

Crown Pastoral Land Tenure Review

Lease name: Mt Grand

Lease number: PO 349

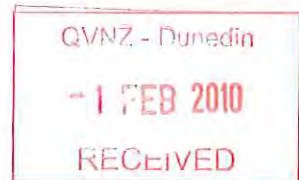
Public Submissions - Part 2

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

April

10

Forest & Bird
Central Otago-Lakes Branch
Denise Bruns (Secretary)
4 Stonebrook Drive
Wanaka



Friday 29 January 2010

The Commissioner of Crown Lands
C/o Darrock Valuations
PO Box 215
DUNEDIN

(david.paterson@darrockvaluations.co.nz)

Dear Sir

Mt Grand, Po 349 – Tenure Review, Preliminary Proposal

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

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

The land being returned to the Crown out of this proposal will give protection for all time to those significant inherent values present on the middle section of the Grand View Range, the eastern boundary to the Upper Clutha basin.

We have read and studied the Conservation Resources Reports. We, with other NGOs, made an inspection of the property on Friday January 22.

General.

Mt Grand has very significant inherent values in its landscape.

It is very visible from many different locations, it is seen when coming down SH6 alongside Lake Hawea, it is visible when travelling from Cromwell or from the Cardrona valley.

Being steep it has many refuges for several endangered plants and for fauna.

There will be walking access to the crest of the range.

The Proposal as presented.

- 1. An area of approximately 126 hectares to be restored to Crown ownership and control, CA2 and CA3.**

We approve of this as this area of the property has Significant Inherent in the landscape, vegetation and fauna as specified in the proposal. However we believe CA2 needs to be enlarged (see 3. below)

- 2. An area of approximately 330 hectares to be returned to Crown control, CA1.**

We approve of this as this area also has Significant Inherent Values as specified in the proposal including: Landscape Values, Vegetation, Public Recreation and very important Historic Significance.

We have no objection to the qualified designation in favour of UCT for communication purposes.

- 3. An area of approximately 1519 hectares to be designated as land to be disposed of to the holders, Lincoln University, including CC (Landscape), subject to two protective mechanisms.**

The Significant Values present included in the proposal are Landscape, and Species and Habitats. In the main we approve of this area being freeholded however we do have some requests:

The head of Lagoon Creek on the south side below CA2 is prone to much erosion (see photo p5.) and should not be included in the covenanted area as it is ecologically unsustainable to farm, (probably class VII or even VIII) and therefore should be included in CA2 by shifting the new fence c-d further north to at least spot height .1147 on the main ridge to include all the eroded country on the true left of the of Lagoon Creek.

This would also then obviate the necessity for an easement through the freehold land for DOC management purposes and our suggested public foot and cycle access. (see below at 3.3).

There should be adequate monitoring of the remainder of this area to ensure that grazing in no way causes the tussock pasture to deteriorate. If there is any deterioration in the cover grazing must cease. It is vital that this area is monitored as the main face forms a major part of the view of the range which can be seen and enjoyed from all over the Upper Clutha region and is part of the iconic landscape.

If CC(Landscape) is altered as suggested above, and public access is improved as suggested below, we see no reason why this area cannot become freehold.

Lakefront Issues:

We have no comments here.

Water Rights:

We have no problem of these continuing unless they upset the habitat of the galaxids.

We would like to see some information regarding whether or not taking of water for irrigation purposes from this creek affects the habitat of the galaxids.

3.3 Public access and Minister of Conservation Management purposes easement in gross

Glenfoyle and Sandypoint were treated as one in the tenure review process, and no access to the Grandview Range was obtained through Glenfoyle. Walking access was obtained at the south side of Sandypoint which goes to some conservation land out of the Glenfoyle review, but this is not suitable for biking.

The access obtained out of Lake Hawea review is up Grandview Creek to the Conservation area at the head of that creek is at the south side of that property. While it is possible to walk up this route we would doubt if it is suitable for biking.

We have no objection to access being obtained for conservation management purposes up Lagoon valley.

We feel it should also be obtained for public walking, biking and horse riding access, or there is no tenure deal out of this review.

We have many reasons for wanting public access up Lagoon Valley (a – b):

1. The growing population of Hawea Flat would like more public tracks in their area. (This is evidenced by their high usage of the new Hawea River Track.) If they were allowed access from a – b they could then easily visit CA2 and access the track along the tops (c – h).

The proposed access routes are great, but the Hospital Creek route does not allow easy access to CA 2 or to the top of the range; and the route via Lake Hawea Station requires a major hike to get near CA2. We believe the public should have reasonable access to this area so they can go on short trips and/or take children or elderly people who are not up to a major hike.

