

Crown Pastoral Land Tenure Review

Lease name : THE WANDLE

Lease number : PO 328

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.

April

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Submission 1



OTAGO CONSERVATION BOARD

Poari Papa Atawhai – ā-rohe ki Ōtāgo

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Our ref: SBC-08-34
1507416

30 October 2014

LINZ – Crown Property and Investment

Private Bag 4721

CHRISTCHURCH 8140

(via email to: pastoral&tenurereview@linz.govt.nz)

Dear Sirs

Review under Part 2 Crown Pastoral Land Act: The Wandle

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.

As you are aware from previous submissions, 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.

Whilst the Board is generally supportive of The Wandle Preliminary Proposal, it also holds a strong view that the upper part of CC1 should be included in CA1. The Summary of Preliminary Proposal specifically identifies natural vegetation and landscape features of value which are stated as worthy of protection within the proposed CC1. This land has been inspected by former Board member Emeritus Professor Sir Alan Mark, and Sir Alan has confirmed the natural value of the species contained within the upper portion of CC1.

The Board notes that the current preliminary proposal allows for grazing within CC1 and for the effects to be monitored. It is the Board’s view that this will incur an obligation and cost on the Department of Conservation which could be avoided if the upper part of CC1 was included in CA1 instead.

The Board notes that the land area involved is quite small compared with the amount proposed to be deemed freehold. With that in mind, the Board’s view is that the likely benefit able to be derived for farming purposes from the upper CC1 land is minimal.

In conclusion, the Otago Conservation Board generally supports the adoption of the Preliminary Proposal for the tenure review of The Wandle Pastoral Lease, but strongly advocates for a change to include the upper part of CC1 in CA1, with the aim of enhancing the protection for natural values and avoiding excessive monitoring costs.

Yours faithfully

Pat Garden
Chairperson

Submission 2



FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)
P.O. Box 1604, Wellington.

15 November 2014
Commissioner of Crown Lands,
CBRE House, 112 Tuam Street,
Private Bag 4721,
CHRISTCHURCH 8140

Dear Sir,

Re: Preliminary Proposal for Tenure Review TheWandle Pastoral Lease (Po 328)

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents over 17,000 club members and 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 still the law of the land as enshrined in the Crown Pastoral Land Act, 1998.

We believe that the additional objectives (introduced by the last Labour-led government), are fundamental to the future well-being of the South Island high country and should be given appropriate weight in the tenure review process.

FMC has previously written (in 2012) an 'Early Warning Report on The Wandle Pastoral Lease' entitled "Preliminary Report on Recreational Landscape, Historic and other Conservation Values and Recommendations for the outcomes of tenure review—The Wandle Pastoral Lease". For your information we attach a copy of that Report (See Appendix 1.) We believe that many of our comments, observations and recommendations are still relevant today.

We are pleased to note that some of those recommendations are now included in the Preliminary Proposal (PP) for the tenure review of The Wandle. We comment in detail on these proposals in this submission.

Property Inspection, 2012

An inspection of the property was carried out by the FMC representative in 2012 and this report is mentioned above. This gave us a very good appreciation of the property and provided a useful opportunity for discussion about the Preliminary Proposals.

We are grateful to the lessee for his cooperation, granting permission for access by vehicle and for discussion about the proposal. This inspection, gave us an opportunity to see at first hand the condition of the land, its natural resources and conservation and recreation values including – landscape, vegetation and recreational opportunities.

INTRODUCTION

The main issues in this review are as follows:-

- (i) Public access in the lower reaches of Last Creek, including the area designated CC1,
- (ii) Preference for area CC1 to be returned to full Crown ownership as indicated in the CPL Act in view of the extensive significant inherent values in this area which appear little different from the lower reaches of the Last Creek catchment in CA1, and
- (iii) Public walking access on the farm track marked "c-d-e" up the spur on the true right of the last creek catchment.

In view of the lack of protection over **DOC Stewardship Land** recently noted in the Parliamentary Commissioner for the Environment's Report, we believe that it will be necessary to provide stronger protection for Conservation Areas created as outcomes of tenure review. It may be more appropriate to protect significant inherent values in areas such as CA 1 by designating them as **Scientific Reserve** or **Scenic Reserve**. The historic reason for classification as 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. We therefore have good reason to recommend that CA1 be formally incorporated into the existing Rock and Pillar Conservation Area.

THE PRELIMINARY PROPOSAL

FMC commentary and detailed submissions on **Proposals 2.1.1 and 2.1.2** and the proposals for **Easements, Protective Mechanisms, Qualified Designations and Public Access** in the PP for the tenure review of The Wandle Pastoral Lease are presented below.

FMC SUBMISSIONS

In this submission we present our views and recommendations in the same format as the PP quoted above

Proposal 2.1.1 An area of approximately 348 ha to be designated as land to be restored to Crown control as Conservation Area pursuant to Section 35(2)(b)(i) CPL Act 1998, subject to Qualified Designation, and labelled CA1 on the plan.

FMC notes that this area is situated between about 850m and 1100m on the east face of the Rock and Pillar range, and between Kinvara to the South and Taieri Lake station to the North. The area includes a valuable altitudinal sequence in the catchment of Last Creek.

The land in the proposed area CA1 is classified Land Use Capability (LUC) Class VIII with severe limitations for pastoral use. It is unlikely to be capable of ecologically sustainable pastoral production and therefore unsuitable for freehold disposal.

It does on the other hand, contain highly significant natural values including extensive tussock grasslands over the higher country, stretching upwards towards the summit ridge of the Rock and Pillar range. This tussockland is reported to be in excellent condition, an assessment with which we agree on the basis of our own recent inspection.

There is a wide range of habitats from rocky tors and wet flushes to the more sheltered environments on the lower slopes and in the Last Creek gorge. These habitats each support their own range of diverse plant communities including forest and shrubland in more sheltered and lower altitudes because CA1 stretches from about 400m to 1,100m at its highest point.

This wide range of biodiversity is particularly important as it represents the altitudinal sequence of ecosystems and plant communities which are typical of the Rock and Pillar Range, and because of its contribution to the landscape and scenic value of the range which dominates the western side on the Strath Taieri. These values deserve to be protected by return to Crown control as is the preferred option stated in the CPL Act.

We are pleased to note that as recommended in the FMC (2012) Report the ruins of the historic boundary rider's cottage will be protected in the conservation area.

We recognise that the natural vegetation, and tall tussock in particular, has a significant role in providing resources for water harvesting and storage and in this regard Last Creek is important in supplying water for irrigation on The Wandle.

FMC Submission: *FMC fully supports this proposal and recommends that CA1 should be formally incorporated into the existing Rock and Pillar Conservation Area, because it adjoins, and is consistent with the snow tussockland in that existing Reserve.*

Qualified Designation:

An easement concession under Section 36(1)(a) CPL Act 1988 to provide access for Star Holdings Ltd for the right to convey water over that part of the land marked "g-h" in the proposed conservation area CA1 on the plan.

We understand that this proposed concession is to provide for the right to transport water over the conservation area from Last Creek to be delivered to a storage tank within the freehold area for the purpose of irrigation.

FMC Submission: *FMC has no objection to this proposed designation.*

Proposal 2.1.2 **Approximately 926 ha to be disposed of by freehold disposal to Lone Star Holdings Ltd, subject to a Protective Mechanism and a Qualified Designation pursuant to Section 35(3) CPL Act 1988 (shown on the plan as Appendix 2.)**

FMC understands that this proposal includes the balance of the land in the Pastoral Lease including the cultivated flats and developed pastures on the lower and mid altitude slopes of the front face of the Rock and Pillar Range. The farming enterprise is based on sheep grazing for meat and wool production and cattle for meat production.

We note that the front faces of the range including the grazed pastures are part of the broad landscape visible prominently from the highway and throughout most of the Strath Taieri area. As such we submit that it is important that this dominant feature of the landscape should be protected in its present form. We further note that the Proposal considers that adequate protection is afforded under the RMA by the DCC District Plan. We disagree and believe that the landscape is vulnerable to inappropriate use and development (eg tracking, structures and afforestation) because the District Plan is neither robust nor sufficiently durable to provide adequate, enduring protection, and is subject to electoral whim. We therefore recommend that a binding landscape Conservation Covenant should be considered as part of the Substantive Proposal for the tenure review of The Wandle.

We agree that most of the land proposed for freehold disposal is classified LUC Class VI, capable of pastoral production, which is currently being farmed and is in good heart, is well maintained and indicates that it is being managed in a way which supports ecologically sustainable land use. So long as these characteristics can be maintained we believe that the land is suitable for freehold disposal.

FMC does note however, that significant inherent values have been identified in the Last Creek catchment and are extensive in the area proposed as CC1 and are very similar to those in the adjoining area CA1. We believe that this area should not be freehold, but instead reconsidered for return to Crown control as Conservation land and be incorporated into the proposed Conservation Area CA1.

FMC Submission: *FMC accepts that most of the area proposed for freehold disposal is capable of supporting ecologically sustainable pastoral use, and therefore suitable for freehold disposal, so long as the current management practices are followed. There is however, one area (CC1) where we believe that the significant inherent values are very similar to those in the adjacent conservation area CA1 and that this area should be reconsidered for return to Crown control as preferred under the CPL Act. This matter will be further discussed under the heading 'Protective Mechanisms'*

We do not believe that the outstanding landscape of the front face of the Rock and Pillar Range is adequately protected from inappropriate use and development because district plans are not sufficiently durable or robust, and are subject to electoral whim. Instead we recommend that a binding landscape Conservation Covenant should be reconsidered.

Protective Mechanism:

A Protective Mechanism pursuant to Sections 40(1)(b), 40(2)(a) and 40(2)(b) CPL Act 1998, identified as CC1 and shown on the plan included in Appendix 2.

FMC understands that this covenant proposal covers some 47 ha in two parcels of land in the lower part of Last Creek catchment and is intended to protect the natural vegetation and landscape values that have been identified. Proper protection of natural vegetation will not be achieved while browsing of shrubs and retarded regeneration is allowed to continue under grazing.

We note that the species listed are very similar to those present in the adjacent proposed conservation area CA1 and that this diversity of shrub species is reported as covering an extensive area . A number of factors including this extensive shrubland area, diversity of shrub and tree species, similarity to the communities in the adjacent conservation area, its small size in relation to the whole farm enterprise, together with the preference stated in the CPL Act for Crown control over protective mechanisms such as covenants, suggest sufficient similarity and natural value between the two areas (CC1 and CA1) that these two areas should be merged into one Crown controlled conservation area. Cessation of grazing will also be more effective in the protection of natural values.

We therefore recommend that the proposed Conservation Covenant area CC1 in the lower part of Last Creek should be removed from the proposal and replaced by a proposal to incorporate the land area proposed as CC1 into the larger proposal for return to Crown control of the land area CA1. If this recommendation is not accepted we strongly recommend that at the very least the upper parcel of land marked CC1 should be amalgamated with CA1, and we further recommend that in the interest of protecting shrublands, grazing in CC1 should be restricted to sheep only.

