

Crown Pastoral Land Tenure Review

**Lease name: TEMPLE PEAK
STATION**

Lease number: PO 094

Public Submissions - Part 3

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

April

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SUBMISSION ON
PRELIMINARY TENURE REVIEW PROPOSAL
TEMPLE PEAK PASTORAL LEASE, REES VALLEY



CENTRAL OTAGO-LAKES BRANCH
Royal Forest and Bird Protection Society Inc



January 18 2010

17th January 2010

The Commissioner of Crown Lands
c/o Darroch Valuations
PO Box 27
ALEXANDRA 9340

Dear Sir

Re: Preliminary Proposal for Tenure Review - Temple Peak, Po094

This is a submission on behalf of the Central Otago-Lakes branch of the Royal Forest and Bird Society (formerly Upper Clutha branch).

We thank you for forwarding to us a copy of this proposal, and we would be pleased if you would accept this submission. We also thank you for the help in arranging an inspection of the property and wish to thank the lessees for allowing us to do so.

Our branch of the Society fully supports the objectives of the Crown Pastoral Lands Act 1998 (CPLA). We have been involved in the process of tenure review and the writing of submissions on tenure review proposals for many years now. We have within our membership people who are well qualified to comment on any preliminary proposal: a soil scientist, a botanist, a landscape architect and a retired tussock grassland farmer.

We have read and studied the Conservation Resources Reports (CRR) and other documents related to the tenure review of Temple Peak acquired under the Official Information Act. We have with other NGOs made an inspection of the property in January.

We provided the Commissioner with a brief preliminary report on what we considered to be the values and desirable outcomes for a tenure review of this lease in June 2003, based on field inspection in 2003. Many of the points we set out then are still most relevant but there have also been significant changes in our understanding of the values of the South Island high country since then, in particular the importance of native shrublands and lower altitude communities and ecosystems generally. Failure to ensure adequate protection of lower altitude land, and a misplaced reliance on district planning to achieve protection are now widely recognised (including by government) as shortcomings in the tenure review process to date. We examine tenure review proposals carefully in the light of these issues.

Our submission is set out in the following manner:

1. Comments on Proposed CA1 and CA2 and proposed grazing concession
2. Response to Proposed CA3 and proposals generally for area North of Davidsons Creek
3. Comments on 12 Mile Grazing Block
4. Response to Proposed Freeholding and Partial Covenant over Land South of Davidsons Creek and above approximately 700m altitude
5. Comments on Proposed Unencumbered Freehold and Covenant over Beech Gullies
6. Comments on Access Proposals
 - (i) Precipice Creek Access
 - (ii) Proposed Access c-d

(iii) Proposed access g-h-i-j

Proposed CA1 and CA2

We support the retention of this large alpine area as conservation land, for the protection and enhancement of its natural values and for the public to have secure access to and within, and freely enjoy. We note that much of this area is not suited for pastoral use due to rugged terrain, vegetation type and altitude as well as limited accessibility.

We consider the proposed new fence lines to be well related to landform and would not result in visually degrading lines in themselves, providing the lines are not bladed or any new machinery access tracks result. There may be localised issues if stock camp along the fence lines highlighting their presence, because it would degrade the highly natural appearance of the area. This is likely if Merinos are grazed. **Photo 1** shows typical effects of stock grazing.

However, we consider that additional areas should be included in CA2 area due to presence of significant inherent values, high altitude (and inability to farm in an ecologically sustainable manner) and to address practical fencing issues. We will discuss these in the following sections.

We note that fences S-T and W-X-Y-Z constitute about 4.5km of new (and reinstated) fence, with fence W-Z running to altitudes of around 1000-1200m up to over 1500-1600m. Fence W-Z would have a high maintenance requirement, particularly from snow damage. This is already evident with the existing fence which has to be reinstated. Some effort and/or expense would be required to access these fence lines for inspection and maintenance since vehicle access is not possible. A lower altitude choice of boundary would not require this high maintenance fence and would avoid considerable future expense.

We note that between Z and V a natural boundary is proposed as the boundary between conservation area and freehold. Unless the fence at point Z is stock proof where it runs into Pulpit Basin, stock (particularly Merinos) could get past and access the conservation area; and, conversely, wethers could try to return to lower country and conflict with the provisions of proposed covenant CC1.

Our submissions on the extent of conservation area do not require the fence W-X-Y-Z or S-T. Alternative fencing would be required under our submission but it would not be high maintenance, would probably be mostly accessible by vehicle and easier to install; and would not be as long (3.5km). There would be no reliance necessary on natural boundaries either.

We note that a summer country grazing concession for 1000 wethers is proposed over CA2. Whilst we agree CA2 has a highly natural character, we do not agree that grazing use of the area has had minimal impact; because as the proposal states “vegetation does however display [a] greater level of grazing influence” (p5). We accept that some of this impact is probably from feral goats. There would be no fertiliser application over the area (as it is not economic or practical being over 1000m altitude) and it is not ecologically sustainable to keep grazing it. Retirement of the area from grazing, as originally recommended by the DoC, is the appropriate management.

We consider 21 years to be too long for a phase-out period; and 7 years to be too long for monitoring and reviews. We submit that the term be for three 5 year terms with no right of renewal. We support the proposed monitoring programme and stress that there must be detailed base line measurements; and that grazing is to cease if any further deterioration is shown by monitoring.

