

Crown Pastoral Land Tenure Review

Lease name: THE LARCHES

Lease number: PO 254

Public Submissions - Part 11

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

November

08

Submission on the Preliminary Proposal for The Larches Pastoral Lease

On behalf of the Dunedin Branch Forest and Bird Management Committee.

This submission is written on behalf of the Dunedin Branch of the Forest and Bird Protection Society which has approximately 565 members, many with strong interests in the High Country values and recreational opportunities as well as in botany and natural history in general. Many of the members enjoy active recreation in the back country and are very aware of the need to ensure the protection of natural values, vegetation and landscape, historical sites and to improve public access through the tenure review process.

The submission is written with reference to the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the recently stated government objectives for the South Island high country, especially the following:-

- *to promote the management of the Crown's high country in a way that is ecologically sustainable.*
- *to protect significant inherent values of reviewable land by the creation of protective measures; or preferably by restoration of the land concerned to full Crown ownership and control.*
- *to secure public access to and enjoyment of high country land.*
- *to ensure that conservation outcomes for the high country are consistent with the NZ Biodiversity Strategy to progressively establish a network of high country parks and reserves.*

Introduction

The Larches lease is on the western flanks of the Criffel Range in the Cardrona Valley and rises from 440m at the valley floor up to 1370m on the crest of the range. The headwaters of Luggate Creek are within the lease as is a large part of the Criffel Diggings, the last alluvial goldfield to be found and worked in Otago.

As stated in the Conservation Resources report *'there are no highly distinctive visual features within the front face unit. The remnant patches of manuka/kanuka/matagouri woodland are however a notable visual feature and contribute to local character and identity.*

The primary visual and scenic values are associated with the range as a whole forming part of the eastern visual enclosure to the Cardrona Valley and also the backdrop to the Wanaka Township and environs.

We note that completion of this review will then mean more Crown Land becomes available for the proposed Pisa Conservation Park and believe that this route to the Criffel Range will become popular with the public.

2. The proposal:

2.1. CA1. 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.

CA1 has significant landscape values; it encompasses the summit plateau, part of the Criffel-Pisa summit landscape with panoramic views, much of which has already been returned to the

Crown as a consequence of other tenure reviews. CA1 includes diverse patterns of vegetation and wetland plant associations as well as several threatened plant species. *Heracium* is present in many places, but does not affect the landscape values

We strongly endorse the proposal to restore this area to full Crown ownership and control for protection of all the values set out in the proposal, both landscape, ecological and recreational. The historical importance of the goldfield historic sites within CA1 is fully endorsed.

2.2 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:

We have some reservations concerning the proposal to freehold 976ha. There are a number of areas of shrubland (containing kanuka, *Coprosma*, *olearia*, *Melicytus*, *Carmichaelia*, bush lawyer and matagouri), within it, not included within Covenants CC1 and CC2. We suggest there be a covenant protecting those shrubland areas, which do contribute to the landscape as seen from the Cardrona Valley, from burning, clearing and spraying. Indeed burning should be banned from the whole freehold area. If some protection for these shrublands (which we believe are not represented elsewhere on the Cardrona face), cannot be achieved perhaps the option to retain The Larches as a pastoral lease should be considered. Removal of the wilding trees should be mandatory.

The CC2 Covenant document (Clause 3 of Schedule 1) describes the value and importance of the landscape within CC 2 and those reasons for landscape protection apply also to the mid and lower slopes of the Criffel faces of The Larches (as included in LU2). The area included in LU 2 should therefore ideally be protected in a similar way as is proposed for CC2.

As we have already noted the Conservation Resources report states *'there are no highly distinctive visual features within the front face unit. The remnant patches of manuka /kanuka /matagouri woodland are however a notable visual feature and contribute to local character and identity.*

Protective Mechanisms:

(a) CC1. 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.

We endorse the creation of CC1, 18 ha of land including a matagouri, mingimingi, *olearia*, *coprosma*, *melicytus*, kanuka and some manuka shrubland. Some briar is present and the odd wilding tree.

We note that there is provision in the covenant conditions for fencing CC1 in the future and applaud this means of ensuring that the SIV's within CC1 are protected.

(b) CC2. 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.

CC2 directly adjoins CA1, is above 1000m and classified as LUC class VIIe, i.e. *of low suitability for pastoral use and unlikely to be managed in a way that would promote ecological sustainability*. It has landscape values, which include uniform vegetation cover, and shrublands within gullies and associated with boulder fields. The vegetation includes matagouri and *Carmichaelia*, which would surely be more likely to flourish without grazing pressure.

We endorse the protection of the area in CC2 but suggest it should more appropriately be added to CA1.

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.

