

Crown Pastoral Land Tenure Review

Lease name : MORVEN HILLS

Lease number : PO 359

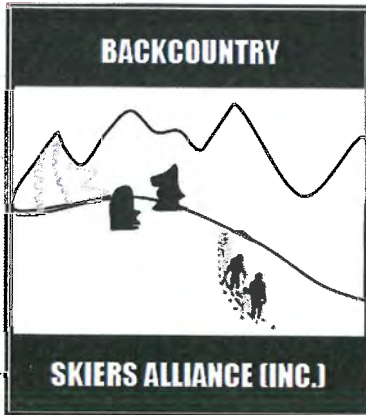
Public Submissions

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.

August

15



Backcountry Skiers Alliance
PO Box 127
Alexandra
Email: backcountry@xtra.co.nz
www.strato.co.nz/bsa

May 5th, 2015

Commissioner of Crown Lands
 Land Information New Zealand
 Crown Property
 CBRE House, 112 Tuam Street
 Private Bag 4721
 CHRISTCHURCH 8140
pastoral&tenurereview@linz.govt.nz

Submission on Morven Hills Tenure Review

Thank you for the opportunity to submit on the proposed tenure review for Morven Hills. The proposal covers land with exciting recreational opportunities, and significant conservation values.

BSA

Backcountry Skiers Alliance (BSA) is an incorporated Society established in 1996. Our objectives are to foster non-motorised winter recreation in backcountry areas, and to promote and protect the resources upon which our member activities are based. During other times of the year our members are involved with a variety of land-based activities including mountain biking (MTB), tramping and horse trekking. BSA has submitted on a wide range of land tenure and environmental matters throughout the South Island. For many members BSA is the only outdoor organization they belong to.

SR1

We support the establishment of SR1, which extends the existing Scenic Reserve centred on Lindis Pass. The land has obvious scenic and conservation values. Importantly SR1 secures foot and cycle access up the 4WD track 1km north of the Mackenzie side of the pass, leading to the pylon route and CA1.

CA1

We support the establishment of CA1. The upper levels offer reasonable skiing potential during good snow seasons with quick access off the Lindis Pass highway (but rather long access from Goodger-Shilmar). Day and even overnight walks into Dunstan Creek headwaters will be also be popular.

BSA is an Incorporated Society with members throughout New Zealand. The objectives of the Society are first, to foster non-motorised winter recreation in backcountry areas; and second, to promote and protect the resources upon which our members activities are based.

Perhaps the most popular recreation activity will be mountain biking along the "pylon road" from Lindis Pass to Goodger Road. This will be a welcome outcome from the Review. We see good potential for similar routes which, when joined together, make it possible to cycle a large portion of the central South Island largely off-road.

CC1

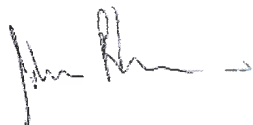
There's one recommendation we must make to the proposal, which would have little impact upon farming operations, yet will enhance recreation opportunities. This is to add public non-motorised access along the approx. 4km 4WD track descending just north of point 1577m (on the boundary of CC1 and CA1, marked on the plan as "A"). The track joins the pylon road approx. 5km north of its southern end.

The 4WD track is steep, but quite suitable for descending on mountain bikes as part of a "loop" trip involving the high tops of the Chain Hills south of Old Man Peak and the pylon road. Such round trips are much more satisfying than an "out and return". This also avoids shuttling bikes or walkers between road-ends, or riding the highway. The 4WD track is of course an ideal walking route.

An alternative would be to incorporate the track into CA1, moving the fence south along 1577, 1472 and 1087. Another option would be to use the existing fence-line, starting at "b-c" and running up to "A", as the southern boundary to CA1. These last options give the quickest and most practical access to CA1 tops from Goodger Road and we can't stress enough the importance of providing such direct access to conservation lands.

We are happy with the remainder of the proposal and look forward to a speedy outcome.

Yours Sincerely



John Robinson
Secretary, BSA

23 May 2015

Commissioner of Crown Lands
Land Information New Zealand
Crown Property & Investment
CBRE House, 112 Tuam Street
Private Bag 4721
CHRISTCHURCH 8140

To Whom It May Concern:

Morven Hills Tenure Review Submission

Thank you for the opportunity to lodge a submission on Morven Hills Preliminary Proposal for tenure review. I generally support the Preliminary Proposal (PP) in its current form; however I have a few proposed amendments that will be discussed in this submission.

24	<p>Objects of Part 2 The objects of this Part are—</p> <p>(a) to—</p> <p style="padding-left: 20px;">(i) promote the management of reviewable land in a way that is ecologically sustainable;</p> <p style="padding-left: 20px;">(ii) subject to subparagraph (i), 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</p> <p>(b) to enable the protection of the significant inherent values of reviewable land—</p> <p style="padding-left: 20px;">(i) by the creation of protective mechanisms; or (preferably)</p> <p style="padding-left: 20px;">(ii) by the restoration of the land concerned to full Crown ownership and control; and</p> <p>(c) subject to paragraphs (a) and (b), to make easier—</p> <p style="padding-left: 20px;">(i) the securing of public access to and enjoyment of reviewable land; and</p> <p style="padding-left: 20px;">(ii) the freehold disposal of reviewable land.</p>
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Section 24 CPLA 1998

Point 1:

Land to be freeholded & land to be retained in Crown Control

I support the proposed areas of freehold and retention of CA1 & SR1 by the Crown.

Point 2:

Public access

I support the proposed easements in their current form. However, the single easement “a” through to “d” as shown on the current PP is woefully inadequate, as does not give full effect to section 24(c)(i). The two objects contained in section 24(c)(i) & (ii) are subject to the first two paragraphs in section 24 and clearly have equal weighting as neither is subject to, or preferable to the other.

It is clear from the PP designation plan, that the “freehold disposal of reviewable land” has definitely been made easier, giving effect to section 24(c)(ii). However, it is also clear that the “securing of public access to and enjoyment of reviewable land” has not been made easier by the PP in its current form; at least not to the same level as the proposed freeholding of a large proportion of the lease.

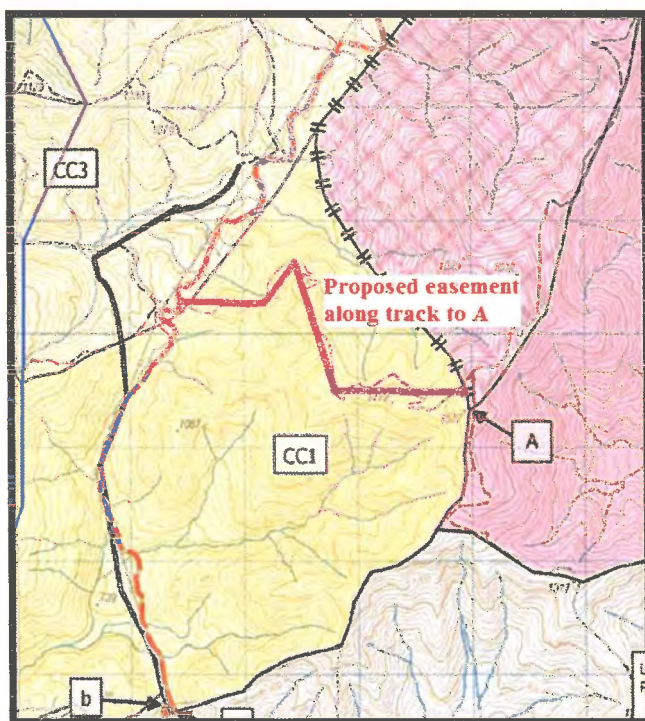
Section 24(c)(i) states that public access is to be made easier to/over the reviewable land, which includes that land freeholded as well as land retained in Crown control. Hence public enjoyment can be obtained over all reviewable land. A recent example of section 24(c) being reasonably well addressed was in the ongoing tenure review of Omarama Station. The current PP of Morven Hills is similar to Omarama, as large areas were proposed to be freeholded subject to conservation covenants.

The Omarama proposal correctly recognised that public access could co-exist over and with large areas of freeholded land. This was achieved by creating a good number of public access easements across areas of freehold land. The SP plan for Omarama demonstrates that public enjoyment of reviewable land does not necessarily require that land be retained in Crown control. The SP plan for Omarama is attached to the end of this submission.

As raised earlier in this tenure review process by FMC & Forest & Bird, it is noted that in the case of Morven Hills, primary methods of public enjoyment would include walking and mountain biking which are both low/no impact activities. To make easier, and provide for public access to and enjoyment of reviewable land pursuant to section 24(c)(i), the following easements are proposed:

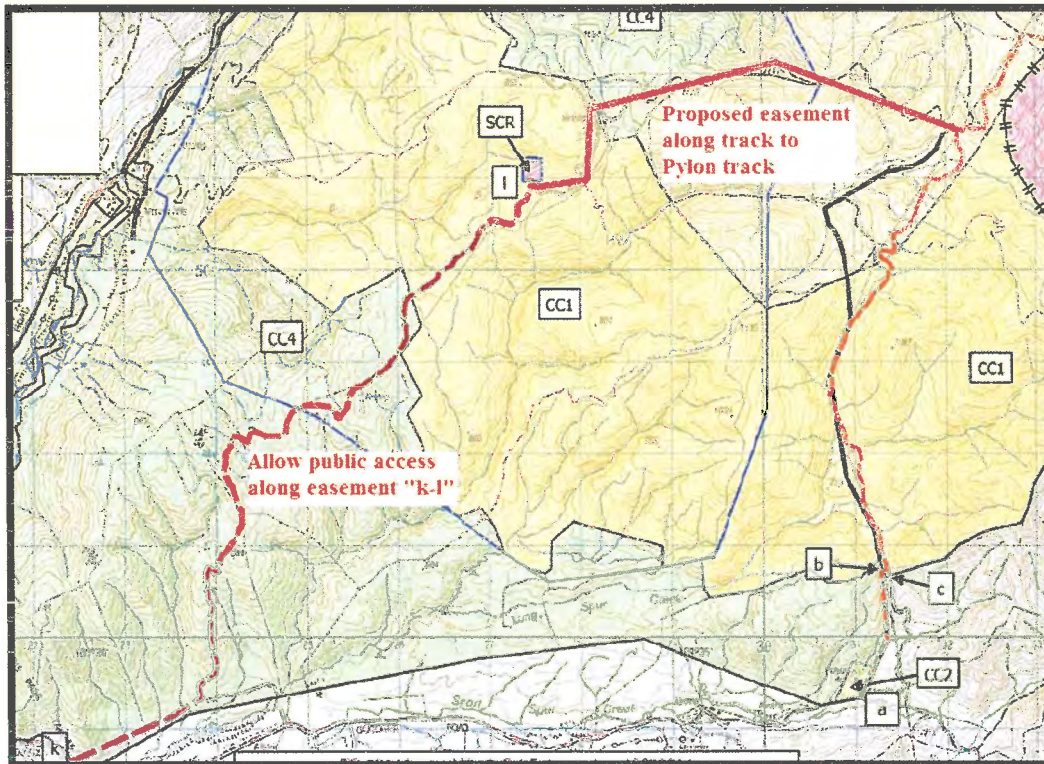
1. Easement from Pylon track to point “A”

Provision of an easement along the existing track as shown on the topomap below would allow for an alternative access to CA1 and give opportunity for a loop track through the conservation area. As currently proposed, the easement “a-d” is reasonably unappealing as it gives one way access in and out unless you can get picked up at the other end; it does not fulfil section 24(c)(i).



2. Easements through central zone

The SP for Omarama station created easements through the central freehold portion of the lease. The easement locations allow for walking along ridges, which is appealing to the general public. In a similar way, easements could be created through the central portion of Morven Hills. The easement for DOC management from "k-l" should also allow for public access, and extend to the east to meet up with the Pylon track. This would be a very appealing walk/bike as it follows the main ridge allowing for great views and forms a loop when followed back down to point "a" on Goodger Road. A major appeal would be the fact that it is only about 9km back down Goodger Road to point "k" where it started, especially when considering that this is a quiet road.



Conclusion:

I ask that the easements proposed above be included in the formation of the substantive proposal. This will help remedy the current lack of public access and enjoyment of reviewable land in the PP. I understand that farming operations on Morven Hills need to be affected as least as possible, so to minimise effects on the surrounding freeholded land, I propose that all public access easements should not allow the use of motorised vehicles.

Thank you for considering this submission, and I trust it will be given serious consideration.

Yours sincerely

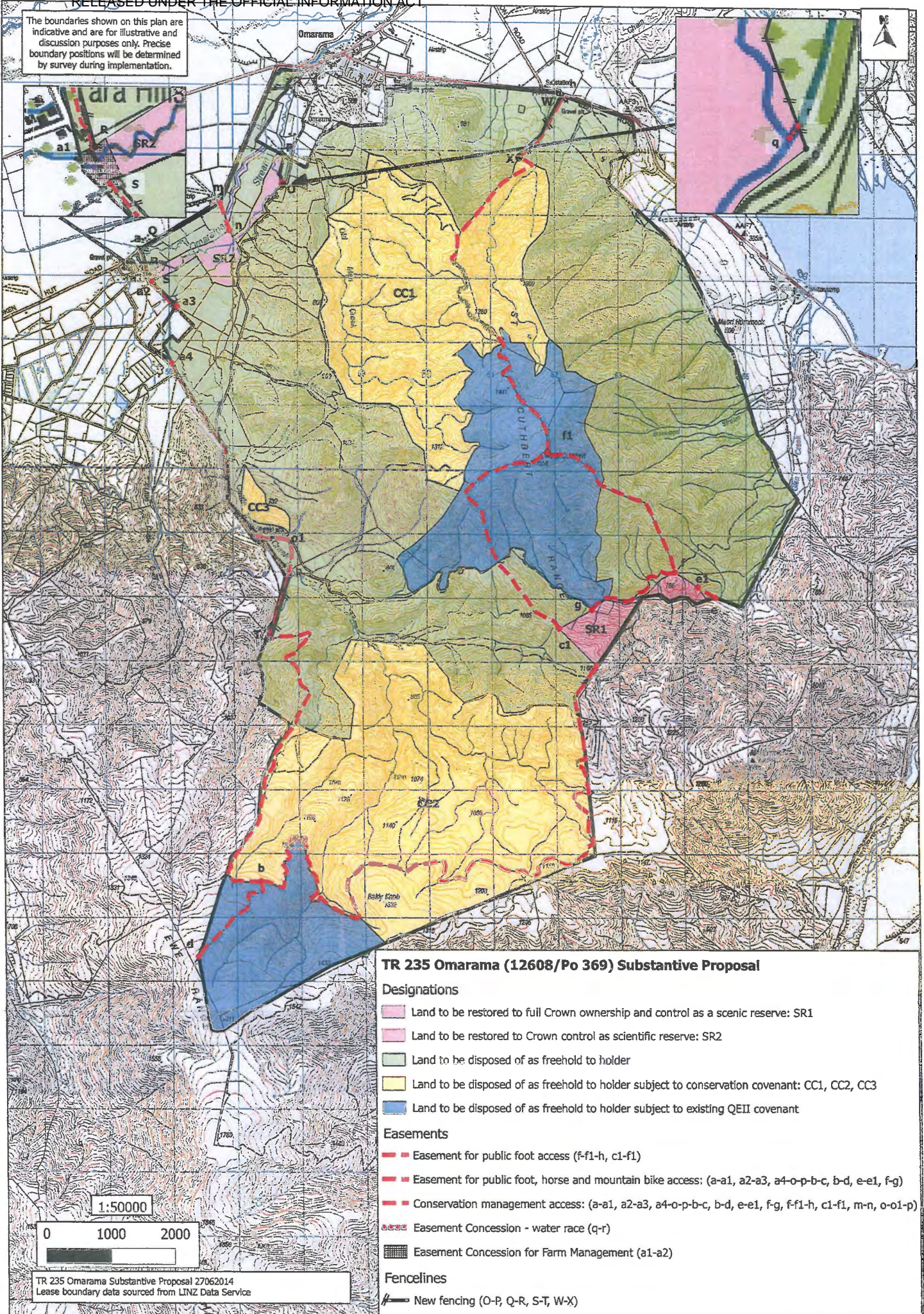
Jeremy Stockdill

Jeremy Stockdill
Redwood
Christchurch

23/5/2015

Date

The boundaries shown on this plan are indicative and are for illustrative and discussion purposes only. Precise boundary positions will be determined by survey during implementation.



TR 235 Omarama (12608/Po 369) Substantive Proposal

Designations

- Land to be restored to full Crown ownership and control as a scenic reserve: SR1
- Land to be restored to Crown control as scientific reserve: SR2
- Land to be disposed of as freehold to holder
- Land to be disposed of as freehold to holder subject to conservation covenant: CC1, CC2, CC3
- Land to be disposed of as freehold to holder subject to existing QEII covenant

Easements

- Easement for public foot access (f-f1-h, c1-f1)
- Easement for public foot, horse and mountain bike access: (a-a1, a2-a3, a4-o-p-b-c, b-d, e-e1, f-g)
- Conservation management access: (a-a1, a2-a3, a4-o-p-b-c, b-d, e-e1, f-g, f-f1-h, c1-f1, m-n, o-o1-p)
- Easement Concession - water race (q-r)
- Easement Concession for Farm Management (a1-a2)

Fencelines

- New fencing (O-P, Q-R, S-T, W-X)

1:50000

0 1000 2000

TR 235 Omarama Substantive Proposal 27062014
 Lease boundary data sourced from LINZ Data Service

From: Peter Hurst
Sent: Monday, 25 May 2015 2:39 p.m.
To: 'pastoral&tenurereview@linz.govt.nz'
Cc: Alan McMillan
Subject: Morven Hills Tenure Review

Land Information New Zealand
Crown Property
CBRE House 112 Tuam Street
Private Bag 4721
Christchurch 8140
24th May 2015

Attn The Commissioner

Morven Hills Tenure

Review

Dear Sir,

Thank you for the opportunity to submit on the Tenure Review plans for Morven Hills. I note that the documents are in **DRAFT** form so are able to be altered at this stage and I am assuming the public submissions will have an influence on the final composition for this Tenure Review.

BACKGROUND

The High Country Pleasure Riders Club is a not-for-profit adult riding club. It was established in 1999 and is the largest horse trekking club in the South Island. For the enjoyment of 200 members and their guests, the club organises an annual calendar of weekend horse treks throughout the South Island high country. The focus is on appreciating the high country and preserving the heritage of horses in the high country.

Members are located throughout the South Island and numbers are growing steadily, reflecting the national trend towards non-competitive recreational horse riding activities. Organised rides provide gateway experiences to the back country with members often making repeat visits in a private capacity or undertaking more challenging multi-day trips supported with pack horses.

The members of the club come from varied backgrounds, but all have a strong interest and practical skills in being in the back country with horses. The role of the horse in opening up the back country to the early settlers should not be forgotten and should be preserved.

The club is involved in forming and maintaining historic horse routes from St James Station right through to Lake Sumner. Signposting these routes with special markers and erecting horse paddocks at huts.

SUBMISSION

The Pylon Road from the Lindis Pass through to Polson's Hut (Easement a to e) or to Breast Hill or up to Old Man Peak and then to Fat Mans Lodge have been historical horse riding routes for many many years. By redesignating parts of the land into Scenic Reserve with Sections 93 – 105 of the Reserves Act applying. Section 96 Trespassing Animals does not allow horses on these reserves.

However, under Section 77(3) of the Reserves Act one of the Reserve conditions or Bylaws should be to allow horse riding on the Historic and Scenic Reserves on Morven Hills and especially on Easement a to e.

One of the principles of Section 77 of the Reserves Act is to foster "Recreational Enjoyment by the Public" and "Freedom of Access" to the reserves. The public have a very high expectation of riding through Morven Hills Station just as they have always done.

Horses are not banned altogether from the Scenic Reserve at the Lindis Pass end of the Easement, a to e, as the Concessionaire has a sixty year management purposes ROW to this Scenic Reserve which permits horses.

So the public's horses should be included on this easement.

Under the current daft documentation even the owner seems to be restricted from taking horses onto CC2 at the Historic Reserve at Polson's Hut. And we are sure this is not the intension of the Tenure Review.

Of note is the public road marked from Polson's Hut through to the middle of CC3. This road was marked on a Record Map by the early surveyors and signed off by the Chief Surveyor. The Crown by its actions has specified the "Gold Standard" of access on this road for the benefit of all the public. It is simply not possible to designate an easement over the top of the public road giving the public any form of lesser or restricted access where the Easement overtops the legal road.

CONCLUSION

We are seeking enduring access for our horses to the high country. The current Conservation Management Strategies have gone a long way towards achieving this.

Allow horses on Easement a to e and especially through the Scenic Reserve at the Lindis Pass end of the Easement giving access to Breast Hill and Old Man Peak Track and St Bathans.

Of note is the cognisance given to horses to the neighbouring properties during Tenure Review. Horse friendly easements on the following Breast Hill, Dalrachney, Birchwood, Longslip and Ben Avon.

We require the legal road to be pegged and demarcated on the survey plans for this Tenure Review. As per the recently completed Poplars Station Tenure Review in the Lewis Pass area.

Preserve our historical horse access to this high country area.

Acknowledge the valued role of the horse in our early settlement years. Eight million horses gave their lives in World War One.

Thousands of horses gave their lives in the establishment of early New Zealand.

To effectively ban horses from historic areas of the high country by designating land as reserves denigrates the memory of the early pioneers and their horses.

New Zealanders should get back to the can do attitudes of the early settlers.

Thanks and regards

Peter Hurst

On behalf of The High Country Pleasure Riders Club

FOREST RANGE STATION

26 May 2015

Commissioner of Crown Lands
P Bag 4721
CHRISTCHURCH 8140
Pastoral&tenurereview@linz.govt.nz

Dear Sir

Re: **TENURE REVIEW PRELIMINARY PROPOSAL
MORVEN HILLS PO359
SUBMISSION IN SUPPORT**

We wish to register our support for the above Preliminary Proposal in our capacity as neighbours and owners of three adjoining pastoral leases.

The negotiations for this proposal have been protracted, thorough, time consuming and expensive. The lessees and all groups representing their specific interests have had ample opportunity to research this property. LINZ and the lessees have now reached a proposed settlement that satisfies the needs of all parties. Personally we are relieved that this tenure review has reached this stage after witnessing the stress and affects that the negotiations have inflicted on this family.

The areas potentially requiring conservation covenants have been identified, and subsequently an area of over 3500 ha has been proposed for covenanting. We support these covenanted areas and the grazing concessions and easements outlined in the preliminary proposal. Controlled grazing where identified will ensure that the conservation values are retained and enhanced.

We support the freeholding of 10,640 ha.

We wish to register six areas for your consideration:

Public Access Easements:

The impact of public access on the property. As this will be uncontrolled there is an increased risk of fire, rubbish, the spread of disease, difficulty to carry out pest control operations and increased threat of stock rustling. Also the easements through the freehold area will impact on the lessees private property rights. These must be clearly identified to ensure the public respect that privilege.