FMC Submission: *FMC believes that the designation of CC1 as a proposed covenant area is inappropriate as a protective mechanism because it will not properly protect natural values while grazing is allowed to continue. Furthermore, the alternative of incorporation into Conservation Area CA1 is more appropriate in view of the values in the area and the expressed preference in the CPL Act for Crown control for the protection of significant inherent values such as those within CC1. If this recommendation is not accepted we strongly recommend that at least the upper parcel of the area designated CC1 should be amalgamated with CA1, and we further recommend that in the interest of protecting shrublands, grazing in CC1 should be restricted to sheep only.*

Qualified Designations

(a) An easement for the Minister of Conservation Management access pursuant to Section 36(b)(3) CPL Act 1988 marked "c-d-e" and "d-f" shown on the designations plan.

FMC understands that this proposed easement is to provide management access to the conservation covenant and conservation areas. We further understand that the access would run across the flats and up a farm track on the front face of the range on the true right of Last Creek catchment.

We have no objection to this proposal for conservation management purposes but believe that public walking access over the route "c-d-e" should also be available. Foot traffic up this track is unlikely to be heavy, being mainly used by botanists and day trip walkers but would provide for alternative round trips for the recreational public, and have minimal impact on farm management requirements. We would have no objection if access was closed to the public during the lambing period.

FMC Submission: *FMC supports the establishment of this easement for conservation management access, but we recommend that the route "c-d-e" should also be available for public walking access as it would provide for a choice of round trips on the face of the Rock and Pillar Range. We do not believe this route would be heavily used and would have minimal impact on farm management operations. FMC would accept temporary closure during the lambing period.*

(b) An easement for Minister of Conservation and public access pursuant to Section 36(b)(3) marked "a-b" and shown on the designations plan.

FMC understands that this easement will provide public access on foot, and mountain bike to the proposed conservation area CA1. Horse access is not required and could be detrimental. This easement will connect access from the neighbouring property, Taieri Lake, to the lowest corner of the proposed conservation Area CA1 and provide access to the conservation values in the lowest reaches of the Last Creek gorge.

FMC Submission: *FMC fully supports the establishment of this easement for conservation management access, and for recreational use of the route marked "a-b" on the designations plan.*

(c) Continuation in force of an existing right to convey water created by Easement Instrument 6545681.1 and marked "i-j" on the designations plan.

FMC Submission: *FMC has no objection to the continuation in force of this right to convey water over the route "i-j" shown on the plan.*

Finally, FMC is grateful to the Commissioner for Crown lands for this opportunity to comment on the proposals for the tenure review of The Wandle. We trust that serious consideration will be given to our submissions.

Yours faithfully



pb, Robin McNeill, President,

Federated Mountain Clubs of NZ Inc.

Appendix.1.

**PRELIMINARY REPORT ON THE RECREATIONAL, LANDSCAPE, HISTORIC
AND OTHER CONSERVATION VALUES, AND RECOMMENDATIONS
FOR THE OUTCOMES OF TENURE REVIEW ON THE WANDLE**

**A Report for FMC based on Field Inspections and other research
to assist in the Crown Pastoral Lease Tenure Review Process**

April 2012

CONTENTS

Contents	..	..	..	..	..	..	..	..	..	..	..	page
List of Figures..	..	..	..	..	..	..	..	..	..	..	..	2
Introduction	..	..	..	..	..	..	..	..	..	..	..	4
Methods of survey and assessment	..	..	..	..	..	..	..	..	..	..	..	4
General description of The Wandle	..	..	..	..	..	..	..	..	..	..	..	5
Recreational activities and potential	..	..	..	..	..	..	..	..	..	..	..	5
Significant inherent values and their importance for recreation	..	..	..	..	..	..	..	..	..	..	..	6
Areas to be protected	..	..	..	..	..	..	..	..	..	..	..	7
Access requirements	..	..	..	..	..	..	..	..	..	..	..	7
Otago Conservation Management Strategy	..	..	..	..	..	..	..	..	..	..	..	8
Issues and Recommendations	..	..	..	..	..	..	..	..	..	..	..	8
Acknowledgements	..	..	..	..	..	..	..	..	..	..	..	11
References	..	..	..	..	..	..	..	..	..	..	..	11
Figures	..	..	..	..	..	..	..	..	..	..	..	Follow page 11

LIST OF FIGURES

Fig. 1 The Wandle once stretched from the floor of the Strath Taieri to the crest of the Rock and Pillar Range (1283m). Some 300ha were retired as part of a government assisted 'Run Plan' some years ago. Its back boundary is now at approximately 1,100m but the entire face still has important landscape values which should be protected under Covenant, from inappropriate subdivision, use or development.

Fig. 2 The property includes between 200 and 300ha of paddocks and downland at the foot of the Rock and Pillar Range. The face of the Range includes some deeply incised gullies, like Last Creek (on the left) which provide shelter for important biodiversity including coastal broadleaf forest remnants, and shrublands.

Fig. 3 Looking down the Last Creek gully to the Strath Taieri Plain. On the spur to the right of the gully can be seen a 4WD track which provides fine views into the forest and shrubland below, and could also provide a walking track to enable a fine round trip in conjunction with the Kinvara Track (to the south, or the new public access route on Taieri Lake to the north).

Fig. 4 Last Creek gully is a refuge for a significant remnant of coastal broadleaf forest, which also contains a wide biodiversity of shrubs and climbing plants such as the nationally uncommon climbing fuchsia (*Fuchsia perscandens*). There are also extensive tall tussockgrasslands above the gully which are in excellent condition. All these features should be protected by return to full Crown ownership and control.

Fig. 5 There is an historic building near the bottom of Last Creek gully. The very solid walls of this little old cottage remain intact but the building is smothered in *Muehlenbeckia*. It is understood to have been the boundary rider's cottage when there was no physical boundary between the original Taieri Lake and Gladbrook runs. If this location becomes freehold, the building should be protected under covenant to ensure its protection and maintenance.

Fig. 6 The outstanding example of forest remnant and surrounding shrubland in Last Creek should be protected by return to full Crown ownership and control to be managed for conservation and recreation. The value of this feature lies not only in its important biodiversity, but also in its association with the snow tussock grassland, which is in excellent condition, and with the tor-studded landscape above the confines of the gully. This view is from about 580m showing the Last Creek forks at 500m.

Fig. 7 This view down the spur on the true right of Last Creek shows both the 4WD track, branching left, and the existing fenceline running over the crest of the spur. Either one could become the boundary of the proposed Conservation area, and if the existing fence was utilised it would avoid the cost of building a new one. This choice could however, lead to the loss of some 100ha of good downland grazing land from the new freehold area.

Fig. 8 This view shows the existing fence which runs very close to the track at about 600m, so at this point the choice between the existing fence and a new fence beside the track would have the same end result.

Fig. 9 The tall tussock and tor-studded landscape at the head of Last Creek are a perfect complement to the forest and shrubland biodiversity in the lower part of the catchment. Here Sir Alan Mark is capturing an image of the landscape with which he was greatly impressed and also believes it should be protected as a new Conservation Area. The gate is at 890m, at the start of a deer fence which traverses the face to the Kinvara boundary.

Fig. 10 A good example of tall snow tussock grassland in good condition with Gentians among the more attractive plants in the inter-tussock vegetation. Such associations have botanical value and are also important for members of the public visiting new Conservation Areas.

Fig. 11 The deer fence which traverses the Rock and Pillar face of The Wandle between about 900 and 1,000m. It meets the boundary below the 1,000m contour near the retirement fence on Kinvara. This ensures a smooth landscape line across both properties. The Wandle Manager has indicated that he would not be opposed to the designation of the land above this fence (between about 900 and 1,100m) as Conservation land.

Fig.12 Access to the Rock and Pillar Conservation Area is also available from the Rail Trail and over an easement on Taieri Lake. Car parking might be available by the Rail Trail and the Taieri Lake easement would provide access to the proposed Conservation Area in the Last Creek gully, which can be seen directly above the stile in this picture.

INTRODUCTION

This report has been prepared following the Early Warning Meeting in September 2011 at which the properties entering the tenure review process in 2011 were introduced. An inspection of The Wandle pastoral lease was carried out by the author of this report in April 2012, with the kind permission and co-operation of the lessee, Lonestar Farms Ltd. and their on-site manager John McLean. This report is based on that inspection and other material listed below. The report is offered as a contribution to the statutory consultation process undertaken by the Department of Conservation.

The Wandle had been under tenure review in 1998, but only a very brief set of recommendations were submitted by FMC at that time (See Appendix 1).

The purpose of this (2012) report is to identify those features, resources and characteristics of this pastoral lease property which are relevant to tenure review and are important from a recreation and conservation perspective. The report will include an examination of the key issues and why they are considered important. The rationale underlying decisions related to the Crown Pastoral Land (CPL) Act, future land tenure, protection of natural, landscape and historic values, and public access will be discussed. The final section of the report will deal with these issues and the recommended outcomes for the tenure review The Wandle from a recreation and conservation perspective.

The Wandle (Po 328) is a small pastoral lease of rather less than its original 1,482ha, due to the retirement of some 300ha of land above about 1100m some years ago as one of the conditions of a "Run Plan" (Fig. 1). It had formerly stretched from the valley floor to the crest of the Rock and Pillar Range at about 1,200m. That top block included a section of the Sow Burn water race which fed the gold workings at Hyde.

This report focuses on those features of The Wandle which are important for public recreational interests. It should be noted that while some of this interest focuses on access the natural values and landscapes of the place have a fundamental impact on the recreational value of the property and greatly influence the quality of recreational experience enjoyed. It is for this reason that reference is made to these values in this report.

The south eastern, scarp face of the Rock and Pillar Range dominates the landscape above Middlemarch and the Strath Taieri so it is important that the retirement fence is carefully located. It is also important that the natural values and landscape of the mountain range are protected from the adverse effects of future inappropriate developments.

METHODS OF SURVEY AND ASSESSMENT

This report is based on the author's April 2012 field inspection and, in part on information gathered from other sources. These include studies of topographical and Land Use Capability (LUC) maps, consultation with recreational user groups and a knowledge of the landscape seen from highway SH 87 through the Strath Taieri.

A study of "Outdoor Recreation in Otago" was undertaken by Mason (1988) and published by FMC. Reference is made below to this Recreation Plan for Otago. The 1998 Otago Conservation Management

Strategy (CMS) and the DOC Conservation Resources Report (CRR) have also been used as a sources of reference.

GENERAL DESCRIPTION OF THE WANDLE

The Wandle pastoral lease (Po 328) now only covers about 1,100ha on the scarp face of the Rock and Pillar range and includes some 300ha of paddocks and downland between 300 and 400m (Fig. 2) adjacent to Wandle Road. (SH 87).

Mason (1998) has described the Rock and Pillar Range as follows:- " The Rock and Pillar Range is the easternmost Central Otago range, being a fault-bound block mountain. The Hyde Fault forms the boundaiy between the moderately steep eastern escarpment and the Strath Taieri basin. The western back-slope is gentle but considerably dissected at lower elevations above the Maniototo basin. The broad, gently rounded range crests average 1,370 m above sea level, with the summit at 1450 m. This is notably lower than other Otago block mountains.

Clusters of shaft and block tors of schist bedrock litter summit crests in random fashion (Fig. 1): 'Stonehenge' and 'Castle Rock' are among the more spectacular and better known examples. Small nivation cirques (caused by snow-patch erosion) developed along the lip of the leeward scarp during the Pleistocene, leaving short, steep headwall faces. Periglacial patterned ground features include earth hummocks, miniature stone stripes and nets, solifluction terraces and sliding boulders."