The proposal for a grazing concession appears to hinge strongly on the current lessees management regime and “good working relationship” with the DOC. Future owners may not have such a “strong

affinity with the land and the values it contains". Conditions and limits must take into account all future owners and managers and the possibility of insensitive and uninformed management.

Recommendation CA2 and CA1:

- **Reduce grazing concession to three 5 year terms, with renewal of each term being dependent on monitoring showing no adverse effects and achievement of objectives**
- **Consider alternative lower maintenance fence locations, associated with addition of adjoining areas of significant inherent value (see next section)**

Proposed CA3 and Proposed Freehold Area North of Davidsons Creek

We support the retention of the area of peat bog wetlands and adjacent short tussock and grey shrubland community (including *Olearia bullata*), and beech forest in riparian margins; as a conservation area with exclusion of all grazing. Dense grey and manuka shrubland is included in 12 Mile Creek. High knob 964 is also a prominent landform providing an excellent outlook of the Glenorchy-Rees-Dart valleys.

Values of Area North of Davidson Creek

We observed on our visit that the area containing large wetlands exceeds that contained in CA3; and that CA3 is only a small part of a much larger area dominated by numerous wetlands and *Olearia bullata* groves. In fact there is much more *Olearia bullata* outside CA3 than in it (see **Photos 2, 3, 4**). The entire area between the proposed CA2 and CA3 and north of Davidsons Creek is a highly natural area with a rich variety of native species and plant communities. This is obvious from the description of values in the CRR and in the Proposal. Maps 4.2.2 and 4.2.3 in the CRR¹ also show the entire area (and more) as having high inherent value which we consider represents significant inherent value (SIV).

At present there is a full uninterrupted sequence of vegetation communities from under 600m altitude (in 12 Mile Creek) or around 800m altitude in the slotted gully north of Davidsons Creek, to 1600m altitude.

This is the only area like this on the whole property. It is distinctly different in vegetative composition and visual appearance to the area south of Davidsons Creek (see **Photo 5**), which is more obviously modified. As far as we know, it is the only area of short tussock with a diversity of native herbs, grasses, wetland plants and small shrubs as intertussock cover (**Photo 6**). Elsewhere exotic species are more prevalent. It is a relatively small area compared to the vast area of mountain lands in CA2 and CA1. Because of these factors, in our view the area north of Davidsons Creek has elevated significance and its protection is particularly important.

We are aware that *Olearia bullata* is now classed as a non-threatened species² but that it has high values for supporting invertebrates. The *Olearia* groves are a particularly notable feature here creating a distinct and impressive visual pattern – as common as matagouri is in many other places (very little matagouri-*coprosma propinqua* was observed through this area).

Dracophyllum shrubland – prominent over the steeper slopes above 1100m or so - also extends into this area, especially on cool shady aspects such as Davidsons Gully where it mixes with other native shrub species (eg, *hebe*, *ozothamnus*, *coprosma*, *olearia* spp) (see **Photo 7**).

¹ Map 4.2.2 Landscape Units and Areas of Significant Inherent Landscape Value and Map 4.2.3 Areas of Significant Inherent Ecological/Recreation Value; Conservation Resources Report for Temple Peak DOC 2003

² NZ Plant Conservation Network website Jan 2010

We note that the CRR at p15 describes the extent and variety of shrublands on Temple Peak as one of its most significant vegetation features, and that shrublands are a rare ecosystem, the importance of which has been emphasised by research in recent years. The Proposal states at p7 that grey shrublands are a much reduced vegetation type due to pastoral development including burning, and that *Olearia bullata* shrubland communities are considered rare communities. Yet most of these communities occur outside CA3 (and many outside of proposed CC1 as well).

We also observe that under the current light grazing, there is natural regeneration occurring along some of the beech margins although effects of animal browsing and trampling are still evident within the beech.

The area is characterised by a high level of intactness, legibility and visual coherence both within the area and in its continuity with the higher altitude areas to the east. The level of naturalness is high; with no fences, insubstantial minor tracking and absence of obvious exotic pasture. The area thus has very high landscape values, a combination of its elements as well as the spectacular setting seen above and beyond it. The groves of beech forest concentrated mainly along the slotted gullies incised in the terrain and occasionally forming lobes extending into the tussock and shrublands, create a very attractive park-like landscape of generally easy open terrain that invites exploration (see **Photo 8**), as noted in our early report. In our opinion, this is an area people would like to explore and enjoy, potentially as a highlight of a round trip between Precipice and 12 Mile Creeks.

A good day tramping route would be up Precipice Creek as proposed, either across the lateral moraine via the existing 4WD track or up to Temple Peak and/or round the head basin facing west, then down the large spur into 12 Mile Creek, from X to point 'd'; and from there potentially out to the road (discussed in a later section). We note route X to 'd' was identified in the CRR Map 4.2.3 as a desirable recreational route.

The CA3 area proposed does by no means cover the significant inherent values over the middle Rees Valley faces and it does not contain the most important SIVs either in our view. The most important value lies in the integrity and naturalness of the area as a whole, with its diverse assemblage of native plant communities and very high landscape values. CA3 is only a small part of it. We note that the DOC recommendation was to retain this entire area as conservation land.

Sustainability of Pastoral Use

Being at altitude 900m plus with most of the area between 1000-1500m (rising to 1631 at the highest point), we doubt this area has much grazing value; nor that it could support ecologically sustainable pastoral use.

