

Crown Pastoral Land Tenure Review

Lease name: DEEP CREEK

Lease number: PO 036

Public Submissions - Part 2

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

October 09



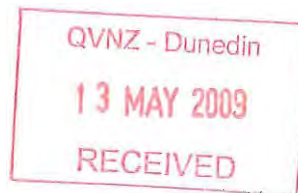
FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)

P.O. Box 1604, Wellington



10 May 2009

The Commissioner of Crown Lands
C/- QV Valuations,
Dunedin Office,
PO Box 215
DUNEDIN.



Attention: David Paterson

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Deep Creek Pastoral Lease (Po 036)

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 Deep Creek pastoral lease.

For your information we attach as an appendix to this submission, the report which FMC prepared on the tenure review of Deep Creek in 2003, at the 'Early Warning' stage of the tenure review process.

THE PRELIMINARY PROPOSAL

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

Proposal 1.1 An area of 150 hectares (approximately) to be designated as land to be restored to or retained in full Crown ownership and control, as Conservation Area labelled "CA 1" on Plan under Section 35(2)(a)(i) Crown Pastoral Land Act 1998.

Proposal 1.2 An area of 2,550 hectares (approximately) to be designated as land to be disposed of by freehold disposal to Bendigo Station Limited, subject to protective mechanisms and qualified designations under Section 35(3), Section 36(3)(b), Section 36(3)(c) and Section 40(1)(b) Crown Pastoral Land Act 1998.

Protective mechanisms pursuant to Section 40(1)(b) and Section 40(2)(a) and Section 40(2)(b) Crown Pastoral Land Act 1998 1.2.1.

1.2.1 Landscape Covenant.

A conservation covenant under Section 77 Reserves Act 1977 for the purposes of protecting the landscape values of the area marked "CC(Landscape)" on the Plan.

1.2.2 Conservation Covenant.

A conservation covenant under Section 77 Reserves Act 1977 for the purposes of protecting the natural and landscape values of the area marked "CC 2" on the Plan.

1.2.3 Conservation Covenant.

A conservation covenant under Section 77 Reserves Act 1977 for the purposes of protecting the natural and landscape values of the area marked "CC 1" on the Plan.

1.2.4 Conservation Covenant.

A conservation covenant (shown as a solid yellow line and noted "CC(Fishery)" on plan attached) under Section 40(1)(b) and Section 40(2)(a) Crown Pastoral Land Act 1998 is recommended to protect the fishery values in this area.

1.2.5 Public Access and Minister of Conservation Management Purposes Easement in Gross

An easement under Section 7 Conservation Act 1987:

(i) To provide public access for persons on foot, or on or accompanied by horses, or by non-motorised vehicles powered by a person or persons, provided however that persons with guns and persons accompanied by dogs are permitted to use the easement area provided they have a hunting permit issued by the Department of Conservation over that part of the land shown marked as "g-b-c-e", "b-h" and "c-f" on the Plan.

(ii) To provide access for tenants, agents, contractors and invitees of the Minister and any employee or contractor of the Director-General of Conservation on foot, or on or accompanied by horses, or by motor vehicle, with or without machinery and implements of any kind, and with or without guns and dogs, for management purposes over that part of the land marked "a-b-c-e", "g-b-h" and "c-f" on the Plan attached in Schedule A.

Proposal 1.3 Marginal Strips

Existing marginal strips are shown on the plan. A qualifying waterways report has confirmed Camp Creek is a qualifying waterway.

FMC SUBMISSIONS

It should be noted that FMC provided a Report in February 2003, following the Early Warning meeting related to properties introduced in 2001. That Report was entitled "*Recreational and related Significant Inherent Values of Long Gully and Deep Creek*". For your information a copy of the text of that report is appended to this submission.

The FMC Report (2003) concluded that: "*The tenure reviews of Long Gully and Deep Creek pastoral leases present an important opportunity to enhance the recreational potential and use of the Hawea - Lindis area. There is also an opportunity to increase the quality of recreational experience on those lands by recognising and protecting the significant natural and landscape values described above. These properties occupy a key position at the corner of an extensive system of ridgeline tracks. Most of the land on this pastoral lease is likely to become freehold as a result of tenure review. Consequently, secure public access for foot, mountain bike use, and possibly horse riding and 4WD use is the most important recreational issue in the tenure review of Long Gully and Deep Creek.*"

The outcome of the tenure reviews of these pastoral leases, if it includes the important recreation and conservation

recommendations included in this report, could contribute significantly to the achievement of the objectives declared for the Hawea - Lindis Special Place in the Conservation Management Strategy for Otago”.

It is pleasing to note that the important recommendations in that Report have been heeded in this tenure review and that important new public access routes for foot, bike and horse travel are included in this Proposal.

There is an area of some 500ha between about 1,000m and 1,200m straddling the ‘Lindis Ridge’ which has been classified Land Use Capability (LUC) Class VIIe, and which may not be capable of being managed in a way that promotes ecological sustainability.

In order to be managed in a way that is ecologically sustainable in the long term, as required by the Crown Pastoral Land Act 1998, any losses of essential nutrients in animal products (meat and wool), and by burning, must be replenished. The alternative is that sooner or later the ecosystem will be depleted and degraded. Replenishment with fertiliser application is usually not economically justifiable above about 1,000m because pasture growth response is limited by climatic factors and is very small at these higher altitudes. Under these circumstances pastoral use cannot be sustainable in the long term.

Class VIIe land is prone to erosion and has severe limitations for pastoral use. FMC submits that the proposed freeholding of the 500ha area of land straddling the ‘Lindis Ridge’ should be reconsidered on the grounds that it is unlikely to be capable of supporting ecologically sustainable pastoral land use.

The details of FMC views on, and support for, or objections to, the Preliminary Proposal are presented below and are arranged in the same format as the Preliminary Proposal quoted above.

Proposal 1.1 An area of 150 hectares (approximately) to be designated as land to be restored to or retained in full Crown ownership and control, as Conservation Area labelled “CA 1” on Plan under Section 35(2)(a)(i) Crown Pastoral Land Act 1998.

FMC understands that this proposal takes in the north western corner of the property. The western boundary adjoins the proposed West Coast Gully conservation area which was part of the review of the adjoining Sandy Point Pastoral Lease.

Camp Creek Rocky Valleys provide for a remote outback feel with a natural rugged character provided by the rocky outcrops and scattered scrub pattern. The area ranks highly against the PNAP criteria for representativeness, naturalness, diversity and rarity. It ranks moderately for buffering, size and long term viability.

There are eight threatened species in this proposal. These include: *Oligosoma otagense* (nationally critical), *Acaena buchananii*, *Raoulia parkii* (gradual decline), *Clematis marata*, *Coprosma intertexta*, *Olearia lineata*, *Raoulia beauverdii*, *Urtica aspera* (sparse) and *Colobanthus brevisepalus* (data deficient).

Type localities include invertebrate fauna, moths *Eurythecta zelaea*, carabid beetle *Metaglymma tibiale*. Type habitats include the specialised Otago skink habitat associated with the adjoining Sandy Point and Glenfoyle Pastoral lease properties.

Although not ‘core business’ for FMC, we recognise the natural values of these species and their habitats, and that these habitats are closely associated with similar habitats on adjoining properties. We therefore, support the proposal that these be protected by restoring land area CA 1 to full Crown ownership and control.

We also note that public access to this new Conservation Area is provided for foot, bike and horse access over the route “g-b-c-e” so the general public will be able to enjoy visiting this new conservation area as part of the experience of traversing the Grandview and Lindis ridge tracks.

