

Crown Pastoral Land Tenure Review

Lease name:

ALLANDALE / GREENVALE

Lease number: PS 068 / PS 067

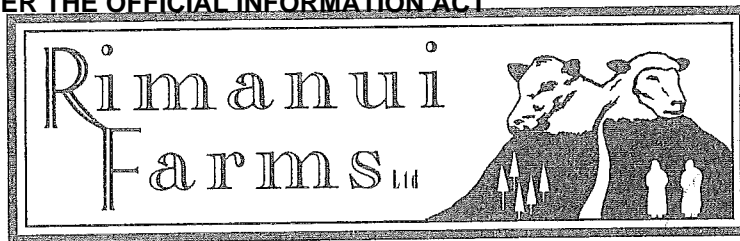
Public Submissions

- Part 2

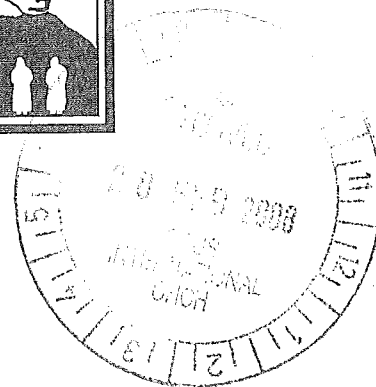
These submissions were received as a result of the public advertising of the Preliminary Proposal for Tenure Review.

February

08



7



22 February 2008

Bob Webster
Tenure Review Consultant
Opus International
PO Box 1482
CHRISTCHURCH

Dear Bob,

I notice the time is drawing near for final submissions to the proposal for Greenvale and Allandale.

There are some issues in the proposal which will need to be addressed to ensure that a good workable outcome is secured and it is best if you are aware of these so they can be considered with any other submissions

Roberts CC2 covenant

1. A maximum number of 800 ewes has not previously been discussed. This constraint presumably is to prevent overstocking but in practice bigger mobs may be grazed for shorter periods. The danger of over-stocking in any case is covered by earlier constraints such as 3.1.10 "any activity which might have an adverse effect on values"
2. need to confirm that a full boundary fence was agreed with upkeep a joint responsibility
3. need to confirm right of stock access at both the top and bottom of the Covenant area
4. Special conditions item is not needed for the above reasons
5. need to give land-owner rights to independently monitor water quality.

Appendix 4

Clause 10 states that the transferor may close all or part of the easement area. Clause 17.2 (ii) provides for an unrestricted right to undertake repairs to the water-line.

Not clear which clause takes precedence but management must be able to undertake repairs at any time to safeguard water supply to livestock.

Appendix 5

1. The rates and charges under 5.1 need to be clearly specified
2. The C-D-E easement access at 50m is too narrow. Could change to allowing movement of livestock in a controlled manner.

Transfer Grant Easement:

1. Area is not correctly marked
2. Archaeological siting is not accurate
3. Access points 2) and 7) need attention. For O.S.H and management reasons access needs to be subject to discussion with management prior to use, and note that it is only for access to D.O.C. Land.

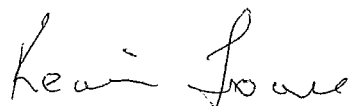
Appendix 6

1. You will recall that the line on the hill faces (CCIB) was drawn somewhat vaguely as we did not have adequate maps but we did reach agreement with Tony Perrot that the Covenant was to be on a line above the hill faces. You may wish to refer to our memo to Mike Kerr on this matter dated 2nd March 2005.

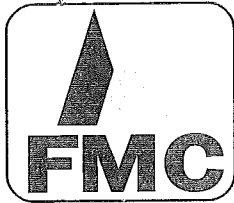
Other issues:

Access to the Glen Allen reserve across what will become free-hold needs to be addressed.

Leasing of the Glen Allen reserve flats needs to be discussed with D.O.C.