Fire Risk:

The area of Department of Conservation land will place restrictions on the ability of the property to carry out controlled burning and lead to the increased risk and expense of firefighting in the event of fire spreading from the DOC land. Such a fire that could potentially destroy large areas of grazing land would severely impact on the property financially.

Health and Safety:

Health and Safety issues impose extra responsibilities and risks for the farmers of the remaining property to address and it is important that the question of liability is covered under the terms of the tenure review. Public access areas must be clearly sign posted and identified to prevent the public leaving their designated easements.

FOREST RANGE STATION

Fencing:

The new fencing required following settlement must be of a high standard and we submit that this should be deer fencing to clearly separate the boundaries between conservation land and freehold land. Private Property signs should be included to define the boundaries between public land and private farm land.

History:

The Morven Hills property is significant historically from a local, national and pastoral perspective as it is the remnant of the original land claim in this area . We recommend that all farming relics on the areas acquired by DOC are left intact. This would particularly apply to old station fencing, monitoring plots etc. Following some tenure reviews DOC has removed evidence of farming activities, which is contrary to protecting historic places. As Morven Hills holds a major position in our district's past, we recommend that appropriate signage is erected explaining the Morven Hills history. The obvious site for this would be on the Lindis Pass summit.

Financial:

As the lessees have generously relinquished a significant area (over one third) of their property we submit that the financial settlement should be sufficient to compensate for the loss of grazing and the impact and negative effects arising from the granting of conservation covenants and public access easements, especially those through the freehold area.

Our general concern is the large area to be controlled by DOC which places an ongoing cost on the NZ tax payer as these areas (some fragmented) will require surveying, fencing, specialist management, monitoring and maintenance. The values identified in these areas could have been satisfactorily protected under QEII Covenants and be granted freehold.

Thank you for the opportunity to provide a submission on this tenure review. As an adjoining lessee we have a compelling opinion and knowledge of this property from our long term association with Morven Hills Station and the Snow family. Please consider our support for the preliminary proposal and suggestions made which we believe will enable a successful tenure review to be implemented.

Yours faithfully



R S Emmerson & family
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WALKINGACCESS
ARA HĪKOI AOTEAROA

26 May 2015

Commissioner of Crown Lands
Land Information New Zealand
Crown Property and Investment
Private Bag 4721
CHRISTCHURCH

Preliminary Proposal for Tenure Review of Morven Hills Pastoral Lease Submission from the Walking Access Commission

Thank you for the opportunity to comment on the Preliminary Proposal for the tenure review of the Morven Hills pastoral lease

The Commission's public access statutory role is described below, under section **A. Introduction**, and the detailed submission is presented in section **B. Submission**.

In summary, the Commission;

supports:

- the proposed easement 'a-b' and 'c-d' across the Morven Hills property from Goodger Road to the proposed CA1`.

seeks to have:

- motorised vehicle access on the easement 'a-b' and 'c-d'

A. Introduction

Purpose, Objective and Functions of the NZ Walking Access Commission

The Walking Access Act 2008 (WA Act) (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 Preliminary Proposal for Morven Hills is designed, as envisaged by the WA Act, to achieve free, certain, enduring and future-focused public access in this area of New Zealand.

The Commission's submission reinforces the objectives of the Crown Pastoral Land Act 1998 (CPL Act), 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 Act (Protective mechanisms).

This submission can also assist in achieving the statement in the Land Information New Zealand

New Zealand Walking Access Commission | Ara Hīkoi Aotearoa

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(LINZ) Statement of Intent 2014-2018 in respect of Crown Property which refers (p.17) to an objective of “..ensuring that the best economic, environmental and recreational uses are being made of Crown-owned and Crown used land.”

The Commission was not consulted during the preparation of this preliminary proposal. Therefore, this submission should be considered as new information provided by the Crown agency with statutory responsibility¹ for leading and supporting the negotiation, establishment, maintenance, and improvement of –

- walking access (including walkways, which are one form of walking access) over public and private land; and
- types of access that may be associated with walking access, such as access with firearms, dogs, bicycles, and motor vehicles.

B. Submission

Existing public access

The Lindis Pass Tarras Road (SH8) is generally in the vicinity of the north eastern boundary of the Morven Hills lease, sometimes adjoining, sometimes intersecting the property.

Some 7 km of unformed legal road (ULR) provides legal public access running north from Goodger Road to the north branch of Long Spur Creek (see Figure 1 below).

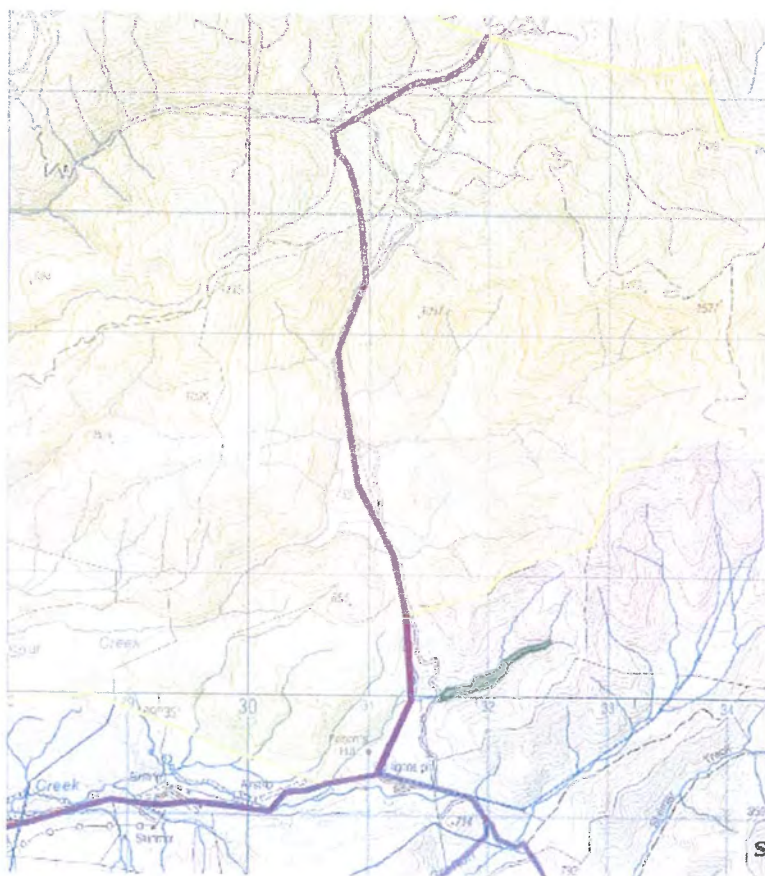


Figure 1: ULR north from Goodger Road, in vicinity of formed track.

¹ Section 3(b) Walking Access Act 2008

There is approximately 1 km of ULR immediately adjoining the northern block of freehold land north of the Morven Hills homestead, and then running south towards a major tributary of the Lindis River (see Figure 2 below)

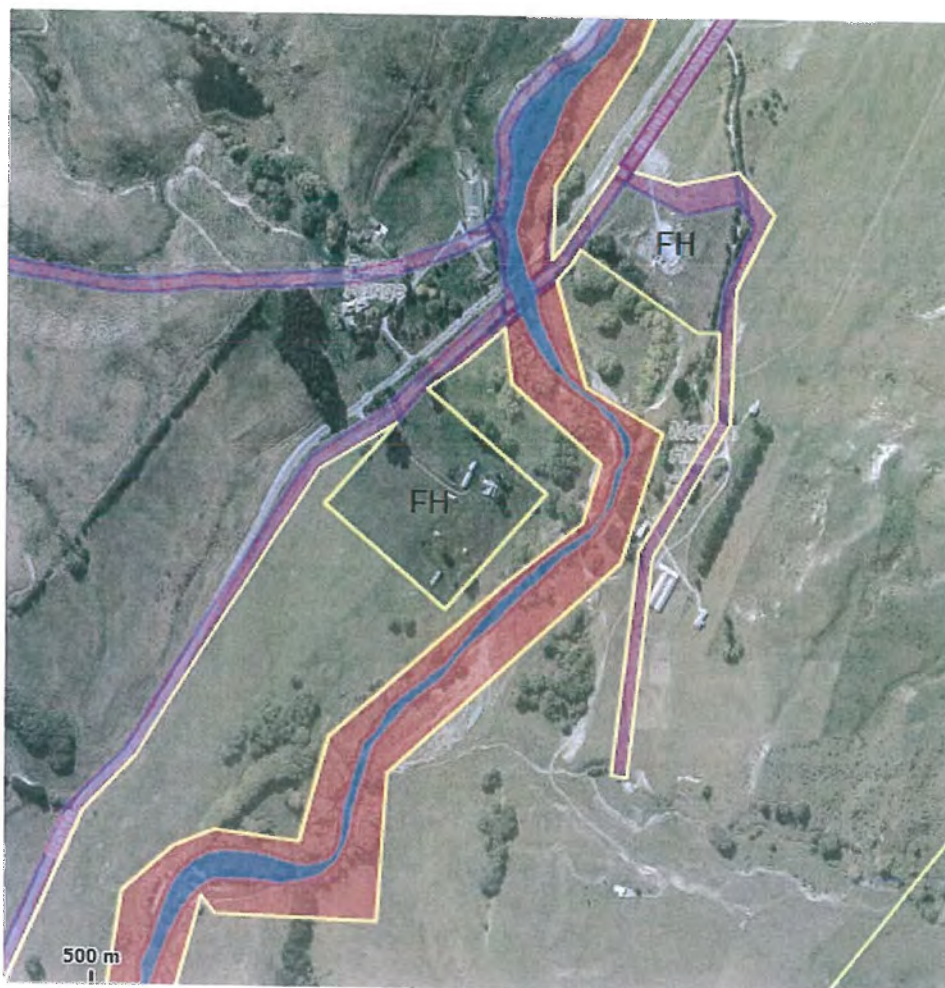


Figure 2: ULR in vicinity of the Morven Hills homestead.

There is also a length of ULR north from Goodger Road opposite the Geordie Hills homestead, which intersects part of Geordie Hill Station and terminates at the Morven Hills boundary.

There is some 6km of marginal strip either side of the Lindis River, where the river intersects the property (from near the homestead south to Black Bridge), enabling public access (see Figure 2 above for the northern end of the marginal strip)

Public access proposed in the Preliminary Proposal

The only public access proposed is public non-motorised access (i.e. on foot or mountain bike) from Goodger Road ('a') to the proposed CA1 ('d'). We note that public access would then be possible north through CA1 to the foot of the Lindis Pass ('e').

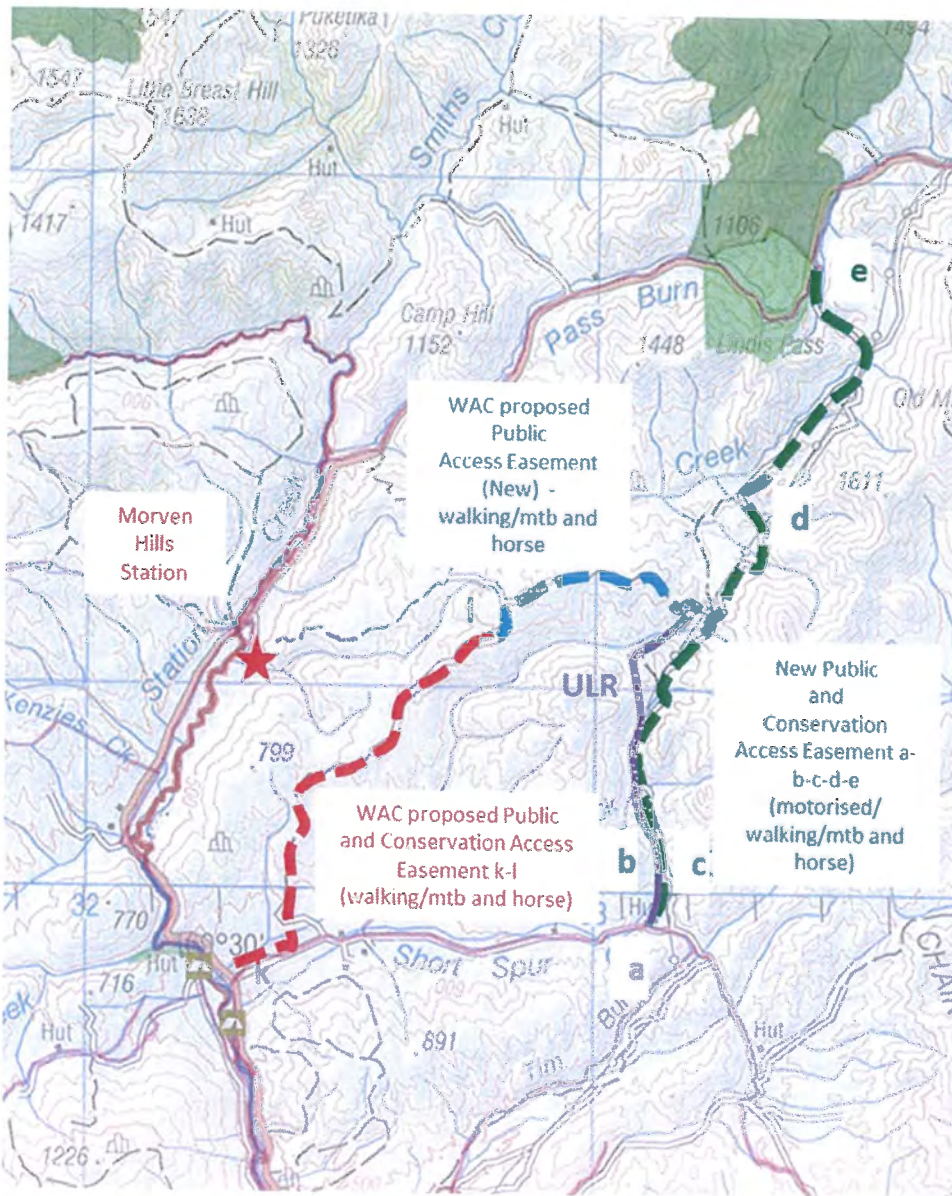


Figure 3: Shows the existing ULR intersecting the Morven Hills property in relation to the proposed access easements.

Public access sought

In addition to public access on foot and bicycle, the Commission also seeks public access accompanied by horses and by motorised vehicle access from Goodger Road to the proposed CA1 and then through CA1 to the foot of the Lindis Pass, on or in the vicinity of the proposed easement “a-b”, “c-d” and on the easement concession “d-e”. (see Figure 3 above).

In support of this public motorised vehicle access we note the following;

- The formed track through Morven Hills was largely created in the early 1950s to enable the construction and maintenance of the transmission line.
- The track provides good four wheel drive access into and through a high quality scenic setting with dramatic views.
- Use of the track would enable a significant round trip to be made, including parts of Goodger Road and Lindis Pass Tarras Road (SH8).
- There are few good high country tracks of this length, which are readily accessible

- to the public.
- Motorised vehicle access on the track would provide an opportunity to enjoy the area and the associated vistas for people who may be unable to walk or mountain bike or travel by horse along the route.

The Commission also seeks inclusion of public access (walking, mountain bike and horse) from Goodger Road along proposed conservation management easement (k-l) to the proposed SCR and then through a new easement to link with a-b-c-d-e to the foot of the Lindis Pass Connecting on or in the vicinity midway along the proposed easement "c-d" Figure 3.

In support of this public access we note the following;

- The track provides a circuit, off the state highway, and good access into and through a high quality scenic setting with dramatic views and access to the proposed SCR.
- The connection with the proposed easement provides a sensible round trip to be made, with a easy return to Goodger Road.
- There are few good high country tracks of this length, which are readily accessible to the public.

While the Commission prefers to see unimpeded public access, given the nature of the route and the potential for severe climatic conditions, some restriction of public access during winter could be considered. We note, however, that no such restriction is contained in the proposed easement concession for farm management purposes in the proposed CA1 (i.e. "d-e").

Conclusion

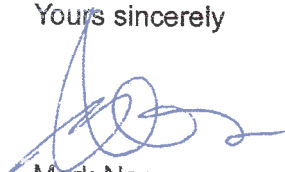
The Commission:

1. **Supports** the creation of the easement 'a-b', and 'c-d', and the establishment of CA1.
2. **Seeks** public motorised vehicle access and horse access from Goodger Road to the proposed CA1 and then through CA1 to the foot of the Lindis Pass, on or in the vicinity of the proposed easement "a-b", "c-d" and easement concession "d-e".
3. **Seeks** inclusion of public access (walking, mountain bike and horse) from Goodger Road along proposed conservation management easement (k-l) to the proposed SCR and then through a new easement to link with a-b-c-d-e to the foot of the Lindis Pass connecting on or in the vicinity midway along the proposed easement "c-d".

We request timely advice as to when the Analysis of Public Submissions has been completed and is available.

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

Yours sincerely



Mark Neeson
Chief Executive



OTAGO CONSERVATION BOARD

Poari Papa Atawhai – ā-rohe ki Ōtāgo

Box 5244, Dunedin 9058 Tel: (03) 474 6944 Email: ahooper@doc.govt.nz

File: SBC-08-34

27 May 2015

LINZ – Crown Property and Investment
Private Bag 4721
CHRISTCHURCH 8140

via email: pastoral&tenurereview@linz.govt.nz

Dear Sirs

Review under Part 2 Crown Pastoral Land Act: Morven Hills

1 The Otago Conservation Board (“the Board”) is appointed by the Minister of Conservation to represent the wider Otago community in advocating for the protection of biodiversity, recreational opportunities and the conservation of natural and historic resources throughout Otago. The Board takes a strong interest in tenure review and makes submissions on all proposals in Otago.

2 You will be aware from previous submissions that the Board generally subscribes to the principles set out in the Crown Pastoral Land Act, in particular section 24 which favours Crown ownership and control over other protective mechanisms.

Summary

3 Whilst the Board is, by and large, supportive of the Morven Hills Preliminary Proposal, it has several reservations and a number of recommendations in response. These are identified on the attached map, and summarised below:

- Consider adding area up to line d-e to Lindis Pass Scenic Reserve
- Transfer CC1a to Crown ownership, with a recommendation that it be designated Scenic Reserve.
- Increase public access to covenanted lands, and provide for access to the Scientific Reserve.
- Provide for protection of and access to the historic stone woolshed.
- Designate CC5 as Scientific Reserve.

Introduction

4 A member of the Board inspected the property on 1 May 2015, coinciding with a visit from other interested parties including Forest and Bird (Central Otago Lakes and Dunedin Branches), Fish and Game, and Federated Mountain Clubs. It was a perfect day, which allowed an assessment of the property’s inherent values. The lessee, Mr Richard Snow, joined the group, providing first-hand briefings at two vantage points as well as opportunities for group discussion on the recommendations and other components of the preliminary proposal.

5 Observations and on-site discussion with the lessee indicates that Morven Hills is currently managed on a low-impact basis, including a limited burning regime. However, the property is now presenting signs of historical intensive management in its early days of pastoral farming. The evidence for this is that much of the natural tussock cover has been removed, and the nutrient status over much of the property is relatively low.

6 Invasive weed species including mouse-ear hawkweed (*Hieracium pilosella*) and Sheep's Sorrell are generally widespread. A few isolated invasive pines were observed, as well as evidence of control work carried out by the lessee. Generally, erosion across the whole property appeared to be insignificant.

Board Response to components in the Preliminary Proposal

7 The Summary report, including the CD supplied for the Preliminary Proposal, was reviewed prior to the inspection of this large 14,207 ha property. The preliminary proposal is to restore approximately 268 ha (1.9%) to full Crown ownership and control as a Scenic Reserve in two sections on either side of the existing Lindis Pass Scenic Reserve. This would be supplemented by adding an adjoining area of 3,294 ha as a proposed Conservation Area (CA1) along the upper eastern section of the property, as well as a small (5 ha) Scientific Reserve to enable protection of the "Nationally Critical" Otago skink-western (*Oligosoma otagoensis*). The remaining 10,640 ha of the property is proposed for freehold disposal subject to protective mechanisms and qualified designations.

8 Dealing with each part of the Preliminary Proposal in turn:

CA1

9 The Board fully supports the recommendation to retain the full Dunstan Creek part of Morven Hills (designated part CA1) as conservation land, with key rationale as follows:

- (i) The Board agrees that this area is best managed for the conservation of its natural values. This area has significant (Landscape, Ecological, Recreation) values as well as an ecosystem servicing role through its tall tussock cover with significant water yield as well as the numerous wetlands the area contains.
- (ii) Retaining the whole of this block in Crown management allows the protection of full altitudinal sequences promoting long-term resilience and facilitating adaptation of species to local changes in the environment. It also best protects the intactness or "wholeness" of the landscape.
- (iii) If future tenure review outcomes in adjoining areas offer the potential for the creation of a tussock grassland park, then the retention of the Morven Hills part of the Dunstan Creek valley as public conservation land would provide a valuable addition to such a park. The park could then potentially include the Lindis conservation areas, Dunstan Creek/St Bathans and the Hawkdun Range, and thus would straddle a broad bio-geographic transition (north to south and west to east, as well as including the schist-greywacke transition area). With this potential to add more value to any future tussock grassland park, the Board strongly supports the retention of the Morven Hills portion of the Dunstan Valley as a means of protecting such an opportunity.

10 The Board accepts the proposed grazing concession for a five-year period on the northern aspect of this area, for transitional management purposes.

11 The Board seeks your consideration of an alternative option, as follows: to include part of the area, up to the blue dashed line marked d-e in the proposal, into the Lindis Pass Scenic Reserve. In the Board's view, this would enhance the conservation status of the Scenic Reserve from any proposed designation of the area as "stewardship land", which the Parliamentary Commissioner for the Environment has confirmed (including in her recent Update report) has less protection.

SR 1

12 The Board strongly supports the addition of two sections of SR1 to the Lindis Pass Scenic Reserve, on landscape grounds. This is a visually important area when viewed from the crest of the Lindis Pass highway. It is also an aspect of a very popular tourist route that is noted for its tussock grassland landscape.

13 The Board notes that extensive areas of the property proposed for freeholding (10,640 ha) include the six proposed Conservation Covenants (CC1, CC1a, CC2, CC3, CC4 and CC5). These covenants are essentially contiguous, and Department of Conservation staff have confirmed to the Board that their main purpose is the conservation and management of a native skink population. In the Board's view, five of the six covenant areas (all except CC1a) have adequate detail as to their ecological values, purposes and conditions for management. That said, the Board wishes to make further comment and advocate for changes to the proposal, for two of the six areas, namely CC1 and CC1a, as discussed in paragraphs 14 and 15 below.

14 First, with regard to CC1, the Board believes that this should have a "no burning" stipulation. If that was added, then the Board would endorse the proposal to freehold this area.

