



11 December 2015.

Commissioner of Crown Lands  
Land Information New Zealand  
Christchurch.

Dear Mr Gullen,

**Re: Tenure review of Mt Dasher Crown pastoral lease**

Federated Mountain Clubs (FMC) was founded in 1931 and advocates for New Zealand's backcountry and outdoor recreation on behalf of 20,000 members. This core function gives FMC a strong interest in Crown pastoral tenure review because the process allows land to be redesignated for new purposes including conservation and recreation.

Of especial significance to FMC because of the organisation's interest in natural and historic values and recreation access, are the prioritised objects of the statute which enables tenure review, Part 2 of the Crown Pastoral Land Act 1998:

**Section 24**

*(a) to-*

*(i) promote the management of reviewable land in a way that is ecologically sustainable*

*(b) to enable the protection of the significant inherent values of reviewable land-*

*(i) by the creation of protective mechanisms; or (preferably)*

*(ii) by the restoration of the land concerned to full Crown ownership and control.,*

and the following object:

*(c) subject to paragraphs (a) and (b), to make easier-  
(i) the securing of public access to and enjoyment of reviewable land.*

*Additional objects, to enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument, and the freehold disposal of reviewable land, must also be considered, though their priority is not as high as those of (a)(i), (b)(i), and (b)(ii).*

## **Mt Dasher**

On the eastern side of Otago's Kakanui Mountains a half-hour drive from Oamaru, this 7,134ha property spans around 1,100m in altitudinal range, from about 300m at the Kakanui River's south branch to approximately 1,400m at Obi. It is characterised by extensive areas of volcanic landforms, broad ridges and a plateau, and deep valleys.

Human activity has altered many of the values within the property, yet a great deal remain sound; plant and animal pest control have supported that.

Observations and recommendations in the following submission are based on a view of Mt Dasher's preliminary proposal that is framed by the objects of Part 2 of the Crown Pastoral Land Act 1998 and their hierarchy.

## **Proposed CA1 (including GC1)**

This 2,927ha southwestern part of the property contains many natural features of significance, making its protection appropriate.

High landscape values and its extensive volcanic complex give the proposed area regional significance.

Botanically, much of this block is virtually intact and it contains communities that have become rare in the Dansey Ecological District. 'At risk' terrestrial fauna species are present, and there is a range of healthy aquatic fauna habitat types, by virtue of their good condition supportive of species such as the threatened longfin eel, known to exist lower in the catchment. The presence of these species and habitats qualifies proposed CA1 for protection due to their significance.

FMC supports establishment of the proposed farm management transition mechanism, grazing concession GC1. However, to allow for protection of natural and recreation values as required, we propose its length be reduced to five years.

This volcanic area has significant recreational interest. Mt Dasher, Siberia Hill, Kattothrust, and Obi are desirable objects for recreationists on single-day or weekend trips. Access-related matters will need to be addressed to allow the preliminary proposal to meet the Act's obligations to recreational access and enjoyment, however. These are discussed on pages 5 and 6.

**Recommendation:**

***\* that proposed designation CA1 be adopted.***

***\* that the term of proposed GC1, the proposed grazing concession over part of proposed CA1, be five years.***

**\* Note: proposed public access to CA1 and other parts of the property is discussed further on pages 5 and 6.**

**Proposed freehold - Deep Creek**

Running down from proposed CA1, this major tributary to the Kakanui River contains a variety of aquatic habitats supporting fish and invertebrate communities whose composition is likely close to original. The land environment is 'critically underprotected' and its vegetation has high naturalness and includes 'at risk' species.

Deep Creek's significant natural values should be protected, either by full Crown control - the Act's 'preference' - or by covenant, along the creek's length on the property. Dimensions should be determined by those with expertise in natural significance.

**Recommendation:**

***\* that significant natural values along Deep Creek in the proposed freehold area be given appropriate protection.***

**Proposed freehold - Quinns Creek**

Quinns Creek is a diverse catchment above the Kakanui River's south branch. It contains the threatened longfin eel, which depends on good health in the various habitats it moves through.

Moderately high visual resource values exist in the creek's upper reaches, and land environments in the catchment's lower parts are 'at risk' and 'critically underprotected'. An extensive area of mixed broadleaf forest, shrubland, and tall tussockland exists at Quinns Creek's confluence with the Kakanui River's south branch.

The Quinns Creek watershed should be protected, either by full Crown control - as the Act 'prefers' - or by another appropriate instrument, because of its natural values' significance. Protection should be designed by those with expertise in natural significance.

If full Crown protection is given to this part of the property, an easement should be created to allow farm management access where necessary.

**Recommendation:**

***\* that significant natural values in Quinns Creek and its catchment within the proposed freehold area be given appropriate protection.***

***\* that if the area receives full Crown protection, there be provision for creation of a farm management easement.***

**Proposed freehold - South Branch Kakanui River**

The importance of this waterway to the threatened longfin eel's migration and persistence is high. Scattered indigenous plant communities exist on the lower slopes.