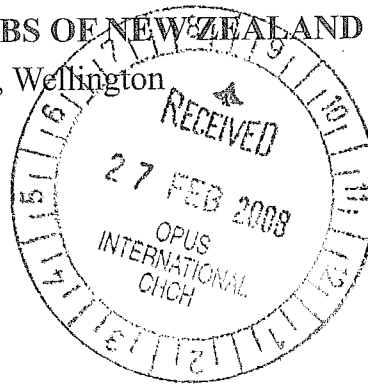
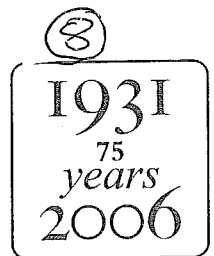
A handwritten signature in cursive script that reads "Kevin Lowe".

KEVIN LOWE



FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)

P.O. Box 1604, Wellington



24 February 2008

The Commissioner of Crown Lands
C/- Opus International Consultants Ltd.
PO Box 1482
CHRISTCHURCH

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Allandale (Ps 068) and Greenvale (Ps 067)

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 13,000 members of tramping, mountaineering, climbing and other outdoor clubs 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, 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 the more recently stated government objectives for the South Island high country especially the following:-

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

[EDC Min (03) 5/3; CAB Min (03) 11/5 refer]

FMC appreciates this opportunity to comment on the Preliminary Proposal for the review of the Allandale-Greenvale Pastoral Leases.

THE PRELIMINARY PROPOSAL

FMC notes that the proposed designations are described as follows:-

General description of the proposal

1. 6505 ha (approximately) to be designated as land to be restored to or retained in Crown ownership and control as Conservation Area under Section 35(2)(b)(i), subject to the following qualified designations under Section 36(1)(a) Crown Pastoral Land Act 1998:

Qualified designations:

- ***An Easement Concession, to provide the owner of the land proposed for disposal out of this review with access to a water supply in the land to be retained for conservation.***

- *An Easement Concession, to provide farm management access to move stock across the land proposed for Conservation to the adjoining Halfway Bay pastoral lease to the north, which has no road access. This will allow for access by stock, foot, horse, and farm dogs. This easement concession includes a 2 ha holding paddock, since stock movement across the route takes two days.*
- *An Easement Concession for farm management access in association with the stock easement, for foot, horse, motorbike or four wheel bike.*

2. 2204 ha (approximately) to be designated as land to be disposed of by freehold disposal to Lake Wakatipu Station Ltd (under Section 35(3) Crown Pastoral Land Act 1998) subject to Part IVA Conservation Act 1987 and Section 11 Crown Minerals Act 1991. This land will be subject to the following easement to be created as a qualified designation pursuant to Section 36(3)(b) Crown Pastoral Land Act 1998, and will be subject to two covenants to be created as protective mechanisms pursuant to Section 40(1)(b) and Section 40(2)(a) Crown Pastoral Land Act 1998.

Qualified designation:

- *An Easement to provide conservation management access by non-motorised and motorised vehicles to the proposed Conservation Area.*

Protective mechanisms

- *A Conservation Covenant of approximately 449 ha under Section 77 of the Reserves Act 1977 to preserve the natural, environmental, historical values and landscape amenity.*
- *A Conservation Covenant of approximately 100 ha under Section 77 of the Reserves Act 1977 to protect native fish habitats.*

FMC SUBMISSIONS

The details of FMC views on the Preliminary Proposal are presented below.

In April 1999 FMC produced a Report entitled "Preliminary Reports on the recreational and related significant inherent values of properties entering the Tenure Review Process 1998-1999". That report included 3 pages of text, 12 illustrative photographs, and a map describing FMC's recommendations for the outcomes of tenure review on Greenvale and Allendale pastoral leases. That report was submitted to the Tenure Review Crown Agent (Knight Frank) and to the High Country Tenure Review Manager at the Department of Conservation. It is noted that this report is referred to in Part 3 of the Conservation Resources Report for Allendale/Greenvale (April 2007).