FMC Submission

FMC endorses and fully supports the proposal to establish a new conservation area CA 1.

Proposal 1.2 An area of 2,550 hectares (approximately) to be designated as land to be disposed of by freehold disposal to Bendigo Station Limited, subject to protective mechanisms and qualified designations under Section 35(3), Section 36(3)(b), Section 36(3)(c) and Section 40(1)(b) Crown Pastoral Land Act 1998.

In the FMC Report (2003) it was stated that: *"The soils on Deep Creek are similar [to those on Long Gully] but there is a larger area of Dunstan Steepland soils of LUC Class VIIe on both north and south sides of the main ridge. Just as on Long Gully, the Dunstan Steepland soils mainly occur above about 1,000m but in this case occupy a larger area of ground which is particularly steep on the north face. The lower slopes of the Camp Creek catchment are characterised by Yellow Grey Earth Blackstone Hill soils which have been classified LUC Class VI. The front (south) faces of Deep Creek are characterised by Arrow soils [also Class VI] which here carry more scrub than on Long Gully and would appear to require more development to be capable of supporting ecologically sustainable pastoral use. There are also some small patches of native shrubland in the mid reaches of Deep Creek which may be worthy of protection. Most of the Camp Creek catchment below about 1,000m appears to be capable of sustainable pastoral use and contains less biodiversity than for example Glenfoyle, parts of which also lie in the same catchment"*.

Thus it was anticipated in the FMC Report (2003) that much of this property below about 1,000m, was likely to be designated for disposal as freehold because it seems reasonable to expect that it should be capable of being managed in a way that promotes ecological sustainability. The exceptions are the higher LUC Class VIIe land above about 1,000m, and the native shrublands in sheltered gullies on the south face which might be considered for protection under covenant.

Members of several NGO groups inspected Deep Creek in April 2009 and noted that the area between the 'Lindis Ridge' near Trig "O" (at about 1,200m) and a change in slope at about 1,000m, was steep and significantly eroded, especially on the northern side (See Fig. 1). The tussock grasslands on the southern side were significantly depleted compared with the adjacent area below the fence. This suggests that the land above the fence may not be capable of supporting ecologically sustainable pastoral use. LUC data shows that this area is characterised by High Country Yellow Brown Earth Dunstan Steepland soils classified LUC Class VIIe. There is an area of some 500ha straddling the 'Lindis Ridge' which may not be capable of being managed in a way that promotes ecological sustainability for reasons discussed in the Introduction to this submission.

FMC submits that the proposal that this area should be disposed as freehold should be revisited because it is unlikely that it can be managed in a way that is ecologically sustainable. We submit that the area has high landscape values and would be better assessed on the basis of its conservation and recreation values (Fig. 1). We recommend that it should be designated for return to Crown control, subject to an Easement Concession allowing for farm management access over the 'Lindis Ridge'.

The area of LUC Class VIIe soils probably does not exceed about 500ha, and is presently unfenced on the northern side but the southern side has a fence along the contour at about 1,000m which could be used to separate the higher ground from the proposed freehold lower down. Between 2 and 3 km of fencing would be required on the northern side.

We recommend that the designation of the land above about 1,000m should be reconsidered. We believe it should be assessed on the basis of its high landscape and recreation value and returned to Crown control as Conservation land, subject to an Easement Concession for farm management. This would seem appropriate in that the landscape on the south facing side has been recognised in the proposal as requiring landscape protection. Some 2km of new fencing would be required to separate this area from the proposed freehold on the northern side of the 'Lindis Ridge'.

FMC Submission

FMC supports the proposal that most of the 2,500ha designated in the Proposal should be disposed of as freehold, subject to the various protective mechanisms and qualified designations discussed below. However we believe, for reasons discussed above, that an area of some 500ha straddling the 'Lindis Ridge' is

unlikely to be capable of being managed in a way that promotes ecological sustainability. We believe it should be assessed on the basis of its high landscape and recreation value and returned to Crown control as Conservation land, subject to an Easement Concession for farm management purposes, and access over the Lindis Ridge.

1.2.1 Landscape Covenant.

A conservation covenant under Section 77 Reserves Act 1977 for the purposes of protecting the landscape values of the area marked "CC(Landscape)" on the Plan.

The proposal includes the following statement:- *"A landscape protection covenant is also proposed over an area of 330ha at the top of the Deep Creek catchment. This is designed to protect the natural landscape values in the area"*. FMC supports the intention behind this proposal but we believe that this intention would be better served by designating the area for return to Crown control as discussed above.

The intention to protect the landscape from adverse effects of inappropriate land use, subdivision and development, is to be commended and should apply to the entire southern face of the property because this is so prominent when viewed from the main tourist route (SH 8) through Tarras.

We do not believe that such a covenant would significantly restrict farming requirements, but it would protect the landscape seen from the important, and increasingly used, tourist route from Christchurch to Queenstown and Wanaka. The importance of such protection was pointed out in the FMC Report (2003) where landscape protection was in fact recommended.

FMC Submission

FMC fully supports the intention that the landscape values of the upper slopes of the southern face of Deep Creek should be protected. We believe this would best be achieved by return to Crown control as discussed above. We do recommend that consideration should be given to extending the proposed landscape protection Covenant area CC(Landscape) to cover the entire south face of the property.

1.2.2 Conservation Covenant.

A conservation covenant under Section 77 Reserves Act 1977 for the purposes of protecting the natural and landscape values of the area marked "CC 2" on the Plan.

The Proposal states that: *"A second covenant is proposed over an area of approximately 90 ha in the north eastern corner of the property in Camp Creek. The land includes important dryland shrublands that are in need of protection"*.

FMC Submission

FMC fully supports the proposal for a conservation covenant over 90ha of dryland shrublands in the north east corner of the Deep Creek property.

1.2.3 Conservation Covenant.

A conservation covenant under Section 77 Reserves Act 1977 for the purposes of protecting the natural and landscape values of the area marked "CC 1" on the Plan.

The Proposal states that: *"A third covenant is proposed over an area of approximately 20 hectares in the Deep Creek catchment. The land includes important shrubland at the head of the creek and the creek itself which contains the native fish Galaxias sp D"*.

When this area was inspected by the NGO groups in April we observed that there were several areas of shrublands in the gullies of the front face of Deep Creek. The area designated for protection as CC1 does not necessarily include the best of these shrublands. FMC considers that if the area of CC 1 is worthy of protection then the area in a higher gully (See Fig. 2) is even more worthy and deserves the same designation as CC 1.

FMC Submission

FMC fully supports the proposal for the conservation covenant CC 1, and we submit that a second area of shrubland in a higher gully on the front face of Deep Creek (See Fig. 2) should be designated CC 1B and protected as for the proposed area CC 1 which might be re-designated CC 1A.

1.2.4 Conservation Covenant.

A conservation covenant (shown as a solid yellow line and noted "CC(Fishery)" on plan attached) under Section 40(1)(b) and Section 40(2)(a) Crown Pastoral Land Act 1998 is recommended to protect the fishery values in this area.

This conservation covenant is recommended for the protection of the fisheries values in the West Coast Gully Creek, which is considered an important trout spawning area.

FMC Submission

FMC fully supports the proposal for this conservation covenant.

1.2.5 Public Access and Minister of Conservation Management Purposes Easement in Gross.

An easement under Section 7 Conservation Act 1987:

(i) To provide public access for persons on foot, or on or accompanied by horses, or by non-motorised vehicles powered by a person or persons, provided however that persons with guns and persons accompanied by dogs are permitted to use the easement area provided they have a hunting permit issued by the Department of Conservation over that part of the land shown marked as "g-b-c-e", "b-h" and "c-f" on the Plan.

