

Crown Pastoral Land Tenure Review

Lease name : THE POPLARS

Lease number : PC 015

Public Submissions - Pt 1

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

These submissions are released under the Official Information Act 1982.

March

12

243 001

218 Mt Brown Road

R.D. 2

Amberley

16 September 2011



ATTENTION: Commissioner of Crown Lands

RE: Submission, The Poplars, Pt 008

Dear Sir/Madam

After reading the preliminary proposal for The Poplars pastoral lease, I have the following concerns.

On the Walking Access website I note there is a walking track on the true right of the Boyle River by the management easement G-F, that goes from the Doubtful River to the Hope River and will cross the proposed freehold land. Will public access still be maintained when the land is freehold?

Also is it possible to have an easement of access to these areas; Matagouri Stream to CA2 and Nathan Stream so that the public land can be accessed.

Could you please inform me where the boundary for the block CC1 on the true right of the Hope River, if it is at flood water level or centre of the waterway. If it is the centre of the waterway I can see a problem with access for fishing the Hope River.

Yours sincerley,

Jack van der Knaap

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Luana Pentecost

243 002

From: Tony Hawker [thawker@fishandgame.org.nz]
Sent: Friday, 16 September 2011 9:57 a.m.
To: Luana Pentecost
Subject: Tenure Review submission



Dear Laura

Submission on Summary of Preliminary Proposal for the Poplars Pastoral Lease

North Canterbury Fish and Game have already suggested a number of conditions and proposals as part of our resource report on the Poplars Pastoral Lease. Very little of what was suggested by Fish and Game has been adopted in the Preliminary Proposal. Rather than repeat all of the issues raised originally we would like to submit on two issues:

- Fish and Game Management Access
 - Public foot access to lower reaches of the Hope River
- 1) It is recommended that an easement for Fish and Game management purposes be created that covers the entire area of the current or future Poplars' property. This access should be restricted to Fish and Game staff or parties designated by them (e.g., honorary fish and game rangers, game bird control hunters) to undertake Council approved activities within these boundaries. A condition of the easement should be that Fish and Game (or its designees) will, before entering the property, liaise with the property's owner or manager(s) to ensure that any activities harmonise, as best as possible, with farm operations. This condition, however, should not give the land owner the right to deny or veto Fish and Game activities on the property.
 - 2) The significance of the Hope river as a brown trout fishery has been well covered in F&G's original report. We submit that public access as it stands at the moment and as proposed in the preliminary proposal is not very practical. The proposal allows access to the DOC track on the true left. However this track then sidles above the river and does not meet the Hope until two hours walk upstream. There is a real need for public foot access to the Hope river from the Windy Point car park. Although there is public land in the river beds it is not practical to walk down the Boyle until it joins the Hope. Rather an easement for foot access needs to be included between points e and f. It is even possible that this foot access doesn't have to follow the existing farm track if the present lease holder wants to maintain a "wilderness" aspect.

We would also like to express our extreme disappointment in the lack of protective measures specified in the proposal for the land parcel CC1. Especially since the Department of Conservation is specifying cattle grazing only in this area (unless it is fenced). This could have a detrimental effect on the wetlands streams and rivers which collectively contribute to the outstanding Hope brown trout fishery. The current wording in 3.1.7 of the deed of covenant is far too ambiguous to offer any meaningful protection to the values specified.

Thanks
 Tony Hawker

Tony Hawker
 Environment Officer
 North Canterbury Fish & Game

16/09/2011

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Christchurch
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mobile 021 221 8325

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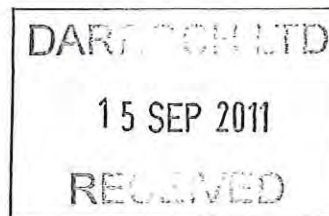
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Southern Regional Office
PO Box 4403
Christchurch

243 003

Our Ref: 22015-001



13 September 2011

Luana Pentecost
Property Administrator
Darroch Ltd.
PO Box 27
ALEXANDRA 9340

Kia ora

The Poplars Pastoral Lease – Preliminary Proposal for Tenure Review

Thank you for the opportunity for NZ Historic Places Trust (NZHPT) to comment on the Preliminary Proposal for The Poplars Tenure Review. NZHPT is an autonomous Crown Entity with responsibilities under the Historic Places Act 1993 to promote the identification, protection, preservation and conservation of the historical and cultural resources of New Zealand.

The 2003 Amendments to the Resource Management Act added a definition of historic heritage, where previously there was no definition, and elevated historic heritage to a matter of national importance, to where now there is a requirement to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development (Section 6 (f)).

Desk-top study by the NZ Historic Places Trust identified there are no registered historic places, historic areas, wāhi tapu or wāhi tapu areas in The Poplars Pastoral Lease. The operative Hurunui District Plan identifies no heritage items at this location.