2. For the reasons listed in 1. (above) we believe it would be appropriate to allow public access to the farm tracks between Lagoon valley and Hospital Creek. These tracks would make great day trips for the public and afford good views not only of the Upper Clutha Basin but also of the historic Lagoon, after which the valley is named, and the former riverbed of the Hawea River when it ran down this valley. If required there could be a ban on access to this wider area during the lambing season.

3. Public access up Lagoon Valley would enable people to see, and possibly visit, the Lagoon Creek Scientific Reserve which, as stated in the LINZ Conservation Resources Report introduction (p2):

“RAP A9 Lagoon Creek, was originally in the property, but has been acquired and is now the Lagoon Creek Scientific Reserve. It protects a large population of kowhai, described as “by far the largest concentration of kowhai within the Lindis, Pisa and Dunstan Ecological Districts”.”

This reserve would be of great interest to the public, if they could see it.

4. There is some suggestion in the Conservation Resources Report (p22) that access to Lagoon Valley would be difficult. However there is an unformed legal road to the corner of the property. While this is quite close to the Lagoon valley homestead we feel it would be easy to find a route which does not disturb the privacy of the homestead, thus alleviating any anticipated problems.

It must be said the access along the Grandview Range could have been a lot better and our suggestions above would go a long way to solving this problem.

Summary:

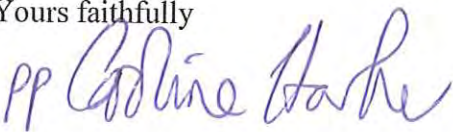
- 1. In CA2 the proposed new fence c-d should be shifted further north to at least spot height .1147 on the main ridge to include all the eroded country on the true left of the of Lagoon Creek.*
- 2. Water rights should only be continued if they do not detrimentally affect the habitat of the galaxids.*
- 3. There should be public access up Lagoon Valley (a - b).*
- 4. There should be public access to the farm tracks between Lagoon Creek and Hospital Creek, with the farmer have the right to close access during the lambing season if necessary.*
- 5. Access to the property by way of the existing paper road to the Lagoon Creek area should be secured for public use before the Tenure Review is completed.*

Conclusion:

If it is not possible to reach agreement on the above matters consideration should be given to leaving Mt Grand as a pastoral lease.

We thank you for the opportunity to make these comments.

Yours faithfully



Denise Bruns
Secretary
Central Otago-Lakes Branch

Photos showing erosion at the head of Lagoon Creek on the south side below CA2.





OTAGO CONSERVATION BOARD

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Phone: (03) 474 6936

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Our ref. SBC-08-81



28 January 2010

Commissioner of Crown Lands
c/o Darroch Valuations
PO Box 215
DUNEDIN 9054



Dear Sir

SUBMISSION ON TENURE REVIEW OF MT GRAND PASTORAL LEASE

The Otago Conservation Board appreciates this opportunity to comment on the preliminary proposal for the review of Mt Grand Pastoral Lease and would like to thank the farm manager for permission to visit the property.

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

The Board's three main areas of interest in connection with tenure review are:

- 1 the protection of biodiversity, including a representative sample of habitats (preferably an altitudinal sequence) of sufficient area to be viable as fully functioning communities;
- 2 the provision of adequate public access and recreational opportunities;
- 3 the sustainability of the land use, in terms of the ongoing preservation of vegetation cover for soil and water conservation purposes.

The Mt Grand Pastoral Lease occupies the spectacular western flanks of the highly visual Grandview Range, a dominant part of the Upper Clutha vista. The vegetation mosaic of matagouri, tussockland and kanuka pockets found on these flanks is a distinctive landscape feature of the region.

The historic nature of Grandview Mountain (Mt Grandview/Mt Grand), as the first place from which Otago's first surveyor, John Turnbull Thomson, viewed the Upper Clutha, and as the location of the first European relic (the actual metal spike believed to have been put in place by Thomson) is an additional factor in the significance of this property.

remnant plant communities that have escaped sheep grazing. The dry nature of the slope means it has erosion problems and does not meet the sustainability requirement for freeholding. For this and biodiversity reasons, **the Board endorses the proposal to create this Conservation Area.**

It is impossible to determine where the proposed boundary for this area lies but it would appear to exclude an area of excellent tall tussock in the southeast corner.

In addition, CA2 appears to omit a large and actively-eroding face at the eastern end of the property, at the head of the Lagoon Creek catchment. This area of unstable country cannot sustain ongoing sheep grazing and should be excluded from freehold designation on that basis.

