

Crown Pastoral Land Tenure Review

Lease name: THE LARCHES

Lease number: PO 254

Public Submissions - Part 1

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

November

08

TENURE REVIEW Po254 THE LARCHES
LAKE WANAKA CYCLING INC. SUBMISSION

To: David Payton,
Tenure Review Contract Manager,
Opus International Consultants Ltd.,
Private Bag 1913,
Dunedin.



NAME:

Lake Wanaka Cycling Inc
C/o PO Box 713
ATTN: Tim Dennis
Wanaka

THE LARCHES TENURE REVIEW PRELIMINARY PROPOSAL

The property is Pastoral Lease land, being Part Run 505C, situated in blocks V, IX, X and XIV Cardrona Survey District, Section 7 SO 300466 and Section 2 – 3 SO 335850.

ABOUT LAKE WANAKA CYCLING INC (LWCI)

The following is from LWCI's Strategic Plan

1.1 Vision

To actively manage the development of cycling in Wanaka in all its forms, for the benefit of the community and the environment.

1.2 Mission Statement

To represent, promote and protect the interests of all cyclists in the Lake Wanaka area, and to make the most of the region's natural assets to benefit the economic and physical health of the community.

1.3 Goals

1. To establish Wanaka as one of New Zealand's premier cycling destinations
2. To bring together like-minded individuals who share an interest in cycling
3. To act as a coordinating body to oversee the design, construction and maintenance of mountain bike tracks within the Upper Clutha area

4. To protect the existing tracks network for the use of mountain biking from the incursion of residential development, land ownership changes and other encumbrances
5. To develop new tracks to compliment the existing network and further enhance the reputation of Wanaka as a superb mountain biking destination, attracting visitors and adding to the region's economy

Lake Wanaka Cycling has a fully paid up membership of over 100 with over 250 associates and has recently completed development of the Lismore Bike Park for the Wanaka Community's benefit.

LAKE WANAKA CYCLING'S SUBMISSION:

In line with LWCI's objectives, the following submission deals only with issues of cycling access to the proposed conservation area and along the Cardrona River margins.

A. Proposed Easements:

(a.) Public Access Easement.

The preliminary proposal refers to the proposed easement commencing where an unformed legal road, which adjoins Mt Barker Rd., meets the pastoral lease boundary, then following an old track formation across the face to the north east boundary of the property. It is not clear on the ground where the old track formation referred to is located, or how it manages to cross the deep and broken gully at the bottom, and to the west of, the proposed easement line. It is not practical to cross this gully at the line indicated on the map – along the boundary fences of adjacent residential properties. If this easement remains the only proposed public access, rather than the more suitable farm track (see below), the farm track should be used at least to a point above the broken gully, with a track then following up through regenerating kanuka towards a pond (see attached Plan 1).

While for much of its length, above the level of the gully, the proposed boundary easement line would be suitable for a steep marked walking route, it would not be suitable for a cycle track without considerable and expensive formation work to create a bench with grades of no more than 1:6 to 1:8. Unless full funding for this formation were to be provided as part of the tenure review negotiation, it is not true to claim, as the proposal does, that the route "will make a good walking and mountain bike route." At best, it would provide for future potential only, and would not provide immediate general public access by bicycle to the proposed conservation area. Without full funding being provided, given other priorities for the creation of tracks in the Upper Clutha area, it is difficult to see that the very considerable expense of fully forming a track on the proposed easement could be met from either the Department of Conservation, local Council or other funders, any time in the foreseeable future.

The proposed easement would therefore not provide good public access to the valuable conservation area as well as robbing the public of future potential to

create rides from the Pisa Conservation Area down into the Cardrona Valley and back to Wanaka.

(b.) Management Purposes Easement

The existing, mostly well graded (LWCI has checked the track and it is currently rideable for the majority of its length) and maintained, farm track is proposed for use as a maintenance and management access route to the proposed conservation area.