The Department of Conservation (DOC) Conservation has provided NZHPT with their Historic Resources Report for The Poplars Pastoral Lease (May 2011). The archaeological survey commissioned by DOC identified a number of buildings and features that relate to different phases of occupation within the proposed freehold area of the lease. These sites have now been recorded in the New Zealand Archaeological Association Site Recording Scheme. These sites are:

- Trig MP, 19th century (L32/6)
- Kiwi Hut (Museum Hut), 1930s, rebuilt 1950s (L32/7)
- Windy Point yards, c.1880s (M32/1)
- Pack track, c.1880s (M32/2)
- Tracks, Windy Point, 19th century (M32/3)
- Yards, Nathan Stream, c.1880s (M32/4)
- Rabbit Fence, late 1880s – early 1890s (M32/5)
- Woolshed, c.1912 (M32/6)

Sheep dip, c.1910s (M32/7)
Cookhouse, c.1911-14 (M32/8)
Homestead, c.1910s (M32/9)
Cattle yards, c.1910s (M32/10)
Orchard, post-1900 (M32/11)
Yards, post-WWII (M32/12)
Three Mile and Hope huts, 20th century (M32/13)

NZHPT agrees with the archaeologist's significance assessment of these sites. Most of the sites recorded are representative examples of their type, reflecting the history of pastoralism in the area. However, the Windy Point yards (M32/1) were found to be comparatively rare due to their age, but are in poor condition. The Rabbit Fence (M32/5) is of highest significance as part of the Hurunui District Rabbit Fence and NZHPT encourages further survey of this rabbit-proof fence and others in the district. No heritage protection measures are required other than the standard protection offered for pre-1900 sites under the Historic Places Act 1993.

Current and future owners should be made aware that work affecting archaeological sites is subject to the archaeological authority process under the Historic Places Act 1993. If any activity, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from NZHPT must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. Subject to permission from DOC, NZHPT recommends that the Historic Resources Report for The Poplars Pastoral Lease is supplied to the prospective owners.

The Historic Resources Report also notes the importance of the nearby Hope and Boyle rivers to Ngāi Tahu and the general importance of the area as part of the network of trails between the east and west coasts. We assume that you will be undertaking consultation with Te Runanga o Ngai Tāhu and NZHPT recommends that this is undertaken to identify any areas of Maori Heritage value within the area of proposed freehold land.

Thank you for the opportunity for us to provide our input at this stage. Please contact me if you have any questions.

Yours sincerely



Malcolm Duff

General Manager Southern

243 004



BOYLE RIVER
OUTDOOR EDUCATION CENTRE
www.boyle.org.nz



14.09.11

Darroch Limited
41-43 Tarbert Street
PO Box 27
Alexandra
9340



Dear Madam/Sir

Re: Tenure Review – The Poplars Pastoral Lease

I would like to make the following submission on behalf of the Boyle River Outdoor Education Centre (BROEC) owned and operated by the North Canterbury Alpine Trust.

BROEC has an interest in the area, as for over 30 years it has operated part of its business on the area contained in the Tenure Review proposals.

1. Overall BROEC supports the proposals for CA1, CA2, CA3 and CA4, plus the covenant on CC1.
2. We are pleased at the inclusion of CA4 and support the significant inherent values stated in the document.

BROEC has had permission from the Poplars Station for over 30 years (along with Amuri Area School) to access the Abseil and Rock climbing site in this area and has developed and maintained the two sites and installed the safety management equipment.

Restoring the area CA4 to the Crown will be a positive step that guarantees continuing access to these sites. However for BROEC (and Amuri Area School) this will also create potential problems in monitoring safe use of the site, and conflict of use with other groups. There is only room on each site for one group at a time (unlike areas like the Port Hills in Christchurch where you can go somewhere else).

Until now other groups wanting to use the sites have had to get permission from the landowner or book through Amuri Area School for their Lodge. Through this process they are aware that BROEC uses the site and usually contact BROEC to arrange a suitable time that does not clash. An increase in use from the improved public access may increase the potential for clashes, which would be detrimental to our business.

Private Bag 55002, Orchard Road, Christchurch, 8154
Ph/Fax: 03 315 7082 Email: info@boyle.org.nz



BOYLE RIVER
OUTDOOR EDUCATION CENTRE
www.boyle.org.nz



BROEC also has concerns over the safe use of the sites and the potential for another group having an accident and this being attributed to BROEC. Currently we informally monitor groups and check that their safety plans conform to current best industry practice. This would be more difficult to do with increased use.

BROEC has invested considerable funds in installing and regularly checking the safety equipment at the sites. The hardware belongs to BROEC. BROEC would require some means of being able to control the use of our equipment in the future.

It is not clear from the 1:10,000 map where the fencing along CA4 is actually going to be placed. The position may affect whether the tracks currently used to access the rock climbing and abseil sites are included in CA4 or not. BROEC seeks clarification on this to ensure there is still access along these tracks.

3. By arrangement with the Poplars Station and Amuri Area School, BROEC currently has access by vehicle to the Amuri Area School Lodge (access c-d) to allow our groups to use the CA4 area and other DoC land. The document proposes only foot access to the public along c-d which BROEC supports. However BROEC would like to continue to have vehicle access along c-d (as would Amuri Area School) in order to maintain the viability of our programmes and to facilitate evacuation should this be required.
4. There is mention of permission for a large building to be erected on CC1. BROEC is concerned that any building does not contradict the 'inherent values' stated in the covenant for CC1.

BROEC would be pleased to receive clarification of the questions raised above and to discuss these issues further, prior to final decisions being made on the outcome of the Tenure Review. We are able to meet on site if necessary.

I look forward to hearing from you.