We have no objection to this easement.

(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.

In the proposal it is not clear how public access from the Mt Barker road to point b is to be achieved and we noted that there is a steep gully between b and d, which does not make for easy access. We understand (from discussions with Jamie Robertson), that the intention is for an unformed legal road from Mt Barker Road to point (b) to become the public access from the road but this point needs to be clarified.

If the access from Mt Barker road to point b via the legal road can be achieved and a way found to negotiate the gully between b and d, the provisions for public access seem adequate. We note that the access track from d to e runs through CC1 which would allow people to enjoy the shrublands within it should they be interested in them.

Conclusion

We think serious consideration should be given to some protection of the shrublands on the area proposed for freehold

Janet Ledingham,

For the Management Committee of the Dunedin Branch, Forest and Bird Protection Society.



Figure 1. An area of shrubland towards the Cardrona end of the land proposed for freeholding



Figure 2. Part of the area shown in figure 1. *Olearia*, and *Coprosma* in foreground, kanuka behind.

9th September, 2008

Submission on Tenure Review Po254
The Larches



In respect of easements for public access to conservation area

Submitters:

Sanders Family
Bain Family
Hart Family
Hewitt Family
Powell Family

As five families directly affected by the existing proposal

Background.

The submitters above have been vaguely aware that part of the tenure review with the larches (being farmland neighbouring their properties) is a proposed track. Until last week when Trevor Bain invited DOC representatives to come and discuss the proposal with neighbours, members of the group above had little or no idea of the ramifications to them or the environment surrounding their properties that this part of the tenure review will bring.

While in principal this group favours tracks of this nature, we strongly object to the form of this track that is currently proposed for a number of reasons as follows:

1/. Lack of consultation / information

Until last week no one had had any contact with DOC, OPUS or LINZ in respect of this proposal. (We were advised then that we have until 15th September to submit on this proposal). As affected parties, we consider this to be a breach of natural justice, and would ask that a stay of any decision making be put in place until more sensible thought can be given to this proposal.

2/. Other alternatives exist already for entry to Pisa Range.

We understand that there are already multiple entry points to these areas, for example through Avalon Station.

In discussion with the leaseholder, we understand that there is an entry point near to the Studholme historic site (Cardrona Road) which would run up the right hand boundary of the property, and achieve the same result without many of the downsides listed below.

3/. Visual Impairment

The proposed track will need to be a zig-zagged track cut up an already highly visible fence-line, close to Wanaka. thus having an incredibly high visual impact We don't understand why it will be necessary to cut a track on a steep piece of the land, when tracks of a more logical, safer and better climb are already formed.

4/. Erosion risks / Environmental Concerns

As per above this countryside is very steep, and fragile land. At times of the year it is very dry and crumbly, currently as this is written, there are high volume water flows coming down that hillside. The areas are susceptible to erosion from both wind and water flows. In areas where earthworks have been done (e.g. building sites of submitters) it becomes quickly apparent that shallow underground water flows will create problems unless proper drainage systems are put in place.

We are concerned that the work to implement the track will create further dust, and mudflows into streams that will only end up in the wrong places.

Going back to 3/. Why create new tracks on more difficult terrain when there is an existing track of a more benign effect on the environment?

5/. Track lacks logic & sustainability

The track has simply been pushed to the fence-line. Currently that means people will have to climb to a fair height, then drop down to a height not far above the one they started at, including climbing through 2 gullies (one requiring some kind of bridge to be built across a ravine/stream) before beginning again quite a steep vertical climb. This is not a walk that is logically making the best of the countryside or the lay of the land. There is no logic to it.

A horse riding friend was shown the intended climb of the track and indicated it was unlikely she would consider such a climb (more importantly steep descent) on a regular basis.

It is not hard to envisage short cuts being tried through the farmland, achieving what is trying to be avoided in the first place.

Paul Hellebrekers & Rob Wardle of DOC with whom we met yesterday indicated the track as currently outlined is not one they favour, we assume for the same reasons we have outlined.

6/. Cost

As taxpayers we wonder why our tax dollars would be going into a high cost solution

- (a) forming a (high maintenance) track when one (low maintenance track) already exists
- (b) Costs of bridges and land stabilization to enable the fence line to be followed, whereas a better route would not require this.

If the issue for the farmer is people interfering with stock, surely a more cost effective solution would be to fence off a track?

7/. Safety

There are two safety issue with proposed track

- (a) Fence-line on the climb is adjacent to a working deer farm – Dangerous in rutting and fawning season, also helicopter mustering affecting horses if they are up that ridge?
- (b) Steep drop offs from that ridge line. In dense cloud (as it is today) or darkness this will be incredibly dangerous, especially in wet and frosty conditions. There is a high likelihood (due to the closeness of Wanaka township) that inexperienced trampers (including families) will see this start of the track as a nice Sunday afternoon walk. There are some big drops.