Most of the higher altitude features of the Rock and Pillar Range described by Mason and the western back-slope are absent from The Wandle as this property now only extends up to about 1100m on the eastern scarp face.

The Wandle is bounded by Taieri Lake to the north and Kinvara to the south. There is good public access to the crest of the Rock and Pillar Range up the Kinvara Track but public access via the track on the true right of Last Creek (on The Wandle) would provide not only access to the important native forest and shrubland in the Last Creek gorge, but also enable a round trip in conjunction with the Kinvara Track (Fig. 3).

The valley floor and downlands of The Wandle are characterized by fertile alluvial soils and Blackstone Hill Yellow Grey Earths classified Land Use Capability (LUC) Class IV and VI respectively (Fif. 2). The soils on the steep slopes of both branches of Last Creek (Fig. 3) are Classified LUC Class VIIe due to their potential for erosion. Above about 1,000m the Carrick Hill, High Country Yellow Brown Earth soils are also classified LUC Class VIIe. It would therefore appear that almost all the residual part of the lease (below about 900m) should be capable of supporting ecologically sustainable pastoral use. The only exceptions would be the steep valley sides of Last Creek.

RECREATIONAL ACTIVITIES AND POTENTIAL

Mason (1988) has written extensively about winter recreation on the Rock and Pillar Range starting from the 1930s when the Otago Ski Club was formed and made good use the range because of its proximity to

Dunedin. Two huts were built on the range but the development of more advanced skiing techniques, unreliable snow conditions and frequently 'dreich' – a very descriptive Scottish word - weather were responsible for declining winter use of the Rock and Pillars, particularly as travel became easier and better facilities were developed on Coronet Peak in Central Otago. More recently cross country skiing has increased in popularity and the huts on the Rock and Pillars are again coming into use - much more commonly now than they were just a few decades ago.

In summer the range is visited by walkers and trampers with interests in bird watching and botany and mountain bike riding along the crest of the range has also increased in popularity. The Kinvara Track provides good access for recreational users to the northern end of the range and, as noted above a good round trip would be enabled by the establishment of public access via the track on the true right of Last Creek on The Wandle (Fig. 3).

There is occasional hunting for pig, quail and chukar on the range.

SIGNIFICANT INHERENT VALUES AND THEIR IMPORTANCE FOR RECREATION AND CONSERVATION

The lower two thirds of The Wandle have been extensively subdivided into paddocks and developed into improved pastures. Consequently there is little of natural value or biodiversity except in the Last Creek catchment, and in the tussock grasslands above about 900m (Fig. 4).

Mason (1988) recognized the natural values in the deeply incised gullies like Last Creek when he wrote about the Rock and Pillar Range:- "*Forest remnants, chiefly of broadleaf but with some Hall's totara are concentrated in the deepest gullies on the lower eastern slopes*". The forest remnant in Last Creek is a good example of this.

The DOC Report (CRR) of 1998 described the vegetation as follows:- "*The mid and lower sections of Last Creek contain significant shrubland and low treeland. At the upper limit of this continuous vegetation zone (approx. 600 metres asl) scattered trees of broadleaf and marbleleaf are surrounded by a low shrubland of matagouri, Coprosma rugosa, C. ciliata, Carmichaelia and koromiko.*

In the lower reaches, tall broadleaf trees in association with occasional kohuhu and five-finger form a narrow band over topping the creek bed. Adjoining this on both sides of the creek is a dense shrubland dominated by matagouri and coprosma and but also including Corokia cotoneaster and Melicope simplex. Pohuehue (Muehlenbeckia australis), the climbing fuchsia (Fuchsia perscandens) [which is nationally uncommon] and bush lawyer are common throughout. At least two kowhai trees are present on slopes above the main shrub concentration." (See Fig. 4).

The report summarized the vegetation of The Wandle as follows:-

"The vegetation of this property retains a moderate degree of naturalness (down to approximately 700 metres), as characterised by a generally even cover of narrow-leaved snow tussock and predominantly native inter-tussock species. Below 700 metres there is significant invasion of

introduced pasture grasses and fragmentation of tussock cover. A significant shrubland and low treeland with good species diversity occurs in the mid to lower portion of Last Creek. The downlands observed have little botanical conservation value."

There is an historic building at the top of the downlands where Last Creek emerges from its gorge (Fig. 5). This is the ruin of a very solidly built stone hut which is largely covered in creeper. We understand that this was formerly a boundary rider's cottage (in about the 1850s or 60s) when there was no physical boundary between the original Taieri Lake and Gladbrook runs. This ruin, when cleared of its creeper, would provide added interest for visitors who come to see the natural values in the Last Creek gorge, or take a walk to the top of the range. There may be no need for physical protection of this ruin but if the boundary is drawn such that the stone cottage is located within the new freehold, then a covenant with conditions to ensure its maintenance, might be appropriate.

It should be noted that the Doc Resources Report (CRR) states that "*There are no NZ Archaeological Association recorded sites located on this property*". Perhaps this former boundary rider's cottage was overlooked.

AREAS TO BE PROTECTED

There are two areas of significant inherent value on The Wandle. These are:- first and foremost, the outstanding remnant of coastal broadleaf forest in Last Creek (Fig. 6). Not only is this of high natural value in its own right, as recognized by Mason and by DOC in its CRR, but additionally it is surmounted by a fine example of a tor-studded landscape carrying snow tussock in very good condition. This is clearly worthy of protection as a new Conservation Area returned to full Crown ownership and control to be managed for conservation and recreation purposes.

There may be some debate as to where the boundary of this natural area should be drawn and fenced. The northern and western boundaries should be clearly defined by the boundary with Taieri Lake, and by the retirement fence respectively. The debate would be where to locate the southern boundary: One possibility would be to use the line of the track on the spur on the true right of Last Creek (Fig. 7). The alternative would be to utilize the existing fence a little further south of the track, and which runs very close to the track in places (Fig. 8). The latter choice would have the advantage of avoiding the cost of new fencing, and would run up to the top of the track where it ends at almost 900m. It would have the disadvantage, from a farm perspective that up to about 100ha of pastureland would be included within the proposed Conservation Area.

The other area of significant inherent value is the tall tussock grassland below the retirement fence, down to about 900m (Figs 9, 10 and 11). There is an existing fence running across the face of the range enclosing the five larger blocks across the top of the property at about 900 to 1,000m (Fig. 11). This fence would run from the end of the Last Creek track referred to above to the northern boundary of Kinvara where the Reserve on Kinvara is already fenced to just below the 1,000m contour. This tussock grassland is in excellent condition and we understand from the farm manager that it is currently not grazed. For this reason he indicated to us that he would be favourably disposed to these five top blocks being designated as a Conservation Area.

objectives and priority stated in the CMS. It also presents an opportunity to make progress towards the completion of the Rock and Pillar Conservation Park. Only three (out of a total of eleven) properties on the eastern face of the range have yet to complete the tenure review process: Emerald Hills and The Wandle are at the 'information gathering' stage, while The Burgan appears to be currently not in tenure review.

We understand that the Otago Conservation Management Strategy (CMS) is currently being reviewed but we also believe that the strategic analysis and setting of long term aims and objectives in 1998 represented the considered DOC and public views on conservation and recreation at that time. We believe that to a large extent those long term aims and objectives are still relevant today.

ISSUES AND RECOMMENDATIONS

In this section, the resources described above, and the issues and options for their future management and allocation between freehold disposal and public interests are discussed in relation to the Crown Pastoral Land Act, 1998. The issues and recommendations are presented in sections related to Section 24 of the Act as follows:-

S24 (a) (i) To promote the management of reviewable land in a way that is ecologically sustainable

S24 (b) (i) To enable the protection of significant inherent values of reviewable land by the creation of protective mechanisms

S24 (b) (ii) To enable the protection of significant inherent values of reviewable land (preferably) by the restoration of the land concerned to full Crown ownership and control

S24 (c) (i) The securing of public access to and enjoyment of reviewable land [including recreation] and

S24 (c) (ii) The freehold disposal of reviewable land

S24 (a) (i) To promote the management of reviewable land in a way that is ecologically sustainable

The soils and the Land Use Capability (LUC) Classification of The Wandle have been considered carefully. The entire property is situated on the valley floor and scarp face of the Rock and Pillar Range. Up to about 900m it is characterised by soils and land units classified LUC Class IV and VI. This land appears to be capable of fulfilling the requirement to "*promote the management of reviewable land in a way that is ecologically sustainable*", so long as the soils are adequately maintained to replenish nutrients lost through leaching and removed in animal products. It is therefore concluded that this land should be suitable for freehold disposal.

S24 (b) (i) To enable the protection of significant inherent values of reviewable land by the creation of protective mechanisms

Environmental NGOs generally agree with the preference expressed in the CPL Act for "*protection of significant inherent values of reviewable land (preferably) by the restoration of the land concerned to full Crown ownership and control.*" However, small discrete areas may be suitable for protection "*by the creation of protective mechanisms*" [ie Conservation Covenant].

In the case of The Wandle we recommend that significant areas of tussock grassland and forest remnants in Last Creek should be protected by return to full Crown ownership and control. Our arguments are explained above.

The historic ruins of a former boundary rider's cottage near the bottom of the Last Creek gorge may be located on land to be disposed to the lessee as freehold. In this case we recommend that a Covenant over a small area around the cottage, with conditions to ensure its maintenance, may be appropriate.

The landscape of the scarp face of the Rock and Pillar Range could be threatened by inappropriate subdivision, use, or development because the District Plan may not be adequately robust and durable to ensure protection of its valuable features. It is recommended that these landscape features should be considered for protection under a binding landscape protection covenant.

S24 (b) (ii) To enable the protection of significant inherent values of reviewable land (preferably) by the restoration of the land concerned to full Crown ownership and control

This report has focused on those features of The Wandle which are important for public recreational interests. While some of this interest focuses on access, the natural and landscape values influence the quality of recreational experience enjoyed. This is one of the reasons why these inherent values are considered for protection.

There is an area of some 300ha adjacent to the northern and western boundaries with high conservation values. There is highly significant inherent value in the forest and shrubland remnants in Last Creek, as well as very significant landscape values associated with the tor-studded landscape above the gorge, and the good condition of the tall tussock grasslands above about 900m which extend across the scarp face to the boundary with Kinvara. The lower boundary of this area could follow an existing fence which accords well with an already established retirement line on Kinvara. This would mean the retirement of the five larger blocks across the top of The Wandle. The manager of The Wandle has indicated that this proposal is likely to be acceptable to the lessees as these top 5 blocks below the existing retirement are currently not grazed.

The southern boundary of the proposed Conservation area could follow either an existing fence on a spur on the true right of Last Creek, or the track which is slightly closer to Last Creek throughout most of its length. The advantage of utilising the existing fence would be that it would avoid the cost of building a new fence. However, the downside from the farming perspective would be that some pastureland would be incorporated into the Conservation Area.

S24 (c) (i) The securing of public access to and enjoyment of reviewable land [including recreation]

Access issues have been discussed in the "Access Requirements" section of this report.