15 Second, with regard to CC1a, the Board strongly advocates for more substantive consideration to be given to the values of this area, which covers very steep rocky southern-aspect faces on the true right of lower Dip Creek, including the narrow margin of land on the creek's true left. As the proposal highlights, and was observed during the inspection, this area of around 300 ha is largely self-protected from stock access, and has several important ecological and other inherent values (eg the distinctive remnant stands of mountain beech and totara). The Board believes that the soils associated with each of these remnant stands are also both significant, as registered 'Geo-preservation sites'. Furthermore, the Board supports the proposal's reference to the "significant inherent botanical values" associated with the additional ecological diversity at this site.

16 The Board appreciates that there are also important cultural and historic values adjacent to this area, in the form of an historic sheep dip site, as well as a reservoir, water race, three hut sites, three stone structures and stone alignments, most of which are associated with the gold mining era. This area is accessible directly off the Lindis Pass highway and, importantly, has – as a condition of its covenant – a "public wander at will" access. In the Board's view, this public access should be extended up the creek bed for some distance. The Board also believes that other conditions on the covenant should include the following: no burning or vegetation clearance, wild animal control, and limited sheep grazing (the Board notes that no perimeter fencing is planned in the proposal).

17 The Board believes that the inherent values of CC1a would justify Scenic Reserve status, and strongly recommends that designation be considered and assigned to it.

CC2

18 The Board notes that the small (2.5 ha) proposed CC2 area encompasses the historic Polson Hut and surrounds, located on the southern boundary of the property on Goodger Road, close to the commencement of the Pylon Track. Public access is available, including a car park. The Board endorses these conditions in the proposal.

CC5

19 The Board agrees with the proposal's recommendation that a covenant be used to protect the CC5 area.

20 The Board notes, however, that – apart from the existing fence along the highway – no fencing is contemplated for this area. The Board would support the addition of fencing as part of the proposed covenant conditions.

Public Access

21 The Board is concerned that there is generally no public access proposed to most of the land intended to be freeholded subject to Conservation Covenant. In particular, the only way the public could visit the Scientific Reserve (access "k-l") would be at the invitation of the Department of Conservation or with the lessee's permission. While there is nothing to suggest that this would be unreasonably withheld, the Board would like to see the easement modified to allow for limited public access, perhaps with registration required first.

22 The Board is pleased to see that foot and non-motorised access easements and conservation management access easement "a-b-c" and "b-d" can be obtained 12.6 km off Goodger Rd to the boundary of CA1, with the Pylon Track contacted at point "c".

23 The Board endorses the continuation of the existing easement in favour of Telecom New Zealand.

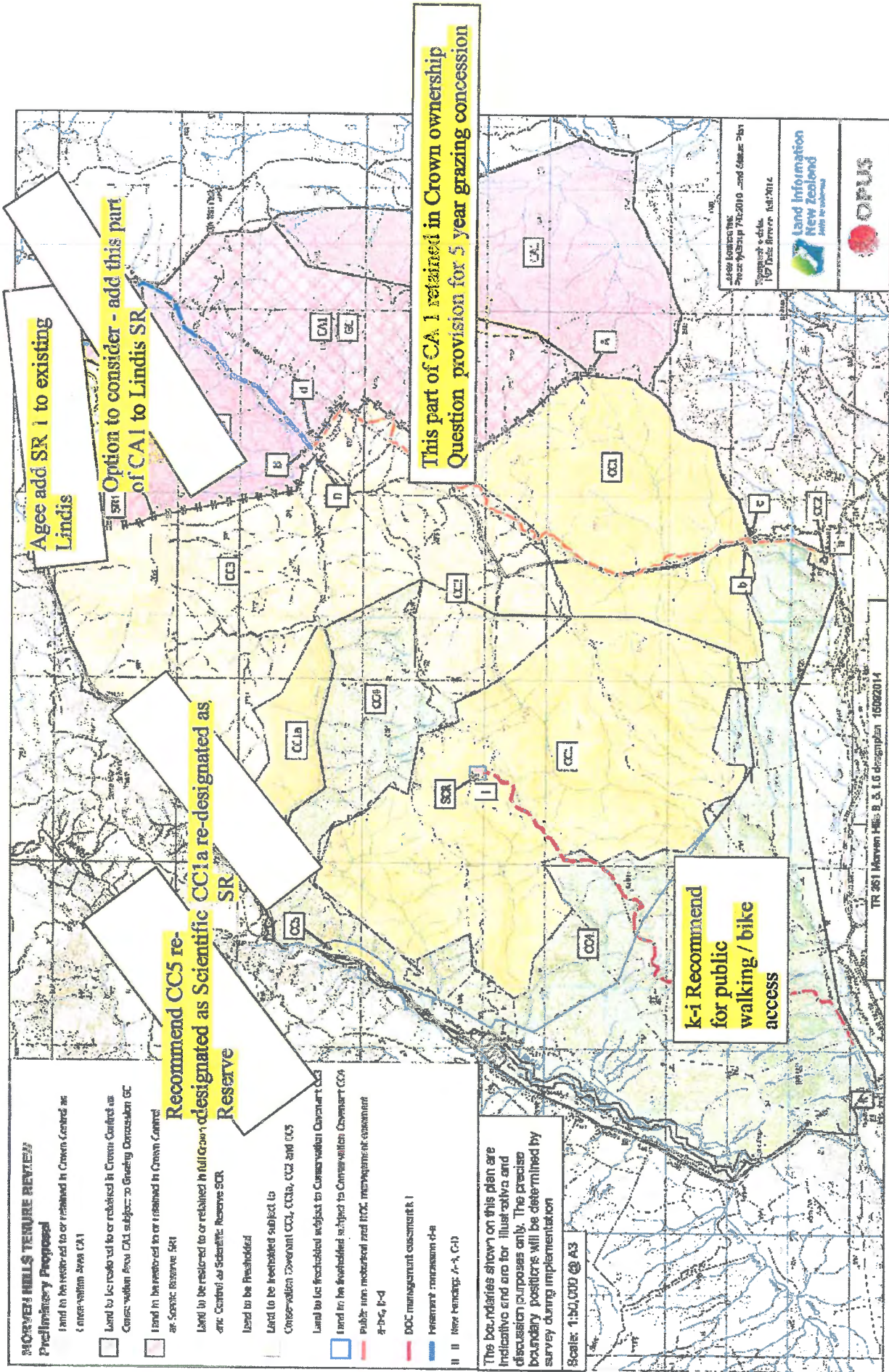
24 Finally, and importantly, the Board notes that there is no mention in the Preliminary Proposal of the historic stone woolshed. This woolshed is arguably the largest remain of its type. The Board believes it deserves recognition and protection, and recommends that the Proposal be changed to reflect that.

Yours sincerely



Pat Garden
Chairperson

Attachment 1: Otago Conservation Board Recommendations (illustrated on proposal map)



HERITAGE NEW ZEALAND
POUHERE TAONGA

Our Ref: 22015-001
Your Ref: Po359

20 May 2015

The Manager
Crown Property & Investment
LINZ
CBRE House, 112 Tuam St
Private Bag 4721
CHRISTCHURCH 8140

Dear Sir/Madam

RE: MORVEN HILLS PASTORAL LEASE TENURE REVIEW

Thank you for your letter of 26 March 2015 concerning the tenure review of Morven Hills Pastoral Lease.

Heritage New Zealand Pouhere Taonga is a Crown Entity and is New Zealand's lead agency in historic heritage management. Its purpose is to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand, as provided for in the Heritage New Zealand Pouhere Taonga Act 2014.

Heritage New Zealand understands the significant inherent values approach for tenure review. These reviews offer a 'one off' opportunity to ensure the Crown's commitment to the identification of heritage values located on pastoral lease land and warranting recognition and protection is met.

Dr Matthew Schmidt, Heritage New Zealand's Regional Archaeologist, and I visited the Morven Hills Pastoral Lease in 2013. Further to this, Heritage New Zealand has undertaken a desktop check for the area covered by Morven Hills which included checking the New Zealand Heritage List/Rārangi Kōrero, the NZ Archaeological Association database, and a review of information available to Heritage New Zealand's Regional Archaeologist for Otago/Southland. We advise the following from our investigations:

1. Morven Hills Station Woolshed and sheep dip

- 1.1. The Morven Hills Station Woolshed Woolshed and sheep dip are situated on Pt Run 679, which is part of the Morven Hills Pastoral Lease. The Woolshed, then appears to still be in Crown ownership. However, the building is not mentioned in this proposal.

- 1.2. As a category 1 entry on Heritage New Zealand's List, the Woolshed is held to have *special or outstanding* historical or cultural significance or value.
- 1.3. This is one of the largest woolsheds still in use in New Zealand. Dating from 1873, it illustrates the scale of high country sheep station operations. The intactness and good condition of the Woolshed and the existence of the sheep dip is also a strong contributor to its outstanding level of significance.
- 1.4. Shar Briden, Technical Advisor (Historic) at the Department of Conservation, compiled a 2011 report titled 'Historic resources on Morven Hills PL' and recommended a Heritage Covenant be placed on the Woolshed and sheep dip.
- 1.5. Matthew Schmidt, Regional Archaeologist, Owen Graham, Heritage New Zealand's then Area Manager and I visited on 12 June 2013. A Heritage Covenant was discussed and a draft one was provided to the lessees and the Tenure Review Manager and Tenure Review Liaison Manager for Central (please see attached).
- 1.6. One of the benefits of a heritage covenant, in comparison to the existing Central Otago District Plan protection, is that the inter-relationship between the Woolshed's setting and sheep dip can be managed carefully in balance with the needs of the farm operations. One of the principles embodied in the Covenant is from the ICOMOS (International Council on Monuments and Sites) New Zealand Charter (2010) which states that ongoing use is important to the conservation of a significant place.

Recommendations

- 1.7. Given the significance of the Woolshed and the sheep dip Heritage New Zealand recommends that a:
 - 1.7.1. Heritage Covenant be placed on the Woolshed exterior and interior, its setting and the sheep dip. Whilst it is understood that the lessees do not wish to progress a Heritage Covenant at this time, Heritage New Zealand still believes that it is best to proceed at this point in the process. This recommendation is also consistent with Policy 13 – 'Disposal of Policy' for *Government departments' management of historic heritage 2004* which states 'Government departments will ensure that in disposing of a place with historic heritage value heritage values are protected, for example, through a heritage covenant;
 - 1.7.2. Conservation Plan is prepared to identify the cultural heritage significance for the Woolshed and sets how the Woolshed should be managed into the future.
- 1.8. The presence of a Heritage Covenant on the title and a Conservation Plan to protect and managed the Woolshed would benefit the owners. Firstly, the existence of a Covenant and a Conservation Plan greatly assists the owner in applying for public funding available to maintain this large structure and contribute toward its long-term conservation. Currently, once in private ownership, the owners of the Woolshed would be eligible to apply to the National Heritage Preservation Incentive Fund, administered by Heritage New Zealand, for conservation works to the building. The owner can also rely on more specialist advice and support from Heritage New Zealand in managing the future conservation and use of the Woolshed and sheep dip.

2. Conservation Covenant CC1a - Dip Creek Sites

- 2.1 Matthew Schmidt visited these sites in 2009 with the New Zealand Transport Authority to determine how the site would be affected by a proposed new bridge across the creek. The site consists of a very early sheep dip, substantial hut remains, and gold mining remains. This site was determined to be a very significant early pastoral site.
- 2.2 Briden's 2011 report proposes that 'as the Morven Hills Dip Creek dip site and surrounds (G40/66, G40/220 - 221) be set aside as Conservation Area for the protection of the historic values. The archaeological site includes two remaining huts (Middleton 2009). The archaeological site resides over the area between the State Highway and the Pass Burn'. The report also indicates the site is partially fenced.
- 2.3 Heritage New Zealand supports the Conservation Covenant over this area.

Recommendations

2.4 Heritage New Zealand recommends that:

- 2.4.1 Direct management of the site is required, particularly in relation to the sheep dip and the hut remains nearby.
- 2.4.2 Special Conditions for the Covenant should include vegetation management (particularly of the sheep dip and hut ruins). The vegetation monitoring regime for flora and fauna impact in the Covenant (Schedule 4, Item 3) should also apply to monitoring vegetation for impacts on the historic remains.
- 2.4.3 The Covenant should include a condition concerning the impact of stock. The sheep dip and hut should be fenced to exclude cattle from the site as they cause extensive damage to sites.

3. Conservation Covenant CC2 - Polson's Hut and related sites

- 3.1 Heritage New Zealand supports this Conservation Covenant which will recognise the significant historic values associated with Polson's Hut and surrounds
- 3.2 Heritage New Zealand also notes Schedule 3 Special Conditions Note; Clause 3.1.1 is modified to allow for sheep and cattle grazing by the Owner on the Land, except within the small fenced area around Polson's Hut which will remain destocked. Cattle are also excluded from grazing the area comprising the earthen walled enclosure situated close to the hut.

Recommendations

3.3. Heritage New Zealand recommends that:

- 3.3.3. The hut and its enclosure are fenced.
- 3.3.4. The Conservation Covenant includes measures to ensure Polson's Hut is monitored to ensure it is weather tight.

Thank you for the opportunity to comment on Morven Hills tenure review proposal.
Please let us know if you have any queries with respect to the above.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jonathan Howard', written over a horizontal line.

Jonathan Howard
Area Manager (Otago/Southland)

FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND INCORPORATED
P.O. Box 1604
Wellington

Email address for service: admin@fmc.org.nz

2 May 2015

Commissioner of Crown Lands,
CBRE House, 112 Tuam Street,
Private Bag 4721,
CHRISTCHURCH 8140

Dear Sir,

Re: Preliminary Proposal for Tenure Review Morven Hills (Po 359)

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents over 17,000 club members and individual supporters of tramping, mountaineering, climbing and other outdoor activities throughout New Zealand. We also indirectly represent the interests and concerns of many thousands of private individuals who may not currently be members of clubs but who enjoy recreation in the back country. On their behalf, FMC aims to enhance recreation opportunities, to protect natural values, especially landscape and vegetation, as well as historic values and to improve public access to the back country through the tenure review process.

FMC fully supports the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and government's stated 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.
- [EDC Min (03) 5/3; CAB Min (03) 11/5 refer]

* Note that regardless of the changes of government and of governments' policies, these objectives are the requirements of the Crown Pastoral Land Act, 1998.

We believe that the additional objectives are fundamental to the future well-being of the South Island high country and should be given appropriate weight in the tenure review process.

In view of the lack of protection over Conservation Act s62 stewardship land, as recently noted in the Parliamentary Commissioner for the Environment's Report (2014), we believe that it will be necessary to provide stronger protection for Conservation Areas created as outcomes of tenure review. It is not appropriate to continue placing these areas in the "statutory holding pen" of s62

stewardship land when the tenure review process provides a more than adequate assessment of the land's values, as required to place the appropriate protective status over the land (under either the Reserves Act 1977 or Conservation Act 1987).

For this review, it may be more appropriate to protect significant inherent values in areas such as CA1 by designating them as Scientific Reserve or Scenic Reserve. The historic reason for classification as s62 stewardship land was because there was inadequate data to recommend a more appropriate classification. In this case, there is ample justification for such designation as indicated in the CRR reports and in the preliminary proposal (PP). We therefore have good reason to recommend that CA1 should be formally designated as Scenic Reserve, and added to the existing Lindis Pass Scenic Reserve under section 16 of the Reserves Act 1977.

FMC has previously written a preliminary report on Morven Hills Pastoral Lease entitled "Preliminary Report on Recreational Landscape, Historic and other Conservation Values and Recommendations for the outcomes of tenure review – Morven Hills"(2011).

We are pleased to note that some of those recommendations are now included in the preliminary proposal for the tenure review of Morven Hills Pastoral Lease. We comment in detail on these proposals in this submission. Other recommendations were not adopted but will be addressed in this Submission.

1. INTRODUCTION

The main issues in this review are as follows:-

- a) The protection of landscapes through the Lindis Pass corridor
- b) The protection of landscapes and other significant inherent values (SIVs) over the high country generally and especially above about 1000m, the whole of Double Peak, and all the country east of the Pylon Track, including the headwaters of Dunstan Creek.
- c) Public Access for foot and mountain bike travel for the full length of the Pylon Track from Goodger Road to SH 8 east of Lindis Pass.
- d) Public foot and mountain bike access following the Dip Creek valley from its headwaters to SH 8.
- e) Address the twin problems of land degradation, nutrient depletion, and Hieracium spp. invasion in the mid altitude tussock country. A covenant may be appropriate.
- f) Designation of conservation covenants to protect SIVs (notably skinks and lizards and their rocky outcrop habitats) in areas of low to mid altitude country generally suitable for pastoral use.
- g) Recognition of the historic heritage values of the woolshed and other historic buildings in the vicinity of the Morven Hills homestead.
- h) Protection of the historic stone-lined sheep dip adjacent to Dip Creek and other historic artefacts close to SH 8.

- i) Recognition of, and protection for, Otago Skink habitats.

2. PRELIMINARY PROPOSALS FOR THE TENURE REVIEW OF MORVEN HILLS PASTORAL LEASE: GENERAL DESCRIPTION OF THE PROPOSAL

- a. 5ha (approximately) to be restored to full Crown ownership and control as Scientific Reserve under Section 35(2)(a)(ii) of the CPLA 1998.
- b. 268ha (approximately) to be designated as land to be restored to Crown control as Scenic Reserve under Section 35(2)(b)(i) of the CPLA subject to the continuation in force of an existing easement in favour of Telecom NZ under Section 36(3)(c) of the CPLA.
- c. 3,294 ha (approximately) to be designated as land to be restored to Crown control as Conservation Area under Section 35(2)(b)(i) of the CPLA subject to:
 - i. A Grazing Concession over part of the area issued to Morven Hills Ltd under Section 36(1)(a) of the CPLA
 - ii. An Easement Concession in favour of Morven Hills Ltd under Section 36(1)(a) of the CPLA.
 - iii. The continuation in force of an existing easement in favour of Telecom NZ under Section 36(3)(c) of the CPLA.
- d. 10,640 ha (approximately) to be designated as land to be disposed of by Freehold Disposal to Morven Hills Ltd under Section 35(3) of the CPLA subject to Part IVA Conservation Act 1987, Section 11 Crown Minerals Act 1991 and the following protective mechanisms and qualified designations:
 - i. Conservation Covenants over part of the proposed freehold land under Sections 40(1)(c) and Section 40(2)(a) & (d) of the CPLA to protect landscape, historic and ecological values.
 - ii. Easements to provide public and conservation management access under Section 36(3)(b) of the CPLA.
 - iii. The continuation in force of an existing easement in favour of Telecom NZ under Section 36(3)(c) of the CPLA.

3. FMC SUBMISSIONS ON THE PRELIMINARY PROPOSALS FOR THE TENURE REVIEW OF MORVEN HILLS.

- a. **Proposal 2.1.3** 5ha (approximately) labelled as SCR, to be restored to full Crown ownership and control as Scientific Reserve under Section 35(2)(a)(ii) of the CPLA 1998

Comments

FMC is pleased to note that it is proposed to designate 5 ha of land to be retained in full Crown ownership and control as Scientific Reserve SCR 1. The stated purpose is to enable protection of Otago Skink which are currently classified in the “Nationally

Critical" threat category. We understand that this is one of nine localised sites where the species has been recorded but where the population on most sites is declining. We commend the recommendation that at this site (SCR1) it is proposed to undertake a programme of habitat protection and predator control. We trust that in the fullness of time DOC will be able to construct a predator proof fence as indicated in the proposal. We note that the access provision is for conservation management only, and accept that on the understanding that we would hope that members of the public with specific interests in skinks might be able to visit the site with the Minister's/Department's permission to use the access.

Submission

FMC fully supports the proposal to designate 5 ha as Scientific Reserve for the purpose of protection of the Otago Skink, and commends the recommendation that in future the site should be defended by construction of a predator proof fence. We would hope that members of the public with special interests in skinks would be able to gain permission for access to this site.

- b. **Proposal 2.1.1** 268ha (approximately) CA1, to be designated as land to be restored to Crown control as Scenic Reserve under Section 35(2)(b)(ii) of the CPLA subject to the continuation in force of an existing easement in favour of Telecom NZ under Section 36(3)(c) of the CPLA.

Comments

FMC is pleased to note that it is proposed to designate 2 parcels of land, both labelled SR1, one to the east and one to the west of the existing Lindis Pass Scenic Reserve, to be classified Scenic Reserve. These areas are proposed to be retained by the Crown as an addition to the adjoining Lindis Pass Scenic Reserve. We support the rationale to promote ecological sustainability and to protect significant inherent landscape and ecological values.

We note that public and conservation management access is available from the Lindis Pass Highway (SH 8) which adjoins the northern boundary of both parcels of land marked as SR1.

We believe that land within the proposed CC3 to the west of SR1 / CA1 (north of Dip Creek and bounded by SH 8, and particularly through the Lindis Pass corridor, has most of the same values as SR1 itself and therefore justifies the same designation as Scenic Reserve.

The adjoining conservation covenant area CC1a is so steep and rugged that it has no productive value and all the characteristics of Land Use Capability (LUC) Class VIII land. It also contains two special remnants of Beech and Totara forest so that CC1a deserves recognition and designation as Conservation Area (CA2). This will be discussed further under the heading of land proposed to be freeholded.

It is odd that in the NZ Land Inventory Worksheets mapped by Ministry of Works (NWASCO,1979) the very steep and rugged dark face (CC1a) on the true right of Dip Creek (NZMS 1 Lindis S.116 315.235) was mapped as Arrow Steepland Yellow Grey Earth soil, and classified LUC Class VIIe (perhaps incorrectly) whereas there are four other separate areas on Morven Hills land in the same vicinity classified LUC Class VIII:-

- (i) south of Dip Creek, above CC5, S.116 295.220),
- (ii) 3km west of Double Peak (S.116 350.260),
- (iii) on the dark face of Double Peak (S.116 380.250
- (iv) on the north end of the Chain Hills (S.116 395.220)

These locations are mapped as Dunstan Steepland High Country Yellow Brown Earth soils and are all Classified LUC Class VIII despite their apparently less rugged topography and less severely eroded condition than the steep dark face on the true right of Dip Creek classified (incorrectly?) as LUC VIIe.

We have no objection to the continuation in force of an existing easement in favour of Telecom NZ for the purposes of an underground fibre optic cable.

Submission

FMC fully supports the proposal to designate as Scenic Reserve 268 ha (in 2 parcels of land) adjacent to the existing Lindis Pass Scenic Reserve, and for the whole to be designated Scenic Reserve.

Because much of CC3 north of Dip Creek, and bounded by the highway has most of the same SIVs as SR1 it should be recognised as such and also designated Scenic Reserve. (see discussion of land proposed for freehold disposal).

The adjacent land unit labelled CC1a has all the characteristics of land Classified LUC Class VIII with no productive value. It is simply far too steep to support grazing. It does however, contain 2 important forest remnants (one Beech and one Totara) previously identified with PNA status in the PNAP programme) which should be recognised and protected as a Conservation Area CA2 (also see discussion of land proposed for freehold disposal).

FMC has no objection to the continuation of the existing easement over the land in favour of Telecom NZ.