The actual stream, Lagoon Creek, contains some outstanding plant communities, including rare Olearia species and the only population of broadleaf on the property. It is essential that **the northern boundary of CA2 be at least 100 metres uphill of this stream, in order to capture the full riparian margins** and protect a number of outstanding shrub communities on the northern stream margins.

The boundary should then proceed due east, following the existing fence line to the crest of the range and include the areas outlined above. It is estimated that this would increase the size of CA2 by about 25ha.

Proposed freehold track in CA2

A well-maintained track (b-c) zig-zags through the heart of CA2. This is not mentioned in the body of the document, but in attached photos and the inadequate map it is labelled as a freehold track. A separate survey and title for a track seems to be a very clumsy way of dealing with a simple problem of access for farming purposes. A far better approach would be to **create an easement over the CA2 for farming purposes**, as has been used on a number of other tenure reviews.

Proposed Conservation Area CA1 (approx. 330 ha)

This is a steep gully rising from low altitude all the way to the crest of the range. It preserves a full altitudinal sequence as well as the best examples of some plant communities remaining on the leasehold area. It also contains several threatened or restricted species. The land is steep and actively eroding. The only sensible outcome is to set it aside as a conservation area, and it will be a valuable addition to public conservation lands. This area also includes the summit of Grandview Mountain with its historic significance and enormous recreation potential for the Hawea Flat community.

The Board fully endorses the proposed creation of this Conservation Area.

Land to be disposed of by freehold (approx. 1519 ha)

The **freeholding of this area is acceptable** because adequate provision for the protection of representative biodiversity has been made in the proposed conservation areas. Provision for some public access to the range crest has also been made via CA1, but access generally should be improved before the area is given up to freehold title.

Conservation Covenants

The Board endorses the CC (Landscape) covering the upper catchment of Lagoon Creek, since the area contains healthy Olearia trees and matagouri shrub communities.

For safety reasons alone, it is vital that access be allowed up Lagoon Creek. Because this area (CA2 and Bluenose Hill) is close to Hawea Flat, it is entirely reasonable that the local community can expect good access to these areas, especially considering that this land is currently Crown Land and the current lease is for grazing only. This tenure review process will be the only opportunity to secure access.

It is understood that there may be some freehold land at Lagoon Creek that may complicate access, but this is no excuse for not making provision for access over the current leasehold land. **Futhermore, it is not even assured that access will be possible through the Grandview Creek.** The author of the preliminary proposal states "*I understand agreement has been reached with the holders of Lake Hawea [presumably Lake Hawea Station] for access along a track in Grandview Creek that will provide an entry point onto the range*" (underlining added). The author, and, presumably, the negotiator associated with the tenure review process, is funded for his work by the taxpayer, so it is reasonable to expect that he would have verified that there is absolute certainty of this access before it is even considered in the access proposals for the Mt Grand tenure review.

The easement conditions also exclude the right of public members to carry firearms to the conservation areas. This appears to be unnecessarily restrictive. It excludes recreational hunters from what is potentially a valuable hunting ground, and it prevents them from fulfilling potentially valuable role in pest control.

Discussion of proposed designations and freehold proposal

Overall, the Mt Grand tenure review preliminary proposal has a good outcome for the protection of areas of biological significance. The provision of access arrangements will also be of significant benefit to the general public.

It is important to remember however, that these various easements and covenants are not just with the existing leaseholder, but with whomever the future owners may be several generations down the line. For that reason, it is essential that any agreements are clear, reasonable, secure and binding. Consequently, we would like to see the following changes to the tenure review proposal:

- 1. Provision of public access by way of easement up Lagoon Creek, from a-b.**
- 2. Retention of the access track through CA2 as conservation land, with an access easement for farming purposes (no stock movement along this route).**
- 3. A Conservation Covenant to protect the tall tussock communities on the northern slopes of Grandview Mountain.**
- 4. An increase in area of CA2 to include the headwaters of the Lagoon Creek catchment, following the existing fenceline, and bisecting the catchment up to the skyline.**
- 5. Public 4WD access from j-g-f.**
- 6. Easements should allow the public the right to convey firearms for pest control.**



Federated Mountain Clubs of NZ (Inc)

P.O. Box 1604
WELLINGTON 6140
www.fmc.org.nz

30 January 2010

The Commissioner of Crown Lands
C/- Darroch Valuations Ltd.
PO Box 215
DUNEDIN



Attention: David Paterson

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Mt Grand Pastoral Lease (Po 349)

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents over 11,000 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 Clark (Labour-led) government's stated objectives for the South Island high country especially the following:-

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

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

* Note that regardless of the change of government and of government's policy, these objectives are still the law of the land as enshrined in the Crown Pastoral Land Act, 1998.