8/. Traffic management and infrastructure.

We are currently at a quiet end of a low traffic area with a gravel road. A number of our children at present safely ride bikes / walk to the corner of Mt Barker Rd & Faulks Rd to catch the school bus. There is a relatively blind corner about 1.5 K's from that intersection that local residents are aware of and slow down for. This proposal represents

- (a) Reduction in safety on the road
- (b) Greater amounts of dust being generated from the road
- (c) Poorer road conditions on an already poorly maintained road

In addition there is no plan advanced for

- (a) Parking
- (b) Toilet facilities for visitors
- (c) Rubbish removal
- (d) Overnight camping

9/. Invasion of Privacy./ Reduction of quality of private enjoyment

As designed this plan has maximum impact on the privacy of the four households above, whereby the walk takes visitors in some cases less than 10 metres from private sitting rooms, and views into bathrooms. This significantly alters what has previously been the residents quiet enjoyment of their homes, and raises issues of security. We are aware of a current scenario in Albert Town where a resident has complained about people hopping his fence to navigate a drier route across a track.

Access from Mt Barker Rd to the track is through an existing paper road which will have a major impact on the privacy of 2 of the submitters. We would like to invite the parties involved to discuss a number of available alternatives. Due to the short notice and lack of information, due diligence into these alternatives has not been completed yet.

Again we would stress that we are not opposed to the track in principle, but that there appears to be a number of alternative routes that would go a long way to addressing many of these concerns.

10/. Questions re historical relevance of area.

Can anyone confirm please that all appropriate studies have been undertaken to ensure that sites of historical significance (Goldmining) have been considered?


Conclusion

This track appears to have been conceived in haste, with thought given only to ramming through a tenure review, and without consultation to affected parties. This lacks natural justice, is short term thinking, and a better result could be achieved surely with more consultation with all

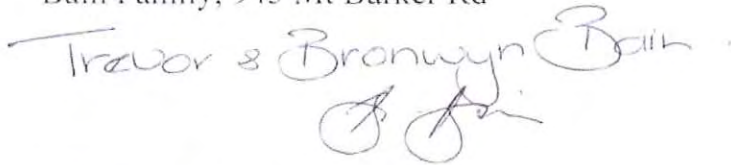
parties. We would welcome that opportunity, but in the meantime, please accept this submission prepared in haste.

Sincerely

Sanders Family, 935 Mt Barker Rd

Rudi & Aggi Sanders


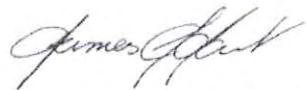
Bain Family, 945 Mt Barker Rd

Trevor & Bronwyn Bain


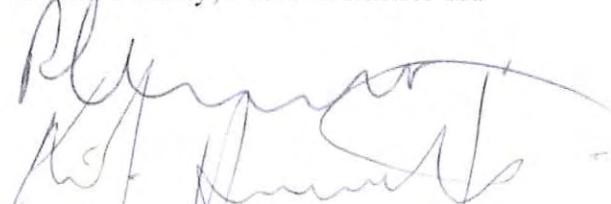
Hart Family, 925 Mt Barker Rd

LARCHES TENURE REVIEW 9th SEPT. '08

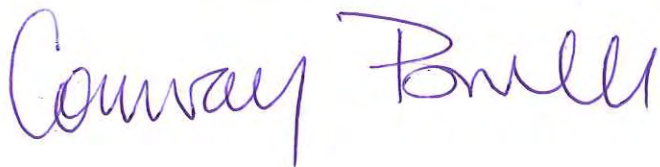
THIS IS TO CERTIFY THAT I, THE UNDERSIGNED,
JAMES HART OF 925 MT BARKER ROAD, WARRAKA
AGREE TO ALL POINTS OF THE SUBMISSION.



Hewitt Family, 903 Mt Barker Rd



Powell Family, 953 Mt Barker Rd

Conway Powell




11 September 2008

Dave Payton
Tenure Review Contract Manager
Opus International Consultants Ltd.
Private Bag 1913
Dunedin



File: SP/006/029/021
Your ref: 08/03754

Dear Dave

THE LARCHES TENURE REVIEW: SUBMISSION FROM QUEENSTOWN LAKES DISTRICT COUNCIL.

Please find enclosed the submission of the Queenstown Lakes District Council on the Larches tenure review. Please do not hesitate to contact me if you have any questions with respect to this submission.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Ralph Henderson".

PH
Ralph Henderson
Senior Policy Analyst