- c. **Proposal 2.1.2** 3,294 ha (approximately) to be designated as land to be restored to or retained in Crown control as Conservation Area CA 1 under Section 35(2)(b)(i) of the CPLA subject to:-
 - i. A Grazing Concession over part of the area issued to Morven Hills Ltd under Section 36(1)(a) of the CPLA.
 - ii. An Easement Concession in favour of Morven Hills Ltd under Section 36(1)(a) of the CPLA.

- iii. The continuation in force of an existing easement in favour of Telecom NZ under Section 36(3)(c) of the CPLA.

Comments

We note that this large area includes the headwaters of Dip Creek and its tributaries, together with the northern part of the Chain Hills which includes the upper catchment areas of Dunstan Creek in the East and Dip Creek in the west. The Chain Hills section extends the full length of the eastern boundary of the property. The northern boundary adjoins the Lindis Pass Scenic Reserve and both parts of SR 1.

The proposal summary gives a full description of the values contained in CA1 which it is not intended to duplicate here, save to note that the large area contains landscape, vegetation, including particularly intact wetlands and snow tussock lands, shrubland vegetation along creek margins, and rocky screes. In addition to this array of natural values it is noteworthy that most of this area lies above 1,000m asl and includes the crest of the Chain Hills which rises to 1619m south of Old Man Peak.

A comprehensive description of significant natural and inherent values including species and their habitats, ecosystems, communities and landscape values is given in the Proposal document and does not require duplication here save to say that this large area contains a wealth of natural values which are well worthy of recognition and protection under Crown control as a Scenic Reserve.

We are acutely aware that Conservation Areas designated under tenure review are being classified as Stewardship Land, whose protection under law is very weak. We are also aware that at the time of large scale land transfers in 1987, Stewardship Land areas were so designated because their conservation values were largely unknown. That is no longer the case with CA1 so it is appropriate that SIVs identified within CA1 are protected by designating the proposed area CA1 as Scenic Reserve, and adding it to the Lindis Pass Scenic Reserve. This is particularly appropriate as its scenic value will be much enjoyed by future users of the Pylon Track, some 4 to 5 km of which passes through the area proposed as CA1.

It is important to note that public and conservation management access is provided to CA1 by a proposed easement extending from Goodger Road in the South, via a proposed easement along the Pylon Track. Additional access will be provided along the Chain Hills from the neighbouring Shirlmar Station. Access to the northern boundary is provided via SR 1 using a formed 4WD track that starts at SH 8 about 1km north of Lindis Pass and connects with the Pylon track where SR1 meets CA1.

Submission

FMC supports the recommendation that an area of some 3,294ha including the headwaters of Dip Creek and Dunstan Creek and the northern part of the Chain Hills, with high conservation values, as described in the summary of the PP should be returned to the Crown. Such areas proposed under tenure review are often classified as s62 stewardship land with little or no formal protection. FMC therefore strongly recommends that the area CA1 should actually be designated Scenic Reserve by simply adding it to the existing Lindis Pass Scenic Reserve.

- d. **Grazing Concession:** FMC understands that a significant area of approximately 1,200ha, within the area CA1 marked as GC on the plan, is proposed as a phase-out Grazing Covenant. We appreciate that the runholder needs time to adapt his farming system to the reduced area of grazing land on the property arising from the proposed retention by the Crown of some 3,500ha over the area proposed as CA1. We note that the proposed Concession is for a term of 5 years with a low stocking rate of only 0.37 SU/ha from February to March each year. This appears to FMC to be a reasonable arrangement to allow the runholder to modify his farming to accommodate the proposed new land allocation.

Submission

FMC has no objection to the proposed 5-year Grazing Concession over an area of land (marked GC) within CA1, to allow summer/autumn grazing by sheep at the low stocking rate of 0.37 SU/ha from February to March each year.

- e. **Farm Management easement concession:** FMC notes that an easement concession is proposed for farm management purposes to maintain continuity of legal access over a farm track which has traditionally been used in the management of the property. This track (labelled "d-e" on the plan) follows parts of the Pylon Track over the proposed conservation land marked SR1 and CA1.

Submission

FMC has no objection to the proposed farm management easement concession.

- f. **Continuation in force of an existing easement :** FMC notes that it is proposed that there should be a continuation in force of an existing easement in favour of Telecom NZ for the purposes of an underground fibre optic cable following the line of the Pylon Track through the northern part of the proposed CA1.

Submission

FMC has no objection to the continuation in force of an easement in favour of Telecom NZ for the purposes of an underground fibre optic cable across the northern part of CA1.

- g. **Proposal 2:** That 10,640 ha (approximately) is proposed to be designated as land to be disposed of by Freehold Disposal to Morven Hills Ltd under Section 35(3) of the CPLA subject to Part IVA Conservation Act 1987, section 11 Crown Minerals Act 1991 and the following protective mechanisms and qualified designations:-
- i. Conservation Covenants over part of the proposed freehold land under Sections 40(1)(c) and Section 40(2)(a) and (d) of the CPLA to protect landscape, historic and ecological values. These comprise Conservation Covenants CC1, CC1a, CC2, CC3, CC4, and CC5.
 - ii. Easements to provide public and conservation management access under Section 36(3)(b) of the CPLA.
 - iii. The continuation in force of an existing easement in favour of Telecom NZ under Section 36(3)(c) of the CPLA.

Comments

This area (10,640ha) comprises the balance of the pastoral lease excluding land already accounted for and proposed to become conservation land as SCR1 (5ha) plus SR1 (268ha) and CA1 (3,294ha). This consists of all the front country and the river flats between SR1 south of Lindis Pass and the southern boundary of the pastoral lease. It also encompasses the middle blocks which generally consist of steep sided valleys and rolling ridge tops together with two entire autumn grazing blocks and parts of three other blocks.

Altitude ranges from 450m at the Lindis River to approximately 1,500m along the crest of the Chain Hills. We agree that the land here is relatively stable compared with land within CA1 on the Chain Hills below Old Man Peak.

This area includes all of the currently developed farm land with approximately 70% of the area having been oversown and topdressed in the past. Our inspection indicated that most of the previously developed land has had little if any maintenance fertiliser for a long time, and is being operated as a low input/low output system. Consequently much of the land is now characterised by browntop, sweet vernal and dominant Hieracium pilosella. Its carrying capacity must be low and we estimate less than 1 SU/ha over a large part of the area.

Our inspection also confirms that there are SIVs on parts of the land proposed for freehold disposal. Those values are proposed to be protected by 5 conservation covenants which in total amount to 8,125ha or 76% of the proposed freehold.

FMC is pleased to note that two easements are proposed for public and/or management over two routes.

We offer commentary and FMC submissions on the 5 Conservation Covenant areas and two public and conservation management easements in the following sections of this submission.

Before considering each of the 5 Covenant areas it is useful to draw attention to the extent of these covenants and the very large proportion of the property they cover:

CC1	3,685ha	34.6% of Freehold	25.9% of Pastoral Lease
CC1a	285ha	2.68% of Freehold	2.00% of Pastoral Lease
CC2	2.5ha	0.02% of Freehold	0.02% of Pastoral Lease
CC3	2,725 ha	25.6% of Freehold	19.2% of Pastoral Lease
CC4	1,400 ha	13.2% of Freehold	9.85% of Pastoral Lease
CC5	27.5 ha	0.26 % of Freehold	0.19% of Pastoral Lease

This table highlights some notable features of this PP, notably the large areas (CC1, CC3 and CC4) where the protection of native skinks and their habitat is the major focus of conservation and the identification of small areas (CC1a, CC2 and CC5) where small but very significant natural and historic values are proposed for protection.

From these data it can be calculated that the total covenanted area is 8,125ha or 76.4% of the proposed freehold area, or 57.2% of the entire pastoral lease. This means that out of the some 10,000ha of proposed freehold land only 2,500ha are unencumbered by the conditions of covenants. On the other hand it also means that 1,400ha of CC4 together with parts of CC1 and CC3, make a total of approximately 4,000ha to serve the intended purpose of enabling wide scale skink predator and pest control operations to be undertaken if required. Given the importance of the Morven Hills population of skinks this would be a great outcome for conservation.

Submission

FMC generally supports these proposed covenants, subject to the changes sought above for:

- i. The part of CC3 north of Dip Creek to be designated as scenic reserve and added to SR1.
 - ii. The adjacent land unit labelled CC1a to be recognised and protected as a Conservation Area CA2. A grazing concession could be offered over this if necessary.
- h. **Conservation Covenant CC1:** Approximately 3,970ha is proposed as a Conservation Covenant under Section 40(1)(c) and 40(2)(a) CPLA shown as CC1 and CC1a On the designations plan.

Comments

This proposed covenant comprises two distinct parts – (namely CC1) which covers much of the central core of the property, extending from the top of the front faces to the crest of the Chain Hills. The second part (CC1a) comprise the Dip face on the north side of Dip Creek.

We understand that the purpose of the proposed covenant is to protect shrubland, landscape and historic values and to ensure that known sites occupied by Otago and Grand skinks are given wide scale protection. Protection and management of skinks is clearly the main focus of this covenant including the re-introduction of these skinks to ensure viable populations. FMC strongly supports these objectives.

We appreciate that this large area (over 3,500ha) ranging from about 700m to over 1500m on the Chain Hills provides buffering around shrublands on valley floors and hill slopes between known skink sites.

The summary of the PP provides a description of shrublands and identifies threatened or at risk species of seven plants and one moth species. The shrublands contribute significantly to the landscape amenity of deeply incised gullies and rocky terrain within the broad undulating plateau landform.

The section on wildlife values highlights the significance and important occurrence of the relatively uncommon creatures in the context of Otago and the South Island. Predation and habitat modification currently constitute the greatest threats to the Morven Hills populations of skinks.

We have noted the conditions of the covenant and believe that effective monitoring of weeds, pests and predators will be crucial to achieving the objectives of the covenant which are clearly important for the survival of skinks on Morven Hills.

Submission

FMC is fully supportive of both objectives and covenant conditions designed to ensure the achievement of those objectives.

i. Covenant CC1a:

Comments

Some features of this proposed covenant area have already been discussed in the section on Conservation Area CA1 where it was suggested that the Land Use Capability Classification (LUC Class VIIe) may have understated the severity of its topography and erosion potential of the land in CC1a. On the other hand the SIVs of the small (some 300ha) area may not have been given adequate recognition as was previously accorded the area including 2 RAPs (RAP Lindis A4 Dip Creek - one hectare remnant of mountain Beech) and (RAP Lindis A5 - a small stand of Halls Totara). Both these RAPs deserve special recognition as examples of species close

to their ecological limits of distribution, and the associated recognition of the soils at these two locations which are registered as Geopreservation Inventory Sites.

In the small isolated part of the proposed Covenant CC1a on the western side of SH 8 are a number of important historic relics including the remains of an historic stone-lined sheep dip, a reservoir, a water race, three hut sites and three stone structures mostly associated with the gold mining era. Additionally, there is more ecological diversity intended for protection including two 'threatened' species of native broom and the Knobby Moth.

Because of their location and accessibility from SH 8, it is particularly important that these unique features can easily be enjoyed by the general public. FMC recognises the 'wander-at-will' status that has been proposed for CC1a. It is to be hoped that the area accessible to the public will include enough of the lower reaches of Dip Creek that the Totara and Beech sites will be able to be viewed by the public too.

Submission

The sum total of all these important and unique ecological and historic features, including their easy accessibility for public enjoyment, suggest that Reserve status would be a more appropriate designation for the area proposed as CC1a. FMC recommends that designation of the area proposed as CC1a should instead be either Conservation Area or Scenic Reserve. We are pleased to note that wander-at-will access is proposed for the historic sites adjacent to SH 8, and hope that the sites of ecological significance in the lower reaches of Dip Creek will be treated in the same way.

j. Conservation Covenant CC2:

Comments

FMC notes that the purpose of this covenant is to protect the historic Polsons Hut which dates back to the early days of pastoralism in the high country.

We note that it is in good condition, has been well maintained. The building is protected by a fence to prevent cattle damage and to allow public to view the exterior. We respect the owner's private use of the interior of the hut.

The hut is of historic importance and interest to the public because of the Polson twins who were frozen to death in the late 1860s without knowing that there was a source of lignite within a few meters of the Hut.

We also note that an earth walled area close to the hut may have been a stopckyard or garden.

FMC is pleased that it is proposed to locate a public parking area near the hut and walking access to the hut is permitted. The car park should serve for the Pylon Track too.

FMC supports the proposed covenant conditions which seem appropriate for its protection and maintenance.

Submission

FMC supports the designation of a conservation covenant around the historic Polson's Hut and the conditions designed to ensure its protection and maintenance. FMC supports the ability of the public to roam within this covenant, excluding the interior of the hut. We respect the owner's privacy and use of the interior of the hut.

k. Conservation Covenant CC3:

Comments

FMC notes that the purpose of this large (2725ha) covenant area is to retain the existing tussock grassland landscape.

We have discussed in the section on SR1, the designation of the area adjacent to the Lindis Pass corridor in relation to the designation of the adjacent proposed extension to the Lindis Pass Scenic Reserve SR1. We argued that the many SIVs and scenic values within CC3 seen from SH8 qualify CC3 for consideration as Scenic Reserve to be added to SR1. We recommend that all that part of CC3 adjacent to the Pass Burn faces through the Lindis Pass corridor and the land within CC3 and bounded by CC1a, Dip Creek and SR1/ CA1 should be designated Scenic Reserve on the basis of all the SIVs and especially its landscape values of the area should be added to the existing Lindis Pass Scenic Reserve. It should not end up as Stewardship Land.

There is a second part of CC3 which includes the mid section of the Pylon Track, also has high landscape values, and important ecosystem services of water capture and storage for a number of different downstream users. The landscape will be appreciated by the new constituency of recreational users who will soon be able to enjoy the trip through the Pylon Route by mountain bike.

Submission

FMC recommends that the northern part of CC3 which includes the Pass Burn faces in the Lindis Pass corridor and the land to the south of Double Peak as far as the upper reaches of Dip Creek which contains its own array of SIVs. The southern part of CC3 adjacent to the Pylon Track is acceptable as conservation covenant but the ecological services of water capture and storage should be recognised by adding these to the list of values in the covenant schedule.

I. Conservation Covenant CC4:

Comments

FMC notes that in the summary of the PP, CC4 is described as covering 1,400ha excluding parts of CC1 and CC3. It is an overlapping covenant, containing other covenants.

We understand that the purpose of proposed CC4 covenant is to enable wide scale predator and pest control operations in the long term.

The covenant areas CC1 and CC3 on the other hand have their own objectives which include the long term aims of all land areas within the "Blue Line envelope" of CC4 which will effectively apply over an area of approximately 4,000ha. We understand that this combined area includes all of the known sites with significant inherent lizard values.

We appreciate that predator control operations are an important aspect for enabling protection of the species

We note that the standard conditions of conservation covenants are modified to not allow actions and activities on the land which would have an adverse effect on the values it is intended to protect.

Submission

FMC supports the inclusion of parts of CC1 and CC3 with the land in covenant area CC4 in order to establish the framework for long term pest and predator control over the wide area which includes all the known skink habitat sites, the object being to protect the values described in the Deed of Covenant. We also support the conditions required to achieve the aims and objectives of pest and predator control over a wide area.

m. Conservation Covenant CC5:

Comments

FMC notes that the purpose of this proposed covenant is to enable the protection

of ecological and scientific SIVs associated with two wetland areas within the covenant area of 27.5ha at the foot of a small terrace adjacent to SH 8. The SIVs concerned consist of one 'Nationally Critical', and one 'Nationally Endangered' wetland plant species.

It is also proposed that an unusual geological feature consisting of a block of the calcareous rock Travertine which is present within the covenant area should also be protected together with the wetland where these features occur.

The covenant conditions of no burning or drainage and grazing only by sheep seem appropriate to the values which it is intended should be protected.

Submission

FMC supports the establishment of a Conservation Covenant over 27.5 ha containing two wetland areas adjacent to SH 8 for the purpose of protecting two threatened species of wetland plants and their habitat, together with an uncommon block of Travertine located at the foot of a small terrace.

n. Public and conservation access easements - easement 'a-b-c' and 'b-d'

Comments

FMC is delighted to learn that public foot and mountain bike access is proposed over the Pylon Track from Goodger Road to the boundary of CA1. It is satisfying to note that this represents the granting of the recreational access which was recommended in the "Preliminary Report on the recreational, landscape, historic and other conservation values and recommendations for the outcomes of tenure review – Morven Hills" (FMC 2011).

We also understand that if negotiations can be satisfactorily completed for public access over neighbouring freehold land the route from Goodger Road to the Pylon Track will be much easier.

We are also pleased to note that a car parking area is proposed at point "a" which would provide for public visiting Polsons hut and leaving vehicles at the western end of the Pylon Track.

The continuation of the Pylon Track to SH8 passes through CA1 and SR1 thus completing public access over the entire length of the Pylon Track from Goodger Road to SH 8. We are convinced that this will quickly become very popular and come to be recognised as one of the Classic Rides in NZ.

Submission

FMC recognises that this easement will secure public foot and mountain bike access over the Pylon Track to CA1 and also assists in securing continuity of good practical legal access in the form of a route through spectacular country from Goodger Road

to SH 8 – a distance of some 18km. We are convinced that it will not take long for this to become established as one of the Classic Mountain Bike Rides in NZ.

o. Public and conservation access easements - easement 'k-l'

Comments

This easement provides vehicle access for management only from Goodger Road to the skink habitat site designated - Scientific Reserve SCR.

We can understand why public access is denied to this site for reasons of threats to both farm security and the security of the skinks and their habitat. Unfortunately the security of remote rural areas is now real.

However, we are aware that there are members of the public who have genuine scientific interests in the native skinks and their habitat so we would hope that such people would be granted permission for access to SCR.

Submission

FMC understands the reason why public access to the important skink habitat site in the Scientific Reserve (SCR) is not available due to security threats to both farm and skink. However, we hope that access by permission can be negotiated for those members of the public who have genuine scientific interests in skinks and their habitats.

p. Continuation in force of existing easements and other existing interests

Submission

With regard to all these existing legal instruments, FMC has no objections.

4. CONCLUSION

FMC considers that this is an excellent tenure review proposal, and requires only a few additions in order to make it complete. Furthermore, this proposal offers the chance to ensure that the land returned to the conservation estate from this review is returned with the appropriate conservation status, rather than to simply classify it as stewardship land. There is broad support from FMC, Forest and Bird, the Otago Fish and Game Council, and the current runholder for the extension of the Lindis Pass Scenic Reserve to encompass the areas currently proposed for stewardship land only.

FMC also wishes to expressly thank the runholder, Mr Richard Snow, for generously allowing us onto his property for the full day inspection. He took the time to explain the history of the property to us, and answer our questions. He also deserves credit for the substantial predator control initiative that he is operating in remote parts of his property, in order to protect the skink population.

Yours faithfully,

Peter Wilson
Vice President
Federated Mountain Clubs of New Zealand Incorporated



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May 27, 2015.

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SUBMISSION ON PROPOSED TENURE REVIEW: MORVEN HILLS PASTORAL LEASE

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it based on my knowledge of the upland tussock grasslands of the general area, including the PNA survey report of the Lindis, Pisa, Dunstan Ecological Districts.

I visited the property on May 1 with several others and had the benefit of excellent conditions for assessing the inherent values on the property and also the company of the lessee, Mr Richard Snow on two vantage points to discuss various aspects of the tenure review proposal. It is clear from my observations of the property and in discussion with Mr Snow that Morven Hills is managed as a 'low input : low output' property with a no-burning regime.

The property has obviously been aggressively managed in the early days of pastoral farming, such that much of the natural tussock cover has been removed and the nutrient status over much of the property is clearly relatively low: mouse-ear hawkweed and sheeps sorrell are generally rampant, but erosion appears to be negligible.

I have read the Summary report, including the CD supplied for the Preliminary Proposal prepared for this relatively large (14,207 ha) property. The proposal is to restore some 268 ha (1.9%) to full Crown ownership and control as a Scenic reserve in two sections on either side of the existing Lindis Pass Scenic Reserve, to which would be added an adjoining area of 3294 ha as a proposed Conservation Area (CA1) along the upper eastern section of the property as well as a small (5 ha) Scientific Reserve to enable protection of the 'Nationally Critical' Otago skink- western (*Oligosoma otagoensis*). The remaining 10,640 ha of the property is proposed for freehold disposal, but subject to protective mechanisms and qualified designations.

Dealing with these issues in turn:

The two sections **proposed as additions to the Lindis Pass Scenic Reserve is strongly supported** but largely on landscape grounds as this is a visually important area as viewed from the crest of the Lindis Pass highway, now a much-frequented and very popular tourist route, particularly noted for its tussock grassland landscape. The western section, however, should be extended further west, up to the ridge descending below the unnamed peak 1440 m, and including this peak: this is clearly implied in the Summary statement on page 1; para 4 under "Land to be restored to Crown Control."

The ecological condition of the narrow-leaved snow tussock grassland in this area, however, is relatively poor with a generally weak cover of snow tussock and serious infestation of mouse-ear hawkweed. Indeed this area was not ranked for protection in the PNA survey report. This is not surprising given that the **adjoining area in the upper Dip Creek catchment where the condition of the tall tussock grassland is much superior and the landscape is quite spectacular** (Fig. 1).

Indeed, this area, at least as far southeast as the easement concession d-e, should be **included in this proposed extension to the Lindis Pass Scenic Reserve** because of its **important complementary position** (southern aspect and much improved condition), and so this is a **strong recommendation** for consideration.

The remaining parts of the CA1 proposal further to the south is mostly depleted snow tussock grassland, slim snow tussock (*C. macra*) on the higher slopes, with several threatened plants and animals and some others at their distribution limits, as documented in the report, and with high-alpine fellfield above ~1600 m as around the highest point, Old Man Peak (1826 m), on the property boundary (Fig. 1). About half of the large block has a northwestern aspect with a relatively sparse snow tussock cover and local mixed shrublands, while the opposite, eastern-aspect slope in the Dunstan Creek catchment, could not be seen on this visit but is assumed to be complementary because of its opposite aspect. Given the **environmental/ecological importance and biodiversity and landscape values** of the entire **western aspect tussock faces** to the east of the transmission line, **serious consideration** should be given to **extending the boundary of the proposed CA1 area down to the vehicle track associated with the transmission line, at 900-1000m**, with a fence on its uphill side, or at least extended downhill to take in the southeast basin of the Davis Block, were a more suitable fenceline than the one proposed appears to be present. I suggest the maintenance of such a fence would be much less of an issue in either of these locations than it is likely to be where it proposed to cross the steep slopes at around 1500 m towards its southern end where it departs from the access road over its last 3-4 km. This is a **strong recommendation as an important extension to the current proposal across the Chain Hills Range (Bluecliffs Block)**. Some thought should also be given to **including much of this enlarged CA1 area as a scenic reserve**, which would be **justified on ecological grounds** and which would **also enhance its protection status** compared with 'stewardship land' which would be its fate as a conservation area, and which is known to have relatively weak protection, as confirmed by a recent report by the Parliamentary Commissioner for the Environment. All these aspects of the proposed CA1 area would be consistent with the current Otago Conservation Management Strategy (1998), with which I was involved as Chair of the Conservation Board at this time.

