: Carolyne Latham
Subject: RE: Mesopotamia Tenure Review

Kia ora Carolyne,

Thanks for the e-mail. I have been somewhat inundated lately fulfilling both my and Takerei Norton's role with tenure review so my apologies for not conveying this earlier. Following consultation with the Runanga with interests in this area, we have concluded that the proposal adequately reflects and provides for those significant and inherent values identified in the Ngai Tahu Cultural Values Report.

We look forward to this now progressing intact to Substantive Proposal stage.

Heoi ano

David O'Connell

-----Original Message-----

From: Carolyne Latham [mailto:Carolyne.Latham@qv.co.nz]
Sent: Wednesday, 30 November 2005 3:06 p.m.
To: David O'Connell
Cc: Barry Dench
Subject: Mesopotamia Tenure Review

Hi David,
I'm not sure if you received my telephone message last week regarding the Mesopotamia Tenure Review. Submissions on this for public and iwi closed on 22nd November 2005, however we hope you may be able to get something to us urgently for inclusion in the Preliminary Analysis of Iwi Submissions Report which we are about to commence. Let me know if you have any queries.
Regards,
Carolyne Latham
Tenure Review Consultant

2/12/2005