FMC understands from the Proposal document that the easement (i) will provide for public access through the property to the proposed conservation area (CA 1). The easement will join onto an existing easement running from State Highway 8A through Sandy Point and potentially joining up with an additional easement through Long Gully. Provision has also been made for access to the east of the property to join up with tracks through the adjoining freehold land if that can ever be negotiated with the owners.

FMC is delighted that this proposal will provide much needed access along the Grandview-Lindis system of ridge-line tracks, and connection with the highway at Tarras. This was identified in the FMC Report (2003) as the most important recreational issue in the tenure review of Long Gully and Deep Creek pastoral leases. It was recognised at the same time that access along the ridge to Lindis Peak would be dependent on negotiations with the neighbouring freehold owner, and the same point is recognised in this proposal where it refers to "access to the east of the property".

For anyone travelling east to west along the 'Lindis Ridge', and intending to visit Conservation Area CA 1 it would be very convenient to be able to use the old zig-zag track from the ridge down to the new track at about the mid point between 'b' and 'c'. We recommend that an easement should be designated for foot, bike and horse use over the old zig-zag track described above. We do not believe this would cause any inconvenience for farm management.

The possible use of, and access to, the ridge track system for 4WD use was raised in the FMC 1999 report on Glenfoyle. "The problems with 4WD and trail bike use are twofold: they are incompatible with more passive forms of recreation and they have potential to do great damage to tracks and wetland vegetation. There is also the question of who should be responsible for track maintenance. Nevertheless, it is a valid form of recreation and consideration needs to be given to what places might be suitable, bearing in mind these problems. Existing farm tracks in drier areas present opportunities where the risks of environmental and track damage are less than elsewhere, and Long Gully and Deep Creek, together with Sandy Point, Glenfoyle and other neighbouring properties may have opportunities which should be considered. 4WD use up to, and along the ridge track, with the runholder's consent, and the possible payment of reasonable fees to contribute to track maintenance, might be considered during tenure review".

FMC believes that this is still a not unreasonable proposition. It also reflects a real need because not everyone is capable of walking or mountain bike access to the ridge system. We believe that public vehicle access should be reconsidered for the following reasons (a) no public vehicle access has yet been proposed to any part of the Hawea-Grandview-Lindis high level ridge track system, (b) well formed tracks are available which are better able than most to withstand public vehicle use, and (c) it would be ideal to be able to make round trips on tracks where little environmental damage should occur. We submit that public vehicle access over the route "a-b" should be reconsidered.

We note that persons with dogs and/or guns will be required to possess a hunting licence, and we consider this to be an appropriate requirement.

(ii) To provide access for tenants, agents, contractors and invitees of the Minister and any employee or contractor of the Director-General of Conservation on foot, or on or accompanied by horses, or by motor vehicle, with or without machinery and implements of any kind, and with or without guns and dogs, for management purposes over that part of the land marked "a-b-c-e", "g-b-h" and "c-f" on the Plan.

FMC Submission

FMC fully supports the proposal for Easement (i) for public access by foot, bike and horse to Conservation Area CA 2, via "b-c-e" and to the property boundaries at "g" and "h". FMC welcomes these new opportunities to traverse parts of the Grandview-Lindis ridge-track system. We recommend that an easement should also be designated for foot, bike and horse use over the old zig-zag track described above. FMC believes that public vehicle access to the Grandview-Lindis ridge track system is required at some point and we submit that such access over the route "a-b" should be reconsidered for the reasons discussed above.

FMC has no objection to the proposed Easement (ii) to provide access for management purposes for DOC staff and others over routes "a-b-c-e", "g-b-h" and "c-f".

1.3 Marginal Strips

Existing marginal strips are shown on the plan.

FMC understands that a qualifying waterways report has confirmed Camp Creek is a qualifying waterway and we note that there are no other streams/ivers of otherwise qualifying width located within the proposed freehold area.

Acknowledgements

Finally, FMC is grateful to the agent, QV Valuations, for making arrangements for us to inspect the property, and the runholder for his continuing co-operation.

Yours faithfully

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

Appendix 1. List of Figures

Fig. 1 The upper part of the north face of Deep Creek just below the 'Lindis Ridge' at about 1,200m. This area is characterised by Dunstan Steepland soils classified as LUC Class VIIe which are steep and significantly eroded. For reasons explained in the submission, such land is not capable of ecologically sustainable pastoral use and would be better assessed on its high landscape and recreation values. It should be returned to Crown control.

Fig. 2 The front faces of Deep Creek carry a number of shrubland remnants in the gullies or tributaries of Deep Creek. One of these, on the more distant ridge in this view, is included in the Preliminary Proposal as Covenant area CC 1. We argue that the shrubland in the foreground is equally, or even more worthy of protection, and should be included as Covenant area CC 1B, while the original proposal might be re-designated CC 1A.



Fig. 1 The upper part of the north face of Deep Creek just below the 'Lindis Ridge' at about 1,200m. This area is characterized by Dunstan Steepland soils classified as LUC Class VIIe which are steep and significantly eroded. For reasons explained in the submission, such land is not capable of ecologically sustainable pastoral use and would be better assessed on its high landscape and recreation values. It should be returned to Crown control.



Fig. 2 The front faces of Deep Creek carry a number of shrubland remnants in the gullies or tributaries of Deep Creek. One of these, on the more distant ridge in this view, is included in the Preliminary Proposal as Covenant area CC 1. We argue that the shrubland in the foreground is equally, or even more worthy of protection, and should be included as Covenant area CC 1B, while the original proposal might be re-designated CC 1A.

APPENDIX.1

**RECREATIONAL AND RELATED SIGNIFICANT INHERENT
VALUES of LONG GULLY and DEEP CREEK**

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

February 2003

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Fig. 1 This view from Trig O, on the back boundary of Long Gully, shows the ridge system leading north over Sandy Point and Glenfoyle (both of these leases are currently in the tenure review process). As the track system leads to Grandview and on to Lake Hawea Station (another lease currently under review) it is important that an overall view is taken of the likely outcomes as each lease is reviewed.

Fig. 2 This view is from the summit of Lindis Peak looking west along the ridge system to Trig O where it turns north towards Grandview. Long Gully and Deep Creek occupy a pivotal position at the corner where the N-S and E-W sections of the ridge system meet near Tarras. The ridge tracks offer fine views over the whole Upper Clutha including Lake Dunstan (middle distance left) and the Pisa Range (skyline right of centre).

Fig. 3 Long Gully woolshed and stone yards are situated at the foot of the range, beside the Luggate-Tarras Road. Landscape considerations are important because this road links the tourist route between Christchurch and Queenstown with the route to Wanaka and the West Coast, and is heavily used by tourists.

Fig. 4 Long Gully and Deep Creek are situated at the west (left hand) end of the ridge running E-W from Trig O (high point, left) to Lindis Peak (high point, right). This ridge dominates the Upper Clutha as seen from the Lindis Pass highway (SH 8) so landscape protection is needed to prevent the adverse effects of inappropriate development.

Fig. 5 The Deep Creek woolshed is situated at the foot of an access track that leads up to Trig O at about 1,200m. Much of the lower slopes are classified LUC Class VI and should be capable of being managed in a way that is ecologically sustainable with appropriate development and maintenance. Presently there is much woody scrub, some of which could, alternatively, recover under conservation management.

Fig. 6 A separate property, Long Gully Farm, is in the foreground while an access road climbs out of the valley onto a prominent spur where several translator masts are located. Above these, the track continues up to the Sandy Point boundary in a saddle just below Trig O. This could be a very important recreational access route if public access was secured through tenure review.