The **ecosystem services, particularly the importance of water production** from these upland tussockland areas justifies their conservation management for this and other (soil conservation) purposes into the foreseeable future. The **proposed grazing concession** for a 5-year period on the northern aspect of this area is **accepted** for its transitional management purposes although, as the lessee said such a provision may not be exercised.

Regarding the extensive area of **land being proposed for freeholding** (10,640 ha), the five proposed Conservation Covenants (CC1, CC3 and CC4, including CC1a) are essentially contiguous and clearly have as their main purpose, the management of native skinks. They have been described in adequate detail as to their ecological values, purposes and conditions for management (except the CC1 should also carry a 'no burning' condition, as with the other proposed covenants. With this proviso, these are **all endorsed except for the CC1a area**.

The CC1a area occupies the steep rocky southern-aspect faces on the true right of lower Dip Creek, but including the narrow margin of land on the true left of this creek (Fig. 2), which is probably mostly part of the **formal marginal strip**, which extends upstream, well beyond area proposed as CC1a. As the report highlights and as was apparent with our visit, this area of ~300 ha is largely self-protected from stock access and **has many important ecological and other inherent values, with important ecological sequences, from mixed shrublands on the lower sections to snow tussockland on the upper slopes and crest (see Figs 2 & 3)**. Of particular note is the **distinctive 1-ha remnant stand of mountain beech** on its mid face (Fig. 3), and also the **southeastern-most beech forest outlier** in the northwestern part of the ecological district (also identified as RAP A4 in

the Lindis PNA Report (1994)). Equally important is the **thin-barked totara remnant stand** on a local talus slope, being the eastern-most and driest talus site occupied by this species, *Podocarpus cunninghamii*, in the ecological district (also recognised as RAP A5 in the Lindis PNA Report (1994)). Moreover, the **soils associated** with each of these stands are both **significant and are registered 'Geopreservation sites'**. The area is also one of the under-protected environment types, recognised in the published "Land Environments of New Zealand".

There is **additional ecological diversity** in this area, referred to in the report as with "significant inherent botanical values: these include two 'threatened' plant species, *Carmichaelia crassicaulis* var. *racemosum* and *C. kirkii* (climbing native broom), as well as the Otago skink, and the 'knobby' moth *Pseudocorema* sp. on its host shrub *Olearia odorata*, and also the moth *Meterana equisite* (gradual decline'). There are also **important cultural and historic values** within this area in the form of an historic sheep dip site, as well as a reservoir, water race, three hut sites, three stone structures and stone alignments, mostly associated with the gold mining era. This area is **accessible directly off the Lindis Pass highway** and, importantly, has as a condition of its covenant, a **'public wander at will' access** off the highway (which could be extended up the creek bed for some distance), as well as no burning or vegetation clearance, wild animal control and limited sheep grazing (no perimeter fencing is planned). This wide range of inherent values would **justify scenic reserve status** for this area, which is **strongly recommended**.

The small (2.5 ha) **proposed CC2** area encompasses the **historic Polson Hut and surrounds**, located on the southern boundary of the property on Goodger Road close to the commencement of the Pylon Track. **Public access** is available and there is provision for a **car park**, along with other conditions which are considered appropriate. All these aspects are **endorsed**.

The small area (27.5 ha) proposed for **CC5**, alongside the Lindis highway, contains **two wetland areas** which have been ranked as **'Chronically threatened'** and **'Acutely threatened' ecosystems** under the **Land Environments of New Zealand**. They also contain **two 'threatened' plant species**, the grass *Triglochin palustris* and the sedge *Carex inopinata*. This area has been recognised as perhaps with potential for **investigation of palaeoecology** through pollen and charcoal analyses. There is also a 'block' of the sedimentary calcareous rock, **travertine**, which is notable. Apart from the existing fence along the highway, no other is contemplated. With such a range of scientific values and its location close to a main highway, this area should receive more secure protection and would qualify as a **Scientific Reserve** which is **strongly recommended**.

As for **access easements**, the public (foot and non-motorised) and conservation management access easement 'a-b-c' and 'b-d' of ~12.6 km off Goodger Rd to the boundary of CA1, with the Pylon Track contacted at point 'c'. Apparently a more direct route to point 'c' is through neighbours property and similar access along this track has yet been negotiated with neighbours. It is hoped that DOC will be successful with this negotiation since more direct and satisfactory access to the Pylon Track from Goodger Road apparently depends on this. From point 'd' the **Pylon Track** continues as far as the Lindis Highway ~1 km north of the Pass and traverses some quite spectacular landscapes (Fig. 1). The status of the Pylon Track and the easement concession 'd-e', shown in blue on the map is not clear, but being a 4WD track, it is assumed to be at least public walking and non-motorised access; given the distance from Goodger Road to the Lindis highway is ~18 km. This is likely to become one of the more important in an increasing network of readily accessible and inspiring public recreational routes throughout the Central Otago region.

The **access 'k-l'** across freehold, including CC1 and CC4 land, from the southwestern boundary of the property to the proposed Scenic Reserve, a distance of ~10.9 km, is to provide for DOC management as well as public walking, non-motorised and motorised vehicles, plus machinery and implements. These **provisions are endorsed**. A public walking access easement would be desirable from the Pylon Track along the southern boundary of the property on to the proposed Conservation Area (CA1), to then provide access on to the crest of the Chain Hills Range.

Continuation of the **existing easement** in favour of Telecom NZ is endorsed. The **two “existing interests”** documented in the proposal are also **endorsed**.

I trust that this response and its recommendations will be given serious consideration. I also thank you again for the opportunity to assess and comment on this important proposal for tenure review.

Yours sincerely,

Alan F. Mark. FRSNZ KNZM. Emeritus Professor.



Figure 1. View northeast from near trig 1079 m in CC3 showing depleted vegetation in the foreground, with the Pylon Track running diagonally through spectacular lanscape from centre right to the dip in the skyline (centre), with the property’s highest paek, Old Man Peak



Figure 2. View up lower Dip Creek from ~900 m on the track on the opposite aspect, showing the rock and generally shaded nature of this proposed CC1a and the site near the valley floor where the remnant stand of thin-barked totara apparently is located. Snow-covered Old Man Peak (1826 m) on the property's eastern boundary, is on the distant skyline.

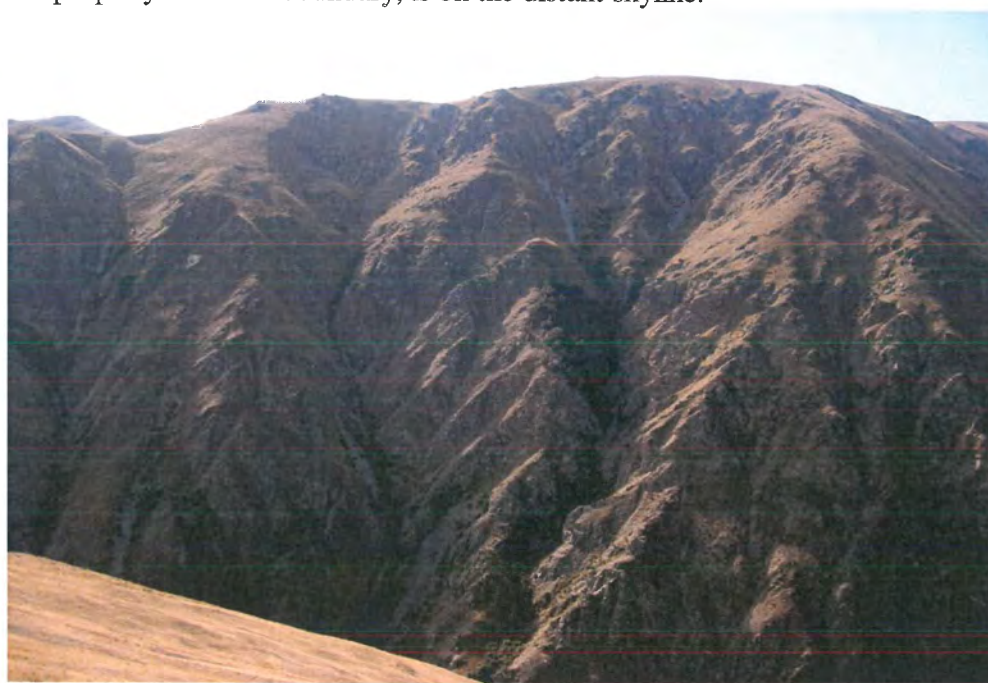


Figure 3. View north across lower Dip Creek from the same position as for Figure 2, showing the steep and generally rocky nature of the proposed CC1a area and the remnant stand of mountain beech on the eastern aspect (right-facing) slope mostly in the shade, to right of centre.



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27 May 2015

Commissioner of Crown Lands
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Dear Sir/Madam

Submission on Morven Hills Tenure Review

Name of Submitter:

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Introduction

The NZ Transport Agency (the Transport Agency) is the Crown entity focused on creating transport solutions for a thriving New Zealand through four core business functions:

- Planning the land transport networks;
- Investing in land transport;
- Managing the state highway network; and
- Providing access to and use of the land transport system.

The Transport Agency's principle objective under Section 94 of the Land Transport Management Act 2003 is to undertake its functions in a way that contributes to an affordable, integrated, safe, responsive and sustainable land transport system.

The Transport Agency is responsible for the management of State Highway 8 (SH8), which extends along the western boundary of Morven Hills Station from approximately Goodger Road in the south to a point just south of Lindis Pass in the north. In places, Morven Hills pastoral lease straddles SH8.

Proposed Conservation Covenant CC1a

The Preliminary Proposal for Morven Hills tenure review includes the creation of a Conservation Covenant "CC1a" over proposed freehold land to be disposed of to the current lessee of Morven Hills. Details of CC1a are set out in Appendix 4 to the Preliminary Proposal. The proposal is that the covenant is for Conservation purposes; to preserve the Reserve values; and to provide freedom of access to the public.

Schedule 1 of CC1a, "Description of Land" having "Reserve Values to be Protected", includes the land at Lower Dip Creek on both sides of SH8. This land includes historic sites that have been identified by the Department of Conservation (DoC) having historical significance and worthy of protection. In particular, the remnants of a sheep dip, which is recorded as being:

"a rare surviving example of a 19th century sheep dip used by high country farmers to wash fleeces prior to shearing"

Schedule 3 of the covenant requires the owner of the land to:

"allow the public to enter upon the part of the Land on CC1a west of Lindis Pass Highway [SH8] containing the historic sheep dip site only, and no specific permission or authority is required from the Owner for such entry."

The covenant is binding on all subsequent owners of the land.

Proposal for Realignment of SH8

The Transport Agency has a proposal to realign the part of SH8 where it crosses Dip Creek to remove a dangerous tight corner and narrow bridge. The proposed realignment is within the proposed covenant CC1a land, predominantly west of the existing SH8 alignment. The Land Requirement and Plan are attached for your information. This plan shows areas required for occupation during construction also.

The proposed realignment includes construction of an earth fill embankment to the west of the current highway alignment, including a new culvert over Dip Creek; earthworks adjacent to the eastern side of the existing alignment at the north and south ends; and utilisation of excavated material to the east of SH8 for construction of the embankment.

The Transport Agency is aware of the existing historical values in this area. The significance of the historic sheep dip site is referred to in the Transport Agency's Scheme Assessment Report of April 2010, prepared by Opus International Consultants Ltd. The presence of significant historic sites were the subject of a meeting at the site of the proposed realignment between Opus International Consultants Ltd and the Regional Archaeologist for Heritage New Zealand (HNZ, formerly Historic Places Trust) in September 2009. A copy of the record of the discussion is attached to this submission.

An Archaeological Assessment was prepared by HNZ approved Archaeologist Angela Middleton in April 2009 that provided advice on the process that the Transport Agency must follow in order to protect this feature during and after construction of the realignment. The advice to the Transport Agency from HNZ was that further archaeological investigations should be carried out prior to the commencement of construction and that an archaeological authority would be required. There was also a recommendation that the realignment project includes information for the public on the historic sheep dip.

The attached plan (Figure 17) was prepared by Angela Middleton and shows the locations of the known archaeological sites and the centreline of the proposed SH8 realignment.

Relief Sought by the Transport Agency

The Transport Agency requests that provision is included within the tenure review of Morven Hills Pastoral Lease for:

- the land proposed to be taken for realignment of SH8 at Dip Creek;

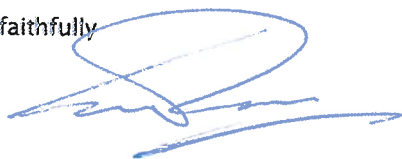
- the excavation of material from the proposed borrow area to the east of SH8; and
- the occupation of land to facilitate construction of the SH8 realignment.

The Transport Agency requests the exclusion of the land described above from any of the proposed covenants included in the tenure review proposal.

The Transport Agency also requests that provision is made in the proposed covenants for the Transport Agency, or its representatives to retain access over the land surrounding the proposed SH8 alignment for the purposes of carrying out surveys, investigations and associated activities.

If you have any questions regarding the Transport Agency's submission, please contact John Jarvis. He may be contacted by phone at 03 955 2927 or 027 435 9567.

Yours faithfully



Ian Duncan
Southern Business Unit Manager (Acting)

Attachments: Notes of meeting with HNZ
 Land Requirement and Plan
 Figure 17 Dip Creek

Attachment 1

Queenstown Office
1st Floor, 153 Glenda Drive
Frankton Industrial Estate, PO Box 2323,
Queenstown 9349, New Zealand

Tel +64 3 451 0360
Fax +64 3 451 0361

TO File
COPY Sue Scott, Emily Hodgkinson
FROM Reece Gibson
DATE 7 September 2009
FILE 6XT007.02/975GX
SUBJECT SH8 Dip Creek Realignment Project - Site Visit with NZ
Historic Places Trust Archaeologist (Dr Matthew
Schmidt)



Notes following site meeting held on Friday 4 September 2009 between NZ Historic Places Trust Archaeologist (Dr Matthew Schmidt) and Opus (Reece Gibson and Emily Hodgkinson).

Dr Schmidt was generally happy with the realignment proposal. The proposed realignment would destroy approximately 25m of water race used to feed water to the sheep dips from the Passburn. However the remaining sections of the race would remain on either side of the proposed fill embankment. The stone hut remains and two sheep dips identified would not be affected by the proposed realignment.

Recent scouring of Dip Creek towards the second sheep dip to the west of the proposed realignment was evident during the site visit. The proposed creek realignment for the fill embankment and protection measures (rip-rap) would protect the sheep dip from further scouring, damage and possible loss.

NZ Historic Places Trust (NZHPT) Authority would come with the following conditions/agreements:

- Further archaeological mapping to be done at the start of construction, e.g. mapping of cut through water race – estimate approximately a day's mapping will be required.
- Removal of vegetation (trees) around hut ruins.
- Covenant over historic pastoral sites (Crown Land).
- Construction boundaries to be well defined. Archaeological sites would be roped off by NZHPT.
- Signage and possible public access to stone hut ruins and dip (to be worked through with final design).

NZHPT require the final design to grant Archaeological Authority, however Opus require approval to proceed with Geotechnical Site Investigations to be able to finalise the design.

Two test pits are within the area of historical significance, Test Pits 4 and 5. Access to these two test pits would need to avoid the identified historical features. Access will need to be well defined and historic areas highlighted before proceeding with the Geotechnical Site Investigations.

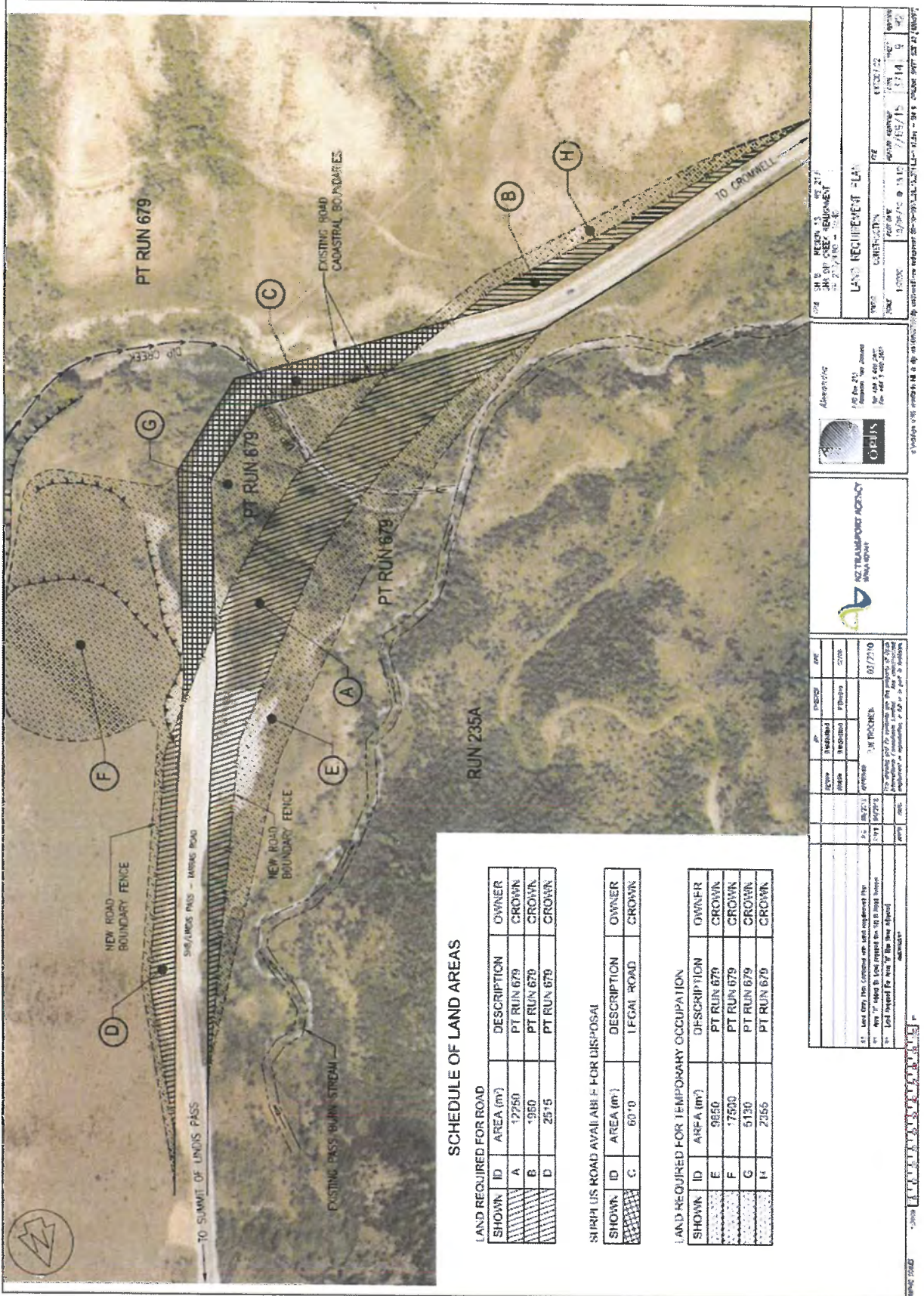
A likely tent site was discovered on the south east side of Test Pit 5. This wouldn't be affected by the Geotechnical Site Investigations, although the digger tracking path would need to be defined to avoid this area.

Any historic features that may be affected by access, e.g. the water race, will need to be protected, e.g. with timbers or sand bags, so that the digger does not damage the features when tracking over them.

Dr Schmidt is considering giving approval for the Geotechnical Site Investigations and waiting for the final design before giving Archaeological Authority. He will advise Opus of his decision.

Reece Gibson
Projects Engineer/Team Leader

Attachment 2



SCHEDULE OF LAND AREAS

LAND REQUIRED FOR ROAD

SHOWN ID	AREA (m ²)	DESCRIPTION	OWNER
A	17250	PT RUN 679	CROWN
B	1960	PT RUN 679	CROWN
D	2515	PT RUN 679	CROWN

SHIPWIS ROAD AVAILABLE FOR DISPOSAL

SHOWN ID	AREA (m ²)	DESCRIPTION	OWNER
C	6010	LEGAL ROAD	CROWN

LAND REQUIRED FOR TEMPORARY OCCUPATION

SHOWN ID	AREA (m ²)	DESCRIPTION	OWNER
E	9650	PT RUN 679	CROWN
F	7500	PT RUN 679	CROWN
G	6130	PT RUN 679	CROWN
H	2355	PT RUN 679	CROWN

LAND REQUIREMENT PLAN

DATE: 01/17/10
 PROJECT: SHIPWIS ROAD
 SCALE: 1:1000
 DRAWN BY: [Name]
 CHECKED BY: [Name]

OPUS

NS TRANSFER AGENCY

NS TRANSFER AGENCY

DATE: 01/17/10
 PROJECT: SHIPWIS ROAD
 SCALE: 1:1000
 DRAWN BY: [Name]
 CHECKED BY: [Name]

DATE: 01/17/10
 PROJECT: SHIPWIS ROAD
 SCALE: 1:1000
 DRAWN BY: [Name]
 CHECKED BY: [Name]

Attachment 3

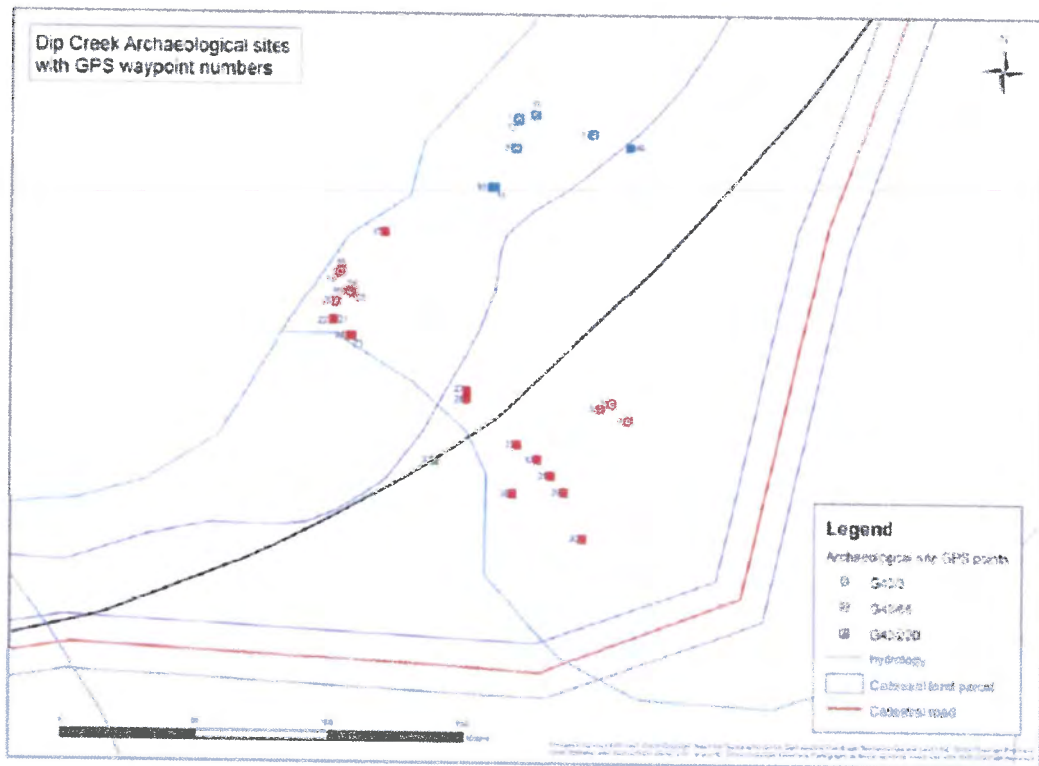


Figure 17 Dip Creek, showing archaeological sites with waypoint numbers and new road alignment (in black).