Exotic pasture species are present but are not dominant or obvious, except on the northern fence line along the rim of 12 Mile Creek valley where stock camp. The change from swards of luxuriant green pasture to much more natural grasslands and shrublands is immediately noticeable on passing through the last gate at about 850m altitude on the 4WD track up to the area.

Pasture response to topdressing at this altitude would be very limited. Ultimately grazing on this basis will result in on-going nutrient depletion and is not sustainable.

Management Implications

We note that Davidsons Gully is a deep slotted gully forming a natural division between the areas north and south of it. There is also a fence along the north side of the gully although this is not stock proof (particularly cattle). There is a good stock fence along the entire northern boundary of the area, along the 12 Mile Creek valley rim. The area lends itself well to be fenced off from other grazing areas. Fence lines can follow natural lines in the landscape.

Proposed Covenant

The proposal is that this area become freehold with a conservation covenant over part of it. We comment on Schedule 1 of the conservation covenant agreement:

- Schedule 1 describes botanical values but does not describe the significant landscape values

- The special conditions allow for sheep grazing only over the land north of Davidsons Creek “to the extent it is consistent with objective set out in Clause 2 and protecting the values described in Schedule 1.” No stocking limits are set in terms of stocking density, periods of stocking and type of stock. Limits need to be set if native vegetation is to be sustained. In particular, beech regeneration is hindered by grazing and trampling and beech areas should be fenced off from stock. There is also no proposed fence between the north and south areas to keep cattle (or deer) out. The existing fence design is not up to cattle proof standard.
- Topdressing is permitted over grassed areas but not over beech forest or areas dominated by native woody vegetation. There is no definition of what “dominated by woody vegetation” means. In this area native shrublands are dispersed through the grassland in varying densities. It is present over large areas, thus would prevent topdressing of grazed areas, notwithstanding a large part of the covenanted area is over 1000m and would not be fertilised as it would be ineffective and uneconomic. These factors combined are effectively causing long term ‘mining’ of nutrients and we do not consider continued sheep grazing to be ecologically sustainable.
- Only exotic woody weeds may be sprayed (no issue)
- The conditions also allow for monitoring by the DOC and for changes to grazing. No monitoring details are provided, as they are for the grazing concession on CA2, nor at what point grazing would be required to cease.
- There is no provision for public access into this area, apart from easement c-d, d-e and d-f.

We note large areas of wetlands, tussock grassland, Olearia shrublands and other shrubland communities are omitted from the proposed covenant area, with an arbitrary location of the lower edge of the covenant area at approximately 1000m altitude over most of the area, except where it extends down the gullies to cover the beech forest. The 1000m contour bears no relation to the extent of values actually present. In particular, it lies above many of the Olearia shrublands.

We do not consider that freehold ownership even with the covenant would ensure the values are protected in the long term as required by Object (b) of the CPLA, especially if the property changed hands and new owners were not so conservation-minded. Furthermore, freehold ownership and the covenant conditions do not provide for any public access except for the two easements c-d and e-d-f proposed. Enjoyment of the land and the significant values it contains in accordance with Object c (i) of the CPLA, would not be achieved.

The proposal to freehold the area between CA2 and CA3 also requires around 4km of new fencing and the reinstatement of the existing fence north of Davidsons Creek to a cattle-proof standard. These are man made elements being introduced into an area currently virtually free of such elements (excluding the fences along the north and south boundaries of the area). Fence S-T has the potential to also result in unnatural contrasts in vegetation cover across the fence line, due to grazing on one side only. This is not desirable in this area. We note strong grazing effects along the 12 Mile Creek valley fence line.

Only about 1km of rebuilt fence is required along the south side of Davidsons Creek if the area to the north were retained as conservation land.

In our view, there is sound justification for retaining all the front-face land north of and including Davidsons Creek as conservation land, and connecting CA2 with CA3. In this we support the DOC’s original recommendation.

The area has noted significant inherent values both for landscape and ecology, which are not widespread on the property or elsewhere; it is dominated by native species and is of generally of higher altitude (900-1000m and higher), meaning it is largely unsuited to sustainable pastoral use; it is an area the public would want to be able to roam in and enjoy; and the retention of the land as conservation area would avoid the need for fences S-T and W-X Y, as well as avoiding the costs associated with on going monitoring.

Retention of the area as conservation land meets Objects a, b and c. Freehold ownership does not meet any of these three objectives, even with a proposed covenant.

Recommendation:

Preferably, in accordance with the CPLA, that the entire area north of and including Davidsons Creek, between CA2 and CA3, be retained as conservation land so that CA2 extends to CA3.

As the fence north of Davidsons Creek is not in the best repair and is not designed for cattle, instead of reinstating it, it should be re-located on the south side of Davidsons Creek. This would enable the beech forest and upper valley dracophyllum shrublands to be included under conservation management. This fence would be more easily accessed as well from the south. The proposed fences S-T and W-X-Y would not be required thus saving considerable expense. No fencing of beech forested gullies would be required either.

If CA2 was expanded however, and fence W-X-Y was not erected, the proposed continuation of summer wether grazing on CA2 would also affect this area. The area would then be subject to the monitoring required under CA2. Regular hunting out of sheep drifting back to the lower country would also need to be a requirement to avoid overgrazing.

Easement c-d north of Davidsons Creek would not be required; neither would easements d-e or d-f. We discuss public access to this area in our discussions to follow on access provisions.