We have recommended that public foot, access should be established by the granting of a formal Easement up the lower reaches of Last Creek and the farm track on a spur on the true right of Last Creek up to the end of the track just below 900m.

This would provide an interesting choice of round trips incorporating either the Kinvara Track or the new public access easement on Taieri Lake to the crest of the Rock and Pillar Range.

S24 (c) (ii) The freehold disposal of reviewable land

Freehold disposal of reviewable land follows as a logical consequence of the identification of those parts of The Wandle which have been assessed to be capable of being managed "*in a way that is ecologically sustainable*" and where no significant inherent values have been identified.

Accordingly, it is recommended that all LUC Class VI land and land characterised by fertile alluvial soils on the downlands in higher LUC classes be designated for freehold disposal, subject where appropriate, to Protective Mechanisms (eg a Conservation Covenant) to ensure the maintenance of the historic boundary

rider's hut near the mouth of the Last Creek gorge.

CONCLUSION

Finally, it is noted that the Otago CMS sets out important objectives and priorities for the Special Place Rock and Pillar which includes The Wandle pastoral lease. If the recommendations made in this report are adopted and implemented significant progress will be made towards the achievement of those objectives

ACKNOWLEDGEMENTS

FMC is grateful for assistance from LINZ and their agent which made this assessment possible. The site inspection was carried out in April 2012 and FMC is grateful to the Lonestar Farms Ltd. and their local manager, John McLean for his willing co-operation including granting permission for access and guidance about use of tracks on the property.

REFERENCES

Crown Pastoral Land Act (1998)

Mason Bruce (1988) Outdoor Recreation in Otago – A Conservation Plan. Volume One: Central Otago Block Mountains. Federated Mountain Clubs of NZ (Inc.) Wellington NZ.

Otago Conservancy (1998) Otago Conservation Management Strategy. Volumes I – III and Appendices. Department of Conservation, Dunedin NZ.

Submission 3



14 November 2014

Commissioner of Crown Lands
Land Information New Zealand
Crown Property and Investment
Private Bag 4721
CHRISTCHURCH 8140

Preliminary Proposal for Tenure Review of The Wandle Pastoral Lease, Po328. Submission from the New Zealand Walking Access Commission

Thank you for the opportunity to comment on the Preliminary Proposal.

The New Zealand Walking Access Commission (Commission) is the statutory body established in 2008 to lead and support public access negotiations. This is the first opportunity the Commission has had to comment on the Preliminary Proposal, notwithstanding Land Information New Zealand's consultations undertaken to-date.

Our statutory role is described below, in section A - Introduction, and our submission and recommendations on this preliminary proposal are presented in section B - Submission.

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.

Statutory requirements

The Commission's submission on the Preliminary Proposal for The Wandle is designed, as envisaged by the WA Act, to support the negotiation of 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 provided for in the protection mechanism in subsections (2) (c) and (d) of section 40 of the CPL Act.

Further, this submission assists in achieving the statement in the Land Information New Zealand (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.”

Commission’s submission is new information

The Commission was not consulted during the preparation of the Preliminary Proposal, nor has it had the opportunity to undertake a ground inspection.

This submission should, therefore, 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

B 1. Background

The Wandle pastoral lease adjoins and utilises parts of the Rock and Pillar Range North West of Middlemarch. By road, it is approximately 12km north of Middlemarch and 90km northwest of Dunedin – see Map 1 below.

The Central Otago Rail Trail is in close proximity.

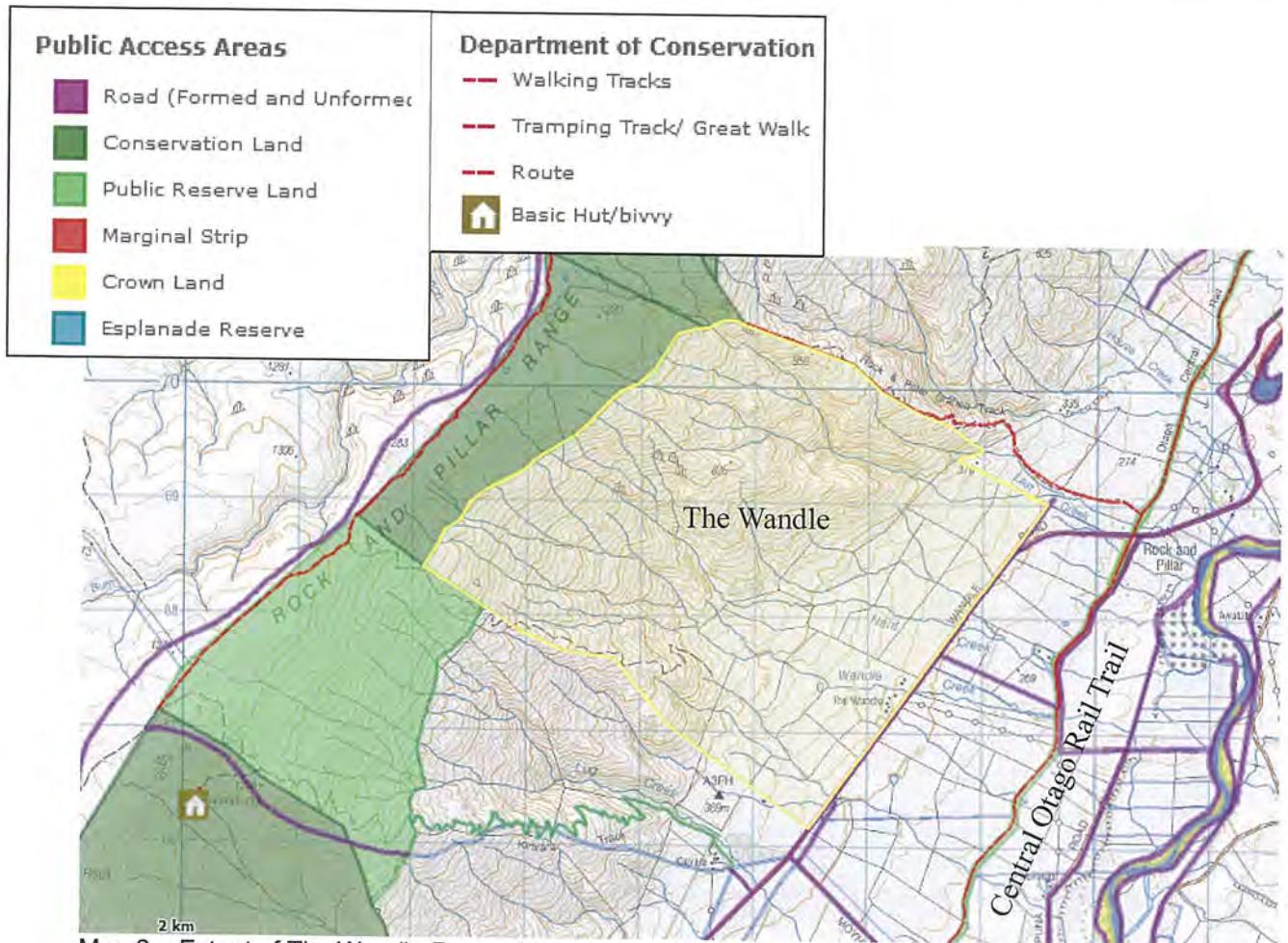


Map 1 –The Wandle Pastoral Lease, approximate boundary location in yellow [source: wams.org.nz]

The western boundary of the property is the Rock and Pillar Conservation area, which includes areas previously retired from the original property. The eastern boundary is SH 87, Middlemarch to Hyde.

¹ Section 3(b) Walking Access Act 2008

The southern boundary is approximately 650m north of Lug Creek, whilst the northern boundary is approximately 130m south of Last Creek in the vicinity of the old Rock and Pillar rail stop. The property is highly visible as it rises to the Rock and Pillar range, both from SH87 and also the popular Otago Central Rail Trail -see Map 2 below.



Map 2 – Extent of The Wandle Pastoral Lease

[source: wams.org.nz]

The property is part of a network of properties adjoining the Rock and Pillar Range. The range is valued for its recreation use and potential recreational routes within this pastoral lease as detailed in the 2005 and 2013 (Supplementary) Conservation Reports.

Existing public access

- Public road access to The Wandle Pastoral Lease is only available via State Highway 87 (Wandle Road) which forms the eastern boundary of the property.

B 2. Public access proposed in the Preliminary Proposal

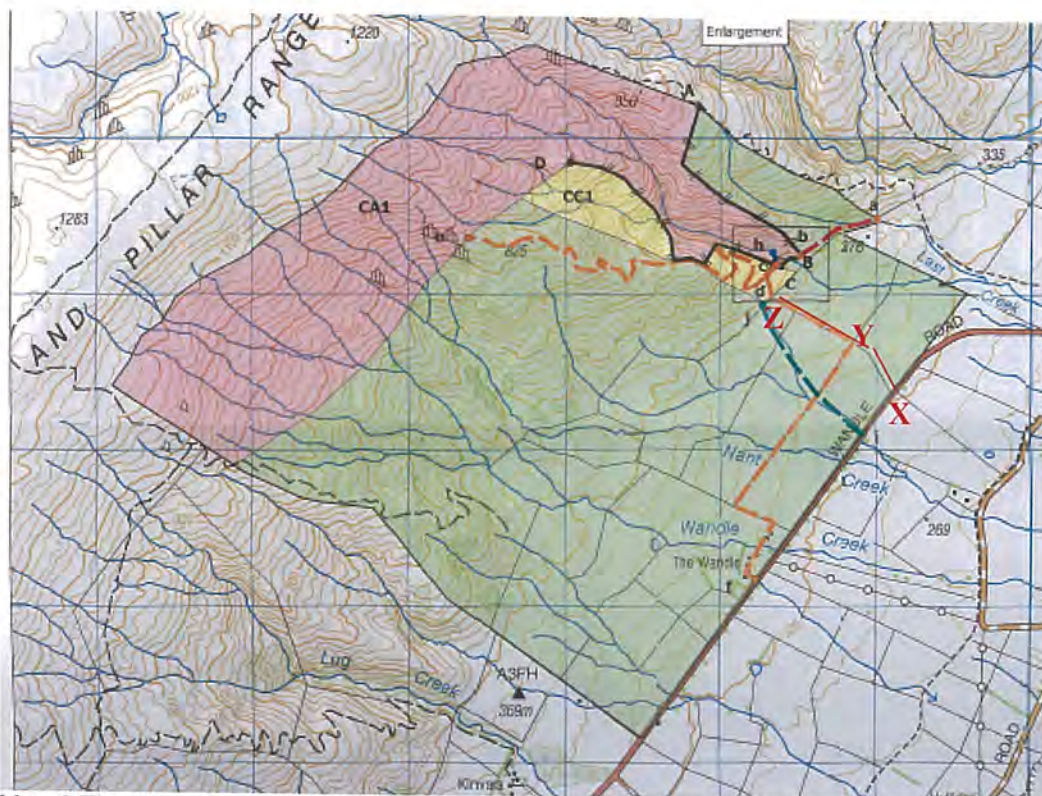
Section 3.4 on page 12 of the Summary describes how the authors believe the proposal meets the public access objectives in section 24 of the Crown Pastoral Land Act 1998.