We recognize that other objectives have been reviewed and modified by the current (National-led) government, but we still believe they are fundamental to the future well-being of the South Island high country and should be given appropriate weight in the tenure review process.

FMC appreciates this opportunity to comment on the Preliminary Proposal for the review of Mount Grand Pastoral Lease.

THE PRELIMINARY PROPOSAL

1. An area of approximately 126 hectares to be restored to or retained in full Crown ownership and control, as conservation area (labeled "CA 2" and "CA 3" on Plan attached) under Section 35 (2)(a)(i) Crown Pastoral Land Act 1998.
2. An area of approximately 330 hectares to be restored to or retained in Crown control, as conservation area (labelled "CA 1" on Plan attached) under Section 35 (2)(b)(i) and Section 36(1)(a) Crown Pastoral Land Act 1998.

Qualified designations pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998:

The continuation in force of an existing registered easement in favour of Upper Clutha Transport Limited. The easement provides for the right to erect a remote telecommunications base and maintain a helicopter landing pad on Mt Grand.

3. An area of approximately 1,519 hectares to be designated as land to be disposed of by freehold disposal to Lincoln University – 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 for the protection of the conservation values:

- 3.1 A conservation covenant over approximately 4 hectares (labelled "CC 1" on the Plan in Schedule A) under Section 40(1)(b) and Sections 40(2)(a) and Sections 40(2)(b) Crown Pastoral Lands Act 1998. This covenant is designed to protect the native fish values present in Lagoon Creek.
- 3.2 A conservation covenant over approximately 200 hectares (labelled "CC(Landscape)" on the Plan in Schedule A) under Section 40(1)(b) and Sections 40(2)(a) and Sections 40(2)(b) Crown Pastoral Lands Act 1998. This covenant is designed to protect the highly visible landscape area between CA 1 and CA 2.

Qualified Designations pursuant to Section 36(2)(c) Crown Pastoral Land Act 1998

- 3.3 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, over that part of the land shown marked as "e-d-c-b", "d-f-g-h", "f-i" and "k-l", 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-d-e", "d-f-g-h", "f-i", "j-g" and "k-l" on the Plan attached.

Qualified Designations pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998

- 3.4 Continuation in force of an existing registered right to take water created by memorandum of transfer 833058/3 and marked as a solid blue line "a-p" on the plan in the proposal attached.
- 3.5 Continuation in force of an existing registered right to take water created by memorandum of transfer 91 301 3 and marked as a solid blue line "q-r" on the plan in the proposal attached.
- 3.6 Continuation in force of an existing registered right to take water created in Deed of Easement CT OT1 8C/826 and marked as a solid blue line "s-t" on the plan in the proposal attached.
- 3.7 Continuation in force of an existing right held in Certificate under S.41 7 of the Resource Management Act 1991 in favour of Russell Hunter Lovelock and Beverley Ann Lovelock (marked in a bold black line and labelled "u-v" and "w-x" on the plan under Section 36(3)(c) Crown Pastoral Land Act 1998

Introduction

A Report entitled "*Preliminary Report on the Recreational, Landscape, Historic and other Conservation Values, and Recommendations for the outcomes of Tenure Review: Mount Grand*" was prepared by FMC in May 2005. That report is reproduced in the DOC Conservation Resources Report (CRR) on Mount Grand. We are pleased to note that many of the recommendations in that Report now appear as designations in the current Preliminary Proposal for Mt Grand. Other issues are revisited in this submission.

Mt Grand is not a large property, being just less than 2,000ha in extent, but it is important for recreation. Grandview Mountain is well known locally as a walker's destination and historically as the place from which Chief Surveyor J T Thomson named the Pisa Range. It could also provide access to the 'Grandview Range' and the Grandview Track which has significance as an historic route and as a link to the Lindis Pass. Blunose is a spectacular rocky feature on the boundary between Mt Grand and Glenfoyle, which is also a natural destination and can be easily accessed from Glenfoyle as well as from Mt Grand (with permission from the holder).

In the FMC Report (2005) it was recommended that "*A broad view of overall outcomes of tenure review needs to be taken as each lease along the 'Grandview Range' is reviewed. Consideration should be given to the emerging network of recreation opportunities, and adequate provision made for public access because future recreational opportunities will depend on decisions made now*".