An easement to allow passage of sheep through to the 12 Mile Creek grazing block together with horses and dogs (but not vehicles due to wetlands) would be required. Such an easement would require a condition that stock are to be moved through and not permitted to linger and graze. The easement would be located across higher dry ground to avoid wetland damage.

Whilst we do support this part of the proposal and submit it does not meet the objects of the CPLA, if the land remains as freehold:

- **drape the covenant over the entire area north of Davidsons Creek to include all the more natural area and especially more valuable lower altitude areas; and recognising that the block must be managed as one (otherwise the uncovenanted areas would have to be fenced off)**
- **The conditions of covenant need to be amended to ensure significant inherent values receive the protection required by the CPLA**
- **Beech forested areas would need to be fenced off to permit regeneration**
- **Limitations to sheep grazing and a specific monitoring programme need to be by way of condition**
- **Erect cattle-proof fence on southern side of Davidsons Creek**
- **Create walking access easement between X and d; and between j-i (and thus connecting to the paper road on Rees Valley Station)**
- **Extend CA3 to the east as far as the low middle ridge at about 1000m altitude to include Olearia groves and large wet areas and include all of the beech filled gully to the south, not just the north side of it (by fencing down the south side of it).**

12 Mile Creek Grazing Block – Proposed Freehold with Covenant

We appreciate that this relatively warm, north-facing (induced) short tussock grassland grazing block currently provides valuable grazing in all but deep winter conditions. Altitude does range from around 600m up to almost 1300m but the majority of the area is less than 1000m. On a warm sunny face there is better response to topdressing and pastoral use is more likely to be sustainable. Exotic

pasture and the effects of grazing are much more apparent on this block and removal of woody cover through burning and grazing is also much more evident, with induced short tussock cover instead of tall tussock and shrublands (see **Photo 9**). Prevention of regeneration of woody cover is likely to remain as long as there is pastoral use, in the absence of conservative stocking limits. There are uniform swards of lush exotic pasture along the fence line above the valley, due to stock camping.

The comments we have about the proposed covenant agreement over the area stand for this area as well.

The removal of grazing would no doubt allow return of woody cover and eventually beech forest. With a condition of no clearance of native woody vegetation and imposition of stocking limits as submitted, it would be expected woody cover would slowly increase and may ultimately phase out grazing value.

We are aware Rees Valley Station on the true right of 12 Mile Creek is in tenure review. In our view and in accordance with the DoC recommendations, the true right is best suited to conservation area status as it has significant inherent value for landscape and ecological reasons (**refer Map appended**). The Temple Peak block is in effect an intrusion into otherwise mountainous conservation land, both visual and ecological. Continued pastoral use will fragment what could otherwise be intact conservation area – if the area between CA3 and CA2 is conservation land as we submit and the true right becomes conservation land. We note the 12 Mile block was identified as having high inherent ecological value and high landscape value.

Whilst we do not immediately oppose on-going pastoral use of the 12 Mile block, consideration should be given to its inclusion in conservation area in the long term, perhaps when and if north-neighbouring Rees Valley Station completes tenure review. It is expected that the rugged steep country on the true right with a dominance of native cover would become conservation land. Freehold ownership of the true left is not appropriate for this objective.

Recommendation:

- **Amend covenant conditions to include stocking limits and specific monitoring conditions including base line monitoring; and setting of performance objectives**
- **Consider retention as crown land with a grazing concession as for CA2 in preference to freehold status, with an ultimate goal of returning the land to a more natural state as native woody cover increases, reducing grazing value**

Proposed Freehold Area South of Davidsons Creek and down to 700-750m contour fence

This area is more obviously modified over the lower benches and up to around 1000-1100m altitude with greater expanses of open grassland. Dense exotic sward becomes dominant over the lower bench, below about 800m (**Photo 10**). Above 1000-1100m, tall tussock land is evident up to 1400-1500m altitude at the top of Precipice Hill. Numerous wet areas exist within the area. Profuse regenerating manuka and grey shrublands are marked across the middle part of this area around 900-1100m altitude, as well as dracophyllum extending downslope (see **Photos 11-13**). A particularly dense area of grey shrubland including cabbage trees covers the slopes just north of Precipice Creek, as we identified in our early report (see **Photo 14**).

Despite the more obvious pastoral use, the area retains a highly natural appearance and high values of coherence and legibility, and a moderately high value of intactness. Future use of the area should not further reduce these qualities, and should allow native shrublands to re-establish.

The entire block has been identified in the CRR on Maps 4.2.2 and 4.2.3 as having high inherent ecological and landscape value. We note that the DOC's original recommendation was for protection of values down to the lower fence at 700m.

The existing 4WD track provides excellent easy access through the area towards Davidsons Creek and the interesting areas to the north, as well as being easily linked to the proposed Precipice Creek easement. The passage across the area would be much easier via this route than route c-d or any other higher route; as route c-d requires a steep climb out of Precipice Creek in order to attain the 1000m contour, as well as having to cross numerous gullies. Davidsons Creek is deep, with bluffs, and very steep sided where the c-d crossing is marked. It takes some time to get across it safely. From the contours it appears an easier crossing point on Davidsons Creek would be at about GR395302 (NZTM Topo50). If public access were permitted along the 4WD track, it would potentially provide the less fit and able an achievable and appealing round trip to point 964 in CA3, with spectacular views and interesting scenery closer at hand (assuming a connection can be made down j-i and down to the road.