Kind Regards

Wendy Davis
Manager
Boyle River Outdoor Education Centre
(owned and operated by the North Canterbury Alpine Trust)



16 September 2011

The Commissioner of Crown Lands,
c/- Darroch Ltd,
P.O.Box 27,
Alexandra,
Central Otago
luana.pentecost@darroch.co.nz



Tenure Review: The Poplars Pastoral Lease

Dear Sir,

The Poplars Pastoral Lease possesses several singular characteristics which, considered together, make it, probably, one of a kind, and without any exact parallel among the pastoral leases with which the Commissioner has to deal.

1. Much of the lease ~ and, unsurprisingly, the more important part from a conservation point of view ~ was recently purchased by the Nature Heritage Fund for addition to the public conservation estate.
2. Parts of the remaining rump, however, still have very significant conservation and scenic values.
3. As a consequence of that purchase, however, the remaining rump is already more or less at the limit of an economic farming operation, and any significant losses of land would probably render farming economically impossible. The removal of any significant part of the lease from current farming operations is not a realistic option if farming is to continue ~ at least if it is to be the sole source of income.
4. A State Highway runs through half of the lease, and the lease's scenic importance is therefore very high.
5. It is high, however, not merely because of the regular traffic of New Zealanders and tourists, but also because the lease occupies a strategic position between the wild lands upstream towards the Lewis Pass and the lands much more obviously shaped by human activity, farming and forestry, beside the Hope and Waiau rivers downstream. The lease in its present state, where grazing co-exists with matagouri and a complex of native shrubs and regenerating scrubland, presents a deeply satisfying transition from wilderness to human activity.



6. The biological values of the run, moreover, reside not so much in forest cover as in the complex and unusual associations of divaricating shrubs, a diversity of emergent tree species such as kowhai, broadleaf and Olearia species, and climbers, particularly lawyer (Rubus) species. There are splendid stands of old matagouri, some of which adjoin the State Highway.
7. The Board notes also that it is the area proposed for freeholding on both sides of the State Highway ~ from CA2 on one side of the highway and point 'a' on the other side, northwards to the lease's boundary near the Engineers' Camp ~ which is particularly rich botanically. The scrublands are a rich and fascinating complex of matagouri, kanuka, corokia, kowhai, coprosmas and other species.
8. That portion of the lease which runs up the valley of the Hope towards the confluence of the Hope and the Kiwi, although not visible from the road, is nevertheless in places visible across the river from the popular walking track which provides access to the upper reaches of the Hope and the Hope Pass, and also, via Kiwi Saddle, to Lake Sumner and the catchment of the Hurunui. This area, CC1, which is proposed for freeholding subject to a Protective Mechanism and Conservation Covenant, does not seem to the Board to be as ecologically or scenically as important as the area mentioned in Point 7.

The Poplars' present farming regime is that of a low input/low stocking rate cow/calf beef pastoral system, based on the run's only marginally-improved pastures. A considerable amount of this pasture is, as suggested above, associated with a pleasing and important diversity of native trees and divaricating shrubs. Only fifty hectares ~ including an old stand of lucerne ~ has been specifically developed with improved species, mostly using overdrilling. This stand and the improved pastures are also a source of stored feed, both hay and baleage.

At present the Poplars carries 430 breeding cows, with all calves sold except female replacements. Bulls are bought in. The Board understands that the lessee plans, or at least hopes, to increase the numbers of breeding cows to about seven hundred in order to achieve greater financial security. At present, carrying even the 430 is a struggle, as demonstrated by lower than targeted calving rates and an inability to grow and fatten calves on to eighteen months (as is done, for example, at the neighbouring Glynn Wye Station).

The Board harbours very serious doubts as to whether it would ever be possible to achieve the target of seven hundred breeding cows, and is absolutely certain that even if that were possible, it could not be done without an immense and disastrous effect on the property's nature. At present the Poplars displays a remarkable and very pleasing balance between farm production and the retention of a significant level of naturalness, biodiversity and significant inherent values. This balance is the consequence of the current low input system, but will last only as long as that system prevails.



The Station is planning a substantial pasture development in the Point area, running down to the confluence of the Hope and Boyle. This may include the use of a stone crusher followed by roller drilling. The Board believes that the existing scrub associations in that area should be retained, and also considers that the more economically profitable course would be to improve stock performance ~ calving rates and the growth of young stock ~ rather than to go for large increases in stock numbers.

The Board on its inspection was impressed by the present management of the Poplars, which seems sensitive to its beauty, importance and fragility. The manager is a good land steward who selectively sprays out broom to protect native species, and has control programmes for possums, pigs and Canada geese. The farm is classified as C10 ~ ten years or more clear of bovine tuberculosis ~ and possum control must be ongoing if this TB-free status is not to be jeopardised.

The area CA2, around Matagouri Creek, certainly deserves protection, but it seems to the Board to be actually lower in conservation value than the proposed freehold area around it and between it and the State Highway and running up to the Poplars' northern/western boundary near the Engineers' Camp. This area has a great diversity of native shrubs, kowhai, and good lizard populations. The Board believes, in fact, that all of the proposed freehold area on the north side of the State Highway, except for the developed pastures near the manager's house, has higher conservation values than the area CA1.