Fig. 7 Public access to the ridge system which extends from Breast Hill and Grandview in the north to Lindis Peak in the east is the main issue in this tenure review. Tracks along the ridges such as this one leading over Bluenose to Grandview (G) and beyond, could become valuable recreational resources if adequate access was secured through tenure review. Access from Tarras via Long Gully and/or Deep Creek is needed.

Fig. 8 The highest part of Deep Creek and Long Gully is LUC Class VIIe, of very limited suitability for pastoral farming. Unless essential nutrients (removed in animal products) are replenished, the land cannot be managed in a way that is ecologically sustainable in the long term, and should not become freehold. The alternative is that it is returned to full Crown ownership and control and is managed for conservation.

Fig. 9 Within the Deep Creek catchment, on the front faces of the property, are some small but significant patches of native manukakanuka shrubland which are remnants of shrublands which were formerly much more extensive. These are situated within an area that has been classified LUC Class VI which should be capable of sustainable pastoral use. The shrublands could be considered for protection under a conservation covenant.

Fig. 10 The ridge track extends eastwards over the neighbouring property to Lindis Peak (in shadow) which is located on Nine Mile Station. The Preliminary Proposal for the tenure review of Nine Mile includes public access to Lindis Peak from the Lindis Pass highway. Progress towards completion of the link from the Grandview part of the ridge system to Lindis Peak would be a very valuable outcome of the current tenure reviews.

Fig. 11 The views from the Glenfoyle - Grandview - Breast Hill part of the ridge system are expansive and with progress along the ridge, the perspectives are continuously changing. In this view across Lake Hawea, the mountains of Mt Aspiring National Park and the main Divide can clearly be seen in the distance.

Fig. 12 One route heads down from a saddle just below Trig O, sidles along a prominent spur and drops off into Long Gully below the translators, which are located near the patch of shadow on the spur in the middle distance. This would provide good foot and mountain bike access from Tarras and would serve as an emergency exit from the ridge system in bad weather.

Fig. 13 This view from Trig O shows the junction of the ridge track leading east (left) across Deep Creek to Lindis Peak, and to the right, the top of the track leading down to Deep Creek woolshed. If both this track on Deep Creek and the translator access road on Long Gully became available for public use this would make an excellent round trip for walkers and mountain bike enthusiasts.

Fig. 14 The banks of the Clutha River offer opportunities for shorter walks but not all of the bank is easily accessible, or practical for relatively easy walking. Only part of the terrain to be traversed on such walks would lie within the normal marginal strip, so either the strip should be widened where necessary to provide practicable access, or an easement should be negotiated through tenure review.

INTRODUCTION

This report has been prepared following the Early Warning Meeting in October 2001 at which the properties entering the tenure review process in 2001 were introduced. Federated Mountain Clubs of NZ (FMC) were unable to attend that meeting. However, it is understood that these pastoral leases have carried over into the 2002 - 2003 review programme. This report is offered as a contribution to the statutory consultation process undertaken by the Department of Conservation.

The report focuses on those features of Deep Creek and Long Gully which are important for public recreational interests. It should be noted that while much of this interest focuses on access, the natural values and landscapes of the areas concerned 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 also made to both natural and landscape values in this report.

These two pastoral leases are situated in a critical position at the corner of ridge system which starts in the north, east of Lake Hawea, climbs over Grandview and runs south through Glenfoyle and Sandy Point pastoral leases (both currently under review, Fig. 1). At Trig O the ridge system turns east towards Lindis Peak which is situated on Nine Mile Station near the Lindis Pass highway (Fig. 2). Nine Mile is also under review so there are currently 6 pastoral leases associated with the ridge system which are involved in the tenure review process. Long Gully and Deep Creek meet at the turning point at Trig O. It is important that a broad view of the overall outcomes be taken as each lease is reviewed, and consideration should be given to the emerging network of recreation opportunities. Recreational use in the future will depend on decisions made now, so it is important that adequate provision is made for public access.

Mason (1989) has described the general area as follows:- *"Between the Upper Clutha and Waitaki catchments lies an extensive tract of mountain country bounded by the Hawea Basin to the west and the Ahuriri Valley to the east. The Lindis Valley and Pass forms a southern transition between the high relief main ranges and the gentler block mountains to the south-east. It is also a transition between the strongly foliated Central Otago schists and Canterbury greywackes. Intricately dissected and relatively small scale hill country in the Lindis Pass area is quite dissimilar to the rest of the region. South of Timaru River the country drops to rounded crests at 1,600m on the Grandview Range, which falls almost imperceptibly southwards to only 1,200m north of Tarras. This easier topography is in marked contrast to the contorted forms to the north."*

METHODS OF SURVEY AND ASSESSMENT

A site visit and field inspection was carried out in December 2002. This report is based on the field inspection and in part, on information gathered from other sources. The other sources include studies of topographical and Land Use Capability (LUC) maps, consultation with recreational user groups and a knowledge of the landscapes seen from SH 8 and the Luggate-Tarras Road (SH 8A). A study of "Outdoor Recreation in Otago" was undertaken by Mason (1989) and published by FMC. Reference is made to this Recreation Plan for Otago in the recreation section below. The Conservation Management Strategy for Otago has also been used as a source of reference.

GENERAL DESCRIPTION OF DEEP CREEK and LONG GULLY

Deep Creek and Long Gully are two relatively small pastoral leases which are operated under the same management. Long Gully is the smaller of the two, covering about 1,700ha and stretching from the telTaces by the Clutha River (at about 250m) to its highest point (Trig O, 1,176m) at the head of Long Gully. Long Gully woolshed and stone yards are situated at the foot of the hill, near the Luggate TalTas Road (Fig. 3). Deep Creek is larger (2,700ha) and straddles the east - west ridge which runs from Trig O to Lindis Peak. The Deep Creek homestead and woolshed are situated just off Deep Creek Road in Tarras at about 400m (Fig. 5). The property rises to just over 1,200m on the ridge and drops to about 500m at the northern boundary which lies in the headwaters of Camp Creek.

Long Gully is a major feature of the property which bears its name, although the lower part of the gully is occupied by the neighbouring property, Long Gully Farm (Fig. 6). A good access road leads from the gully up to a collection of translator masts on a prominent spur overlooking the Upper Clutha. Beyond the translators the track climbs to about 1,000m where it crosses into Sandy Point pastoral lease, just below Trig O.

Public use of, and access to, the tracks around the Lake Hawea - Grandview - Bluenose - Trig Hill - Trig O - Lindis Peak ridge system is the main issue in this tenure review (Fig. 7). This will be discussed more fully in later sections of this report.

A large part of Long Gully is characterised by Yellow Grey Earth Arrow soils with some of the closely related Blackstone Hill soils. These have both been classified in Land Use Capability (LUC) Class VI and should be capable of supporting sustainable pastoral use with appropriate maintenance. Only a small area of this property, above about 1,000m, with High Country Yellow Brown Earth Dunstan Steepland soils has been classified LUC Class VIIe. Although of very limited suitability for pastoral farming, this small area may be capable of being managed in a way that is ecologically sustainable. This would entail the replenishment of essential nutrients that have been removed in animal products, through regular maintenance fertiliser application. This may be feasible at about 1000m on Long Gully, but at higher altitudes this is probably not economically justifiable.