It is proposed to freehold this area and drape a covenant over the higher steeper slopes only above 1000m altitude as well as over the beech in the slotted gullies of Davidsons Creek tributaries. Large areas of the native shrublands, wetlands and landscape values below 1000m are therefore without any form of protection.

No fencing is proposed between covenanted and non-covenanted areas, so effectively the covenant applies to the whole block as far as stocking goes.

The points raised earlier about CC1 apply here although cattle grazing is permitted. Because of the numerous wet areas, we submit cattle should not be allowed to graze over this area, especially because no limitations have been set.

We submit the extensive regenerating manuka and denser grey shrublands at the south end similarly require protection from burning and spraying; and we submit would be best placed within CA2. This would add to the value of CA2/CA1 which otherwise does not have any examples of grey shrublands. Stocking numbers should also be kept at a level where natural regeneration can continue to occur. Whilst the current lessee may graze conservatively (hence the regeneration) future managers may not be so caring. Stocking limitations are required over the entire block in our view, unless the drier areas of extensive grass pasture below approximately the 800m contour are fenced off.

The beech forest edges also require fencing off to permit regeneration. Examination of the beech areas in various places where pasture is lush showed no regeneration occurring and trampled and eaten-out understorey, because stock have free access to the forest areas. The persistent contraction of beech areas is not a desired outcome and we submit the tenure review should provide for their permanent protection.

We note that a large portion of this area is over 1000m and rises up to 1400-1500m. This is to take advantage of an existing fenceline and natural boundaries of Precipice Hill. This land above 1000m generally is not capable of ecologically sustainable management and therefore its freeholding does not meet Object a (i) of the CPLA. It would be possible to locate a new fence along the 1000-1100m contour approximately in a way that would be visually acceptable, as there are various benches in the terrain along which it could be located. High maintenance fence Y-Z would not be required; and free public access across the face of Precipice Hill would be enabled. Easement c-d would not be required.

Recommendations:

- **Covenant CC1 to cover entire block as one management unit (unless land with open dense exotic sward below about 800m is fenced off, then it does not need to be included)**
- **Include dense grey shrubland at south end in CA2 (minimal grazing value but high conservation value)**
- **Fence off the upper slopes at approx. 1000-1100m contour, where steeper slopes begin**
- **Exclude cattle because of extensive wet areas (or permit only a small mob of young cattle, eg weaners)**
- **Beech forest is fenced off from stock including down south side of Davidsons Creek**
- **Amend covenant conditions to include stocking limits and specific monitoring conditions including base line monitoring and setting of performance objectives for shrublands and wetlands**
- **Provide public access along track to cross into conservation area at Davidsons Creek at approximately GR395302 (NZTM Topo50). Provide link between Precipice Creek easement to 4WD track at base of shrubland area or up existing fence line, whichever is more practical**

Remaining Freehold

The Rees faces below the 700m contour are largely modified and comprise a number of smaller grazing blocks and the homestead paddocks.

There are considerable native shrublands over this area (see **Photos 15,16**). Grey shrublands over low altitude land are a rare ecosystem now due to pastoral use, as acknowledge in the Proposal. 'Clean' slopes of low bracken and exotic pasture are typical of many areas in the district where woody cover has been cleared. Regeneration of shrubland in this area is a precursor to long term return of beech forest cover. Presence of a mosaic of shrubland and open grass areas contributes to the natural character and aesthetic appeal of the Rees Valley and its outstanding landscape qualities.

We note that all these lower faces were assessed as having significant inherent landscape value, and also ecological value over some of the shrubland areas (refer Map 4.2.2. and 4.2.3 for Temple Peak).

Without any restrictions, it is likely the existing shrublands will be sprayed, cleared and/or burnt to provide good 'clean' grazing land with much lower biodiversity value. It is unlikely the local council would decline applications for clearance, if there has been no protection assigned under tenure review (as it is assumed tenure review would have taken care of any significant values).

It is submitted that for the remaining freehold, a native Shrubland Management Plan is to be prepared as a condition of freehold that describes the vegetation, and sets out objectives and methods for its management, with the overall goal of enhancing the cover or at least maintaining it.

We stress that whilst the current lessee's management has permitted recovery of woody shrublands over this area, this is voluntary; and future management especially by different owners may strongly favour wholesale clearance.

We also submit that there is no point placing a protective covenant over the beech forest areas unless they are fenced off from stock. We observed that stock access has denuded the beech areas of any undergrowth or regeneration.

Access Proposals

1 Proposed Public Access – Precipice Creek (proposed easement a-b and through Temple Peak Freehold)

The proposed route between Glenorchy-Paradise Road and the conservation area up Precipice Creek appears to be a sound and practical proposal offering secure year-round foot access to the creek itself and the conservation areas beyond; at least as far as point V. We were not able to walk the route to

test its practicality and were not able to look into the area where V is. However the contours suggest it would be practical (albeit steep) to walk up the true right of the side gully at V up to c.

Our only comment is that the access must lie along the easy open terrain on the northern edge of the beech up to V and at no time be forced down the steep side slopes. The placement of the easement across the proposed freehold and the location of the northern edge of the lower Precipice Creek conservation areas must allow for this. Likewise from V to c, sufficient open ground over easier terrain, out of the gully, must be contained within the conservation area. We propose the dense shrubland west of V to 'c' is included in CA2 which would give more flexibility over route and would in fact not require a route to be identified. Additionally we seek access via the 4WD track on the lateral moraine, and ask for an easement from Precipice Creek to and along this track to Davidsons Creek instead.