In the light of all these considerations, the Board cannot find the present Preliminary Proposal acceptable. That is not to say that the freeholding of a significant area, for an ongoing low input/low stocking rate cow calf operation much as at present, is not without merit. It is good to have a farm manager present to act as a land steward, responsible for weed and pest control and stock management. It is not impossible that the removal of stock might be followed by greater weed problems.

The Board, as stated above, believes the station's current farming operation to be in a considerable degree in harmony with nature. But it is conscious that unless significant levels of protection are somehow imposed, some future owner might be tempted to drastic and destructive land 'development' methods. The Board also believes that, given the Station's altitude, climate, terrain and soils, such development would, sooner or later, fail in its hoped-for objectives; but by that time, an enormous amount of pointless and irreparable damage would have been done.

The Board believes, therefore, that the best hope for the future of the Poplars is not solely pastoral. **With its alpine rivers, its broad vistas of valley, terrace, slopes and high tops, and its transitional sequence from grass through scrub to forest, the run is not only a gateway, as explained above, but could be a significant destination in its own right.** The Poplars' best hope for the future is a combination of current farm management and additional enterprises such as ecotourism ~ a lodge, perhaps, up the Hope ~ kayaking, horse trekking, rafting and suchlike. Future serious



farm development would jeopardise such a future while almost certainly not succeeding in the aim of permanently boosting agricultural production. It will, ultimately, be for the benefit of the lessee as much as for the benefit of the public if the Commissioner of Crown Lands' decision on tenure review obliges the lessee to turn away from a narrow concentration on increased agricultural production.

Given all of the above, the Board recommends that:

1. The area should always be managed in its current state of high naturalness, as a gateway transition from extensive pastoral farming through to the beech-dominant conservation lands to the west, north and south.
2. At the very least, therefore, a Protective Mechanism and Conservation Covenant, such as is proposed for the area CC1, should be imposed to prevent the clearance of trees and scrub in the area to the north of the State Highway, from below CA2 northward to the western boundary near the Engineers' Camp, and (on the other side of the highway, between it and the river) from point 'a' northward to the boundary near the Engineers' Camp.
3. We see great merit in going further, and making these areas just referred to a conservation area, possibly subject to a grazing licence.
4. On the other side of the river, the strip CA4 is only one of several wetland areas deserving protection. Others exist on higher terraces which may be the object of pasture improvement.
5. The areas CA1, CA2, CA3 and CA4 proposed for restoration or retention in full Crown ownership (in the case of CA4, subject to a Qualified Designation) should indeed be given that status.
6. However, although the Board endorses the Protective Mechanism and Conservation Covenant over area CC1, it considers that these are not as important as the same instruments over the areas just referred to in Recommendation 2. If only one of these areas were to enjoy Protective Mechanism and Conservation Covenant, it should be the area in Recommendation 2.

Yours faithfully

David Round
For the Canterbury/Aoraki Conservation Board

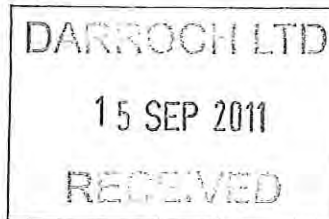


Address for service:

Brenda Preston
Department of Conservation
Private Bag 4715
Christchurch
bpreston@doc.govt.nz

15 September 2011

The Commissioner of Crown Lands
C/- Darroch Limited
PO Box 27
ALEXANDRA 9340



Preliminary Proposal for Tenure Review of The Poplars Pastoral Lease Pc 015 Submission from the Walking Access Commission

Thank you for providing an opportunity to comment on the preliminary proposal for the tenure review of The Poplars pastoral lease. As you will appreciate, this is the first opportunity that the New Zealand Walking Access Commission (the Commission) has had to comment on this proposal. We have not had the opportunity to undertake a ground inspection.

In this submission the Commission;

- supports the formalising of public access on the identified routes 'a-b', 'b-c', 'c-d', 'e-f' and the provision of public access on the identified route 'o-j-k',

and seeks to have;

- the legal roads dissecting The Poplars pastoral lease depicted clearly as not being part of the pastoral lease,
- information on which waterways qualify to have marginal strips reserved from sale on the disposition of land as a result of the tenure review, provided with the summary of the preliminary proposal,
- the easement 'e-f' extended some 450 – 500m south along the track by the fence line, until it meets with the existing track in the adjoining Conservation land, and
- an easement, for public vehicle access, created up the Hope valley on the existing formed track wherever this formed track deviates from the legal road line.

A. Introduction

Purpose, Objective and Functions of the NZ Walking Access Commission

The Walking Access Act 2008 (sections 3, 9 and 10) sets out the purpose, objective and functions of the NZ Walking Access Commission.

Central to its role is the Commission's leadership functions in negotiation and provision of free, certain, enduring and practical access to the outdoors for New Zealanders and visitors.

Focus of Submission is Public Access

The Commission's submission on The Poplars Preliminary Proposal is designed, as envisaged by the Act, to achieve appropriate and enduring public access in this popular area of New Zealand.

The Commission's submission reinforces the objectives of the Crown Pastoral Land Act 1998, in particular section 24(c) which is to make easier the securing of public access to and enjoyment of reviewable land. Specifically, our submission addresses the public access and public enjoyment matters specified in subsection (2) (c) and (d) of section 40 of the Crown Pastoral Land Act 1998.