This easement would be a more than satisfactory public access route as is. It would of course have to be securely locked off from general motorised vehicle access to ensure the security of farm use, but would require minimal work to provide a good cycle track, which would be a major asset to the area, and importantly would be available as such, as soon as the review is completed and the conservation area is available.

It is recommended that this public access (farm track) easement should commence at the end of the designated public road, shown 'b' on the preliminary proposal plan, where a parking area could be created if needed. The route should then ascend the farm track to reach the conservation area.

Alternatively, as the existing farm track gives good visibility to the larches homestead area which may be of some concern, the public easement could follow the farm track for approx 250m from point 'b' before climbing through the kanuka gully to reconnect with the farm track at a higher altitude (see Plan 1 attached). This track is a good direct line with minimal unnecessary wandering, and takes in moderate and very pleasant terrain. It would also keep the public access away from the Larches main entrance, farm buildings and homestead, thus minimising effects on farm activities. In addition it is also the best alignment for the environment from the perspective of visibility assessment. At these lower altitudes the track will be more screened and the views from it more restricted.

Concerns regarding possible interference with farming activities can be dealt with through signage, exclusion of dogs, and closure during lambing. This sort of management regime has been proven successful at West Wanaka Station. The farm road management purposes easement provides for infinitely superior public access, both walking and cycling to the proposed Conservation Area.

Dealing with the lessee's concerns regarding its availability as the public access easement would allow the provision of one easement only, and would release the proposed 150m wide boundary easement for inclusion in the overall property disposition. This would also avoid additional cutting and earthworks on a slope which is fully visible from the main Cardrona Valley Road.

B. Cardrona Riverbed Public Access

It is not clear from the roading and riverbed section of the Dispositions Plan attached to the Preliminary Proposal how viable the access provided through the reviewed property along and across the Cardrona River will be. Although the

detailed plan is provided, there is no mention in the text of the proposal as to the nature of the terrain traversed, or the usability of the combination of legal road and marginal strip shown (is it in the middle of the river? This cannot be ascertained).

The review provides a critical opportunity to ensure that future efforts to create and extend cycling access up the Cardrona Valley to Cardrona Town is not impeded. The desirability of such a track is emphasised in the District's Walking and Cycling strategy, and would be a very valuable addition to the growing network of tracks in the Upper Clutha area.

There is the potential in the future to be able to ride from the Snow Farm along the Pisa Range and down through The Larches back to Wanaka. This would be a fine ride for most moderately fit parties taking approximately 3-4 hours.

If other agencies need to be involved in any review of legal road lines or marginal strip provision in relation to the re-designation of the leased portion of the property, this should be undertaken in a timeframe which could inform the tenure review negotiations. As a minimum, the review negotiation should ensure that there is continuous, **practical useable** public access through the length of the subject property. If this is not provided by the marginal strip and existing designated roads, an easement, or easements, within the subject property should be created.

These easements should provide for good practical public access through the subject property on both sides of the Cardrona River. Through access on the true right of the river will provide for the loop track through to the Avalon DoC Criffel walking track, mentioned above, while through access on the true left will ensure that opportunities for a future walking/cycling route from Cardrona township to Wanaka are protected

C. Linked Public Access Walking and Cycle Tracks

In line with both LWCI objectives and the QLDC Walking and Cycle Strategy, the Trust believes that emphasis must be placed on maximising public benefit in the development of walking and cycle tracks by creating a linked network.

Related to the above issue of riverbed access is the provision of a link, for walking and cycle use, between Cardrona Road and Mt Barker Rd., to provide for walking and cycle access from either side of the river, and to provide for an attractive loop cycle link out from Wanaka, via Cardrona Valley and back around Mt Barker or vice versa.

It appears, from our understanding of the line of the existing designated road-line across the Cardrona, that this would be a suitable place for the construction of a foot-bridge, but this should be confirmed with the Otago Regional Council, as the authority which would be required to grant resource consent for such a bridge. As a minimum, the review negotiation should ensure that there is continuous, **practical** public access across the Cardrona riverbed through the subject property, from legal road locations on either side. While the crossing within the actual riverbed itself will not be within the subject property, the review

provides the opportunity to ensure that there is practical usable public access through the property under review, from both the Cardrona Valley Road, and Mt Barker Road, to the most satisfactory crossing point.