The soils on Deep Creek are similar but there is a larger area of Dunstan Steepland soils of LUC Class VIIe on both north and south sides of the main ridge (Fig. 8). Just as on Long Gully, the Dunstan Steepland soils mainly occur above about 1000m but in this case occupy a larger area of ground which is particularly steep on the north face (Fig. 8). The lower slopes of the Camp Creek catchment are characterised by Yellow Grey Earth Blackstone Hill soils which have been classified LUC Class VI. The front faces of Deep Creek (Fig. 5) are characterised by AITOW soils which here carry more scrub than on Long Gully and would appear to require more development to be capable of supporting ecologically sustainable pastoral use. There are also some small patches of native shrubland in the mid reaches of Deep Creek which may be worthy of protection (Fig. 9). Most of the Camp Creek catchment below about 1,000m appears to be capable of sustainable pastoral use and contains less biodiversity than for example Glenfoyle, parts of which also lie in the same catchment.

Part of the lower country at the foot of the hill on Long Gully has been classified LUC Class III (Fig. 3), capable of supporting relatively intensive pastoral farming, but much of the telTace country is stony and infested with briar. Despite this limitation, much of the property has potential to be managed in a way that is ecologically sustainable. On Deep Creek, it appears that a considerable amount of development and maintenance work will be required. An alternative might be that some of the scrub or at least the best of the remnant native shrublands might (under the protection of a conservation covenant, and in the absence of grazing and burning) be allowed to recover some of their former ecological stature. Under these conditions it should regain some of its former ecological condition typical of the native shrublands which would have been much more extensive in the past.

RECREATIONAL ACTIVITIES AND POTENTIAL

The recreational significance of these pastoral leases lies in their position at the corner of ridge systems which extend northwards to Grandview (Fig. 7) and eastwards to Lindis Peak (Fig. 10). There is an extensive network of ridgeline tracks between the Upper Clutha - Lake Hawea area, the Lindis Pass, and the Upper Clutha at Tarras. This was discussed in a report prepared in 1999 on Glenfoyle. That report stated: *"Glenfoyle is isolated from other pastoral leases which are already in the tenure review process. It should however, be considered in relation to recreational opportunities in the Hawea/Lindis general area."*

The recommendation to consider opportunities for recreation in the broad context of the Hawea/Lindis area is even more appropriate now that there are a number of neighbouring properties undergoing tenure review. Lake Hawea Station, Glenfoyle, Sandy Peak, Long Gully, Deep Creek and Nine Mile are all at various stages of review. FMC has not only reported on Glenfoyle but also on Sandy Point (which adjoins both Long Gully and Deep Creek) and Nine Mile (where Lindis Peak is situated), further east along the ridge system. It should also be noted that Breast Hill and Breast Peak to the north of Grandview Mountain, are situated at the northern end of the ridge system on Lake Hawea Station which entered the tenure review process this year.

The FMC report on Glenfoyle stated:-

"Glenfoyle occupies an important position from a recreational perspective as it provides access to an extensive ridge system. This ridge system extends south from Breast Hill (overlooking Lake Hawea and the Timaru River valley), over Breast Peak and Grandview Mountain where a branch (Grandview Track) leads east to Bargour and the Lindis Pass Highway. The ridge system continues south over Bluenose and Glenfoyle to Trig Hill and encompasses the entire catchment of Camp Creek and its tributaries. The rim of this catchment carries the ridge system east to Lindis Peak and encloses an attractive mosaic of tussock, kanuka shrubland and rock outcrop landscapes.

This ridge system and its associated tracks provide easy travel and excellent views of the surrounding area as far afield as Mount Aspiring National Park, the Remarkables, Lindis Pass, and the St Bathans Range [Fig. 11]. It is ideal for tramping, mountain bike trips, and horse riding and should also be considered for 4WD use with the runholders consent. Through trips to the Lindis area should become available over time through tenure reviews of neighbouring properties. Nine Mile is one of a group of 6 properties currently in the tenure review process in the Lindis Pass area. It is therefore important to make appropriate access provisions at this stage at the Hawea end of the system (eg. Glenfoyle) so that provision for through trips can be completed as other tenure reviews proceed."

Mason, (1989) had earlier reported that:- *"Recreational use of this area is almost entirely confined to the Hawea Flat approaches to the Grandview Range and Timaru River. Grandview Mount (1,397m) is an historic viewpoint, as impressive a panorama today as seen by Surveyor Thompson in 1857. The view extends from the Central Otago ranges, to the Remarkables, Mount Aspiring, the Wilkin peaks, including a striking perspective of Aeolus, and the McKerrow Range. This must rank as one of the most comprehensive views within the Southern Lakes region. A small number of holiday visitors make the 1000m climb to the summit each summer."*

The FMC report on Sandy Point stated:-

"The significance of the track system from Grandview and Bluenose, to Trig Hill (on the northern boundary of Sandy Point) and beyond, is that it allows the recreational visitor to continue enjoying this panorama from changing perspectives along the ridges. It provides a wide range of options for walkers, trampers, mountain bike users and possibly horse riders and 4WD enthusiasts.

Sandy Point is important because, like Glenfoyle, it provides a key section in the centre of this ridge system. Access to the central part is important because the distances to the extremities of the system are considerable, and access to the central part of the system opens up a greater number of alternative trips for day or overnight travel.

As part of the tenure review agreement for Sandy Point, public access easements for foot, mountain bike and possibly horse riding should be negotiated as indicated on the attached map. The highest priority is to gain legal access rights over the ridge system which crosses Sandy Point land. There are two parts to this system:- (a) the north-south track between the boundaries of Glenfoyle (near Trig Hill) and the boundary with Long Gully (in a saddle below Trig 'O'), and (b) a track from this junction, leading over Trig 'O' east to Lindis Peak. These routes form part of an extensive

network of tracks in the Hawea/Lindis general area which collectively offer a wide range of recreational opportunities. These should progressively become available to the public as tenure review proceeds on this and neighbouring pastoral leases.

As part of this range of opportunities the routes (a) and (b) above would provide links between Grandview (above Hawea), across Sandy Point, and down via the VHF repeater into Long Gully and Tarras, or over Lindis Peak and thence down to SH 8, the Lindis Pass highway."

This need for public access routes across Long Gully and Deep Creek has been foreshadowed in earlier FMC reports dealing with tenure review on neighbouring properties. It is clear that the most important access requirements out of all these tenure reviews are secure public rights of use of the ridge system to the north and east. But access to the ridge at various points is also required.

What is required from the present review is access to the ridge system from the Tarras area. The translator access road on Long Gully (Fig. 12), which joins the ridge just below Trig 0 is one possible route while there are alternatives on the steep Clutha face of Long Gully, and up the valley of Deep Creek (Fig. 13). The latter leads from Deep Creek woolshed up and across the steep south-facing slopes to a junction close to Trig 0 (Fig. 13). If public access became available over any two of these tracks, it would make an excellent round trip for walkers and mountain bike enthusiasts. Any of these routes would provide the necessary access to the ridge system leading north to Grandview (Fig. 7) and east to Lindis Peak (Figs. 2 and 10).

Completion of the public right of way along the ridge to Lindis Peak will not be simply achieved through tenure review because one property which straddles the ridge (Lindis Peak) is freehold. The fact that a right of way across Lindis Peak does not yet exist should not be a reason for not making provision for access over Deep Creek. Until such time as a right of way or easement can be negotiated, it should be possible for recreational users to exit the ridge system via Long Gully or Deep Creek depending on the outcome of the current reviews. For this purpose any of the routes described above would be suitable. The argument for the need for an exit from the ridge serves to illustrate the importance of providing public access to the corner of the ridge system at Tarras.