The area occupied by Halfway Bay, Greenvale and Allendale Stations was described in the FMC Report and the comment made that: *"in spite of, or perhaps because of, its remoteness but more particularly because of the very high landscape and natural values of a large proportion of the area, it contains a huge potential for recreation and conservation gain through tenure review"*.

It is therefore pleasing to note that the Preliminary Proposal for the review of the Allendale-Greenvale Pastoral Leases includes the designation of about 6,500 ha (or almost 75% of the total land area) as land to be restored to, or retained in Crown ownership and control as Conservation Area. It is even more pleasing to note that almost the entire area recommended by FMC for return to full Crown ownership and control is included in the proposed Conservation Area. In fact the only significant exception is a 'finger' of land on the east facing slopes of the spur to the south of Bushy Creek: and even that area is recognized for protection as Conservation Covenant CC1b, largely because of its landscape significance.

When the existing conservation areas of the Glen Allen and Te Kere Haka Scenic Reserves are included, some 7,500 ha of land with very high landscape, recreation and natural value will become available for public use and enjoyment. FMC therefore very strongly supports the proposal to designate the 6,505 ha of these properties as Conservation Area.

This new conservation area, much of which adjoins the Eyre Mountains Conservation Park and/or the Wairaki River Conservation Area, should now be considered for addition to the existing park, in order to further develop the Eyre Mountains Taka Ra Haka Conservation Park.

The Conservation Resources Report (CRR) for Allandale/Greenvale is dated April 2007 but it is noted that Greenvale and Allandale were inspected in late January and early February 1999, while the Robert Creek catchment had been assessed during the PNAP survey carried out in 1987. Significant changes in the assessment of natural values with respect to tenure review have occurred between the inspection of the properties in 1999 and the release of the CRR in 2007.

Those changes include the addition of new government objectives for the South Island high country, one of which is: *"to ensure that conservation outcomes for the high country are consistent with the NZ Biodiversity Strategy"*. Another change has been the development of the LENZ system of recognizing land units which are becoming increasingly scarce in the New Zealand landscape. These two changes have meant that some natural values which would have previously been overlooked, especially in lower and mid altitude zones, should now be recognized as significant inherent values (SIV), and designated for protection as outcomes of tenure review.

FMC understands that inspections by other ENGO members have identified a number of such values on Allandale and Greenvale which were not reported in the CRR, but which should now be recognized as SIV. One example is the observation of important values on the middle one of the 3 CC1a areas (proposed Conservation Covenant area) where a continuation of grazing will be permitted. Values there include good cover of short tussock grassland with dominance of native inter-tussock herbs, and matagouri. These values would not be adequately protected if continued grazing is to be permitted. This area is also likely to be one of the LENZ units recognized as a threatened environment which is now national priority to protect. A second example is a small wetland on the valley floor near Waterwheel Creek, which was not recognized in the CRR. While these observations have not been made by professional experts, they have been made by very knowledgeable amateurs, and should be taken seriously. FMC recommends that additional work should now be undertaken by DOC to inspect the sites recognised by ENGO members, and to undertake a more detailed inspection of lower and mid altitude zones to check for SIVs which may have been overlooked in the past. Any such SIVs thus identified should be considered in re-defining the area and extent of Conservation Areas and Conservation Covenants to be designated through the tenure review process.

Access to existing and new public conservation land is an important issue for recreation. We note that formal public access was provided to the existing Glen Allen and Te Kere Haka Scenic Reserves, and that provision has been made for new public access to the proposed Conservation Area CA from Kingston (through the Te Kere Haka Scenic Reserve), and along Allandale Road from the Kingston – Garston Highway and near the Allandale homestead. Access is also available from the Matura Valley by utilizing the marginal strip up Robert Creek. With one exception, these proposals for access seem satisfactory and are supported by FMC. We understand that access to the open tops in the Robert Creek catchment will be difficult because of the need to bash your way through scrub and bush around the proposed new boundary fence. As an alternative we recommend designating a new foot access easement along the track between the derelict hut and Mitchells Hut (from point C to F on the Designations Plan).