B. Submission

General comments

The scale of sheet 1 of the designations plan in the preliminary proposal (the plan) provided with the summary of the preliminary proposal is too large to adequately identify features. While it does depict the legal roads which dissect parts of the lease, taking the plan at face value, it appears to indicate that these public access areas are part of the pastoral lease to be disposed of by freehold disposal. The plan should be at a scale to clearly identify the legal roads as not being part of the reviewable land, by marking these areas as the boundaries of the pastoral lease, as depicted on sheet 2.

Part 4A of the Conservation Act 1987 applies to the disposition of all land being freeholded under tenure review. While the Commissioner of Crown Lands has no statutory function in the reservation from sale of marginal strips, the identification of which waterways qualify for the laying off of marginal strips is a key factor in the consideration of the adequacy of public access resulting from the tenure review. This information should be made available with the advertising of the preliminary proposal.

The Commission:

- 1. Seeks to have the boundaries between the pastoral lease and legal roads clearly marked as the pastoral lease boundaries on the plan.*
- 2. Seeks to have the qualifying water boundary information, which indicates which waterways are likely to qualify for marginal strips on disposal, provided with the summary of the preliminary proposal.*

Existing public access

Public access exists up the riverbeds of the Boyle and Hope Rivers which The Poplars pastoral lease borders, and State Highway 7 provides public access through the eastern part of the pastoral lease, on the true left of the Boyle and Hope Rivers.

An unformed legal road of some 650-700 metres in length runs approximately north to south across the flats west of the junction of the Boyle and Hope Rivers. There is a legal road on the south side of the Hope River for the entire length of that portion of the pastoral lease, some 10 kilometres. For the first approximately 5.5 km from the eastern boundary, and the last approximately 1.5 km to the western boundary, the formed track appears to be on the line of the legal road. This legal road is accessible from the east off the unformed legal road bordering the Hope River, and Glynn Wye Station.

Proposed public access

Full public access is proposed to the car park off State Highway 7 ('a-b' and 'b-c') and then access on foot, by horse and non-motorised vehicle powered by a person or persons is proposed from the car park to the footbridge over the Boyle River ('c-d') and from the footbridge to the Conservation land to the west ('e-f'). Similar non-motorised access is proposed from the Hope River south to the proposed CA1 ('o-j-k').

The Commission understands that this public access from State Highway 7 to the Conservation land currently exists by way of clause "+2" of the pastoral lease, and that easements were to be created subsequent to the Nature Heritage Fund purchase of part of the property in 2003.

Part 4A of the Conservation Act 1987 will create marginal strips on disposition of the proposed freehold land. The inspection report "Waterways on "The Poplars"" (19 October 2009) indicates that the following waterways qualify for marginal strips, where the waterways are within, or abut the present pastoral lease land proposed as freehold:

The Boyle River, and tributaries; (from the north east) Matagouri Stream, Poplars Fan Stream and Rough Creek, and (from the south west) part of the unnamed stream at Windy Point.

The Hope River, and tributaries; (from the south) Kiwi River, the unnamed stream west of Museum Hut, and the unnamed stream draining the north faces of Neschacker Hill, and (from the north) Nathan Stream.

The Commission:

3. *Supports the formalising of public access on the identified routes 'a-b', 'b-c', 'c-d', 'e-f' and the provision of public access on the identified route 'o-j-k'.*

Desirable public access

The proposed public access from State Highway 7 to the Conservation land west of the pastoral lease will provide access to point 'f'. We note that there is no formed access within the Conservation land from point 'f', but that there is what appears to be an existing track alongside the boundary fence for some 450-500 metres south of 'f' which then connects with a track in the Conservation land. It would seem logical to utilise the existing track within the proposed freehold area.

The Commission:

4. *Seeks to have the easement 'e-f' extended some 450 – 500m south from 'f' along the track by the fence line, until it meets with the existing track in the adjoining Conservation land.*

Legal public access currently exists up the Hope valley through the pastoral lease on the true right of the Hope River through the existence of the legal road. There will also be additional public access created with a marginal strip between the Hope River and the proposed freehold in the Hope valley. While the formed track appears to be on the legal road line for much of the way, the practicality of the legal public access up the entire valley is uncertain. The logical way to overcome this uncertainty, and to minimise any future difficulties between the public and the owner of the freehold land, is to create an easement for public access over the formed track wherever it deviates from the legal road line.

The Commission:

5. *Seeks to have an easement, for public vehicle access, created up the Hope valley on the existing formed track wherever this formed track deviates from the legal road line.*

Thank you for the opportunity to make a submission on the Preliminary Proposal for tenure review of The Poplars pastoral lease.

We request advice in due course as to how the points we have raised have been analysed and what amendments, if any, are subsequently proposed to the Preliminary Proposal designations.

Yours sincerely



pp. Mark Neeson
Chief Executive

243 007



Federated Mountain Clubs of NZ (Inc)

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

secretary@fmc.org.nz

15 September 2011

Commissioner of Crown Lands,
C/- Durroch Ltd,
P O Box 27
Alexandra
Email: luana.pentecost@darroch.co.nz



The Poplars Tenure Review

Federated Mountain Clubs represents clubs involved back country recreation with a particular focus on mountainous areas.

We note the proposals and the values listed in the conservation values report.

Federated Mountain Clubs fully supports the aims : *“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).