Clause 3.4, under the heading of *'Object 24(c)(i) - the securing of public access to and enjoyment of reviewable land'* reflects that the obligation of securing public access to and the enjoyment of reviewable land is met by the designation of 348 hectares as conservation area. The Summary notes that "access to the proposed conservation area is provided for in the proposal" (p.12). The Summary also notes that access to the proposed conservation area is also available through two adjoining properties (p.12).

The public access proposed in the Preliminary Proposal can be summarised as:

- land to be restored to the Crown, retained as conservation area 'CA1', and
- an isolated 500m long public access easement route 'a'-b' from the north-eastern boundary to the conservation area CA1.

These are shown on Map 3 below.



Map 3 The Wandle proposed designations copied from PP with 'X'-Y' added by NZWAC

B.3. Comments on public access proposed in the Preliminary Proposal

The Commission considers that the discussion and analysis of public access proposed within the reviewable land, in the Summary of Preliminary Proposal and appendices, is unsatisfactory in three aspects:

- it relies on public access being provided outside of the reviewable land,
- it does not identify or explain how the public may access the short internal easement 'a-b', and,
- it does not explain the restrictions introduced by the draft Transfer Grant of Easement in Gross, in particular, the
 - lack of clarity around the Grantee's power to temporarily close and restrict access, and
 - restrictions on horse and mountain biking on easement 'a-b'.

B.3 (i) Relying on public access outside of reviewable land – contrary to LINZ advice

The Commissioner of Crown Lands has rejected submissions, including those from the Commission, which address matters outside of the reviewable land.

The Summary of Preliminary Proposal's reliance on access over adjoining properties to meet the specific Crown Pastoral Land Act requirements for delivering access to the reviewable land is, therefore, contrary to the advice previously given by the Commissioner of Crown Lands to the Commission.

Notwithstanding the Commission not being able to take external access into account, there is no detail on this external access to provide the Commission with confidence that it is appropriate – even if the Commission were allowed to include it in its submission.

Consequently the Proposal is deficient due to the lack of information for an external reader to make a reasonably informed assessment.

B.3 (ii) Public access to easement 'a-b' not explained

The Summary does not indicate how the public may obtain access to the easement 'a-b'. If no practical public access to the easement can be demonstrated, the reviewable land access objectives cannot be met.

The Commission makes a recommendation under B.4 below to address this issue.

B.3 (iii) Transfer Grant of Easement in Gross – restrictions not explained

There are three concerns with the easement instrument.

Firstly, the lack of criteria and control around easement closure (for the public), while access for the Grantor remains unrestricted, creates uncertainty. As currently stated in clause 6.1 of the Grant of Easement in Gross, "the Grantee may, at any time in exercise of her/his powers, temporarily close all or part of the Easement Area to the public for such period as she/he considers necessary."

As a legal document containing powers which could be used to restrict public access, clarity is required about who, of the many parties defined as the Grantee, has that authority to close the easement.

In addition, the situations that might prompt the Grantee to temporarily close the easement to public access, the duration of closure and the requirement to publicise the closure, need to be summarised within the standard easement closure clauses. Otherwise, the public has no way of determining and assessing the reasonableness of a closure decision. For example, reasons for closure might include lambing and fire risk which have definable risks periods.

Secondly, the reasons for restricting horses and mountain bikes across the easement 'a-b' as noted in the special easement terms of the Grant of Easement in Gross (clause 14), are not explained in the Summary.

Our concern is that the 'Definitions' in the easement instrument, under 'Grantee' (clause 1.4) means, inter alia, "for the purposes of Clause 2.1 only, includes any member of the public". Clause 2.1 then states that the Grantee (including any member of the public by virtue of the definition above) has the right 'to pass and re-pass at any time over and along the Easement Area marked "a-b on the proposed Designations Plan" on foot on or accompanied by horses, or by non-motorised vehicle powered by a person or persons.

Yet, clause 14 in the Special Easement Terms, then negate this access and use by horses and non-motorised vehicle from the easement.

This is an unfortunate provision that is not explained and the Commission considers that it must be clarified before the tenure process is advanced further.

Thirdly, the restrictions (and the absence of justification) in clause 14 have the potential to hinder the recreational development opportunities and, consequently, economic opportunities within the reviewable land and more widely. Given the closeness of the Central Otago Rail Trail, the Commission believes that enabling public access on mountain bike is essential to being able to fully realise the recreational and economic benefits in this area.

As no reasons for restricting public access and use of the easement 'a-b' are presented and justified, their validity is disputed. We make recommendations to address these restrictions below, under B.4.

B 4. NZ Walking Access Commission's additional proposals

There is clear evidence that current and potential public use of natural resources in this area is significant and important for the local community and nationally, particularly given the closeness of the Central Otago Rail Trail.

Reference is made within the Conservation Resources Reports, part of the information gathering process, as to the ability of this property to provide a link loop in conjunction with existing access established over neighbouring properties. Particular reference is made to the desirability of access over the farm track located on the spur to the south of Last Creek. Refer Appendix 1 (Map 3 Values – Ecological, Recreational and Historic) sourced from LINZ's Conservation Resources Report dated January 2013.

In addition to providing for link loops, it is desirable that provision is made for managed public access by vehicle to the proposed conservation area CA1. As well as other public use, such vehicular access will provide for physically disabled people to enjoy the reviewable land.

The Commission recognises the challenges associated with public use of tracks, especially during winter months, and it also recognises that these challenges can be mitigated. A solution is to have the access managed as a walkway under the Walking Access Act, 2008 with the Department of Conservation as the controlling authority. The benefits of using walkway easements are discussed below under B.5(i).

To address the issue of providing public access to the easement 'a-b' the Commission seeks to have public access from the State Highway (Wandle Road) along the fence line on alignment shown 'X-Y-Z' on Map 3 above. This would provide access to 'a-b' via 'd-c-b'.

This tenure review offers an opportunity to effect the vision of the Conservation Resources Reports and enhance public access and the enjoyment of this reviewable land by providing for additional access:

- on foot, mountain bike and horse from Wandle Road over proposed easement 'X'-'Y'-'Z,'
- on foot, mountain bike and horse over easement alignments 'Z-d', 'a-b', 'c-d-e' and 'e-f, and
- in vehicle, by permit from the Department of Conservation , over easement alignments 'c-d-e' and 'e-f'.

Gazetting these public access areas as walkways will provide a robust management regime as well as providing liability protection and regulatory control for the landholder.

B 5. Standard easements

The Commission understands the value of standardised easement instruments but is concerned that the public will be misled with draft easement instrument in the preliminary proposal, especially the use of the negation in clause 14 which overrides clause 2.1.

Notwithstanding the Commission's additional proposal to allow mountain biking and horse access as detailed above in B.4, the solution to provide the public with clarity of meaning would be to delete or strike through those aspects of the standard clauses, in the easement instrument, that are not going to be part of the proposal.

B.5 (i) Walkway easement

As referenced above, the Walking Access Act 2008 enables the creation of walkway easements. These give wide protection to landholders and provide a robust management and public access

behaviour framework.

The benefits to the landholder include liability protection and public access behaviour management with penalties for offences ranging up to \$10,000.

The limitation on liability of landholders means that a landholder is not liable for any loss or damage suffered by a person using the walkway. It addresses the liability under the Occupiers' Liability Act 1962, or any common law rule referred to in section 3 of that Act. It includes liability for both compensatory and exemplary damages.

Further, the Walking Access Act clearly sets out the functions of the controlling authority, detailed criteria for closure and specific compliance and enforcement provisions.

B 6. Conclusion

Securing practical public access within the reviewable land will provide opportunities for the public to enjoy the reviewable land and will also increase the opportunity for the community to benefit economically from increased recreation opportunities.

Establishing walkways under the Walking Access Act 2008 to effect the recommended public access within the reviewable area will provide controls and an efficient management mechanism that will benefit both the landholder and the Department of Conservation.

The Commission:

supports:

1. public access provided by conservation area CA1;
2. the public access easement along the alignment 'a-b' subject to the following additional points the Commission seeks to have included;

seeks to have:

3. the special easement terms clause 14, in the Transfer Grant of Easement in Gross, **deleted** to enable mountain bikes and horses on the easement 'a-b';
4. the power to temporarily close easement area, in clause 6.1 of the Transfer Grant of Easement in Gross, **deleted** and **replaced** with a clause that clarifies who, in the wider definition of Grantee, may close the easement and **include** criteria for both closure and length of time of closure and means of public notification;
5. public walking, mountain biking and horse access and, separately, public vehicle access by permission of the Department of Conservation, over both easements as generalised by the alignment 'c-d-e' and 'd-f', and
6. public walking, mountain biking and horse access from State Highway (Wandle Road) over easement generalised by alignment 'X-Y-X-d', and

recommends:

7. that the public access easements be established as walkways under the Walking Access Act 2008.

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

We request timely advice as to how the points we have raised have been addressed and what amendments, if any, are subsequently proposed to the Preliminary Proposal designations and draft Grant of Easement.

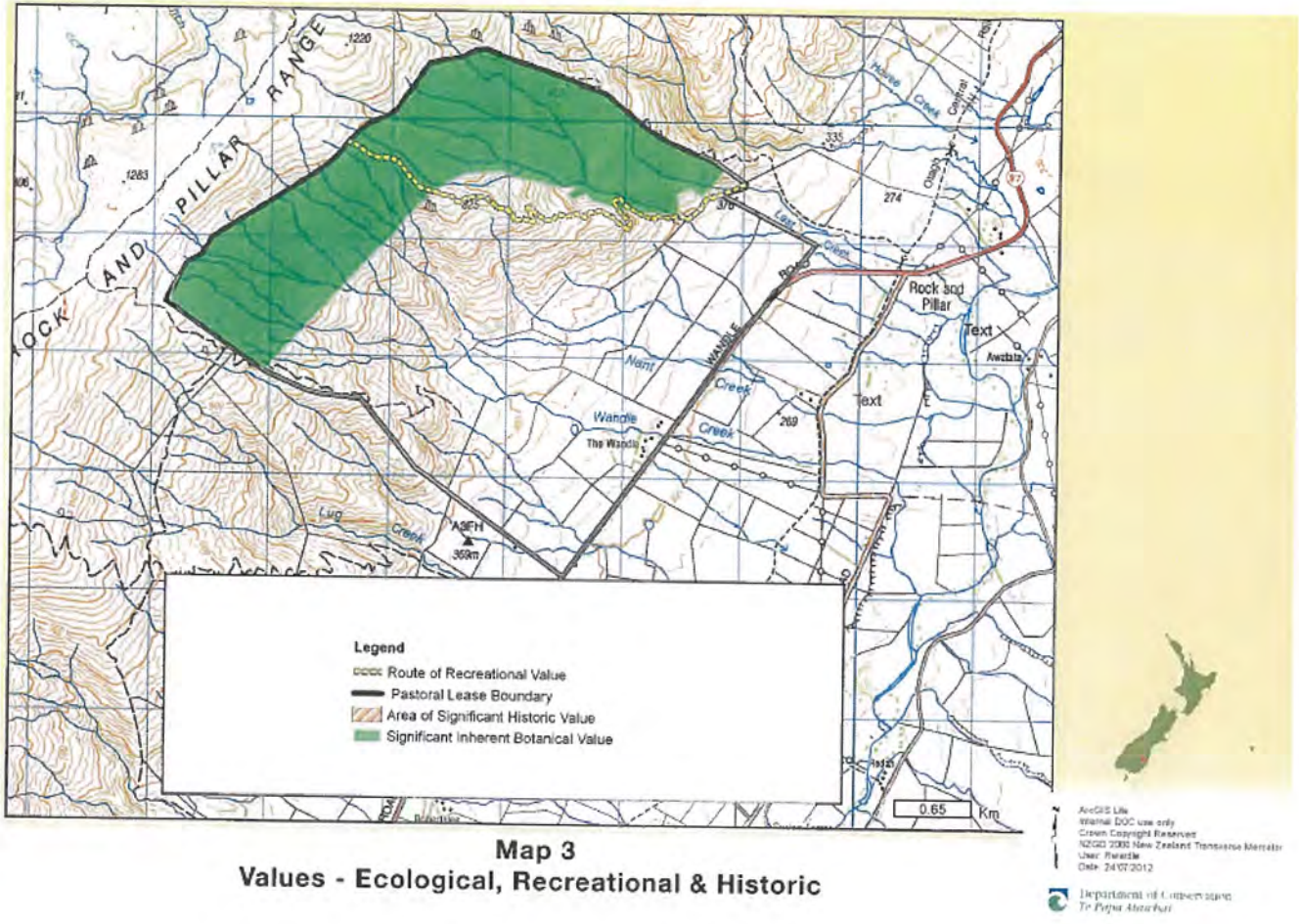
The Commission would be pleased to discuss these points and the recommendations for walkways with Land Information New Zealand.