On Precipice Hill, we note the unfenced conservation area boundary is proposed through the middle of a slip area, an unidentifiable line on the ground meaning people are likely to unwittingly trespass on to the proposed freehold land. We submit that the boundary of the conservation land follow the edge of the slip zone as this is easy to pick up on the ground (**refer image attached**). This would allow people to ascend/descend Precipice Hill with confidence they are not trespassing. This would not be an issue of the lower country were fenced around the 1000m contour as submitted.

2 Proposed Access c-d

We have noted our concerns with this proposed easement and consider there are better alternatives. We note this route is to be reconsidered if superior access is secured. Alternative and superior access is along the 4WD track between Precipice Creek and Davidsons Creek, accessing the area north of Davidsons Creek at an easier crossing; and alternatively – for the fitter - up Precipice Hill and round under Temple Peak in the conservation area and down the spur between X and d. This access easement is not required if the area above 1000m or so and north of Davidsons Creek is retained by the Crown as conservation land.

3 Proposed Management Access g-h-i-j

The existing 4WD track up the northern boundary provides easy and logical access to the upper Davidsons Creek area and across to 12 Mile and CA3. We note that it was identified as a desirable or important recreational access route in both the Rees Valley tenure review³ (see attached Map) and this tenure review (Map 4.2.3 CRR). It enables the creation of a valuable round trip via Precipice Creek, Temple Peak basin, the 12 Mile Creek spur between X and d, and down to the road again via this track; or via Precipice Creek, a public easement across the 4WD to Davidsons Creek then through conservation area and down to the public road at 'j'.

We support this evaluation and submit that every effort be made to secure walking access along this track to provide practical and easy access to CA3 and CA2. We note that between h and i there is a problem in that land required for crossing over lies within another freehold property and there is no way around it because of Davidsons Creek. In the future such access might be secured provision should be made for the track on Temple Peak to become a public access route should the situation between h-i be resolved. It does not appear necessary for the route to pass close to the homestead either.

Alternatively a legal road does pass through Rees Valley Station and it joins Temple Peak at i. The contour map suggests this would be practical access, therefore at least i-j should be made available to the public at this stage.

³ Map 4.2.3 Significant Ecological, Historic and Recreation Resources, Rees Valley CRR 2005

CONCLUSIONS

Temple Peak is a pastoral lease that has significant inherent values over all (landscape) or most of its area (ecological). Of particular interest are the lower altitude shrublands, wetlands and natural landscape values on the western faces, since these types of ecosystems and native plant communities are scarce relative to the vast areas of more mountainous land in the interior; and are more accessible and able to be enjoyed by more people. They also contribute most to the more widely enjoyed outstanding landscape of the Rees Valley compared to the more visually isolated and remote interior areas.

However the highest levels of protection have been conferred to the more remote and less accessible areas of more common types of ecosystem and landscape.

We submit that in order to properly meet the objects of the CPLA, the preliminary proposal needs to be revised to better recognise and give protection to the significant inherent values that are present over the lower altitude western faces. Greater provision also needs to be made for the public to have secure access to and be able to enjoy these values, in particular the more natural landscape north of Davidsons Creek.

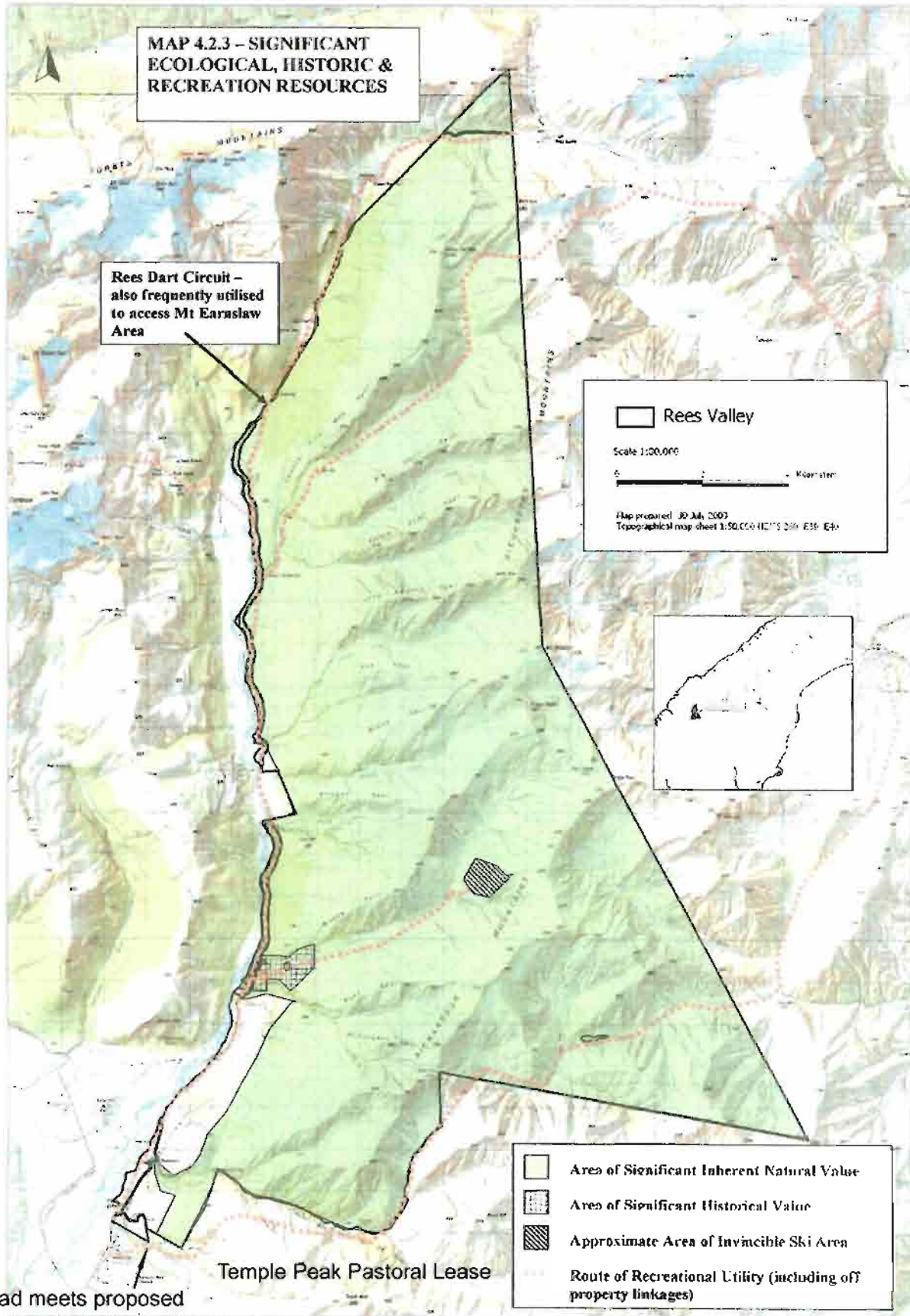
We appreciate this opportunity to make this submission, and trust you will give our submission serious consideration. We look forward to seeing the final outcomes for Temple Peak upholding the objects of the CPLA.