FMC has considered the 3 proposals for easement concessions across the Conservation Area CA. The first of these is for limited stock movement to the adjoining Halfway Bay pastoral lease, including provision for a holding paddock; the second is for farm vehicle access in association with the stock easement; and the third is to provide access to a water supply in the Bushy Creek catchment.

FMC has no objection to these proposed easements.

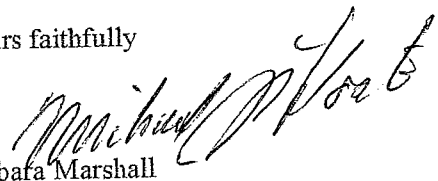
We note that several areas are proposed for protection under Covenant. These areas consist of 3 separate parcels of land (total 449 ha) in CC1a, CC1b and CC1c, to protect their natural, geological, historic, cultural and landscape values, and a second Covenant area CC2 of 100ha in the Robert Creek catchment to protect the habitat of native fish.

FMC has no objection to these proposed Covenant areas except to point out that the level of protection may be inadequate in relation to the importance of previously overlooked SIVs. FMC therefore submits that before the tenure review of Allandale - Greenvale is finalized, DOC should conduct a new inspection of lower and mid-altitude areas, looking for SIVs and endangered LENZ land units that may have been overlooked when the 1999 survey was carried out. Depending on the results of that new inspection, the proposals for Conservation Areas and Conservation Covenants may need to be re-negotiated with the leaseholder.

Conclusions:

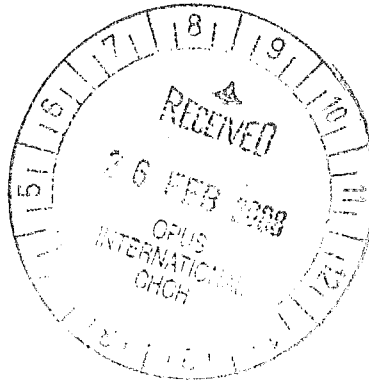
- FMC strongly supports the designation of some 6,505 ha of Allandale-Greenvale as land to be returned to or retained in full Crown ownership and control as Conservation Area CA.
- This new Conservation Area (CA) should now be considered for addition to the existing Eyre Mountains Conservation Park, and/or the Wairaki River Conservation Area, in order to further develop the Eyre Mountains Taka Ra Haka Conservation Park.
- FMC has no objections to the proposed easements over the land included within Conservation Area CA.
- FMC submits that the area to be designated for freehold disposal may need to be re-assessed after a new Conservation Resources survey has been conducted (looking for values which may have been overlooked in earlier surveys) as explained in our submissions above.
- FMC has no objection to the proposed easement for conservation management access over the new freehold land.
- FMC has reservations about the proposed Conservation Covenants because we believe that the area and extent of these may need revision and re-negotiation with the leasee(s) after a new Conservation Resources survey has been conducted.
- In order to improve foot access to the open tops in the Robert Creek catchment, we recommend that a new foot access easement should be designated along the track between the derelict hut (at point C) and Mitchells Hut (at Point F, on the Designations Plan).
- FMC submits that the 1999 Conservation Resources inspection is out of date because new government objectives for the South Island high country have been declared (especially with regard to Biodiversity) and the LENZ system of identifying increasingly scarce land units has been developed. We submit that a new Conservation Resources survey of lower and mid-altitude zones is required to identify any past omissions of areas which should now be protected.

Yours faithfully


Barbara Marshall

pp. Secretary, Federated Mountain Clubs of NZ, Inc.

Bob Webster
Tenure Review Consultant
Opus International Consultants Ltd,
PO Box 1482
Christchurch




**FOREST
& BIRD**
Dunedin Branch
PO Box 5793
Dunedin
24.2.08

Dear Sir,

I enclose this submissions on the preliminary proposal for the Greenvale-Allandale Pastoral Leases on behalf of the Dunedin Branch of Forest and Bird

Thankyou for the opportunity to make submissions on this proposal.