There are two areas of the proposal covers of particular interest to us:

- The river flats around the Boyle
- The block up the Hope River

The river flats around the Boyle

This area is a key area for access to the Lake Sumner area and, if the river is high, the Doubtful Valley from the Lewis Pass Highway. Both are important areas and offer a wide range of opportunities for recreation. These include easy tramping, longer and more challenging tramping trips (including ones across the main divide to the West Coast), hunting, fishing and enjoying natural values. The importance of the land covered by this proposal is that it has to be crossed to enter the recreational areas behind.

We note and strongly support the provision of public access in the proposal marked “a-b”, “car park”, “c-d”, “e-f” and “g-h”. We also note the importance of the bridge over the Boyle at Woody Point which is on public land but which links these. Vehicle access is necessary only over “a-b” and the “car park”.

Assured access along these routes is critical. We note the proposal is for “a-b”, “car park”, “c-d” and “e-f” to be covered by easements for public access and for the Minister for management purposes.

The route up the Boyle (from g to f) is proposed as only an easement for the Minister for management purposes. This route is needed as wet weather access (and especially egress) in bad weather when the Boyle cannot be forded upstream near the Doubtful. Similarly the section from f to h is a useful access to the Hope riverbed. The track along the high terrace does not give access to this. We therefore ask that the easement for 'g-f-h' also be for public access.

We would have preferred more secure access, such as a paper road along all these routes, to an access easement. However, provided the easement is properly maintained, and this involves the Minister and Department of Conservation in fully playing their parts under the easement agreement, we can accept this solution.

We note that the easement agreement will allow the Minister to provide markers, stiles, signs and so on. These are essential if public use is to be made simple and to avoid problems for the landowner.

We also note the Minister "...may at any time in exercise of his/her powers, temporarily close all or part of the easement Area..." (para 6 of the Transfer document). We feel that there should be some restriction on this. The power to stop access to the public should not be able to be used by the Minister at will.

The Hope River block

This block has some natural values (as recognised by the proposed covenants). We note these and support them.

We note the access easement marked "o-j-k". This route is the logical access route for anyone wanting to access the Neschacker Hill and the ridge to the south. We therefore consider that this easement for public access is necessary.

Concluding Comment

We generally support the proposal and especially the provisions of public access easements over "a-b", "car park", "c-d", "e-f" and "o-j-k".

We ask that the easement over "g-f-h" be for public access as well as for access for the Minister for management.

Finally, we appreciate this opportunity to comment on the Preliminary Proposal. We would be happy to be involved in further discussions regarding any of the issues discussed in this submission.

Yours faithfully



Phil Glasson
Secretary



Amuri Area School

Kia Kitea Toikaka

Nothing But The Best

Phone (03) 315 8233
 Fax (03) 315 8476
 Email Principal@Amuri.School.nz

P.O. Box 62
 Culverden 7345

September 14th 2011

Luana Pentecost
 Darroch Ltd
 Box 27
 Alexandra 9340



Dear Luana

Following is a submission made on behalf of the school in relation to the Tenure Review process being conducted around the Poplars Pastoral Lease.

Amuri Area School has for some time had a close interest in the areas described in the review as we own a lodge that is sited on the area of land that is proposed to be disposed of by free-holding to Run 351 Ltd. Currently we sub-lease the land the lodge is situated on from the Department of Conservation and this lease expires in 2017. Clearly if the land ownership is transferred to the Poplars Station then we will need to discuss this with them.

We also use a large rock on the area described in CA4 for abseiling and rock climbing with involvement from the Boyle River Outdoor Education Centre for both these activities. The sites are very well maintained and we are grateful to the BROEC who have developed and maintained the rock.

Therefore we submit that we would like to have access to the rock along the terrace that is part of the area proposed to be free-held but to continue to use the rock, we do need to access the area CA4 and where this occurs is not clear from the map shown. We would be very happy to work with the Crown, Run 351 Ltd and BROEC to determine the best point for this access.

As you may be aware, the lodge is situated close to the swing bridge and there is a vehicle track running from the public shelter to the lodge (the entrance gate does have a lock on it they only we, the BROEC and the Poplars Station have a key to. This track appears to be described by c-d on Sheet 2 of 2.

Therefore we further seek to retain the ability to have vehicular access to the lodge as when we have school camps we have large quantities of food and other gear to be transported to the lodge. We also need access for emergency reasons.

Overall we support the proposals of the Review and believe they will preserve and enhance the areas proposed to be restored/retained.

If you have any queries or wish me to clarify any matters raised here or otherwise, please do not hesitate to contact me at the above address or contact point.

Yours sincerely

Neil Wilkinson
 Principal (on behalf of the Amuri Board of Trustees)

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243 009

Luana Pentecost

From: Alan McMillan [club.wingatui@xtra.co.nz]
Sent: Wednesday, 14 September 2011 10:26 a.m.
To: Luana Pentecost
Subject: POPLARS STATION TENURE REVIEW PRELIM PROPOSAL



mORNING LUANA

PLEASE ACCEPT THE FOLLOWING AS OUR SUBMISSION ON THIS PROPOSAL

REGARDS
 Alan McMillan
 Chairman
 Public Access New Zealand Inc.,

Public Access New Zealand

Incorporated

Secretary, Public Access New Zealand Inc., P. O. Box 17, Dunedin, Otago New Zealand. phone/fax 64-03-489 8284

Darroch Limited,
 P.O.Box 27,
 Alexandra,
 Central Otago.
 Atn Luana Pentecost

Dear Sirs,

SUMMARY OF PRELIMINARY PROPOSAL –TENURE REVIEW

THE POPLARS PASTORAL LEASE.