Yours faithfully

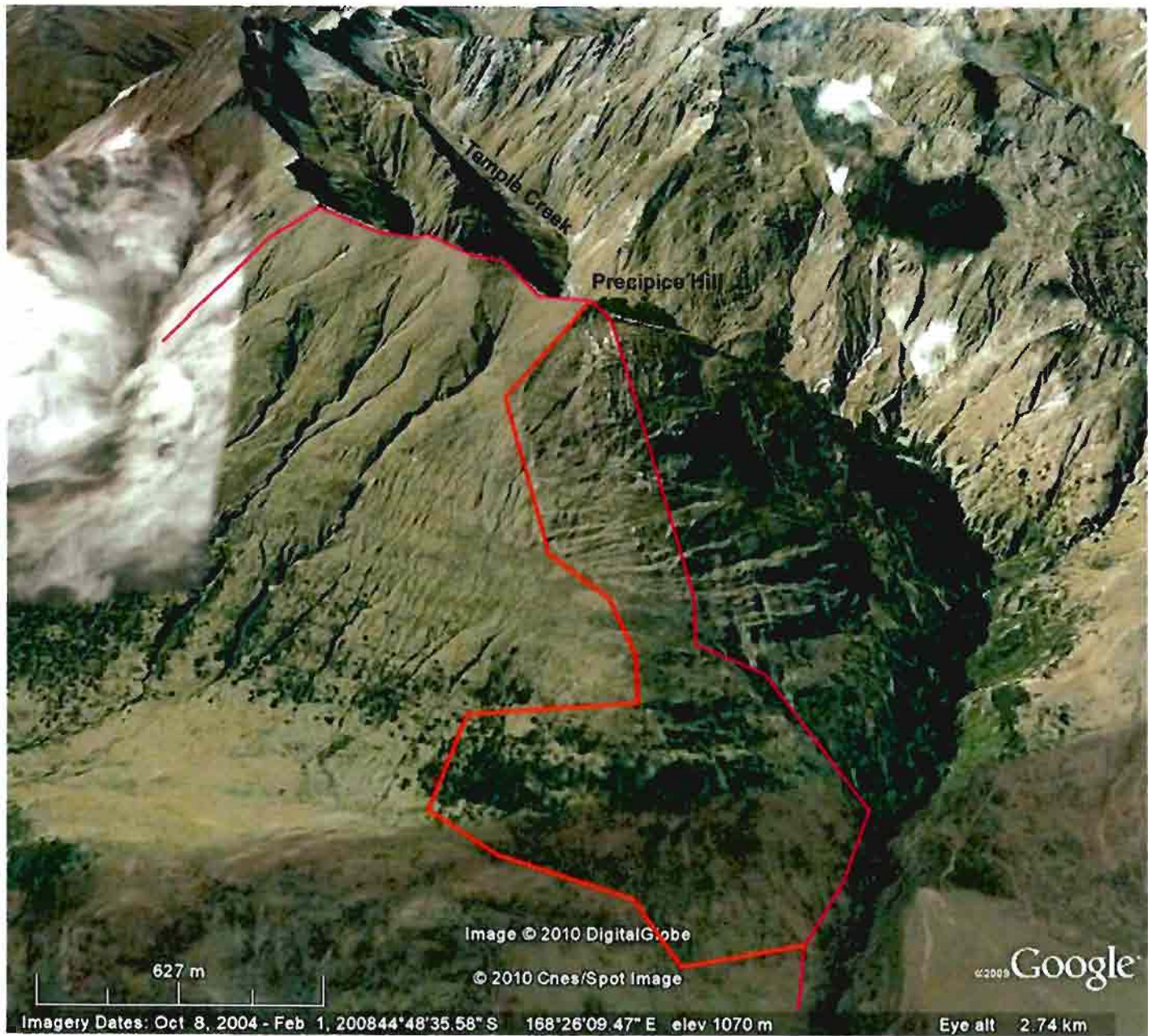


Anne Steven
Committee Member

On behalf of the Central Otago-Lakes branch
Royal Forest and Bird Society



Attachment 1. Rees Valley Station Tenure Review
Map 4.2.3



-  recommended boundary
-  proposed boundary

Attachment 2: Recommended location of boundary to CA2



Photo 1.
Effects of stock camping on fence lines.
Top fence to 12 Mile Creek block looking east.



Photo 2.
Olearia bullata groves in wetter areas, on proposed unencumbered freehold at around 900m altitude



Photos 3 and 4.
Olearia bullata groves just east and above proposed CA3 (photo above) and on proposed unencumbered freehold north of Davidsons Creek

Photo 6.

Short tussock grassland to north of Davidsons Creek, on area proposed for unencumbered freehold. Exotic pasture species form minor component of the sward.



Photo 5.

Strong contrast between more natural area north of Davidsons Creek with extensive dracophyllum shrubland; and area to south where dense grass sward is dominant below 1000-1100m altitude





Photo 7.
Extensive dracophyllum shrubland on north side of Davidsons Creek
(photo: John Turnbull 2002)



Photo 8.
Park-like landscape character of area north of Davidsons Creek; a highly attractive landscape.



Photo 9.

12 Mile Creek, with more modified short tussock grassland grazing land on Temple Peak to right, and more natural shrub covered, steep and rugged Rees Valley Station country on true right of valley



Photo 10.

Dense mainly exotic grass sward over lower glacial bench at around 750m altitude.

Photos 11 and 12.
Extensive manuka and grey shrublands
over the glacial benches to south of
Davidsons Creek up to 1000m altitude.

Top photo looking southwest from
knob at .1011; and
bottom photo from 4WD track at
around 740m altitude



Photo 13.
Dracophyllum shrubland extending down over lateral moraine benches to around 900m altitude



Photo 14.
Dense gray and manuka shrubland at south end of lateral moraine close to Precipice Creek.



(photo to left:
John Turnbull 2002)



Photo 15.
View of Temple Peak Station, western faces of Rees valley.
Extensive manuka and grey shrublands are regenerating across
the faces in many places.

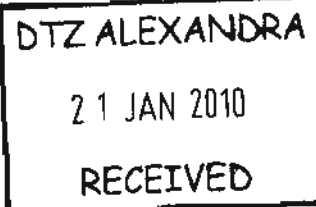


Photo 16.
Example of shrublands over lower faces closer to homestead.

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WALKINGACCESS
ARA HĪKOI AOTEAROA

15 January 2010

Luana Patterson
Darroch Valuations
PO Box 27
Alexander 9340

Dear Luana,

Re: Preliminary Proposal for Tenure Review: Temple Peak Pastoral Lease (Po094)