The possible use of the ridge track system for 4WD use was raised in the 1999 report on Glenfoyle. The problems with 4WD and trail bike use are twofold: they are incompatible with more passive forms of recreation and they have potential to do great damage to tracks and wetland vegetation. There is also the question of who should be responsible for track maintenance. Nevertheless, it is a valid form of recreation and consideration needs to be given to what places might be suitable, bearing in mind these problems. Existing farm tracks in drier areas present opportunities where the risks of environmental and track damage are less than elsewhere, and Long Gully and Deep Creek, together with Sandy Point, Glenfoyle and other neighbouring properties may have opportunities which should be considered (Figs. 7 and 10). 4WD use up to, and along the ridge track, with the runholder's consent, and the possible payment of reasonable fees to contribute to track maintenance, might be considered during tenure review.

Since the inspection was carried out in December, a new track has been cut across the Upper Clutha face of the hill below Trig O. This new track links the Deep Creek farm track to the translator access road on Long Gully and obviates the need to cross into Sandy Point land in the vicinity of Trig O. If this new track was made available for public foot and mountain bike use it would facilitate a round trip.

Another part of Long Gully which is sometimes used by locals for short walks is along the terraces above the Clutha River (Fig. 14). Some of the terrain to be traversed on such walks would lie within the marginal strip, but not all of the river bank is easily accessible, or practical for relatively easy walking. This means that the marginal strip does not, of itself, provide adequate access for recreational use. It is recommended that either the marginal strip be widened at such points to provide practicable access, or an easement for public foot use, along a route as close as possible to the river, should be negotiated through tenure review (Fig. 14). If the river terrace became conservation land, as discussed below, the public access question would be resolved.

Finally, it is argued that the recreational significance of these properties should be assessed not only on their present usage but also on potential. This is because current usage is much less than its potential for a number of reasons. Because of the current land tenure under pastoral lease, and because access to some parts of the ridge system has not

been easy in the past, the recreational use of the ridge system described in this report is less than it might have been if access was freely available. Where there are suitable settings there is significant potential for greater use and it is the full range of possibilities which should be considered during this tenure review.

In summary, this assessment indicates that there is considerable scope along the ridge system for day walks, tramping, mountain bike trips and horse riding. It is recommended that public access to and along the ridge for all these activities should be secured as an outcome of the tenure review of Long Gully and Deep Creek. 4WD access and use with the runholder's consent, and the possible payment of a modest contribution towards track maintenance, might also be considered. The riverside also offers opportunities for more gentle day walks and passive pursuits so consideration should be given to widening the marginal strip or providing an easement to enable public access along a practicable route as close to the river as possible.

SIGNIFICANT INHERENT VALUES AND THEIR IMPORTANCE FOR RECREATION

This report focuses on those features of Deep Creek and Long Gully which are important for public recreational interests. It should be noted that while much of this interest focuses on access, the natural values and landscapes of the areas concerned and views to be had from the many vantage points have a fundamental impact on the recreational value of the back country and greatly influence the quality of recreational experience enjoyed. It is for this reason that reference is also made to both natural and landscape values of this property.

As noted in the general description of Deep Creek and Long Gully, a large part of the property has been classified LUC Class VI, which should be capable of supporting sustainable pastoral use with appropriate development and maintenance. As a result of past grazing and burning, most of the vegetation has been much modified from its natural state. There are however, some areas of scrub on the lower hill slopes which retain natural values and which would eventually recover their former ecological glory if protected from grazing and burning. (Fig. 9).

The Protected Natural Areas (PNA) surveys carried out in the mid 1980s identified two Recommended Areas for Protection (RAPs). The first of these was an area of 40ha in a small catchment on the Clutha valley faces of Long Gully between about 300m and 600m (Lindis RAP A13). This area contains a good range of plant communities representative of lower altitude colluvial slopes, in more natural condition than elsewhere at equivalent altitude, and with an unusually high diversity of native species.

The second RAP identified by the PNA programme was an area of semi-arid river terrace between the TalTas-Luggate Road and the Clutha River (Lindis RAP A14). The PNA report stated that this was important as a remnant example of natural terrace vegetation with distinctive shallow, stony and sandy soils. The report further stated that the landform and soils combined with the representative fauna and flora make this RAP of considerable importance as the best example of a relatively natural Upper Clutha land system - semi-arid terrace flats. If this area becomes conservation land it would provide the riverside access referred to in the recreation section above.

The highest ground along the ridge crest and on the upper slopes of the Camp Creek catchment on Deep Creek has been classified LUC Class VUe (Fig. 8) and is not capable of being managed in a way that is ecologically sustainable. This area also has potential to revert to its former native ecological condition, and should be returned to full Crown ownership.

It is realised that this could lead to the isolation of the Deep Creek land in the Camp Creek catchment. However, this is not an insurmountable problem because an accessway (easement for management purposes) could be provided over the formed track which links the north and south facing parts of the property (Fig. 13).

The front faces of the Grandview Range, and its continuation eastwards to Lindis Peak, together form the backdrop to important tourist routes (Fig. 4). These include SH 8 from Christchurch to Queenstown and SH 8a linking that route to Wanaka and the West Coast. The same backdrop is also a prominent but rather more distant part of the landscape viewed from another tourist route (SH 6) between Queenstown and Wanaka. As such, the landscape values of these faces are important. Landscape values should be protected from the adverse effects of inappropriate developments (such as afforestation, earthworks including roading, or the erection of structures). FMC does not accept that the landscape provisions in the District Plan (Central Otago District and Queenstown Lakes District) under the Resource

Management Act are sufficiently robust or durable to achieve adequate protection. Instead, FMC believes that a binding Landscape Conservation Covenant would be more appropriate.

AREAS TO BE PROTECTED

Because of the past history of oversowing, topdressing and pasture development and use on Long Gully and Deep Creek, most of the vegetation has been greatly modified and little of significant inherent value remains. However, there are areas of scrub which have potential to revert to native shrublands of significant stature. FMC has argued before that it is not only the current vegetative state which should be considered during tenure review, but also the potential of communities to revert to their native state. In particular there are two discrete areas of manuka/kanuka shrubland on Deep Creek which should be protected from grazing and burning. A binding covenant would allow these areas to eventually recover their former ecological stature.

The two areas identified by PNA surveys and recorded as Lindis RAP A13 and A14 should be considered for protection because of the significant natural values identified by those surveys. Protection under a binding conservation covenant would be appropriate for the small area on the lower slopes of Long Gully (RAP A 13) while the terrace flats (RAP A14) might be best returned to full Crown ownership and control to be managed as a conservation area which would be easily accessible to the general public.

There is an area of higher country, between about 1,000 and 1,250m along the ridge eastwards from Trig 0 which has been classified LUC Class VIIe and which FMC considers cannot be managed in a way that is ecologically sustainable (Fig. 8). Because this area has potential to revert to its former ecological status in the absence of grazing and burning it is recommended that this area should be returned to full Crown ownership and control to be managed for conservation and recreation purposes.

The front faces of the Grandview Range (seen from SH 8A) are considered to be part of an outstanding natural landscape which should be protected from inappropriate subdivision, use, and development, including afforestation and the erection of inappropriate structures. Although the Queenstown Lakes District Plan may afford some degree of protection, FMC does not accept that this is sufficiently robust or durable to provide adequate protection of the outstanding natural landscape values. Similarly, the front faces of the eastern extension of the same ridge system leading along to Lindis Peak (Fig. 4) are not adequately protected under the Central Otago District Plan. A landscape protection covenant should be placed over these important landscapes and registered on the freehold title as part of the tenure review of Long Gully and Deep Creek.