Thank you for providing a copy of this proposal.

We wish to present the following submission on this review.

GENERAL STATEMENT:

Public Access New Zealand Inc. is a non-registered charitable trust, which holds as its objectives.
 “ The preservation and improvement of public access to public lands and waters throughout the New Zealand countryside in general and the retention in public ownership and control of all publicly owned lands and waters with value for public recreation and / or nature conservation.”

We are supported by a board of trustees representing interests from Auckland to Otago, by various organisations holding common interests and by a considerable range of individuals

OUR SUBMISSION

We have a particular interest in public roads, both formed and un formed. The contribution they make to the fabric of outdoor recreation in our country is immense and in the words of the respected

14/09/2011

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former Registrar General of Lands, Brian Hayes in his book “**Roads, Water Margins and River Beds**”

...” the roading pattern set out by the early surveyors along water and over land to be Crown granted is and continues to be the foundation of free, public and permanent access in New Zealand. The intention was that most of these roads would remain in a state of nature. Next to the rivers, mountains lakes and the sea, the unformed roading network, originally held in trust by the Crown for the people and now administered by local councils, is one of the greatest recreational assets of the nation, for it is the one mechanism that provides an unqualified guarantee of access for everyone “

We are highlighting these comments as we have some concern that your attention to the public needs and rights over unformed legal roads has not received due attention in the preparation of this preliminary proposal.

Our attention is specifically drawn to what we believe is an unformed legal road extending up the true right hand side of the Hope River seemingly terminating at the Museum Hut but then deviating slightly to end at the Kiwi Stream.

We can find no mention of this road within the preliminary proposal although its presence appears to be indicated on one of the maps you have provided; as it is on other mapping systems we have access to.

As you will be aware an unformed legal road provides the public with use rights identical to those enjoyed on any public highway and we are very concerned that the legal status of this road should not be altered in any way during the tenure review process. ..

We therefore seek you assurance that the existing public rights over this road will be protected in any decisions which may be made and that any current obstructions in the form of locked gates or other structures or vegetation, be removed as a prior condition to approval of the Tenure Review.

If any gate is required across the road we would expect it to comply with the appropriate regulations, that it not be locked, and that it carry the sign “PUBLIC ROAD” as required by law

We would be grateful for you confirmation that our concerns will be addressed

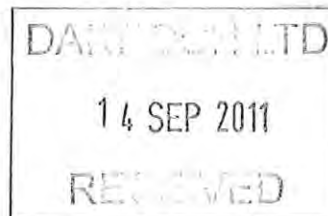
Sincerely

Alan McMillan,
Chairman,
Board of Trustees.
13TH September 2011

243 010

Chris Pearson
18 Rewa St
Dunedin
New Zealand

Wednesday, September 14, 2011
Commissioner of Crown Lands
c- Darroch Ltd
P O Box 27
ALEXANDRA
To Whom it may concern



I would like to make the following submission for Preliminary Proposal for the Tenure review of the Poppers pastoral lease which is undergoing tenure review under the Crown Pastoral Land Act 1998. I am a little concerned that in such a high profile area on a major tourist route there was so little land retained in full crown ownership. As the conservation resource study makes clear important and popular tramping tracks providing public access to Lake Sumner and other parts of the DOC estate. I do not think that the tramping tracks are protected even as easements and easements do not have a good history of providing secure access under subsequent possibly hostile landowners. This does not seem to comply with this nor does it provide secure access to sport fishing and bird hunters as recommended in the Fish and Game report. At the minimum the access provisions must be significantly improved before this tenure review goes forward. I see no reason why the i-j-l easement which now appears to be only for DOC should not be opened to members of the public. It would clearly provide important access to hunters and fishermen and would bring the proposal more in line with the Fish and Game report.

By the way, one of the issues noted during consultation was that "Ideally, the area up the Hope Valley should be protected to avoid creating an enclave of farmland within Lake Sumner Conservation Park." Well that has not happened unless by way of the easement but in this case it might be better for this area (CC1) to be retained for crown ownership to avoid fragmentation of ownership. Also what about the easement for the "Te Araroa The Long Pathway hiking trail ". I presume that this is protected during the tenure review process. It is a bit hard to say. It not it must be.

All and all I have major reservations about this tenure review and feel that it should not go forward in its current form. At a minimum the ijl easement should be open to public use.

Sincerely yours,

Christopher Pearson

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243 018

Luana Pentecost

From: Sonya and David Hodder [s.d.hodder@xtra.co.nz]
Sent: Tuesday, 13 September 2011 10:57 a.m.
To: Luana Pentecost
Subject: Fw: Review under Pt 2 Crown Pastoral Land Act: The Poplars



Subject: Review under Pt 2 Crown Pastoral Land Act: The Poplars

Hello Luana,

On behalf of the Nth Canterbury Branch of the NZDeerstalkers Branch Assn I would like to submit that:

1. the report attached to your letter dated 22 July 2011 has provided no means of public access from the right bank of the Hope Rv across the proposed new freehold land CC1 between the mouth of the Kiwi River and the line denoted as o-j-k giving public access to the Crown area called CA1.