Yours sincerely

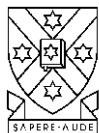
A handwritten signature in blue ink, appearing to read 'Mark Neeson', with a stylized flourish at the end.

Mark Neeson
Chief Executive

Appendix 1



Submission 4



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November 13, 2014.

SUBMISSION ON PROPOSED TENURE REVIEW: THE WANDLE 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 very good knowledge of the general area and this property in particular, having made an on-site visit in April 2012 with three other interested persons and with the kind permission of the lessee, Lonestar Farms manager, Mr John McLean, with whom we had a most helpful discussion.

I made a **submission** on the '**Preliminary Report**' following this visit. I have also had a **long involvement with ecological research** on the Rock and Pillar Range, mostly on the adjacent property to the south, Kinvara (previously Kilmory PL), beginning in 1966, when a water yield study was initiated (Mark & Rowley, 1976). This initial study at 1000 m elevation was subsequently extended to two higher elevation sites (1140 and 1340 m) and an additional four on the adjacent Lammerlaw and Lammermoor Ranges for a PhD study, the results of which (Holdsworth & Mark, 1990), confirmed the very high water production properties of a tall, semi-natural snow tussock cover, significantly higher yields than from any alternative cover, even including bare soil. This **important ecological service of a healthy snow tussock cover** on the mid- to upper-elevation slopes of these eastern Otago mountains has now received international exposure (Mark & Dickinson, 2008) and is ranked as perhaps the most important ecological service of these grasslands, at least on the eastern Otago uplands (Mark, et al., 2013).

Other relevant information consulted includes the Otago CMS, produced when I was Chair of the Otago Conservation Board (1998), the DOC Conservation Resources Report of 2005 on the property, the Land Use Capability Classification on the property, and also the **1983 Pastoral Lands Assessment Report, Rock and Pillar Range, Otago** (with which I was involved). Importantly, this tenure review is subject to the Crown Pastoral Land Act 1998, with its many relevant conditions.

Results of the **1983 Clayton Report** implementation: **Pastoral Lands Assessment of the Rock and Pillar Range** (G. Holgate, et al., 1983), recognised, among the three options available, **Potential Reserve** lands along the crest of the range down to an elevation of ~1050m (including The Wandle), but also including an east-west transect across the Range involving Gladbrook and Homestead Runs. Below this elevation were zones classed as **Multiple Use: Range Land**, implying a mix of both pastoral and conservation values, and **Public Lands**.

The Property.

The Wandle Pastoral Lease occupies some 1250 ha north of centre of the south-eastern (scarp) face of the Rock and Pillar Range from the Strath Taieri plain at ~360m up to a boundary at ~1100m, established several years ago as a condition of a Run Management Plan. It is bounded to the north by the Taieri Lake property (which has already completed tenure review) and on the south by the Kinvara Pastoral Lease on the mid-lower slopes (to ~900m), and also by conservation land, part of the Rock and Pillar Conservation Area, above this elevation and also across its upper boundary. The

hill slopes of **The Wandle** forms **an integral part** of the **impressive tussock grassland-tor landscape** of the south-eastern slope of the Rock and Pillar Range, as viewed from the Strath Taieri Plain and surrounding areas, including SH 87.

Above ~900-1000m the changing **soil and climatic conditions** are such that the upper slopes are classified as **Land Use Capability Class VIIe**, implying they have only very limited capacity for sustaining pastoral farming. I note that a **CPL Act requirement** is to “*promote the management of reviewable land in a way that is ecologically sustainable.*”

The Proposal.

I have read the report on the Preliminary Proposal for this 1250 ha property, for which it is **proposed to restore some 348 ha (27.8%) to full Crown ownership and control**, as a **Conservation Area, subject to a Qualified Designation**. This single extensive conservation area (CA1) embraces one of the sub-catchments within the extensive **Last Creek catchment** on the property’s northern boundary, and then **extends as a corridor along the upper boundary** of the property on the mid-upper slopes of the Rock and Pillar Range, from ~800 m up to ~1100 m, with **designated conservation land** (previously retired from The Wandle PL) **on its upper boundary**. As stated, this upper hill slope of The Wandle forms **an integral part** of the **impressive tussock grassland-tor landscape** of the **south-eastern slope of the Rock and Pillar Range**, as viewed from the Strath Taieri Plain and surrounding areas, including SH 87.

The proposal would **provide a valuable altitudinal corridor** from the PL’s lower elevation limit to the crest of the Rock and Pillar Range, but it **would be of significantly greater ecological value** if it was to **include the adjoining southern branch of the Last Creek catchment**, since this provided a **much more natural unit**, as it would **then contain most of the remnant mixed broadleaved forest and associated shrubland**, which are **both acknowledged as rare in this Rock & Pillar Ecological District**. My **strong recommendation**, therefore, is to **include the upper section of the proposed Conservation Area 1 (CC1), plus all of the southern segment of the Last Creek catchment in the CC1 area**, to provide a **natural (and much more satisfactory, ecologically, long-term from a management perspective)**. Much of this boundary is **already fenced** (southern boundary of the proposed CA1). In addition, some 1 km of (the total proposed 3.5 km) new fencing proposed for the upper section of the boundary between CA1 and CC1 (which could be both a difficult and expensive exercise (having to cross a main catchment of Last Creek) would be unnecessary. The **other new section of fencing** proposed (for the northern lower boundary of the CA1 area) (shown as “A-B” on the map), **is acceptable** and predictably be relatively straightforward.

The **upper section of the proposed CC1** is of such **ecological value** that it **should have all stock grazing excluded**; certainly cattle grazing should not be entertained if it is to remain as a Conservation Covenant and the **no-grazing option would be achieved** with a **CA designation**, which is **strongly recommended**. If my recommendation is accepted, importantly, the **existing 4WD track** (shown in orange on the map) would remain entirely within the proposed freehold area but **hopefully would be made available for public access**, and not solely for conservation management, as currently proposed. This is **my strong recommendation** as any **alternative public access** in this area, as via the bed of Last Creek would be **quite unsatisfactory** for most interested visitors.

As to the **Qualified Designation**: an easement concession to provide access from Star Holdings Ltd for the **right to convey water** over a short section of land marked “g-h” within the proposed CA1, there is **no objection** and this is **recommended**.

My recommendation for a somewhat extended Conservation Area CA1, to that in the proposal was described comprehensively in my earlier (2012) ‘preliminary report’, which I repeat for reinforcement here, including the relevant images taken on that inspection (Figs. 1- 8 below): “The catchment of Last Creek, which forms the northern boundary of the property, contains a most impressive mix of indigenous communities above the change of slope at ~400m where Last Creek emerges from its gorge. Here there is the remains of an **historic stone building** with impressive intact walls and a dense cover of scrambling native pohuehue (*Muehlenbeckia australis*) across the

otherwise, apparently collapsed roof (Fig. 1). According to the property manager, Mr McLean, this was the boundary rider's cottage, close to the boundary between the original Gladbrook and Taieri Lake Runs. As such, it has considerable historical value, either in its present state, or appropriately restored. Surprisingly it doesn't feature in any of the reports on the area. However, this building justifies formal recognition, particularly if it is to be within land to be freeholded. I therefore **recommend** this be achieved with a **Covenant** with conditions which would ensure both its recognition and protection.

The lower, mostly gorged section of Last Creek catchment, up to ~600m, contains a most impressive, closed-canopy **native forest-woodland** (Figs. 2 – 4), of mostly of broadleaf (*Griselinia littoralis*) trees, but with scattered marble leaf (*Carpodetus serratus*) and kowhai (*Sophora microphylla*), and numerous tall shrubs of matagouri (*Discaria toumatou*), *Coprosma propinqua*, *C. rugosa*, *Hebe salicifolia*, *Carmichaelia petriei*, with scattered climbing fuchsia (*F. perscandens*, ranked as Nationally Uncommon), *Muhlenbeckia australis*, *Parsonsia ?heterophylla*, and *Rubus cissoides*. The C.R. Report also lists several other species: *Pittosporum tenuifolium*, *Pseudopanax colensoi*, *Melicope simplex*, *Coprosma ciliata* and *Corokia cotoneasta*, none of which were seen on our visit. Isolated small trees of broadleaf are common as outliers well above the main stands of woodland (Fig. 4), indicating the potential of a much more extensive woodland on these low-mid altitude slopes. Exotic **woody weed species** are virtually absent in this woodland, only one elderberry tree and one gorse bush were seen.

Another most impressive feature of the lower slopes of this catchment is the extensive stands of excellent condition **narrow-leaved snow tussock** (*Chionochloa rigida*) grassland on the south-aspect slopes, down to the edge of the woodland (Figs 2 – 4), and descending as low as 430m (Fig. 2), almost to the developed farmland. Scattered tussocks of **toetoe** (*Cortaderia toetoe*) are prominent among the snow tussocks here and elsewhere.

The near-continuous **snow tussock grassland cover** also extends above the woodland in the mid-upper catchment of Last Creek (Fig3), to provide the dominant cover with scattered shrubs of *Dracophyllum*, *Hebe* and *Ozothamnus* in the subalpine and low-alpine zones Figs. 3, 5, 6a, 6b).

The diverse indigenous cover in the Last Creek catchment clearly justifies **recognition** and **appropriate protection** as probably the least disturbed, mid-lower catchment, indigenous vegetation on the south-eastern face of the Rock and Pillar Range. An obvious boundary for a protected area on the southern side would be the 4WD access track (Fig. 4) and, towards its upper extent, the fenceline which it crosses, to the upper limit of this block where the 4WD track ends at 890m.. Here it adjoins the deer-proof fence which runs southward along the ~900m contour as far as the Kinvara property boundary (Fig.7). This access track would provide a fenceable boundary, but an alternative would be the existing fence which runs somewhat to the south of the 4WD track (Fig. 4). This alternative, however, would have implications for available grazing since: 1) the track would be within a protected area, and 2) it would be desirable to remove stock grazing from at least that part of the Last Creek catchment below the track and transfer it to a **conservation area** so as to allow the full potential of the indigenous plant cover to be realised. A poorer alternative would be a fenced formal **covenant** with light grazing of sheep only, without prescribed burning.