ACCESS REQUIREMENTS

The following access provisions will be required:-

Walking access is required along the banks of the Clutha River. Presumably there is a marginal strip along the true left bank of the Clutha River. If not, this should be laid off as part of the tenure review process. In places, the marginal strip may not be wide enough to provide a practicable walking route along the river, especially when the best route is along the top of a very high and steep gravel bank (Fig. 14). It is proposed that the marginal strip should be widened to permit practicable pedestrian access along a route as close as possible to the river. Alternatively, an easement for a walking route beside the Clutha River should be negotiated through tenure review of Long Gully. Neither of these would be required if the RAP Lindis A14 becomes conservation land.

Public access easements for foot, mountain bike and horse riding will be required over the parts of the extensive ridge track system which are located on the Deep Creek and Long Gully properties. The essential requirement is for public access along the ridge track from the boundary of Sandy Point in the north, over Trig 0 to the boundary of Lindis Peak to the east. Ultimately, it is envisaged that this will connect with related access provisions which have been advocated on Glenfoyle, Sandy Point and Nine Mile pastoral lease tenure reviews (Fig. 7) and a complete network of high level tracks will eventually be established.

It is also important to provide public access to the central part of the extensive ridge system described above. Two, and possibly three alternative (and complementary) routes are possible. The first of these is from a saddle just below Trig

O, down the prominent spur where the translator masts are located, to the valley floor in Long Gully (Fig. 12). The second is down the steep Clutha face to the Tarras-Luggate Road. This might be preferred as it avoids having to cross Long Gully Farm and it also provides access to RAP Lindis A13. The third is down the formed track which leads from the ridge track junction near trig 0 to the Deep Creek woolshed (Fig. 13). If any two of these alternatives became available though tenure review it would, form an good round trip for walkers and mountain bike users. It should be noted that the new track across the face below Trig 0 may modify these choices. If the translator access road and the Deep Creek farm track became available for public use, the new track which links these two access roads would facilitate round trips for those on foot or on mountain bike. Public use of this new track should be considered during tenure review.

CONSERVATION MANAGEMENT STRATEGY FOR OTAGO

There are important statements in the Conservation Management Strategy for Otago, in which the Hawea - Lindis area is recognised as a Special Place. The properties currently under review are located close to the southern edge of this area. The objectives for this Special Place include the following:-

- *"To manage and enhance recreational opportunities on lands administered by the department in the Hunter-Hawea area to maintain natural and historic resources of areas while providing for an appropriate range of recreational activity of high quality.*
- *To achieve permanent protection for areas of significant nature conservation importance in the area. "*

Implementation includes:- *"Negotiation opportunities presented by pastoral lease tenure review or land exchanges on the large pastoral runs in the area will be taken with a view to: [inter alia]*

- *Protecting areas of significant nature conservation value*
- *Improving public access and recreational opportunities*
- *Protecting landscape qualities"*

These objectives and implementation statements accord very closely with the recommendations made in the present report. Furthermore, it should be noted that the priority for the Hawea - Lindis Special Place is: *"Consolidation of protected areas and protection of key habitats through tenure review negotiations and improving public access and animal and plant pest control activities. "*

CONCLUSIONS

The tenure reviews of Long Gully and Deep Creek pastoral leases present an important opportunity to enhance the recreational potential and use of the Hawea - Lindis area. There is also an opportunity to increase the quality of recreational experience on those lands by recognising and protecting the significant natural and landscape values described above. These properties occupy a key position at the corner of an extensive system of ridgeline tracks. Most of these pastoral lease lands are likely to become freehold as a result of tenure review. Consequently, secure public access for foot, mountain bike use, and possibly horse riding and 4WD use is the most important recreational issue in the tenure review of Long Gully and Deep Creek.

The outcome of the tenure reviews of these pastoral leases, if it includes the important recreation and conservation recommendations included in this report, could contribute significantly to the achievement of the objectives declared for the Hawea - Lindis Special Place in the Conservation Management Strategy for Otago.

ACKNOWLEDGEMENTS

FMC is grateful for assistance from authorities in making the assessment possible. The site inspection was carried out in December 2002 and FMC is grateful to the runholder for co-operation and granting permission for access, and to QVNZ staff for making the appropriate arrangements.

CENTRAL OTAGO RECREATIONAL USERS FORUM

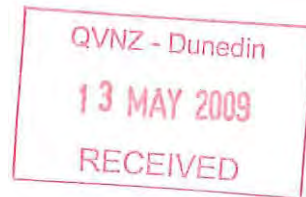
11 May 2009

Address for Service

186 Faulks Road,
RD 2,
Wanaka 9382.

Name

Jan Kelly, Secretary of CORUF.



To

The Commissioner of Crown Lands
C/- David Paterson,
QV Valuations,
P. O. Box 215,
DUNEDIN.

Submission to Preliminary Proposal, Deep Creek Pastoral Lease Po 036

Dear Sirs,

We appreciate the opportunity to submit to the review of Deep Creek Pastoral Lease.

I have seen the Lease, taking the opportunity to inspect it by joining the visit arranged by Federated Mountain Clubs, Central Otago-Lakes Branch of Forest & Bird Society and Dunedin Forest & Bird Society on April 24th 2009.

We thank QV Valuations and the Lessees Mr and Mrs Perriam for making this visit possible.

Central Otago Recreational Users Forum

The Central Otago Recreational Users Forum is a voice for a diverse group of user interests, representing about 60 recreational clubs and groups. A significant part of our brief is to represent recreation by the public to the statutory managers of public lands.

A fundamental principle guiding us is the belief that public lands should be accessible in some way to the general public, and not restricted only to the very fit and capable.

An associated principle is for due care and respect, to the land, the landscape, natural and historical values, and to the private landowners whose properties have easements on them giving us access to public conservation land.

The Central Otago Recreational Users Forum makes the following submission.

Deep Creek Pastoral Lease Po 036. Preliminary Proposal for Tenure Review.**PROPOSAL:**

1.1 An area of 150 hectares (approximately) to be designated as land to be restored to or retained in full Crown ownership and control, as Conservation Area labelled "CA1" on Plan under Section 35(2)(a)(i) Crown Pastoral Land Act 1998.

We are very pleased to see this rocky area on Camp Creek and along West Coast Gully set aside as Conservation land under full Crown ownership and control, including the protection of native habitats. It is particularly pleasing to find it being added to the proposed West Coast Gully reserve in Sandy Point Pastoral Lease, to make a larger conserved area.

1.2 An area of 2,550 hectares (approximately) to be designated as land to be disposed of by freehold disposal to Bendigo Station Limited, subject to protective mechanisms and qualified designations under Section 35(3), Section 36(3)(b), Section 36(3)(c) and Section 40(1)(b) Crown Pastoral Land Act 1998.

PROTECTIVE MECHANISMS:

1.2.1 Landscape Covenant. A conservation covenant under Section 77 Reserves Act 1977 for the purposes of protecting the landscape values of the area marked "CC (Landscape)" on the Plan.

CORUF is in general agreement with the protective designation CC(Landscape). The Ridge is a significant landscape element in the view from the Lindis highway, it has a "gateway" character at this entry to Central Otago and the Lakes, and is important to the observed character of the whole valley. The placing of a conservation covenant on this range front does recognise its importance, we would however like to see the designation extended further down the front ridge, and to have more restraints on potential alterations to it.



The front slope of the Lindis Ridge including the farm road up hill from Deep Creek homestead. The foreground area (lighter colour) below CC-Landscape (darker strip at top) is significant to the unity of this visual landscape, and should be protected also.

1.2.4 A Conservation Covenant, marked as a solid yellow line and noted "CC(Fishery)" on the Plan in Appendix 2.

We support the Conservation Covenant placed on the trout spawning waters in West Coast Gully Creek, adding to the similar covenant already placed on the Sandy Point side of the same stream.