Yours sincerely

Janet Ledingham

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

Email janet.ledingham@stonebow.otago.ac.nz
622 Highgate, Maori Hill, Dunedin.
Phone 03 467 2960

Submission on the Preliminary Proposal for the Greenvale-Allandale Pastoral Leases

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

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

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

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

We note the objects of a Part 3 review which applies to Soldiers Syndicate as land which is under a non-renewable pastoral occupation license:-

- a. Promote the management of Crown land in a way that is ecologically sustainable and
- b. to enable the protection of significant inherent values of Crown land and
- c. subject to paragraphs a & b to make easier-
 - i. The securing of public access to and enjoyment of Crown land; and
 - ii. The freehold disposal of Crown land capable of economic use.

Introduction

Greenvale-Allandale

This submission is written following a day inspection trip in December 2007 and from observations made by Branch members on previous visits to the area.

General description of the proposal

1. 6505 ha (approximately) to be designated as land to be restored to or retained in Crown ownership and control as Conservation Area under Section 35(2)(b)(i), subject to the following qualified designations under Section 36(1)(a) Crown Pastoral Land Act 1998:

Qualified designations:

- *An Easement Concession, to provide the owner of the land proposed for disposal out of this review with access to a water supply in the land to be retained for conservation.*

- *An Easement Concession, to provide farm management access to move stock across the land proposed for Conservation to the adjoining Halfway Bay pastoral lease to the north, which has no road access. This will allow for access by stock, foot, horse, and farm dogs. This easement concession includes a 2 ha holding paddock, since stock movement across the route takes two days.*
- *An Easement Concession for farm management access in association with the stock easement, for foot, horse, motorbike or four wheel bike.*

Recommendation

Forest and Bird Dunedin branch supports fully the proposal to retain the above 6505 hectares in crown ownership and control as a Conservation Area (CA), some of which could be included in the Eyre Mountains Conservation Park.

This will ensure the protection and preservation of the outstanding glacially derived landscape on the Wakatipu face between Southwestern Bay and Bushy Creek which is visible from the Frankton-Kingston road.

On the Roberts Creek side of the CA, the higher altitude areas and headwaters are very worthy of protection for their ecological and landscape values and also have high recreational values with potential for tramping and botanizing over the whole of the proposed CA.

In the area of Fence F-E we would advocate for extending the CA to include all the remaining riparian beech, including the area that has recently been burnt, as it would have the potential to recover with grazing excluded.

Easement concessions

We have no objection to the three easement concessions listed above apart from making the point that those stock moving along the c-d-e concession, should be moving and not grazing along the way.

Protective mechanisms

CC1. A Conservation Covenant of approximately 449 ha under Section 77 of the Reserves Act 1977 to preserve the natural, environmental, historical values and landscape amenity.

CC1a

We note and support the intent to protect the landscape/landform and historical values within this covenant. However, we found that the middle area of CC1a has remnant valuable short tussock grassland (not listed in the Conservation resources report which was done some years ago) and for that reason the conditions should be changed to allow grazing with only a few sheep to help manage the rank grass growth and weeds to give the best conditions for the short tussock to survive.

CC1b

We support the protection of the hill slope landscape and its ecological values. We also think that sheep grazing only should be allowed; cattle and deer are likely to prevent regeneration and indeed damage the present indigenous vegetation.

A preferable solution would be to simply add this area to the CA, since it is a part of the iconic landscape of that whole face visible from the Kingston-Frankton Highway and the route of the Kingston Flyer

CC1c

We support the protection of the historical values in CC1c

CC2. A Conservation Covenant of approximately 100 ha under Section 77 of the Reserves Act 1977 to protect native fish habitats.

We support the creation of this covenant, but believe strongly that it should be extended to afford protection to the shrubland in the gullies which surely play an important role in maintaining the aquatic values of the stream.

Other comments

There is a small wetland on the valley floor near Waterwheel Creek which should be considered for fencing and protection; it was inhabited by a number of birds on the day we were there.