The **narrow-leaved snow tussock grassland** across the upper slopes of the property between the deer-proof fence at ~800m and the property's upper boundary at ~1100m is in **excellent condition** (as stated in the C.R. Report) and apparently has been unburnt and ungrazed for some time. According to the farm manager, Mr McLean, there are no plans to graze this area in the foreseeable future as it is considered unsuitable for the current farming programme. Indeed, their intention would be to **relinquish the grazing rights** and create a formally protected area. This being the case, I would **strongly recommend** that the lease on this ~300ha area, currently in five fenced blocks, be relinquished and returned to full Crown ownership and control as **conservation land**. Not only would this allow the lower boundary of the conservation area on this part of the Range to coincide with the existing lower boundary to the south, above the Kinvara property, but it would also provide a very **important water supply area** for the many uses (irrigation and other) now being sought downstream. Results from our **water yield studies** at a similar elevation on the adjoining Kinvara property, would indicate that mean annual yields of 61-63% of the mean annual precipitation of

1260-1500mm could be expected from the existing snow tussock cover, which is significantly more than would be yielded from any alternative cover: recently burned or heavily grazed snow tussock, blue tussock (*Poa colensoi*), or even bare soil (Holdsworth & Mark 1990; Mark & Dickinson 2008).

I was impressed with the relatively minor role of exotic weed species on the areas inspected, a value also noted in the CR Report.”

Freehold Disposal

As to the **area proposed for Freehold disposal** (~926 ha), subject to **protective mechanisms** and a **qualified designation**, I **strongly object** to the upper part of the proposed CC1 being **freeholded** even with the proposed conditions, for reasons clearly outlined above (to which I refer the reader and will not repeat). The **lower portion of the proposed CC1** (below where the 4WD track contacts the border of the proposed CA1) would be **acceptable as a smaller CC1**, with the proposed section of new fence along the boundary with the CA1 area, as shown on the map, and containing the lower part of the existing zig-zaging 4WD track.

The **easements** shown for conservation management only, **should all be available for public walking and mountain bike access**, particularly the “**a-c-e**” and “**d-f**” sections, which are both likely to be of importance for future public access, the “**c-e**” section in particular for accessing various mid-reaches of Last Creek, as well as the boundary of the CA1 mid way across the property and close to several impressive schist tors). As to the **proposed continuation** in force of the **existing right to convey water** along the line in the area proposed for freeholding, **marked “i-j” on the plan**, I have **no objection** and so this is **recommended**. A **Landscape Covenant** across the **lower-mid slopes of the property** on the areas to be freeholded is **strongly recommended to safeguard** against any **future planting of exotic trees** or **erection of buildings** anywhere on this **iconic mountain landscape**.

Conclusions.

Tenure review of The Wandle P. L. provides an important opportunity to further the implementation of the Otago Conservation Management Strategy, and acceptance and implementation of the recommendations contained in this report would clearly be consistent with advancing the purpose of the Otago CMS. . **Importantly**, the CA1 area, when formalised, should be given a **higher status than ‘stewardship land’** because of the now acknowledged inferior status (and potential vulnerability) of such a designation as emphasised in a recent report by the Parliamentary Commissioner for the Environment.

I trust that this report will be given serious consideration in planning for the tenure review of The Wandle Pastoral Lease.

Yours sincerely,

Alan F. Mark. FRSNZ KNZM. Emeritus Professor.

References cited:

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- Mark, AF., Dickinson, KJM. 2008. Maximizing water yield with indigenous non-forest vegetation: A New Zealand perspective. *Frontiers in Ecology and the Environment* 6: 25-34.
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Figure 1. View up Last Creek showing the historic boundary-rider's stone cottage at ~400m just beyond the mouth of lower gorge. Although the walls are intact there is a dense cover of climbing Pohuehue (*Muehlenbeckia australis*) over the collapsed roof. AFM photo. April, 2012

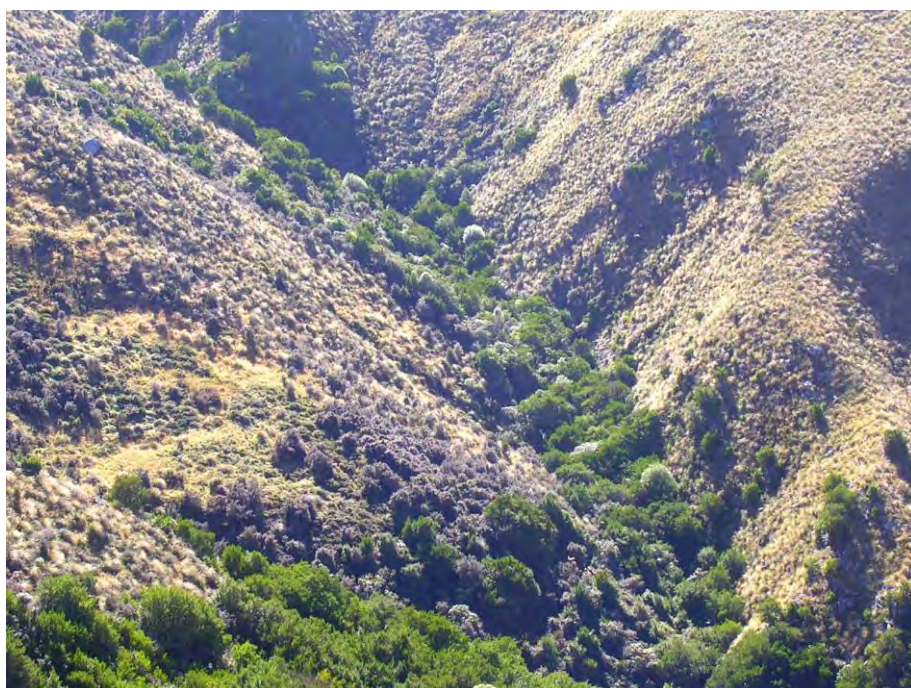


Figure 2. Lower reaches of the Last Creek catchment, viewed from the 4WD track at ~550m, showing broadleaf-dominated forest in the gully and extending up the slope in the foreground with mixed shrubland and snow tussock on the north-aspect slope (left) and snow tussock dominating the south slope(right), with occasional outliers of small broadleaf. Trees with pale canopies in the gully are mostly marble leaf. AFM photo. April, 2012.



Figure 3. View up the mid reaches of Last Creek catchment showing the upper limit of the main forest (mostly broadleaf) stand at ~600m, with mixed shrub-snow tussock beyond, grading into pure snow tussock grassland in excellent condition on the upper slopes. The CC1 proposed for the left hand portion is unacceptable: it is of equal ecological importance to that on the right (proposed CA1) and should be similarly designated. AFM photo. April, 2012.



Figure 4. View down Last Creek from ~580m showing the mixed shrub-tussock above the valley woodland, with scattered outliers of broadleaf trees (centre), extending almost to the 4WD track (right). Silver tussock (*Poa cita*) dominates the drier sunny slope in the foreground. A fence to protect this area of native plant communities (recommended as an extension to the CA1) could be readily erected on the lower side of the track, and this is also strongly recommended. Also, a public walking access easement up this track, in addition to access for conservation management purposes only, as is proposed, would be most desirable and is strongly recommended. AFM photo. April, 2012.



Figure 5. View north across the mid-upper reaches of the Last Creek catchment from the 4WD track at ~650m, showing the generally dense and healthy cover of narrow-leaved snow tussock throughout the subalpine and low-alpine grassland here. AFM photo. April, 2012.



Figures 6a (above) and b (below). Two views of upper Last Creek from the 4WD track at ~900m, showing dense narrow-leaved snow tussock low-alpine grassland in excellent condition throughout (and ideally suited to providing the important ecological service of maximising water yield: Holdsworth & Mark 1990, Mark & Dickinson 2008; 2013), and the impressive tor-studded, tussockland landscape, typical of the property and the iconic upper eastern slopes of the Rock and Pillar Range. AFM photo. April, 2012.



Figure 7. View southwest along the upper slopes of The Wandle from near the end of the 4WD track at 890m, showing the deer-proof fence (right) running along the contour (to the property boundary with the Kinvara Run in the left distance) and the excellent condition narrow-leaved snow tussock low-alpine grassland on both sides of the fence and generally along this generally iconic slope. This generation has an important responsibility to ensure the sustainable management and protection of this valuable natural resource for the benefit, appreciation and enjoyment of future generations. AFM photo. April, 2012.

Submission 5



Dunedin Branch
PO Box 5793
Dunedin 9058

13.10.14

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

Dear Sir,

I enclose these submissions on the preliminary proposal for TheWandle on behalf of the Dunedin Branch of Forest and Bird.

Thankyou for the opportunity to make submissions on this proposal and for arranging permission for us to inspect the lease.

Yours sincerely

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

Email jledingham@xtra.co.nz
622 Highgate, Maori Hill, Dunedin 9010.
Phone 03 467 2960

Submission on the Preliminary Proposal for The Wandle

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

This submission is written on behalf of the Dunedin Branch of the Forest and Bird Protection Society which has approximately 1000 members, many with strong interests in the High Country values and recreational opportunities as well as in botany and natural history in general. Many of the members enjoy active recreation in the back country and are very aware of the need to ensure the protection of natural values, vegetation and landscape, historical sites and to improve public access through the tenure review process.

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

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

This submission is made on the basis of an inspection trip in 2012 with other NGOs and Sir Alan Mark, an October 2014 walk to check the access proposed from Taieri Lake up and across from "b-c" and a November inspection day when CC1 was looked at and explored from the farm track and access up the Creek from the boundary riders hut was explored. We have also consulted the Conservation Resources Reports (CRR) from 2005 and 2013. We would also refer you to the submission from Dunedin Branch re The Wandle made to DOC in 2012.

Introduction

The Wandle lease on the eastern side of the Rock and Pillar Range covers an area of approximately 1262ha and originally extended up to approximately 1200m. It lies towards the northern end of the range 15km beyond Middlemarch with Taieri Lake on its northern boundary and Kinvara on the southern boundary. The land above about the 1100m contour and the top of the range has already been surrendered and is a part of the Rock and Pillar Conservation Area. The Wandle hill slopes are very much part of the wider Rock and Pillar landscape as viewed from SH87 and indeed the Strath Taieri Plain.

The lease has high landscape values as an integral part of the eastern side of the Rock and Pillar Range all of which (according to the 2005 CRR) were included in the proposed Dunedin City District Plan "Outstanding Landscape Areas".

The soils on the steep slopes of both branches of Last Creek are Classified LUC Class VIIe due to their potential for erosion. Above about 1,000m the soils are also classified LUC Class VIIe, thus both these areas are unable to support pastoral use in a way that is ecologically sustainable.

The proposal:

CA1. An area of approximately 348 ha to be designated as land to be restored to Crown control as Conservation Area subject to a Qualified Designation.