Thank you for providing the Walking Access Commission with the opportunity to comment on the preliminary proposal for the tenure review of the Temple Peak pastoral lease. As you will appreciate this is the first opportunity that the Walking Access Commission has had to comment on this proposal.

The preliminary proposal makes provision for public access to CA1, CA2 and CA3 (as referenced in the map) from the car park via an existing easement over adjacent land and an easement over land adjacent to Precipice Creek to be free held to Temple Peak Limited. Access from the point "c" (refer Preliminary proposal map) then traverses across the property to the point "d" (through an area to be subject to a conservation covenant) and from there to either CA2 (up hill) or CA3 (down hill). The Commission has been advised by the Federated Mountain clubs that while the Precipice Creek route is considered to be "rugged" and "adequate" to provide access to CA1 and CA2 it, is unnecessarily long.

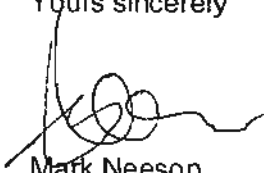
We note that provision has been made for access for conservation management purposes via an easier and more direct route following Davidson's Creek. Part of this route passes through the adjoining free hold land. The preliminary proposal states that the adjacent land owners have made it clear this access is not available for public use.

Temple Peak is an area with high significant inherent values close to Queenstown and, as such, has the potential to be a destination for those seeking not only to tramp from the Rees Valley through to Skippers and the Shotover River but also those seeking suitable day trips. The Commission believes that while the provision for access as detailed in the preliminary proposal provides the opportunity for the public to access the significant recreation resources available in the proposed Conservation areas, the proposed public access is not practical and, moreover, will not provide an access opportunity that will cater for day walkers. Access would be enhanced greatly by granting an easement for the benefit of the public over the route presently proposed for conservation management purposes.

Two possible alternatives will facilitate this. The first is for the Crown's agent to negotiate access over the adjoining freeholded property, or, alternatively the Commission's preferred course of action would be the creation of access within the bounds of Temple Hill would resolve this issue.

The Walking Access Commission would like to discuss the legal nature and content of the proposed easements (if accepted) with you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Neeson', with a stylized flourish extending to the right.

Mark Neeson
Chief Executive