Roberts Creek catchment

If the area proposed for freeholding is likely to be planted in conifers, as seems likely from the major scarring and erosion noted where a number of tracks have already been put in on the hillside, some mechanism should be in place to ensure there is no wilding spread onto the CA.

Access from the Kingston lakeshore end.

This will need to be sorted out; we encountered a locked gate right at the Kingston end which would not allow easy passage to cyclists or horses as it stands.

Land to be freeholded

2204 ha (approximately) to be designated as land to be disposed of by freehold disposal to Lake Wakatipu Station Ltd (under Section 35(3) Crown Pastoral Land Act 1998) subject to Part IVA Conservation Act 1987 and Section 11 Crown Minerals Act 1991. This land will be subject to the following easement to be created as a qualified designation pursuant to Section 36(3)(b) Crown Pastoral Land Act 1998, and will be subject to two covenants to be created as protective mechanisms pursuant to Section 40(1)(b) and Section 40(2)(a) Crown Pastoral Land Act 1998.

Qualified designation:

An Easement to provide conservation management access by non-motorised and motorised vehicles to the proposed Conservation Area.

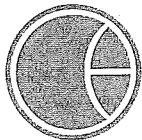
In general we have no objections to the land proposed for freeholding or to the proposed easement.

The outcome of this review should provide a valuable addition to the Eyre Mountains Conservation Area, a logical link between the existing Glen Allen and Te Kere Haka Scenic reserves and permanent protection for the iconic lake faces landscape and landforms between Southeast Bay and the Cainard Road.

Our thanks to Opus and the leaseholders for allowing us to inspect the leases.



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

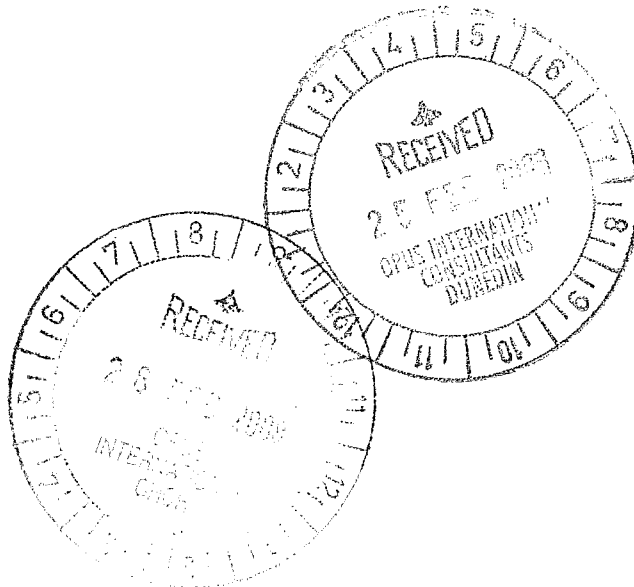


OTAGO CONSERVATION BOARD

Our ref: SBC-08-34

22 February 2008

Commissioner of Crown Lands
c/- Opus International Consultants Ltd
Private Bag 1913
DUNEDIN



Dear Sir

SUBMISSION ON TENURE REVIEW OF ALLANDALE AND GREENVALE PASTORAL LEASES

Thank you for the opportunity to comment on the Preliminary Proposal for the tenure review of the Allandale and Greenvale Pastoral Leases.

The Otago Conservation Board supports the following aspects of the preliminary proposal:

- the designation of about 6505 ha as land to be restored to and retained in Crown control as Conservation Area (CA);

In addition to having high scenic and ecological values, this area of public conservation land, combined with the existing Glen Allen and Te Kere Haka Scenic Reserves, will link the northeastern part of the Taka Ra Haka Conservation Park to the shore of Lake Wakatipu near Kingston.

- the proposed conservation covenants over an area of about 549 ha for the purpose of protecting landscape, natural environment and historic values;
- the proposed easements.

The board does not believe that the proposal needs to be changed in any way.

We appreciate the opportunity to provide comment on this proposal and we are willing to elaborate on any of the issues we have raised.

Yours faithfully

Hoani Langsbury
Chairperson