LWCI'S SUBMISSION WOULD BE MET BY:

Preferring the proposed management purposes easement for public access as well as management purposes, or alternatively with a link created from the bottom end of the existing farm track to the end of the designated public road, and rejoining the farm track at a higher point (see attached Plan 1). Funding to form this alternate section would need to be part of the review process to achieve a rideable track.

Practical usable public access along the bed of the Cardrona River for the length of the subject property on both sides of the Cardrona River should be assured.

Practical usable public access across the bed of the Cardrona River, from legal public road to legal public road, within the subject property should be assured. In through the subject property from legal public road on each side of the river to a practical crossing point.

Signed: Date:



23 September 2008

Committee
Lake Wanaka Cycling Inc

Attachments:

Copy of Public advertisement from LINZ website

Plan 1: Alternate public access easement

Land Information
New Zealand Logo

CROWN PASTORAL LAND ACT 1998

THE LARCHES TENURE REVIEW NOTICE OF PRELIMINARY PROPOSAL

Notice is given under Section 43 of the Crown Pastoral Land Act 1998 by the Commissioner of Crown Lands that he has put a Preliminary Proposal for tenure review to Leslie James William Stewart and Roger Norman Maccassey and James Peter Robertson, Polson Higgs Nominees 2006 Limited and GCA Legal Trustee 2005 Limited (the Holder) as lessee of The Larches Pastoral Lease:

Legal description of land concerned:

Pastoral lease land: Part Run 505C situated in Blocks V, IX, X and XIV Cardrona Survey District, Section 7 SO 300466 and Section 2-3 SO 335850.

General description of the proposal:

1. An area of approximately 857 ha to be restored to or retained in full Crown ownership and control as a conservation area pursuant to section 35 (2)(a)(i) Crown Pastoral Land Act 1998.
2. An area of approximately 976 ha (approximately) to be disposed of by freehold disposal to the Holder pursuant to section 35(3) Crown Pastoral Land Act 1998 subject to Part IVA Conservation Act 1987, section 11 Crown Minerals Act 1991, the following protective mechanisms, and qualified designations:

Protective Mechanisms:

- (a) A conservation covenant of approximately 18 hectares pursuant to sections 40(1)(b) and 40(2)(a) Crown Pastoral Land Act 1998 for the purpose of preserving the natural environment and landscape.
- (b) A Conservation Covenant of approximately 180 hectares pursuant to sections 40(1)(b) and 40(2)(a) and (b) Crown Pastoral Land Act 1998 for the purpose of the protection of landscape values.

Qualified Designations:

- (a) An easement under section 36(3)(b) Crown Pastoral Land Act 1998 to provide conservation management access by non-motorised and motorised vehicles to the proposed Conservation Area.
- (b) An easement under section 36(3)(b) Crown Pastoral Land Act 1998 to provide public access by foot, horse and non-motorised vehicles to the proposed Conservation Area.

Further information including a copy of the designations plan, conservation covenant and easement documents is available on request from the LINZ contractor at the following address:

David Payton
Tenure Review Contract Manager,
Opus International Consultants Ltd,
Private Bag 1913, Dunedin.
Phone: (03) 471 5500; Fax (03) 474 8995.

Inspections: Any person wishing to inspect the property is advised to contact the LINZ contractor in the first instance at the above address.

Submissions: Any person or organisation may send a written submission on the above proposal to the Commissioner of Crown Lands, C/- Opus International Consultants Ltd at the above address.

All submissions are being collected and held by LINZ either directly or through its contractor.

Submitters should note that all written submissions may be made available, in full, by LINZ to its employees, agents and contractors, the Department of Conservation and the public generally.

Closing date of submissions:

Written submissions must be received no later than 30 September 2008.