M Sole,
1936A Omakau-Chatto Creek Rd,
R. D. 3,
Alexandra 9393
(03) 447 3336

27 May 2015

The Manager,
Crown Property,
Land Information NZ,
Private Bag 4721,
CHRISTCHURCH 8140.

**SUBMISSIONS on the PRELIMINARY PROPOSAL for TENURE REVIEW:
MORVEN HILLS PASTORAL LEASE PO 359**

Dear Sir,

Lindis Pass Conservation Group thanks you for this opportunity to comment on the proposed Tenure Review settlement of Morven Hills Pastoral lease.

We visited the property on May 1st with a group, and appreciate the assistance Mr Richard Snow gave us in explaining the proposal, and answering our many questions about it. We are grateful to him for giving us his time and interest.

A small number of us revisited on May 3rd, by permission of Mr Snow, to look at the intended extension to Lindis Pass Scenic Reserve on the west (Otago) side of the Pass as part of the Tenure Review proposal. We walked up within SR1 West area to look at the shrubby central gully, the tussock grassland above, and the potential location of the fence.

On this second visit a significant Kowhai tree was noted just outside of the Reserve extension, on the Lindis faces of area CC3 visible above the main highway.

Lindis Pass Conservation Group members are volunteers who have worked in the Scenic Reserve since 2004 under a Memorandum of Understanding with the Department of Conservation's Twizel office.

We carry out a summer programme of weed control (brier, Russell lupin, tree lupin and some broom) and rubbish collection to keep the area clean. In 2009-10 we began an experimental trial replanting of some 600 Snow Tussock *Chionochloa rigida* from seeds sourced in the Reserve, to see whether restoration of areas overwhelmed by Hieracium could succeed. Environment Canterbury has since commissioned the replanting of 2000 snow tussocks to selected areas.

As volunteers we have a powerful interest in conserving and caring for the biodiversity, ecology and outstanding landscapes of the Lindis Pass. We have a current membership of 50 plus, from Twizel, Ohau, Omarama, Lindis Highway, Tarras, Wanaka, Cromwell, Alexandra, Omakau and Dunedin.

SUBMISSIONS, LINDIS PASS CONSERVATION GROUP Inc.

SR1, EAST AND WEST EXTENSIONS TO LINDIS PASS SCENIC RESERVE.

2.1.1 Land to be retained by the Crown as an addition to the adjoining Lindis Pass Scenic Reserve in order to promote ecological sustainability and protect significant inherent landscape and ecological values.”

The proposed extension to Lindis Pass Scenic Reserve is strongly supported by us in principle: we make three additional recommendations in sections B, C and D below.

We are pleased to see protection being given to more of this highly visible landscape that is appreciated by locals, by New Zealanders - through travelling the highway, outdoor recreational experience, interest in natural history, photography, art, and in memory - and by the many thousands of overseas tourists who pass by here each year, and instinctively stop to look.

The Preliminary Proposal has rated the two-part SR1 area as **“High Value for the landscape criteria of significance, vulnerability, legibility and aesthetic factors.”** We agree with this rating.

A. Lindis Pass Conservation Group recognises that the biodiversity of this high land is as significant as the physical beauty of the landscape, and we support -

- (a)** the SR1 addition East that opens into the intended CA1 Conservation Area of stewardship land, and is thus protected by proposed fencing that will make a boundary between much of CA1 and adjacent Covenanted grazing land (see our qualifying recommendation B below)
- (b)** the SR1 addition West that is to be fenced to separate it from grazing on adjacent Covenanted land (see our qualifying recommendations C and D below.)

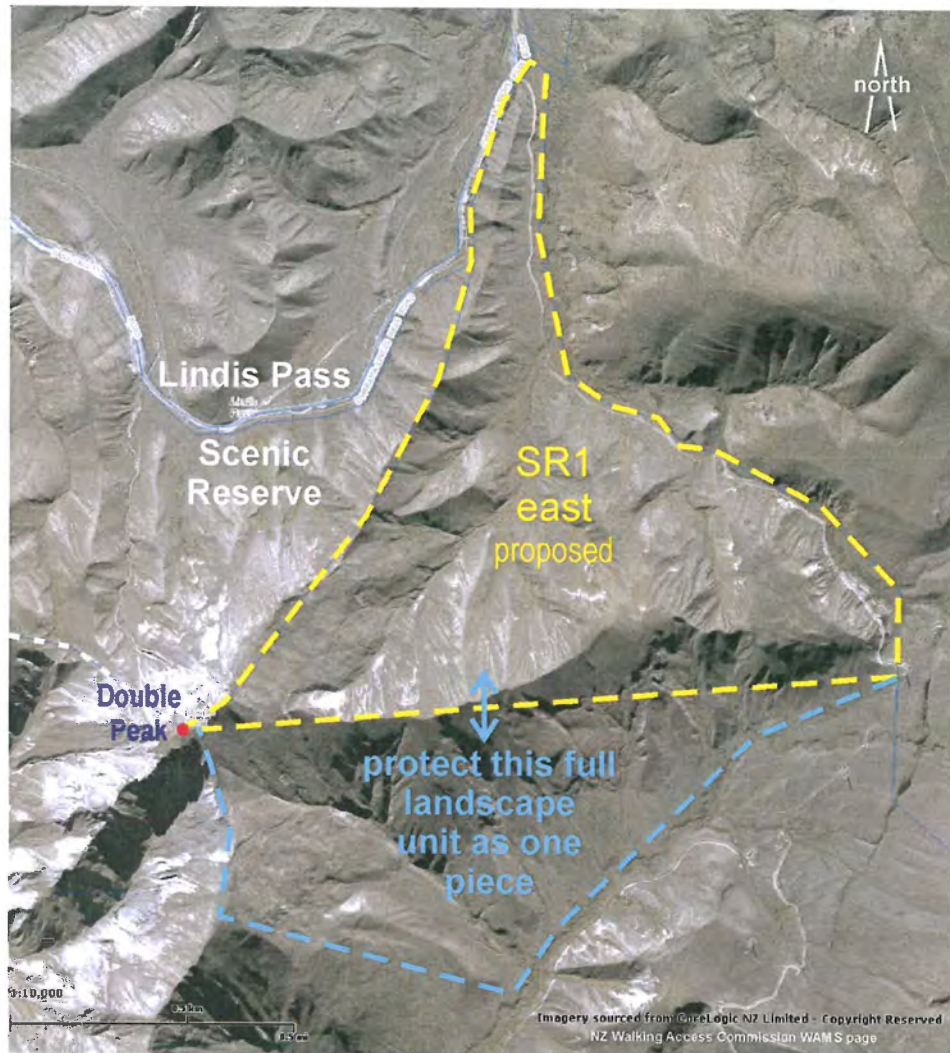
Grazing and fencing. Although grazing in the present Scenic Reserve has been light in recent years, it is clear that cattle in particular have damaged old-growth native *Carmichaelia* species by chewing on them, and sheep have reduced or set back the *Olearia* Sp., tussock and herb ground cover. Plants at this altitude grow so slowly that even intermittent animal damage can have a long-lasting and sudden effect, so that plants tend to just survive, or diminish slowly, rather than grow steadily.

Loss of cover leads to a diminution in shelter and opportunity for species such as Mountain Weta *Heimadema maori* which we have found here, and for the varied population of moths, beetles flies, spiders and other insects which live on or under the native plant species, plus the birds and lizards (both common and endangered) which depend on them.

Two fenced exclusion plots within the present Scenic Reserve demonstrate that with long-term protection the tussock/herb complex can recover: and we have shown through our Tall Tussock Enhancement replanting trials within the Scenic Reserve that the snow tussock will grow again if given the opportunity*. Fencing the expanded Reserve to remove grazing will assist with the recovery of native species in this entire landscape and is a responsible action, we endorse it.

* LPCG “Lindis Tall Tussock Enhancement”: DoC Community Conservation Fund project CCF-079, 2009-.

B. Eastern SR1 addition.



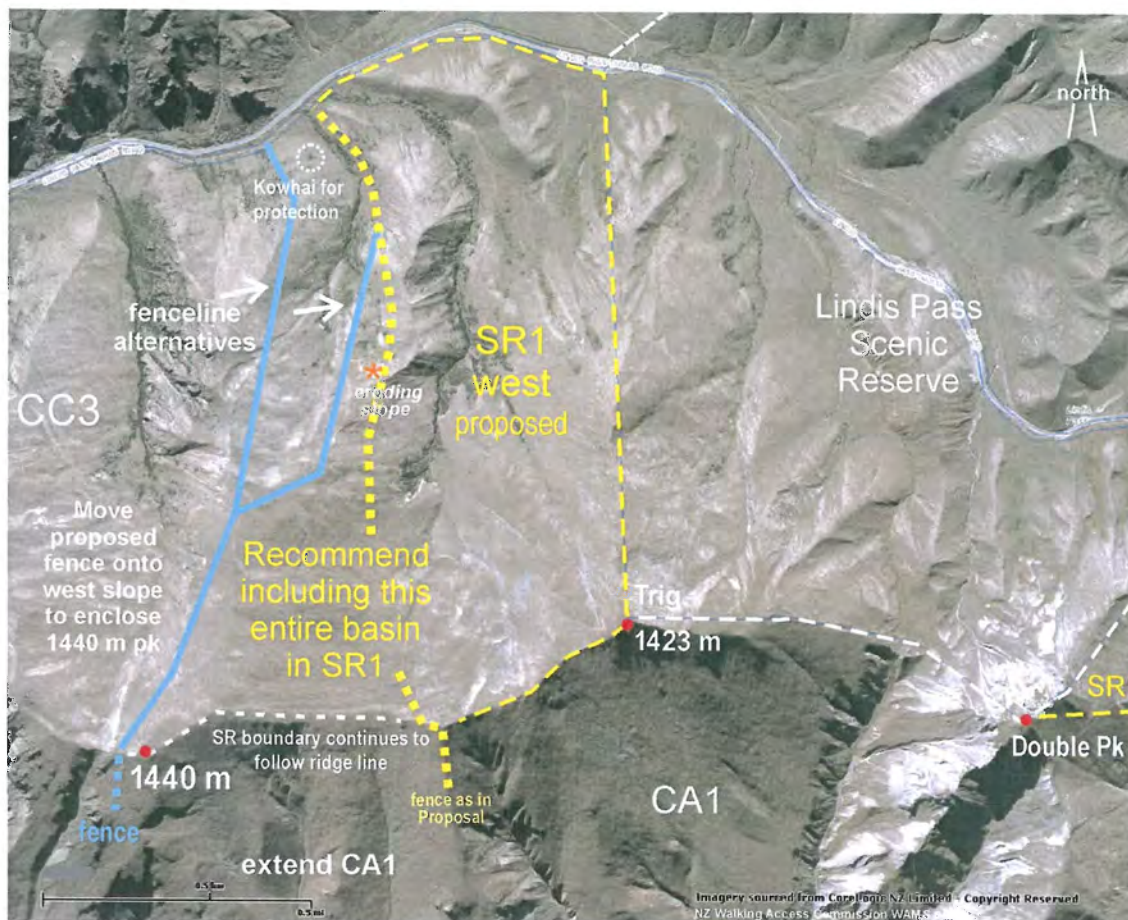
While no fencing is needed for SR1 East, the boundary line enclosing it on the south has been drawn as a straight line across steeply falling contours and as such is not readily legible on the ground. A more coherent location for the boundary would be of benefit, as the Reserve will be set aside under different legislation.

This Scenic Reserve unit will also be visible (identifiable) to all users of the Pylon Track and to those recreating in CA1, thus its landscape completeness has meaning.

We recommend that the Scenic Reserve SR1 East is remapped at least as far as the stream catchment off Double Peak, as we have shown on our aerial map, for issues of landscape legibility and coherence. For a wider SR recommendation, see CA1 below.

C. Western SR1 addition.

We recommend that the entire upper basin up to the 1440m peak, as identified below and in the two photographs following, is an integral landscape unit that should be reserved to the Crown as Scenic Reserve in its entirety, and that the new fence should be re-routed to enclose all of it (blue lines on our map)



In the Designation Plan the new fence line (at the proposed boundary of the Scenic Reserve) is mapped to bisect a large, tussocky basin, rather than to go around it,

In the Summary Report, page 1, we note that on the two occasions that the SR1 West area is geographically described, it is explained as **including the 1440m peak**. It seems that the Designations Map and the text are not in concert.

2.1.1. "The Western Parcel consists of a relatively steep face ... ranging in altitude ... to the 1440 m asl on the skyline ridge forming the southern boundary."

"Ecosystems and Communities: SR1 contains altitudinal sequences ... to the skyline ridge west of Double Peak at approximately 1440 m asl."

We recommend that this entire highly visible basin and peak, as mapped above to 1440 m, is reserved to the Crown as Scenic Reserve for the following reasons.

1. While the proposed fence line in its lowest portion has been sympathetically placed behind a narrow ridge, for the upper, wide, cross-slope boundary it is inevitable that in time a cross-country fenceline effect will show between grazed, sheep-tracked land above, and protected land below, creating a line and colour change where none exists now.

This is not a desirable outcome and is at odds with the stated "High Value" landscape rating that has been used to justify the Scenic Reserve addition.

2. It is also at odds with the accepted principle that tussock at high altitude should be retired from grazing, to allow ecologically sustainable management of vulnerable

soils and vegetation. The present proposal would allow permanent grazing up to 1440 m which is not good practice. The longer term outcomes of water storage, bio-mass storage for carbon sequestration, and biodiversity, justify this intervention.

3. It is an odd inversion, where the lower part of a landscape that is rated highly for the visual corridor of the Lindis Pass scenic highway is being separated off from the high altitude portion of the same catchment basin. This entire landscape unit qualifies in all respects for Scenic Reserve status according to the Values quoted for inclusion.
4. In 2.1.1 in the Summary document, the Review states as a value that *"SR1 contains continuous altitudinal sequences of indigenous vegetation communities"*. This "whole", the tussocky basin and slopes to the high ridge and peaks is a continuous altitudinal sequence and dividing it is contrary to the stated Value.
5. The Summary document on p 2 states that *"SR1 contains characteristics of the Lindis Pass landscape widely recognised as an outstanding New Zealand iconic landscape of national significance that is under represented in the Conservation Estate."* – and the Otago CMS, in Special Place 23 Hawea-Lindis, flags the *"nationally significant landscape of the Lindis Pass"* : - • *Protect landscape qualities in the area particularly those of the **visual catchments visible from highways**. • Protection on a broad scale will be sought for the Otago portion of the Lindis Pass scenic corridor as a priority.*

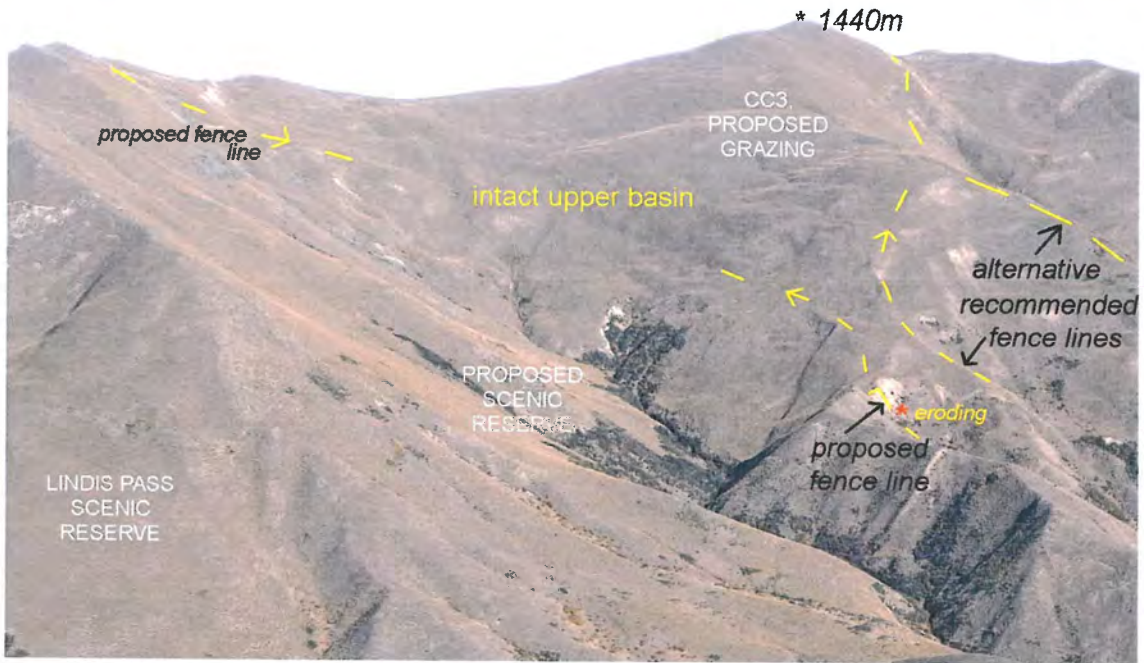
Getting this designation right is therefore a matter of importance.

6. **We recommend** that the vulnerability and strong ecological values of this open tussock basin, ridges and peaks, as well as their aesthetic quality and obvious legibility, as part of the Values of the Lindis Pass scenic highway, are sufficient reason to map all of the unit into the extended Scenic Reserve.
7. **Recreational walking.** There is very little walking access on the reviewed Morven Hills property, none of the cross-tracks have been allowed apart from the north-south line of the Pylon Track which is largely in gullies. There will be open access on conserved land in the east, but in this entire western region no tracks have been provided.

It is doubly important therefore that the Lindis Pass Scenic Reserve includes high value boundary circuits, to add to the enjoyment and appreciation of the tussock grasslands and the exhilarating landscape views. Visitors would very much appreciate the quality of such an "all-day" open walk up here, and it is important to us to be able to walk all over this complete upland tussock basin, to its highest peak.

As mapped on the Designations Plan, one could walk cross-slope at the mid-point of the ridge, but, frustratingly, would be barred not only from reaching the highest point on the skyline, but also from experiencing the levels within the tussocky basin.

As the Lindis Pass Conservation group we build into our work schedule a combined recreational / biodiversity monitoring walk in the scenic reserve, usually involving a peak traverse. There is an easy opportunity here to open out one significant peak and its environs to "glorious walking" for recreationists, along with biodiversity regeneration / condition monitoring over a significant ecological gradient.



As shown in these two photographs, the landscape rating “High Value” in terms of significance, vulnerability, legibility and aesthetic factors applies to the entire upper tussock basin, and includes the 1440 m peak. The upper basin and peak are not separate from the remainder of this landscape unit. We recommend that the proposed Scenic Reserve is expanded to take in the stream, basin, ridges and peak of this single landscape unit.



D. FENCING specification:

Lindis Pass Conservation Group recommends that a requirement is added to the fencing specification [*Appendix 3: Indicative Fencing and Construction requirements*] that all equipment used will be cleaned prior to use so that it is free of exotic weed seeds.

CA1 CONSERVATION AREA.

Lindis Pass Conservation Group supports the return of the land labeled CA1 to Crown control and public use – including open access to it via the Pylon Track easement

E. We recommend that the designation **Scenic Reserve** is applied to the headwaters of Dip Creek as they fall within CA1 and the eastern part of CC3, and that the Black Hill Dark Block and all of Double Peak are included in the designation. The hill-face eastward of the 1440 m peak in Black Hill Dark Block is of high landscape and ecological quality, and is one part of an integral unit - a clearly defined landscape “island” that has within it three peaks bound by a high ridges.

F. Lindis Pass Conservation Group supports the designation CA1 applied to the west face of the Dunstan Range within Morven Hills, up to its boundary at the scree level on Old Man Peak. This wall of mountain is part of the main landscape view-shaft seen from the Lindis Pass highway, and is an integral and significant part of the “Lindis landscapes” from wherever one is in the Reserve. As a high and vulnerable landscape it has the value qualities of significance, vulnerability, legibility and aesthetic factors.

G. Lindis Pass Conservation Group supports the CA1 designation for the tributaries of Dunstan Creek and the Dunstan Creek faces within Morven Hills. These landscapes are ecologically significant and extraordinarily attractive. The Dunstan Creek faces in Morven Hills are also, quite obviously, a portion of a greater landscape: that is, the remainder of the very beautiful Dunstan Creek valley and above it the west face of the St Bathans Range. The integrity of the whole landscape pattern can be noted in this regard, as an overlying, wider pattern of significance.

3. CC1 with Conservation Covenant, and Scientific Reserve SCR.

H. Lindis Pass Conservation Group supports the measures being taken on this block to protect the remaining Otago and Grand Skinks which may or may not be present in the covenanted areas, allowing for their full protection wherever found.

4. CC1a, shady Dip Creek Face.

I. The shady bluffs on the true right of Dip Creek that contain a beech remnant, Halls Totara on a scree slope and lizard values, are steep and carry little pasture except at the eastern top end where parts of the CC1a Designation level off. The bluffs contain “*considerable ecological diversity with a number of rare ecosystems and species.*” [TR361 Summary of Preliminary Proposal March 2015 p 12.] which qualifies them to be reserved to the Crown. No justification has been given for the Crown’s intent to dispose of this land, except to say that its steepness means its valued areas are “*largely self-protected from stock grazing.*” We would like to point out that this is a poor and negative reason

for disposing of such positive ecological values. If grazing is not an option then there is no supportable reason to dispose of the bluffs to a grazing property.

We recommend that the Dip Creek bluffs and the small strip of valley floor along the creek are separated out from any grazing land above and are retained in full Crown ownership as a Conservation Area or Scientific Reserve.

5. CC1a Sheep Dip, and CC2 Polsons' Hut.

J. Lindis Pass Conservation Group fully supports all measures and designations designed to preserve the valued historical remnants found on the property.