This proposed CA is an integral part of the Rock and Pillar landscape as viewed from the Strath Taieri and the Middlemarch - Kyeburn road and includes most of the catchment of Last Creek which has significant shrublands of high significant inherent value which are well described in the Proposal and in both the 2005 and 2013 CRRs. CA1 is dominated by tussock grassland in excellent condition in the higher reaches. We also note that the old boundary riders hut is within the CA and are delighted that it will be protected and able to be appreciated by the public.

We note however that the southernmost branch of Last Creek is included in the upper part of the proposed Conservation Covenant CC1. Given the SIVs in upper CC1 and the southern branch of Last Creek from where it branches off at approx. 512m we strongly submit that it should rather be incorporated into CA1. The vegetation evaluation in the 2013 CRR would support this; note that between the Last Creek fork at approx. 507m and a height of 600m *"the grassland is interspersed with numerous pockets of native shrublands and tall tussock"* and this was also our observation.

We note that the soils on the steep slopes of both branches of Last Creek are Classified LUC Class VIIe due to their potential for erosion. Above about 1,000m the soils are also classified LUC Class VIIe, thus both these areas are unable to support pastoral use in a way that is ecologically sustainable. However the high level of significant inherent values in the CA1 certainly warrants its return to full Crown Ownership as a CA which then needs to be incorporated into the existing Rock and Pillar Conservation Area. It will also provide protection for an important altitudinal sequence and the tussock grasslands, creeks and wetlands will play a major role in to water conservation and regulation.

Botanical trampers and day walkers in particular would enjoy the access to Last Creek in the lower part of the CA where there also small native birds present in good numbers. One native falcon was seen flying over the upper part of CC1.

We fully support the creation of CA1 as a Conservation Area for the protection of all the SIVs within it including an important altitudinal sequence and for the recreational opportunities for botanists, birdlovers, those interested in insects in tussock grasslands and day walkers to explore and enjoy the Last Creek and its catchment.

Qualified Designation

An easement concession under Section 36(1)(a) CPL Act 1988 to provide access for Star Holdings Ltd for the right to convey water over that part of the land marked "g-h" in the proposed CA1.

We have no objection to this easement concession.

2. Freehold disposal, 5,841ha subject to protective mechanisms and a qualified designation

We have no objection to the proposed area for freeholding apart from comments under the discussion of CC1 (below).

2.2.1 Conservation Covenant CC1 (47ha) *still to add comment on the schedules - to be done later today.*

CC1, well described in the proposal and the CRRs, has multiple SIVs and in our view, limited grazing. As we have noted in our discussion on CA1, upper CC1 should certainly rather be included in the CA. Foot access to the upper parts of the CA is desirable from the farm track to the south (see discussion on access) to allow a more direct route to the upper branches and vegetation of Last Creek (see Figures).

We note the special conditions as set out in Schedule 2 and endorse the provision for a fence between the upper and lower parts of CC1.

If upper CC1 is to remain it should certainly be designated as sheep grazing only with cattle excluded and also have an easement to allow public foot access from the farm track above the Last Creek fork above 500m across to the main branches of Last Creek on the CA.

We do not support the covenant designation for the whole of the proposed CC1 and submit that while the lower part of CC1 may be suitable for CC designation there should be a fence between the lower and upper parts of proposed CC1 (provision for this is included in the management Schedule) and that the upper CC1 instead be added to CA1.

Qualified Designations

Access for Minister of Conservation and for the public.

An easement for the Minister of Conservation Management access pursuant to Section 36(b)(3) CPL Act 1988 marked "c-d-e" and "d-f" shown on the designations plan.

We have no objection to this proposal for access for conservation management purposes but believe that public walking access only over the route "c-d-e" up the farm track should also be permitted as it would provide easier access via Upper CC1 along a convenient ridge above the Last Creek Fork at about 600m over to the CA (Figures 1-5). This would be a much easier route for less able and older people than attempting to get to the upper parts of Last Creek via the track on Taieri Lake. We would have no objection to use of this route being closed for lambing each year. This access for walkers only was raised with the farm manager Steve Johnstone on the day of inspection very recently and he indicated that he would have no problem with it. It should be noted that access from the bottom of the CA by following Last Creek up to its upper reaches is not really practicable.

We believe that use of the farm track "c-d-e" by walkers only would not be high but it would be important to have for those wanting to explore upper Last Creek for its SIVs and ask that it be given serious consideration.

Last Creek is an area that deserves to be accessible for public enjoyment as specified in one of the objectives of the CPL Act S24 (c) (i) *The securing of public access to and enjoyment of reviewable land*

An easement for Minister of Conservation and public access pursuant to Section 36(b)(3) marked "a-b".

This easement proposes to provide public access on foot, mountain bike and horse to the proposed conservation area CA1 from the neighbouring Taieri Lake. This is an acceptable route, especially if possible referred to in the proposal eventuates, but I suspect there will often be the temptation to cut across between "a" and "b" and follow the Creek back down (or up) to join the Taieri Lake access route lower down in order to avoid a hilly scrubby area close to "a". If Last Creek is indeed to have a marginal strip created perhaps the access to "b" could follow the Creek all the way, Figure 6.

We do need see the need for horse access to "b". Horses could cause damage if there were attempts to take them up the Creek from 'b' and are also potential weed carriers.

We note that the information board at the first stile at the start of the current Taieri Lake access route does not endorse horse traffic, see Figure 7.

We fully support the establishment of this easement for conservation management access, and for recreational use of the route marked "a-b" but do not think it is appropriate to include horse access.

Other designation

Continuation in force of an existing right to convey water created by Easement Instrument 6545681.1 and marked "i-j".

We have no objection to the continuation in force of this right to convey water over the route "i-j" shown on the plan.

Landscape Covenant

While current District plans etc may provide landscape protection for the eastern Rock and Pillar faces, such plans can change and we recommend a Landscape Covenant to ensure such protection for The Wandle faces will be assured.

- maybe expand this

We wish to thank David Paterson for arranging the November inspection, the Manager, Steve Johnstone for discussion and transport up the hill on the farm track to allow inspection of CC1 and then a walk back down to the base of the hill near the old hut.

Janet Ledingham, for the Dunedin Branch of Forest and Bird.

13.11.14

Figures



Figure 1. From the farm track at the gate at about 600m showing a logical and easy access route across to the wooded upper reaches of Last Creek



Figure 2. Looking back up to the gate on the farm track along a good access route across to the CA and Last Creek.



Figure 3. Further detail of our proposed route across to the CA via the South Branch of Last Creek by following the contour round.



Figure 4. Further detail of the proposed route as far as the gully.



Figure 5. Looking back to the North and South branches of upper Last Creek which shows the ideal route we propose for foot access.



Figure 6. A view of Last Creek and the route up to "a" (at mid left) via the easement on Taieri Lake starting at the Rail Trail. A more direct route to 'b' could follow the Creek over the part of the route that climbs up to "a" to avoid the scrubby overgrown area near "a".



Figure 7. The start of the access on Taieri Lake, no mention of horse access on the board.

Submission 6

Wednesday, July 2, 2014
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 The Wandle 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.

The area CA1 in the designation plan would add valuable largely unmodified tussock grassland to the adjacent Rock and Pillar conservation area. Most of this is high altitude land with high recreation area but I am pleased that the CA1 includes the most of Last Creek which was mentioned in the conservation resources report as supporting rare shrub-lands including some very rare species (such as the only reported Halls Totra in the east side of the Rock and Pillar Range). My only concern is the public access easement a-b. This provides public access the bottom of Last Creek however it ends in a paddock on a neighboring property and it is not clear how this connects to other public access ways. I presume that it is supposed to connect to track 2 shown in <http://www.doc.govt.nz/Documents/parks-and-recreation/tracks-and-walks/otago/tracks-in-rock-and-pillar-conservation-area.pdf> however it is not clear from the plan if this is so. If not then some provision should be made for practical public access.

So I strongly support this tenure review going forward without any reservations.

Sincerely yours,

Christopher Pearson

Submission 7



Our Ref: 12577
Your Ref: Po328

13 November 2014

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

Dear Sir/Madam

RE: THE WANDLE PASTORAL LEASE TENURE REVIEW

Thank you for your letter of 19 September 2014 concerning the tenure review of The Wandle 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 has contributed staff resources to tenure review site inspections and assessments previously and 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.

Heritage New Zealand has undertaken a desktop check for the area covered by the The Wandle PL which included checking the New Zealand Heritage List/Rārangī 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. The Wandle Pastoral Lease must be resurveyed

The area was last surveyed in 1994 and we understand that only a partial survey of the area was conducted at the time.

1.1 Record existing sites

Although structures were identified in the 1994 survey not all of them were recorded (see Shar Briden 'Desktop assessment of Historic Resources on The Wandle Pastoral Lease', Sept 2011). Of those sites identified, at least one – the dressed stone large hut (H42/129) - was recorded but its significance not determined. This style of hut, however, with its in-room built chimney is very rare. There may also be farming or occupation features associated with this homestead structure which have not been identified or their significance determined.

Write to: Otago/Southland Area Office, Heritage New Zealand, PO Box 5467, DUNEDIN 9058
Visit: 4th Floor, Queens Building, 109 Princes Street, DUNEDIN; Tel: 03 477 9871; Fax: 03 477 3893
Email: infodeepsouth@heritage.org.nz Web: www.heritage.org.nz

1.2 Record fence lines, pack tracks and trig marks.

SO 1559 (1882) indicates fence lines, pack tracks and trig marks on site. These should also be recorded.

2. The protection of archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014 and the management of archaeological/heritage sites

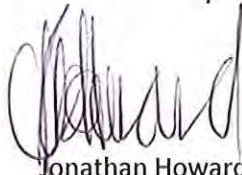
Archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014. As archaeological sites are located on the land proposed for disposal to the lessee, it is important to advise that any activity by the owner of the land that may modify, damage or destroy an archaeological site(s), would require an authority (consent) from the Heritage New Zealand prior to any works being undertaken. Work affecting archaeological sites is subject to the archaeological authority process under the Heritage New Zealand Pouhere Taonga Act 2014.

3. Management of heritage values on The Wandle PL

It is important to note that the 2014 Act is a protective tool and not a management tool to ensure long term survival of an archaeological site. Once the survey recommended above in point 1 is undertaken to determine what further archaeological and heritage values may be present on the pastoral lease, then it is important that these values are formally managed. As significant faunal and floral values on a pastoral lease require direct management through Landscape Covenants etc., historic resources also require direct management. Archaeological recording does not protect sites from the same kinds of damage that occur to floral and faunal values, including the activities of cattle, exotic vegetation encroachment or damage by introduced pests such as rabbits and possums. Further, any hut sites on the property where cattle are to be grazed (either on land to be restored to the Crown or that disposed of by freehold) require simple fencing to ensure damage to these structures is minimised in the long term. Such fencing only requires the use of warratahs and barbed wire. An example of this simple site management method is enclosed which has been used successfully on the Matakanui Pastoral lease near Bendigo. This fencing should be undertaken as a condition of the final Tenure Review outcome. Also, the condition of any historic standing structures could be assessed and priority repairs undertaken.

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

Yours sincerely



Jonathan Howard
Area Manager (Otago/Southland)