As this designation protects a fishing resource, we would like to see periodic monitoring of water quality added to the Covenant as part of its long term protection. Not only does the Conservation Covenant (Fishery) protect this trout spawning area, but also it will contribute clear and healthy water to the CA1 Conservation Area downstream of it.

1.2.5 Public Access and Minister of Conservation Management Purposes Easement in Gross. An easement under Section 7 Conservation Act 1987:

(i) To provide public access for persons on foot, or on or accompanied by horses, or by non-motorised vehicles powered by a person or persons, provided however that persons with guns and persons accompanied by dogs are permitted to use the easement area provided they have a hunting permit issued by the Department of Conservation over that part of the land, marked as "g-b-c-e", "b-h" and "c-f" on the Plan in Appendix 2.

(ii) To provide access for tenants, agents, contractors and invitees of the Minister and any employee or contractor of the Director-General of Conservation on foot, or on or accompanied by horses, or by motor vehicle, with or without machinery and implements of any kind, and with or without guns and dogs, for management purposes over that part of the land marked "a-b-c", "g-b-h" and "e-c-f" on the Plan in Appendix 2.

We would specifically like to see the older track that runs from the mid-point of "b-h", on the ridge top, to the mid point of "b-c", a hill-crest zig-zag, made available to walkers. As a short linking section it allows one to walk on the route "b-h" and then descend to "c" without having to go most of the way back again.

The following section is a more general statement and is repeated in our commentary on Long Gully Lease Po 055.

We have a concern about the intention stated above, **"To provide public access"** that is limited to **"persons on foot, or on or accompanied by horses, or by non-motorised vehicles"**.

The proposed Public Access route to CA1 on Deep Creek Lease will combine the transmission track up through Long Gully Lease, *a-ai-b-c-d-e-f-p(g)*, and the farm road easement through Deep Creek Lease, *g(p)-b-c-e*, to reach CA1 on West Coast Gully / Camp Creek. The route is about 28 km long (more or less 14 km each way). It rises and drops over Lindis Ridge so that one has to climb twice, coming and going.

Mountain bike riders and trampers will appreciate the route, and we are pleased to see this accommodation being made to their needs and enjoyment. But there is a wider issue. The default arrangement in Tenure Review that allows access only to "persons on foot, or on or accompanied by horses, or by non-motorised vehicles" cuts out a substantial proportion of the populace, making the uplands accessible to only the specialised group, the "fit and capable".

For families with young children, and for the elderly (who love the high country as much as younger persons do), the conserved public land is being made inaccessible by the difficulty in getting to it.



The view west from a high point on the easement "g-b-c", Deep Creek Pastoral Lease.

Because only a tiny portion of the proposed Public Access route described above is within the proposed conservation land, walkers will spend most of their recreational day on Long Gully and Deep Creek farms, no doubt stopping at the top of the ridge for the splendid views. (The high points on the access easement "g-b-c" could well become a destination in their own right.)

Certainly, the amount of time spent trailing along the easement through private farm land will be high, and the time spent at the destination, a conservation reserve, will be insignificant in comparison.

We use this example to reiterate that despite the statement made that the designated routes will "secure public access", they don't in fact do so for the majority of the public.

There are also good public tracks being registered on the adjacent Sandy Point and Glenfoyle Pastoral Leases, starting from the vicinity of Trig O No2 and leading in the general direction of Mt Grand on Lake Hawea Station. These too are for foot, horse or non motorised vehicle access. No vehicular access has been provided, not even up to the edges of this massif.


While those tracks will make good walks, once again the lengthy business is to get onto them in the first place.

On these two properties, Long Gully and Deep Creek, dry, drivable gravel roads already exist, and one of them could readily be adapted to public use for vehicles, to a parking area.

The road up through Long Gully will remain in good condition because it accesses the transmission facilities, and is also to be used for DOC management purposes, we understand that part of its upkeep is paid for by the concessionaires. Having a vehicle park near the top of the road will substantially reduce the elevation to be achieved, and so make the public enjoyment of the conservation land beyond more possible.

We recommend that a public car park for 4WD vehicles, for seasonal use, be developed in the vicinity of the upper transmission towers on Long Gully Lease, to give recreationists an even chance of getting to the proposed conservation land, and to provide an alternative, higher start point for walks on the public tracks on this and adjacent properties.

None of us would argue that all land should be made available to all people, remoteness is a quality in itself. But the current scheme is so limiting that it has become undemocratic. We believe that providing access to only a small, select portion of the populace is in the wider sense a failure to provide "public access" to public land, and is not the intention of the Crown Pastoral Land Act.



Jan Kelly,
Secretary,
Central Otago Recreational Users Forum,
11 May 2009.



263008



Deep Creek & Long Gully Crown Pastoral Lease Tenure Review

Submission from Otago Fish & Game

The Otago Fish & Game Council (Fish & Game) wish to make the following submission on the Deep Creek and Long Gully Properties. We are writing a joint submission for these properties as they are adjoining and have values that relate to both.

Since our initial resources report in 2003 upland game bird numbers in Central Otago have increased markedly, particularly in the Tarras area. We attribute this to intensive possum control work undertaken and the associated reduced mortality in avifauna. As both the Deep Creek and Long Gully properties have habitat that is ideal for upland game birds, and that migration of game birds into the area is likely, we suggest covenanted areas for upland game bird hunting need set aside.

We realise this was not in our initial submission but we have only recently become aware of the increase in game bird numbers. This is of importance as access for recreational upland game bird hunting is becoming harder to obtain due partly to changes in land owners and lessees of crown land. Therefore, opportunities to secure upland game bird hunting areas on public land through the Tenure Review process should be taken at every opportunity. A conservation covenant for hunting purposes over some of the land to be freeholded would be sufficient for upland game bird hunting purposes.

In addition public vehicle access is needed to areas of game bird habitat as the distances involved are too great to realistically to expect the public to walk, especially when there are good roads within the property. We do not see public vehicle access as needed for the entire year but merely during the upland game bird hunting which starts at Queens Birthday weekend and extends until the end of August. This would not interfere with the peak time of farming activity (lambing, weaning etc).

Fish & Game have been advocating for the inclusion of hunting dogs and guns over the easement to conservation land on many properties as this will facilitate a larger range of recreational opportunities. It is outlined in 1.2.5(i) in the Deep Creek preliminary proposal and 1.3.2(i) over easements provided a hunting permit from the Department of Conservation is held of the Long Gully preliminary proposal that access for firearms and dogs will be provided for. However, the wording in the Transfer Grant of Easement in Gross for public access appears contradictory to this and precludes public use of dogs or the carrying of guns. This wording should be amended to allow the transportation of guns and dogs over the easement to conservation land.

Fish & Game may on occasions need to access land for the management of sports fish and game bird species. There is a conservation covenant agreement between ourselves

Statutory managers of freshwater sports fish, game birds and their habitats

Otago Region

and the commissioner of Crown lands in the Deep Creek property preliminary proposal. We request clarification that this agreement will now continue between ourselves and the landowner.

With regard to the Long Gully property we understand that we have the same access rights for management as the Department of Conservation although this has not been formally confirmed. In the interim we request that wording be added to the proposal which confers the same access rights to Fish & Game as the Department of Conservation with regard to management access. Alternately a letter from the Department of Conservation or LINZ confirming that Fish & Game have the same management rights would meet our concerns.

Fish & Game would like to see the above points included in the final proposal and can meet at your convenience to discuss the above points.

Yours sincerely

A handwritten signature in blue ink that reads "John Hollows". The signature is written in a cursive, flowing style.

John Hollows
Environmental Officer

15 April 2009