6. CC5 Two wetland areas beside the highway.

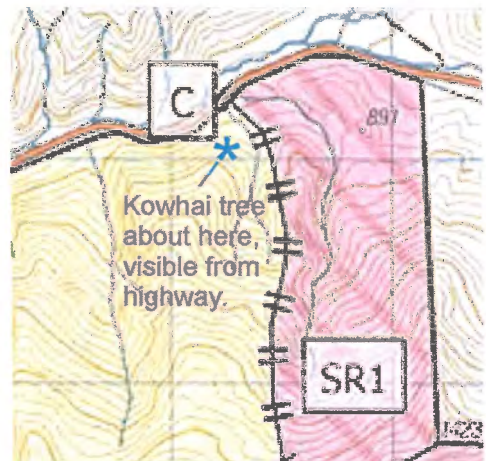
K. Wetlands with their vital contribution to biodiversity and to water storage are too readily disregarded or lost. As regular users of the Lindis highway, and having an ongoing interest in its ecology and values, we are pleased to see this wetland area with its associated block of Travertine and rock shelter identified in the Review. However it should properly be a **Scientific Reserve** and fenced from grazing, particularly from cattle. **We recommend** Scientific Reserve status for the wetland.

7. CC3 Lindis Faces Sunny.

L. There is a mature Kowhai tree, a species vanishingly uncommon at this altitude, growing amongst rocks within CC3 near to proposed SR1 west.

It is clearly visible from the highway, and may be a high altitude remnant of what the Conservation Resources Report refers to as Totara / Kowhai / Kanuka woodland which once grew in the area, although generally lower down.

We recommend that this Kowhai is given named recognition in the Proposal, and is protected by discrete rabbit fencing to allow it, its seedlings and its genetic legacy to continue.



Thank you for the opportunity to comment.

Matthew Sole,
Secretary,
Lindis Pass Conservation Group.
and Jan Kelly, LPCG Executive
27 May 2015.

Emailed to pastoral&tenurereview@linz.govt.nz 27 May by JK.

27 May 2015

The Commissioner of Crown Lands,
Land Information New Zealand,
Crown Property and Investment,
Private Bag 4721,
Christchurch 8140



Dear Sir

Morven Hills Tenure Review Proposal (PL 359)

Submission of the Royal Forest and Bird Protection Society Inc.,
Dunedin and Central Otago-Lakes Branches

Introduction

Forest and Bird is a national organisation comprising over 80,000 supporters and members in 56 branches throughout New Zealand. The main object of the Society is to take all reasonable steps within the power of the Society to preserve and protect New Zealand's remaining flora and fauna, natural features and landscapes, for the benefit of the public including future generations. This submission represents the views of the two branches of the Society covering the Otago region.

Members of Forest and Bird visited Morven Hills as part of a team NGO field inspection on 1 May this year. This enabled robust discussion on site. Forest and Bird wishes to thank Richard Snow, for his generosity in giving his time to us, ensuring we got around the property safely and for sharing his views. We would like to say we were impressed by Richard's efforts to control animal pests and at removing the wilding trees in Dip Creek.

This submission is based on the Objects of Part II of the Crown Pastoral Land Act 1998 (the Act) and is informed by our inspection, our general knowledge of the area, and the expert landscape and ecological assessments and identification of Significant Inherent Values (SIVs) as part of the Conservation Resources Report (CRR).

Our Submission Points

1 Tall Tussock Areas above 1000m altitude

Best practice is that it is not ecologically sustainable to continue grazing tall tussock grasslands above 1000m altitude (give or take 100-200m depending on aspect and steepness), because of the limited growing season, the naturally moderate to low nutrient status, and the very slow rates of plant growth. This is exacerbated by the very limited or absence of fertiliser application to replace nutrients taken out in meat and wool, as there is a negative economic return (ie, given the large areas involved it costs more to put fertiliser on than the return off the land from grazing it). With inadequate or no fertiliser application, the land use is essentially extractive with a steady decline in

fertility and vegetation vigour, resulting in depleted indigenous cover, incursion of invasive weeds such as hieracium and increased erosion (especially after frost heave). Burning (now historic on this run) followed by grazing too soon afterward, and on-going overgrazing, has accelerated this degradation process. Grazing is typically in the mid to late summer which coincides with seed production. Browsing of seed heads leaving less seed for germination will contribute to slow tussock recovery. Browsing of the tussock plants can reduce them to mere stumps and they take a very long time to recover, many years. *Chionochloa macra* is particularly palatable and has been completely lost from many summit areas as a result of burning followed by grazing.

Our observations are that much of the tall tussocklands on Morven Hills are in poor to moderate condition and in some places completely degraded with extensive hieracium cover in its place. Whilst we accept that this is a legacy of 160 years or so of pastoral use that the current lessee has inherited, it is our view that, generally, the freeholding of large areas of land above 1000m altitude for the purposes of on-going grazing, is not, and does not promote, ecologically sustainable land management, the first and primary Object of the Act. We note that very high numbers of sheep have been permitted on this property (20 000 in 2002 under personal exemption, in contrast to the base limit of 9900) including 4000 wethers on the Bluecliffs block alone for 5 months every year¹. We also note that Morven Hills has never had a Conservation Farm Plan prepared². The high altitude tall tussock land needs to be retired from grazing to allow what will be a very long and slow process of natural recovery. It is important to promote tall tussock recovery and protect remaining healthy tall tussock cover, for inter alia, its water yield and Carbon sequestration capacity.

An associated issue with freeholding high altitude land is that the fence lines are an on-going maintenance cost due to snow damage. Stock escape into conservation areas is a regular occurrence due to fences failing. Being remote, it takes time to locate failures and repair them.

We could accept freeholding of some areas on a case by case basis where a covenant over the land requires a programme of fertiliser application, a programme of vegetation monitoring and a limit to stocking with provisions for de-stocking in the event of no fertiliser application and/or evidence of further degradation.

SUBMISSION POINT 1:

that land over 1000m altitude is retained and managed by the Crown for conservation purposes including ecosystem services . In the special cases where land is freeholded, there is to be a covenant with conditions requiring a programme of fertiliser application, vegetation monitoring, limits to stocking and provisions for de-stocking in the event of further degradation and/or no fertiliser application.

2 Draft Otago Conservation Management Strategy

In this draft strategy Morven Hills falls within the Central Otago Uplands Place. Outcomes for this place relevant to Morven Hills include:

¹ Due Diligence Report pp 6-7

² Due Diligence Report p8

- the retention of individual character, vast open landscapes, and the natural, historic cultural, recreational and ecosystem service values
- threatened species populations are improving
- intact altitudinal vegetation sequences link the uplands to the lowlands, and provide wildlife corridors and improved habitat and ecosystem connectivity.
- visitors gain an appreciation of the rich historic heritage of the area by exploring historic sites which bring life to the history of this area
- more people enjoy the range of summer and winter recreational activities
- public conservation lands have been investigated for the creation of a 'tussock grassland park'

A particularly relevant policy is:

2.4.12.5.1 Seek the creation of a 'tussock grassland park' or parks in the interests of integrated conservation management, centred on the higher-altitude lands within this Place (and potentially extending to adjoining ranges), by incorporating existing public conservation lands and waters, providing advice for tenure reviews and engaging with the community including landowners, and for the public conservation lands and waters, having regard to the land status options under the Conservation Act 1987 and Reserves Acts 1977.

The tenure review of Morven Hills can contribute significantly to achieving the outcomes sought for the Central Otago Uplands Place.

A tussock conservation park could range through the Lindis conservation areas, Dunstan Creek valley, the St Bathans Range, upper Manuherikia valley and over the Hawkdun Range to Danseys Pass. The St Bathans Range to Danseys Pass is already the Oteake Conservation Park. There is potential to create a larger and more compact conservation park covering a wider range of environments, or to create two contiguous conservation parks. The park(s) would straddle a broad biogeographic transition (north to south and west to east as well as including the schist-greywacke transition area). We acknowledge that Dunstan Downs pastoral lease, which takes in most of the Dunstan Creek valley, is not in tenure review at present (although it has been surveyed) but the potential remains for the Dunstan Creek valley to fill the gap in the 80-90km wide conservation area from the Avon Burn in the Ahuriri to Danseys Pass.

SUBMISSION POINT 2:

That the outcome of tenure review on Morven Hills have regard to the outcomes sought and policies for the Central Otago Uplands Place. In particular, threatened species populations are improving, retention of intact altitudinal sequences, and protecting the opportunity for a future tussock grasslands park.

3 CA1

3.1 Dunstan Creek

We fully support the retention of the full Dunstan Creek part of Morven Hills, designated part CA1, as conservation land. It is our view that this high altitude tall tussock land with many wetlands is best managed for the conservation of its natural values which are significant (Landscape, Ecological,

Recreation). Retaining the whole of this block in Crown management allows the protection of full altitudinal sequences. It also best protects the intactness or “wholeness” of the landscape and thus the distinctive landscape character.

Retaining the Morven Hills part of the Dunstan Creek valley as public conservation land protects the opportunity for creating a tussock grassland park in the future as discussed in point 2.

We note that there is no grazing concession to be granted to this part of CA1 which we support.

SUBMISSION POINT 3:

We support the designation of CA1

3.2 Western Side of the Northern Chain Hills

We fully support the retention of the northwest side of the Chain Hills Range (Bluecliffs block) shown as CA1 in crown ownership as conservation land, and agree that it should be fenced from lower freehold grazing land. The land above (east of) the Pylon Track is mostly above 1000m altitude, and is dominated by land with SIVs (landscape, vegetation, invertebrate, galaxiid habitat) and includes part of the RAPs A3 and B5.

We would like to see the proposed CA1/CC3 boundary brought down lower adjacent to CC1/Davis Block as a large proportion of land well above 1000m altitude is included in the proposed freehold area.

SUBMISSION POINT 3.2:

We support the retention of this area in crown ownership as conservation land.

The boundary of CA1 is brought down lower on the south boundary with the Davis Block

4 Lower Northwest Chain Hills – CC3 Bluecliffs Block

We are concerned that an important part of the western side of the Chain Hills has been excluded from the proposed CA1 and is instead proposed for freehold with a covenant over it that is limited in scope.

SIVs with respect to vegetation and invertebrates, as well as landscape values, extend well below the Pylon Track over land that is around 880-900m altitude. These values are included in the RAPs A3 and B5 which extend across the valley floor and also into the Top Airstrip block (RAP B5/invertebrate and Landscape values). We have observed that these areas are of greater conservation value than the very degraded areas further northeast along the pylon track corridor which have been included in CA1.

A key value of this area is the intactness from valley floor to ridge top in a visual/landscape character sense and full altitudinal sequencing and connectivity in an ecological sense, including wrapping over the range into the Dunstan valley (proposed CA1 area). The lower altitude tall tussocklands even in their degraded state are important ecologically. Together with the wetlands and riparian areas

within them, these valley floor areas are a key part of the full altitudinal sequence and should be included. The RAPS were so defined to include the full range of landforms and aspects and the several types of tussock cover (slim, narrow leaved, red, fescue and silver), and this intent should be maintained. These tussocklands were considered to be among the better examples in the ecological district. The currently intact and natural altitudinal sequences will potentially be compromised by having two contrasting land management regimes.

Unbroken tussock cover is essential for maintaining the wholeness or intactness of landscape from mountain top to valley floor. The valley landforms under tall tussock cover are particularly important for imparting the distinctive Lindis Pass landscape character. Yet they are also the most vulnerable. Low angle west facing valley floor slopes are more prone to overgrazing and degradation, and also to intensified land use through oversowing and top dressing (OSTD), which not only removes native vegetation but would destroy the wholeness landscape factor that is so special here.

Low altitude tall tussock areas on gentler terrain are much less common now, due to degradation and replacement by hieracium and short tussock or pasture development. They are substantially under-protected in our conservation areas (less than 10% of this type is protected). In fact, this particular type of landform and vegetation cover is very poorly represented in existing conservation lands which have tended to focus only on steeper higher altitude land.

These lower areas are covered by proposed covenant CC3. We note that in Schedule 1 under Part 3 - Values to be Protected, the landscape values are recognised, in particular that this area is part of the Pylon Route landscape corridor (being part of the LU2 category in the landscape assessment in the CRR) but that the significant inherent ecological values (vegetation, invertebrates) are not recognised. As Part D of the conditions of covenant require that the land be managed for conservation purposes to protect the conservation values, it is necessary for the values to be fully and accurately stated in the covenant instrument. Incomplete stating of values is a serious omission as it follows there are no conditions controlling pastoral use with the objective of protecting and enhancing these values. It also fails to recognise the intimate connection between ecological values and landscape values.

We note that the area may be grazed by sheep and cattle and OSTD with no limits.

Whilst we prefer that all the RAP A3 and B5 areas were part of CA1, we accept that the area could continue to be grazed by sheep (but not cattle as they damage snow grass and wetlands) and OSTD. In fact, to be ecologically sustainable, as long as there is pastoral use there will need to be a certain level of fertiliser application to maintain (or in this case lift) nutrient levels in the ground. However, if the tall tussock is to be protected and allowed to recover and the wetlands and riparian areas are to be protected and thus promote ecologically sustainable land management, then there needs to be a limit on stocking and OSTD on the CC3 area. OSTD and associated more intensified grazing must not cause any loss of tall tussock through causing a shift to other tussock or grass species or unnatural greening of the landscape through increased presence of exotic pasture species. The tussock should also not be grazed during seeding in January-early February to optimise natural seeding for recovery. The retention and enhancement of the tussock cover including its uniform visual appearance is to be the priority land management objective. This is at least required to protect the landscape values, let alone the ecological and ecosystem servicing values. The demise of tall tussocks from areas that have been OSTD and more heavily grazed and unnatural fence line contrasts have been observed on high country land in many places. This needs to be avoided here.

SUBMISSION POINT 4:

That the lower Bluecliffs block receive a high level of protection through strengthening the provisions of the Covenant CC3. The full extent of values is to be stated in Schedule 1 Part 3.

The Special Conditions need to be modified to limit stocking (to sheep only) and OSTD, to levels that will protect existing native vegetation and promote a recovery trend. A fertiliser programme is to be established, with a provision that the area can only be grazed if fertiliser is applied at maintenance levels. As for CC1, details of stocking type, rates, time and duration and fertiliser application history need to be maintained on an annual basis and available for review by the Minister at any time. There also needs to be a legally enforceable option to destock the area if no improvement in tussock cover is evident over time or if it degrades further. Thus vegetative monitoring is also required as for CC1.

5 The Davis Block

We note that this block is proposed for freehold ownership under covenant CC1. The majority of this block is over 1000m altitude, rising to 1500m altitude at the top. According to the CRR this block shares the same significant inherent values as proposed CA1 on the northwestern section of the Chain Hills particularly the more eastern of the two headwater catchments.

The conditions proposed for CC1 do not provide for adequate protection of the values present. The statement of values is incomplete, omitting the SIVs for vegetation and invertebrates particular to this block. Its focus is only on shrublands and lizard habitat. The basin includes *Coprosma intertexta* an At Risk species (not listed in the schedule) as well as slim snow tussock on the summit areas and less common shrub species on talus and in gullies such as hebes, *Olearia cymbifolia* and wineberry. Not only is it part of the Pylon Track landscape corridor but it is a basin publicly viewed from Goodger Road, a recreational route. The description of Landscape Amenity does not mention the values of the Davis block which are quite different to the plateau blocks to the west.

We would like to see better recognition and protection of the SIVs on the Davis block, as we originally submitted in our 2011 report. We would prefer that the southeastern basin with the SIVs be fenced off and included in CA1. Very little of this basin is under 1000m, it is steep and has primarily snow tussock cover including the more vulnerable *C. macra* over the summit. We note that the covenant conditions do not require fertiliser, they only permit it.

If the block stays within CC1 then there must be a condition requiring maintenance fertiliser as long as the block is grazed. We also note that a sheep stocking limit has not been set. A limit needs to be set. The requirement for records should also include timing and duration of stocking as well as fertiliser application details. We note that condition 11 requires that land fenced to protect the values may require de-stocking and that vegetation monitoring is also to be undertaken. If the vegetation cover shows no improvement (given it is already degraded) then the area can be fenced off and de-stocked. In that case there should be a provision for it to be returned to the Crown as part of CA1.

SUBMISSION POINT 5:

Retain the southeastern basin of this block as Crown land as part of CA1.

If a covenant is to be used then the complete set of values must be stated in Schedule 1 Part 2.

The conditions are to be amended with limits on stocking and OSTD to levels that will protect existing native vegetation and promote a recovery trend. A fertiliser programme is to be established, with a provision that the area can only be grazed if fertiliser is applied at maintenance levels. Details of stocking type, rates, time and duration and fertiliser application history need to be maintained on an annual basis and available for review by the Minister at any time. There also needs to be a legally enforceable option to destock the area if no improvement in tussock cover is evident over time or if it degrades further. At that point there needs to be an option for the land to be returned to Crown ownership and management as part of CA1.

6 Double Peak SR1 and CA1

We support the extension of the existing Lindis Pass Scenic Reserve to west and east, enlarging it and including almost all the landscape of the Pass area within Scenic Reserve. The fencing of these extensions will also enable the existing Scenic Reserve area grazed by Morven Hills sheep and cattle to be permanently de-stocked, allowing unimpeded recovery of the tall tussock cover and associated shrub species (particularly native broom which cattle have been very hard on). We agree that this will protect the significant inherent values and promote ecological sustainability by retiring high altitude land from pastoral use and putting it to its best use, conservation of the natural soils and vegetation cover. This will also promote sustained water yield by protecting large areas of tall tussock which can slowly recover their vitality.

We submit however that the western section of SR1 needs to be extended to include at least the whole of the upper basin below Peak 1440 and including Peak 1440m in the Scenic Reserve. It appears from the wording on p1 of the Summary Proposal that this was in fact intended.

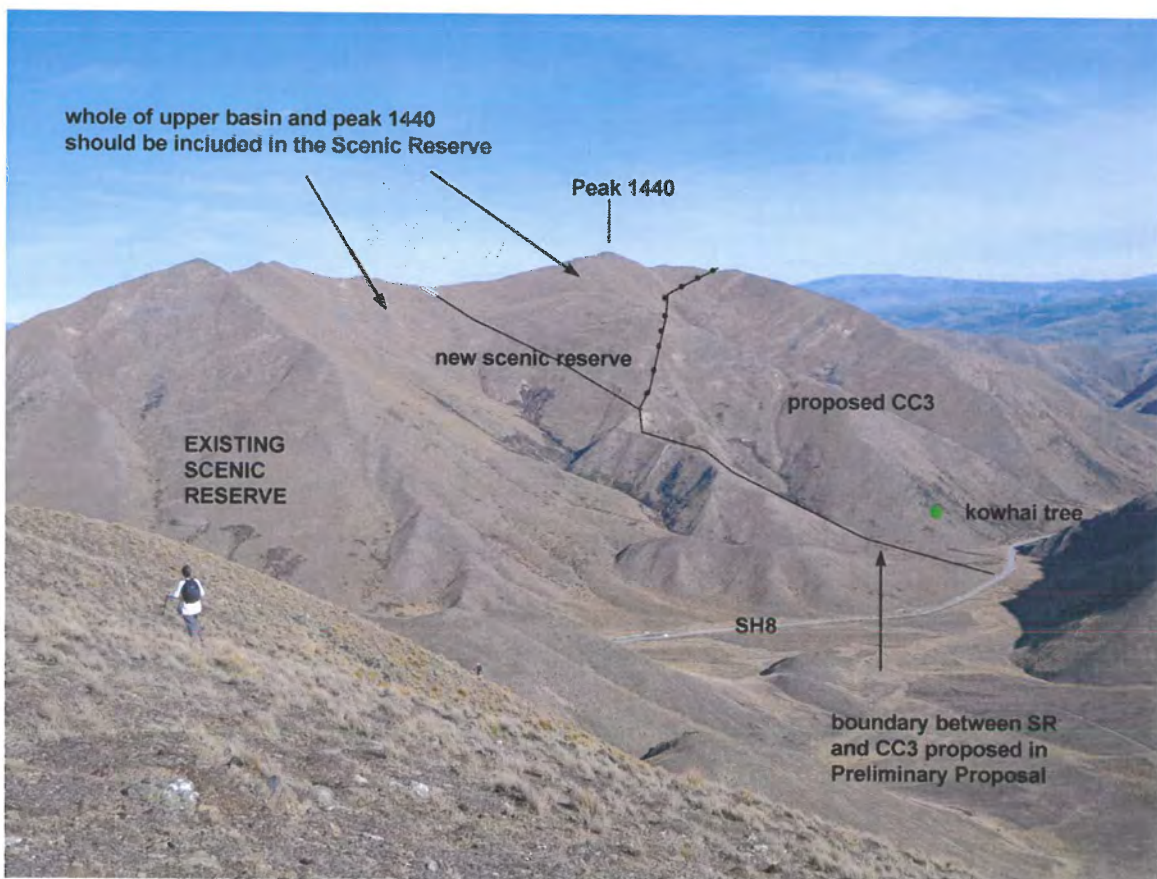
The values described for the proposed portion of SR 1 (west) are equally present on the west side of the basin as they are on the east side proposed for SR. The high altitude tall tussock including *Chionochloa macra* covers the whole basin. The full altitudinal sequence from valley floor to mountain top at 1440m is present here too. This is steep country well above 1000m altitude which is not ecologically sustainable to graze and should be retired to protect the tall tussock and allow it to recover. This area is highly visible from the highway and particularly from the Lindis Pass conservation area and Scenic Reserve on the north side of the highway. From these viewpoints the upper basin appears especially intact with a high level of legibility and a distinctive rippled landform of high aesthetic appeal. From this viewpoint it is very much a part of the iconic outstanding tall tussock landscape of the Lindis Pass. The distinctive landscape characteristics are across the basin as a whole.

The proposed boundary would bi-sect the basin and degrade these values, particularly by fragmenting the intact landscape values and "wholeness" of this landscape. Grazing on one side and not the other would result in a visible difference in vegetation across the fence line. Allowing

unlimited on-going grazing use of this high basin with no requirement for application of maintenance fertiliser does not promote ecologically sustainable land use.

The proposed boundary also excludes an obvious desirable walking route and destination, peak 1440 (the highest peak on the south side) and the ridge in between Peak 1440 and the trig at Peak 1423 both offering very rewarding and expansive views all around but especially north towards Dromedary Hill, and south to the Chain Hills and into the basin below.

There is no basis under the CPLA for protecting only half of the area with SIVs and it would not satisfy the requirement to secure public access to and enjoyment of the reviewable land. We submit that the new fence forming the new west boundary of the SR is further west and lower down, as in the image below. This would also enable people to walk the ridgeline to peak 1440, a desirable destination, and thus maximise enjoyment of this outstanding landscape.



View from Lindis Pass Conservation Area towards Morven Hills (photo: A Steven 2015)

We have observed a singular kowhai tree growing on the face above the highway (see photo above) close to the proposed boundary fence. This is the only record of a kowhai in this area. No seedlings were observed. We would like to see this tree specially protected and an area fenced off around it to allow seedlings to grow.

SUBMISSION POINT 6 :

That the high basin below Peak 1440 and Peak 1440 itself be included in the proposed extension to the Scenic Reserve.