Protection for these significant values should be either by full Crown control - 'preferred' by the Act - or by covenant over an area to be determined by those with expertise in natural significance.

**Recommendation:**

***\* that significant values in the South Branch Kakanui River within the proposed freehold area be given appropriate protection.***

**Proposed freehold - other areas below proposed CA1**

Ecological and landscape significance - for example, wetlands and basalt boulderfields - extend downslope of the fenceline at the bottom of proposed CA1 into parts of the property not already discussed. 'At risk' and 'critically underprotected' land environments exist there.

Areas containing these values should be protected either by the Act's 'preferred' full Crown control or by covenant, with the necessary delineation to be determined by those with expertise in natural significance.

**Recommendation:**

***\* that significant values in proposed freehold areas below CA1 not already discussed be given appropriate protection.***

## **Proposed freehold - CC1**

FMC supports the creation of this covenant which has been proposed to protect a pre-human-settlement forest and shrubland remnant in Hectors Creek. As a land environment, its classifications are 'at risk' and 'critically underprotected'.

To mitigate vulnerability associated with its small size, extensive boundary, and proposed absence of fencing, a no-spraying, no-burning buffer should be put in place around the covenant, with dimensions to be determined by those with expertise in conservation management.

Access for those interested in the covenant should be provided, from a convenient point along 'b'-c', to the edge of and within the covenant.

### **Recommendations:**

***\* that proposed CC1 be adopted.***

***\* that recreation access to and within the covenant be created.***

## **Proposed freehold - remainder**

FMC supports the remainder of the proposed freehold designation.

To allow the preliminary proposal to meet the Act's obligations to recreational access and enjoyment, however, two significant matters will need to be addressed.

Firstly, the approximately 8.5km-each-way proposed non-motorised access route through the proposed freehold area to proposed CA1 is so prolix that 'public access to and enjoyment of reviewable land' would likely be more academic than actual. Recreational access through the proposed freehold will need to be motorised for the proposal to meet the Act's purposes.

Secondly, motorised recreation access that would enable fulfilment of the Act's purposes would be possible only by allowing recreationists to share proposed conservation management access from 'd' to 'b' and thence to 'c', or by forming the legal road running from the airstrip to point 'a', and thence to 'b' and 'c'. Implementation of either of these measures will allow the proposal to meet recreation access and enjoyment requirements of the Act.

Due to the presence of significant inherent values on parts of the property proposed for unencumbered freehold, this submission has recommended altering the proposal to protect those values, to answer the statute's demands. The recommendations could result in extensions to the area proposed for full Crown control. If this occurs, recreation access to the additional areas should be motorised and by means of the same track to proposed CA1 as that proposed for

conservation management ('d' - 'b' - 'c'), or, to reach this track, on a formed legal road from the airstrip to 'a', then 'b'.

FMC supports the proposed creation of easements on track sections which are not legal road.

**Recommendations:**

- \* that, with exceptions discussed earlier in this submission, the proposed freehold be adopted.***
- \* that public recreational access through the proposed freehold be motorised.***
- \* that public recreational and conservation management access be by shared track 'd' to 'b' and thence to 'c', or, to reach this track, by forming the legal road from the airstrip to 'a' and thence to 'b' (Note: if the leaseholder finds the former unacceptable, then to fulfil the Act's obligations to recreation access and enjoyment, the latter, to be effected in part outside the lease, will be necessary).***
- \* that easements proposed for track sections which are not legal road be adopted.***

**Land classification**

This tenure review should 'enable the protection of the significant inherent values'. Therefore, as part of the review, all property to become public conservation land should be given final classification based on the technical data that has informed the review.

Stewardship classification does not ensure protection through appropriate management and does not provide protection from exchange (Section 16A(1) of the Conservation Act 1987 says: *Subject to subsections (2) and (3), the Minister may, by notice in the Gazette, authorise the exchange of any stewardship area or any part of any stewardship area for any other land*); precise classifications will address the Act's requirement that the review should 'enable the protection'.

**Recommendation:**

- \* that public conservation land created by this tenure review be specifically classified as part of the process.***

**Conclusion**

Improved protection for natural values is needed for Mt Dasher's preliminary proposal to meet the statute's primary demands of promoting ecologically sustainable management and enabling protection of significant inherent values.

Public access and recreational enjoyment requirements of the Act should be met frankly; the proposal will need alteration to make access necessarily welcoming and practical.

Significant inherent values' protection on public conservation land is uncertain unless the land has specific classification. Using the tenure review's supporting technical data to appropriately classify parts of the property becoming public conservation land will ensure that this statutory priority - enabling protection of significant inherent values - is achieved.

Yours sincerely,

J. R. Finlayson  
for FMC executive.

Contact: Jamie Stewart  
Administrator, Federated Mountain Clubs  
PO Box 1604  
Wellington 6104  
04 9346089  
[secretary@fmc.org.nz](mailto:secretary@fmc.org.nz)