This would practically prevent public foot access to approx 5km of 'tops' along the Neschacker Hill ridge from the riverbed

A route should be provided almost opp the Poplar Shelter, at least, where there is a reasonable-sized side stream for access.

2. the finger of CC1 that encroaches almost to the ridge-line seems rather unusual and another public access problem. Shorten or an access line?

3. As stock fencing to keep stock from the Crown land will be expensive, what protection is being provided for the Crown's flora and fauna up the Hope river valley from stock on the proposed RHS adjacent Freehold ?

A question:

What classification is the land upstream on the Boyle Rv above CA4 to the Doubtful Rv junction ?

I am available for discussion tomorrow, Wed 14th Sept and from Monday 19th Sept.

Yours faithfully

David W Hodder
 Secretary
 NZDA Nth Canterbury Branch

ph 339 7038, 027 616 1290, fax 339 7036

cc
 Dianne Brown
 CEO
 Wellington

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Luana Pentecost

243 012

From: Peter Hurst [peter@buchanansfoundry.co.nz]
Sent: Monday, 12 September 2011 2:57 p.m.
To: Luana Pentecost
Subject: Poplars Tenure Review

**TENURE REVIEW SUBMISSION FOR POPLARS STATION ,LEWIS PASS
HIGHWAY**



Dear Sirs,

I would like to put forward a submission on the above review.

Firstly, giving the public access by horse over Easement marked D to E on the plan is totally impractical and dangerous. It is impossible to cross the Boyle River at this point by horseback, a tragedy waiting to happen. The solution is to make access available some one and a half kilometers back down the Lewis Pass Road, where the road intersects the crown riverbed.

At this point in the riverbed the streams are more braided and safer to cross when the river is up a bit. The alternative is access via Nathans Stream at the northern end of the property. This access is already Crown Land and good parking for floats is available in the willow trees. The Taranaki gate requires replacing with a swing gate though.

Secondly, a public road follows the main track up the Hope River on the true right to as far as the Museum Hut and then deviates slightly through to the Kiwi Stream. The public have the unalienated right to pass and re-pass over this road at any time of the day and night, by any method they choose. This is no mere exercise in theory. Obstructions such as locked gates and fences need to be permanently removed from the roadway. Especially at the start of the proposed Freehold Area in the Hope River.

Has this road been demarcated on the ground? As I have been reliably informed, when the Tenure Review Survey is undertaken, the rules of surveying state that the road should follow any existing tracks. Will this surveying practice be followed with the public road from the Museum Hut to the DOC controlled land at the Kiwi Stream?

Please inform.

The wee area of land situated on the west bank of the Kiwi Stream by the Hope River should revert to the crown. It serves no practical purpose to the farming activities of the station and will prove complicated and costly to survey.

I wish to also point out that Easements do not have the same legal status as a road and could be varied or discontinued by agreement between a future landowner and the Crown at any stage. This public road, even though it is unformed in places, is an asset. It would be difficult to replace.

Unformed Public Roads form the backbone of the public's access to New Zealand's rivers, streams, lakes and mountains. Often access by vehicle is used only to the start of some recreational activity. In the Poplars case, the best fishing is from the Museum Hut up through the Hope Gorge to the St Jacobs Hut. Not all people are physically able to walk in to gain access to this area, a vehicle is required. By making this a non vehicle easement, you are severely restricting the categories of the public who could fish here.

As I understand the position, many overseas anglers pay the current landowner for access. This "grace and favour" arrangement should stop forthwith. Tenure Review is the perfect opportunity. Just remove the obstructions on the road, survey it properly and all parties will be satisfied, especially fishermen and horse trekkers.

13/09/2011

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Thanks and Regards

Peter Hurst Spokesman for Pegasus Horse Trekking Club



HURUNUI District Council

243 013

P.O. BOX 13
AMBERLEY 7441
NEW ZEALAND.
Phone: (03) 314-8816
Fax: (03) 314-9181
Email: info@hurunui.govt.nz
Web: www.hurunui.govt.nz

IF CALLING ASK FOR

7 September 2011



REF

Darroch Limited
P O Box 27
ALEXANDRA 9340

Attention: Luana Pentecost

Dear Sir

REVIEW UNDER PART 2 CROWN PASTORAL LAND ACT: THE POPLARS

Thank you for providing the opportunity to submit on this tenure review. The Hurunui District Council generally supports the proposal on the basis that it will protect areas with significant natural and landscape values and enable non-motorised public access to these, whilst maximising the potential of the run for farming purposes.

We seek the deletion of condition 3.9 of Appendix 3: Indicative Fencing and Construction Requirements, which requires that matagouri and scrub is cleared 1 metre either side of the fence line. It is preferable that the minimal amount of indigenous vegetation clearance is undertaken to prevent biodiversity loss, reduce edge effects on the remnants, and avoid creating an invasive pathway for weed species.

Please note that it likely that resource consent will be required for any indigenous vegetation clearance and earthworks associated with the proposed fencelines, access tracks and carpark.

Yours faithfully

Andrew Dalziel
CHIEF EXECUTIVE