That the singular kowhai tree remaining within CC3 be rabbit fenced to allow natural regeneration of seedling kowhai (or included within the Scenic Reserve)

7 CA1 Dark Side Black Hill

We support the retention of the shady south “dark” side of Double Peak as conservation area as the area contains an array of significant inherent values. However the values described for proposed CA1 are present across the whole southern face between Double Peak and Peak 1440m, essentially the whole of the Black Hill Dark block. In particular the highly significant landscape values extend across the whole face. The intactness and “wholeness” of the landscape is one of its key attributes, as stated in the Preliminary Proposal at p4. The significant inherent vegetation and invertebrate values also extend right across the face and right down on to the valley floor. There is *Chionochloa macra* snow tussock across the summit area. The full altitudinal sequences are present from valley floor silver tussock and wetlands to tall tussocklands. Much of this block is higher than 900-1000m altitude and is steep Class VI and VIIe country. As for the western basin under Peak 1440, there is no rationale for bi-secting this face in the way that is proposed with respect to the disposition of values.

Further a long high altitude fence that will require on-going maintenance is proposed, when there is an existing fence that can be used.

It is our view that the entire Black Hill Dark Face block should be retired as conservation land as originally submitted in our 2011 report. Virtually the whole block has SIVs and most of it is above 900-1000m altitude. Freehold ownership under the covenant as proposed with on-going unlimited sheep and cattle grazing with no maintenance fertiliser required would not enable the protection of the SIVs and has the capacity in fact to promote further degradation. On-going grazing would not promote ecologically sustainable land use. Retention of the land by the Crown would eliminate the need for a long expensive high altitude fence. The protection of this block would complement the proposed (improved) CC3 and CA1 area on the northwest Chain Hills and would best protect the expansive landscape/visual values. It would also allow the degraded tall tussock to recover especially over the mid to lower altitudes. Retention in crown ownership managed for conservation purposes would also protect the opportunity for a large and compact future tussock grassland park.

However, given the distinctive landscape character of this area and the fact it is an integral part of the Lindis Pass area, and the fact it is highly visible from the Pylon Track, we submit that this area be classified as Scenic Reserve, as part of the Lindis Pass SR.

We note that Dip Creek qualifies for a marginal strip for 7km upstream. This approximates the existing boundary of the Black Hill Dark Face block thus there is a second public access available to access this area.

SUBMISSION POINT 7:

That the Dark Face of Black Hill be retained by the Crown as Scenic Reserve

8 CC3 Areas

We are pleased to see some protection of values is being proposed over remaining areas covered by CC3 – namely Sledges Hill and the Pass Burn faces, Ewe Block and Top Airstrip to Rocky Hill. However to properly protect these values the special conditions need to be tightened up.

We note that in Schedule 1 under Part 3 - Values to be Protected, the landscape values are recognised particularly those of the Lindis Pass highway corridor but that the identified significant inherent ecological values existing within this area (vegetation, lizards, invertebrates) are not explicitly recognised. These areas have SiVs in the way of shrublands and rock outcrop communities, wetlands, lizard and insect species, and continuous snow tussock cover over large areas of the Top Airstrip and Hummocks Block are important for water yield as well as distinctive landscape values seen from the Pylon Track. This land is also a buffer to proposed covenant area CC1 and needs to be managed to carry out this buffering role.

These values need to be stated in the Values to be Protected section, not the least because they are part of the landscape value.

The land is also very degraded and needs careful management to restore its vitality especially in Dip Creek. There is a large area of erosion and steep rocky bluff area on the southwest flank of Peak 1440 which is Class VIIe and possibly Class VIII country which should not be being grazed. To promote ecological sustainability this area should be fenced off and become part of the Scenic Reserve. As stated earlier, we observed severe overgrazing over a large summit area on Top Airstrip. There needs to be a limit on stock numbers and exclusion of cattle from blocks with wetlands (or the wetlands are fenced off). These stocking limits need to coincide with those set for CC1 where both covenants occur within the same block (see discussion on CC1). There also needs to be a requirement for maintenance fertiliser as long as there is grazing. If the area cannot be fertilised according to a maintenance programme then grazing is to cease. OSTD should be targeted however to avoid wetland and core shrubland areas to promote grazing away from these areas. Monitoring should also be carried out to ensure that the vegetation cover is recovering and if it shows no sign of recovery or shows displays on going degradation there needs to be an ability to reduce grazing pressure or destock altogether. Animal pest control (ungulate as well as mustelid) also needs to be carried out, to keep numbers low in a buffer zone around CC1.

We also submit that Special Condition 7 a. should read “must be predominantly briar or other exotic shrub species”.

SUBMISSION POINT 8:

That the Values of the area be fully stated and described in Part 3.

That the steep eroding land on the southwest flank of peak 1440 be included as part of the SR.

That the Special Conditions be amended to include stocking limits, exclusion of cattle from wetlands, a requirement for a maintenance fertiliser programme, cessation of grazing if there is no fertiliser application, a requirement for a vegetation monitoring programme and remedial actions to be taken if it demonstrates lack of recovery or further degradation including ability to de-stock; and a requirement for animal pest control as for CC1.

9 Lower Dip Creek CC1A

This is a dramatic and valuable area for conservation. It is an area that is readily visible and of considerable visual interest from SH8 at Dip Creek. We agree it deserves to be protected. Given it is Class VIIe land and probably actually Class VIII land, being very steep, rocky and south facing, it is not suitable for grazing. It also embraces a full altitudinal sequence from valley floor shrublands and wetlands through valley side shrubland and forest remnants to snow tussock tops. Being at somewhat lower altitude (550-1000m) it is also under-protected with less than 10% of this type of environment within the conservation areas network. Further, it is known habitat for threatened lizard species and contains two regionally significant benchmark forest remnants (also RAPs) and associated significant Geopreservation soil sites and specialist invertebrate species.

Given these attributes and values, the true right Lower Dip Creek face should be retained as conservation area under Crown ownership as Scenic Reserve, or better, given Scientific Reserve status (soil sites, forest remnants on eastern limits, threatened lizard habitat). It would be easy to fence it off from the remainder of the Ewe Block. It will be accessible by the public to explore and visit the forest remnants as Dip Creek qualifies for a marginal strip. Easy access to the area can also be gained along the top of Sledges Hill. We also would like to see public access along the 4WD track on the true left side as this is the perspective that best enables this area to be viewed and appreciated (see Public Access section at end of this report).

SUBMISSION POINT 9:

That Lower Dip Creek face be retained by the Crown and managed for its conservation values, as Scenic or Scientific Reserve. It is fenced off from the remainder of the Ewe Block.

10 Proposed CC1 Area

The middle part of the station including Farmers Gully (RAP A6), G Mars, Station Range, Rocky Hills, Manuka Gullies and Hummocks contains a range of SIVs – vegetative, lizard, invertebrates, landscape. In particular these areas are recognised as habitat for nationally significant threatened lizard species. The numerous rock outcrops and Kanuka and grey shrublands including the nationally significant threatened *Olearia fimbriata* are also a particular feature and are very important for

landscape value. All these areas are also Critically Underprotected Land Environments. The retention of shrubland and ensuring the shrublands are self-sustaining is very important for lizard and insect habitat. The recovery of tall tussocklands above around 1000m altitude is an important value as well (particularly in the Davis block in the headwater basins). *Chionochloa macra* is also present across the Chain Hill summit area (refer previous section 5 on the Davis block).

The extent of CC1 should match the layout of the blocks, as the conditions of more than one covenant cannot be applied within the same block with respect limits on stock grazing. CC3 places no limits whereas CC1 proposes limits, but no dividing fence line is proposed. We note that the proposed boundary of CC1 follows the block fence lines exactly for much of the area, but only includes parts of Hogget, Top Airstrip and Rocky Hills blocks. We also note there are extensive grey shrublands and also wetlands in Top Airstrip and Rocky Hills Blocks. Therefore all of these blocks need to be covered under CC1. This would be less of an issue if the conditions of CC3 are modified to set stock limits for these blocks, to include the suggested condition re OSTD, to include animal pest control requirement, and to include monitoring to be carried out to ensure vegetation is not being degraded further by grazing.

The preference under the CPLA is for retention of these areas in Crown ownership as conservation land. However, we can accept freeholding of these lower altitude lands with a covenant providing the Special Conditions in Schedule 3 are strengthened as follows:

Stock Limits – The conditions do not set any limits on sheep numbers or the timing and duration of grazing. There need to be limits set to ensure over-grazing which inhibits natural shrubland regeneration does not occur.

Cattle – we are pleased to see cattle are to be excluded from Farmers Gully (except for droving through). Cattle should also be excluded from the core shrubland area of Station Range, Rocky Hills and Manuka Gullies. Cattle can be hard on shrublands and significantly inhibit regeneration. The proliferation of shrublands in our view is a priority and is an essential component of ecologically sustainable management. There are also numerous wetlands in the gully floors which cattle need to be excluded from. We note restrictions on cattle numbers are proposed for Rocky Hills and Manuka Gullies but not for Station Range. Although exclusion is preferable, limitations to small numbers of cattle over short periods is possibly ecologically sustainable. This would have to be demonstrated by monitoring. We note that a vegetation monitoring programme is to be prepared which includes monitoring the shrublands over time, and that if detrimental impacts are detected then significant steps must be taken to rectify the situation. It should be made clear that this may include new fencing and the complete removal of stock or a stock class (such as cattle) from the fenced area.

Farmed deer and goats should be explicitly excluded permanently from the CC1 area.

Fertiliser – the conditions only state that over-sowing and topdressing may be undertaken. The preparation of an annual fertiliser programme to not only maintain soil nutrient status but also replenish degraded soils should be required. As stated before, if there is no fertiliser there should be no grazing. The targeted application of OSTD should also avoid high value shrubland and wetland areas, so that preferred feed and stock grazing is not promoted in these areas, but rather encouraged away from them.

Animal Pests - feral deer, goat and tahr populations as well as rabbits, hares and possums should be kept to low levels over the whole CC1 area and in adjoining areas (at least CC4, CC3) to minimise re-

infestation. Feral fallow deer were observed within this area on our site inspection. Limiting control to the Dip Face (CC1a) only will not protect shrublands in the other blocks.

Monitoring

Method – the method of monitoring should not be restricted to repeated photo-point sites. Other methods should be able to be applied where and when appropriate to the circumstances.

SUBMISSION POINT 10:

That the CC1 area align with block boundaries to simplify management: include all of Top Airstrip, Hogget and Rocky Hills Blocks in CC1

That stocking limits are set in the Special Conditions

Exclude or set very low limits for cattle on Station Range, Manuka Gullies and Rocky Hills

Make it clear that fencing off areas and de-stocking them is one outcome if monitoring shows deterioration

Deer and goats should be explicitly excluded

A fertiliser programme should be required; if there is no fertiliser application the condition should be that there is no grazing; topdressing is to avoid wetlands and core shrubland areas

There is to be provision for methods of monitoring other than just photo points where considered more appropriate

11 Proposed CC4 Area

We support the creation of this area as primarily a buffer zone to CC1, in the way of enabled predator control for the lizard populations in the core CC1 area.

However the special conditions require that no activities be carried out that would adversely affect the values of the land. No values are stated in Section 3, only the purpose of the covenant, which in effect limits the value to its role as a buffer zone. The values present need to be stated. These would mainly be remaining native shrublands and wetlands some of which have been identified as being of significant inherent value in the CRR. The shrublands are important as lizard and insect habitat and all wetlands are important (being a National Priority³ to protect).

SUBMISSION POINT 11:

That the Values present within CC4 be fully stated in Section 3.

³ www.biodiversity.govt.nz/pdfs/protecting-our-places-brochure.pdf

12 Comment on CC1 and CC4 combined.

We recognise that predator control is a priority activity to ensure the on-going survival of the Grand and Otago (and other) skink species as well as geckos, birds and insects. However habitat protection and improvement to provide the home and food source on a landscape scale for these species is also necessary to ensure their survival. Of particular importance is the ability for species to move around in the landscape as conditions change. Given the national significance of the Grand and Otago skink populations Morven Hills needs special attention, at a landscape scale, to secure this area as a stronghold for these species. This is putting this land "to the best use for New Zealand" and has priority over economic return from grazing use.

13 SCR

We support the creation of a Scientific Reserve centred on a key habitat area for more intensive and focused management of the Otago skink population there.

SUBMISSION POINT 13:

that the SCR is supported

14 CC5

We support the protection of this small area of considerable interest and value, especially as it is right next to the highway. Given the scientific values of the wetland containing nationally significant threatened species, potential paleological evidence and the nearby geological feature of unusual travertine outcrop this area would be better retained by the Crown as Scientific Reserve, fenced off from adjacent freehold and freely available for members of the public to access. It is of little productive value and stock should be excluded from the wetland area in any case. The CC4 conditions do not prevent cattle (or deer) grazing and, as CC5 is not proposed to be fenced, there is potential for these types of stock to access the wetland. As the interest is on the valley floor, the inner boundary of CC5 could be brought down to the base of slope, the land above being made part of CC4.

SUBMISSION POINT 14:

that the CC5 area be retained in crown ownership and control as Scientific Reserve

15 Proposed Freehold Area

There are identified vegetative and invertebrate SIVs on this land although small in area and there are landscape values, in particular the short tussock-Olearia savannah landscape centred on the Ileans block we described in our 2011 report. Olearia shrubs are particularly important hosts for endemic moth species and other invertebrates. There is also a small distinct area straddling the track near Goodger Road which has both invertebrate and vegetation SIVs, which is not recognised. Being on valley floor land it is highly vulnerable to loss from cultivation. Continuity of shrub cover through the landscape is critical for bird and lizard species. Every effort should be made to protect remaining

shrublands and enable their expansion to self-sustaining levels. Given the lower altitude and rolling terrain these shrublands will be vulnerable to development pressure and intensified grazing.

The steep rocky faces immediately above the Lindis River in the very southwest corner of the station have significant value. They are a highly visible part of the SH8 road corridor and are a particularly dramatic area. There are remnant shrublands identified as having significant inherent value in the CRR over this face, adding to its visual interest. It is likely the terrain is good habitat for skinks and invertebrates. This area should be covered by Covenant CC3 in its amended form.

SUBMISSION POINT 15:

That CC4 be extended to include Ileans block to protect the Olearia savannah landscape

That the rocky steep face above the highway in the southwest corner of the lease be included under the CC3 (in its amended form)

16 Public Access

We support the proposed public access along the Pylon Track, a very obvious existing well formed route with very high public recreational value. This route will be a significant part of the network of easily accessible and very rewarding public recreational routes in the Lindis Pass area.

The proposed conservation areas in general will enable public access to and enjoyment of significant areas of high country with impressive landscape and natural values.

We support the creation of CC2 enclosing the historically significant Polsons Hut and associated features including public access to view the hut and surrounds and the provision of a nearby public parking area.

We submit there should be public access (walking, mountain bike) via easement along the 4WD track on the true left of Dip Creek connecting the highway to the Pylon route. We note that lower Dip Creek qualifies for a marginal strip for 7km upstream. It is likely this would not be an easily accessible route however due to dense shrubland growth and possibly rock bluffs. The landscape and distinctive features of the rugged Dip Creek face, and the impressive landscape of the Black Hill Dark Block are best appreciated from this track. It is remote from the homestead area. It connects to the Pylon Track, and would protect future opportunity for an off-road loop track around the southern Lindis peaks and Camp Hill using marginal strip up the Lindis River and connecting to the existing public access in Dalrachney. This track also provides for an "escape route" from the Pylon Track should easterly or southerly weather come in suddenly over the Chain Hills.

We submit there should be walking access provided up the southeast boundary of the Davis Block, providing a link from the Pylon Track to the summit of the Chain Hill range. Together with the existing public access on Shirimar to the Chain Hills summit (Easement N-O) this would enable a shorter loop access walk from Polsons Hut car park to the summit of the Chain Hills, to take in the impressive Dunstan Creek valley.

We submit there should be a public access easement (walking, mountain bike) down the existing 4WD track on the south side of the Bluecliffs block. This would create a valuable loop track in conjunction with the Pylon Track, the Chain Hills summit and existing and proposed public access at the south boundary of Morven Hills, based around the public carpark at Polsons Hut. This route would also allow for emergency exit from the Chain Hills summit via a formed track.

We note that the marginal strip on the Lindis River is a fixed one and is not entirely co-incident with the actual river and its margins. We note further that whilst there is a continuous marginal strip through the property approximating the course of the river, there is no provision for unfettered public access up and down the river itself.

SUBMISSION POINT 16:

We support an easement along the Pylon Track between Goodger Road and SH8 at Lindis Pass

We support CC2 including public access to view Polsons Hut

Provide a public easement (walking, mountain bike) along the existing 4WD track on the true left of lower Dip Creek between SH8 and the Pylon Track

Provide a public easement (walking only) along the ridge on the south boundary of the Davis Block, between the Pylon Track and CA1/Chain Hills summit

Provide a public easement (walking, mountain bike) along the existing 4WD on the south boundary of the Bluecliffs Block

Ensure there is unfettered public access along the Lindis River for its full length through the property

We appreciate this opportunity to have input into the tenure review for Morven Hills pastoral lease. Thank you for considering our submission

Yours sincerely

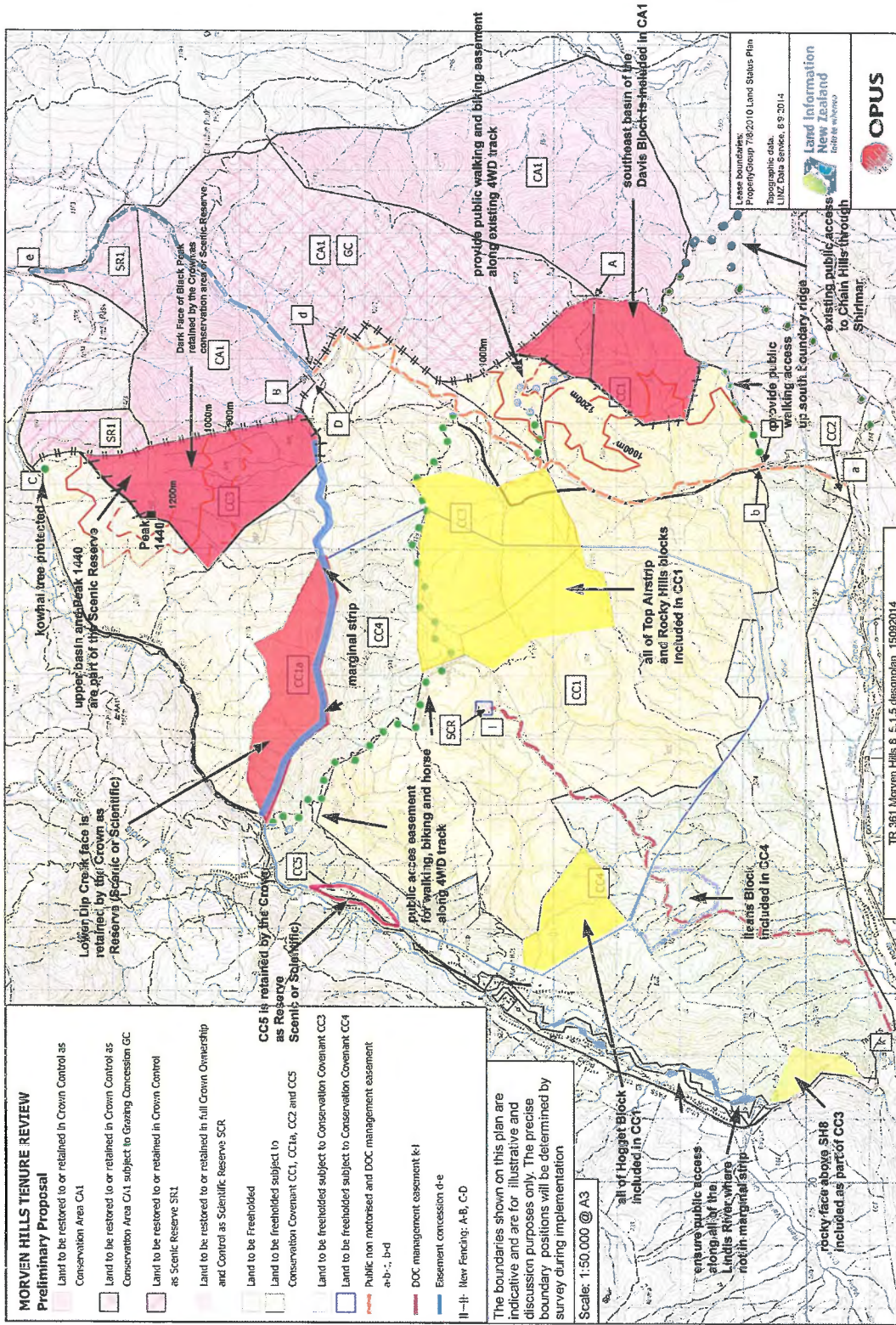


Anne Steven

Committee Member

for Central Otago –Lakes and Dunedin branches

Royal Forest and Bird Protection Society Inc.



ANNOTATED MAP OF PRELIMINARY PROPOSAL BY LINZ
FOR THE TENURE REVIEW OF MORVEN HILLS PASTORAL LEASE
 Submission of Royal Forest and Bird Protection Society Inc
 Dunedin and Central Otago-Lakes Branches
 May 2015



Sunday, May 24, 2015
 Commissioner of Crown Lands
 Crown Property & Investment
 CBRE House, 112 Tuam Street
 Private Bag 4721 CHRISTCHURCH 8140
 To Whom it may concern

Chris Pearson
 18 Rewa St
 Dunedin

I would like to make the following submission for Preliminary Proposal for the Tenure review of Morven Hills pastoral lease which is undergoing tenure review under the Crown Pastoral Land Act 1998. I believe that this tenure review would led to a valuable addition to the conservation estate and I think it would significantly improve public access in the area of Lindis Pass and the Northern Dunstan Range. However Ido have some reservations about this tenure review that are outlined below

I have two concerns about this tenure review I hope can be rectified before the preliminary proposal is finalized. First the land identified for being retained in crown ownership while covering most of the highest quality areas from both recreational and conservation points of view do not include all of the RAP's (see map 4.2.1 of the Conservation resources report part 2). Specifically they leave out most of RAP's B5 and A6. There is a preference under the Crown Pastoral Land Act 1998 that land of thus type should be retained under crown so I feel that this is a fairly significant omission and should be addressed. In addition, in comparison to other recent tenure reviews there is a puzzling shortage of public access ways. This is particularly important for such a large station in an area where public access is quite limited. I would like to suggest that, at a minimum, the public should be given access to the DOC management easement k-1. This is particularly because without it the SCR reserve (which is after to be public land, will be landlocked without any possibility f public access. I would also request that a new public access easement be created from the prominent switchback about half way along b-d to point A on the SE boundary of CA1. This is a fairly easy track that a spectacular ridge-way with sweeping views over Central Otago. It also provides the public with direct access to the SE corner of CA1.

In conclusion, I support this tenure review going forward as long as the reservations noted in the last paragraph are addressed. Of the two issues I raised my main concern is the provision of more public access easements.

Sincerely yours,

Christopher Pearson

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