The actual provisions for public access in this (2010) proposal are however, less that satisfactory. The proposed use of the existing access to the 'Grandview Range' from Sandy Point is too far away to be used for day walks to Grandview Mountain while another proposed route is incomplete. There appears to be no provision for round trips that could be completed by walkers in one day.

Coupled with the outcomes of other tenure reviews in the vicinity, Lake Hawea, Glenfoyle, and Sandy Point, a number of new longer distance tramping and mountain bike opportunities are opening up. Although these are not yet complete and there is at least one freehold property along the way, extended ridge-top travel may soon become available to the north, south and east. Access from the Hawea Back Road to the Grandview Range is never-the-less critical.

Much of the front face of Mt Grand, including the spectacular catchment of Hospital Creek, is very visible, not only from Hawea and the flats, but also from the West Coast Heritage Highway (SH 6) to the west of Lake Hawea. For this reason landscape protection is an important issue in this tenure review.

FMC Submissions

The structure of this submission matches that of the Summary of the Preliminary Proposal.

Proposal 1.

An area of approximately 126 hectares to be restored to or retained in full Crown ownership and control, as conservation area (labeled "CA 2" and "CA 3" on Plan attached) under Section 35 (2)(a)(i) Crown Pastoral Land Act 1998.

The proposal includes an area in the north east corner of the property (CA 3). This area is part of the RAP (B4 Grandview Tops) which contains mixed rocky outcrop vegetation.

The area of CA 2 comprises the feature known as Bluenose descending down into Lagoon Creek. The area contains diverse shrubland on a stony colluvial slope containing a number of threatened plant species. There is a range of plants in an altitudinal sequence from scattered broadleaf through kanuka shrublands to tussock lands with sub-alpine shrubland. Bluenose peak is a spectacular feature.

The Significant Inherent Values present include:

Landscape values: The landscape values are very significant as they are highly visible from the Hawea Basin and as far away as the West Coast Heritage Highway (SH 6). The landform features with the associated vegetation of tussock and mixed shrublands are important to the landscape character and local identity.

Vegetation: The area contains *Carmichaelia vexillata* (chronically threatened-serious decline) and *Carmichaelia crassicaule* (chronically threatened-gradual decline). The area also contains remnant kanuka shrublands with kowhai forest and associated species in their approximate position in the pre-human landscape.

Fauna: Lagoon Creek contains Galaxias sp D, which is ranked nationally vulnerable. The creek is currently fenced into the proposed freehold area but it is proposed to have the boundary of CA 2 running along the north side of the creek so that the creek is within CA 2. Some small lengths of new fence may be required to divert stock away from the creek which would otherwise be adequately protected by the natural contour. FMC notes that the RAP recognized during the PNAP survey is larger than the currently proposed CA 3. We recommend that the area be enlarged to include all of that part of RAP (B4 Grandview Tops) which is located on the Mt Grand property.

FMC Submission

FMC considers that the natural values of the proposed conservation area CA 2 are well described in the CRR and that the landscape value of the Bluenose face has been appropriately identified. We support protection of this area under full Crown ownership. It should be enlarged as discussed below with the new fence running from "D" to Point 1147m.

CA 3 represents most of the area recognized as an RAP (B4 Grandview tops) in the PNAP survey and hence protection under Crown control is welcome. We recommend enlargement to include all of that part of RAP B4 on Mt Grand.

We are pleased to note that care will be taken to protect the banks of Lagoon Creek within CA 2 so as to prevent damage by stock and any threat to Galaxis Sp D.

Proposal 2

An area of approximately 330 hectares to be restored to or retained in Crown control, as conservation area (labelled "CA 1" on the Plan attached) under Section 35 (2)(b)(i) and Section 36(1)(a) Crown Pastoral Land Act 1998.

The area comprises the upper catchment of Hospital Creek. The land is steep and is actively eroding (Land Use Capability Class VIII and therefore entirely unsuitable for pastoral use). It is a spectacular landscape which can be clearly seen from the whole Hawea basin and from the Heritage Highway SH6, from the West Coast to Wanaka and Queenstown. The area has unique biodiversity features including many uncommon and threatened species. The PNAP survey in the early 1980s identified a significant portion of this land was worthy of protection and it was included in a RAP A6. Subsequently, the southern portion was protected by way of a Conservation Covenant. This covenant will be cancelled under Section 65 of the Crown Pastoral Land Act on the completion of the review and the land will be returned to Crown ownership. FMC is pleased that RAP status has been recognized and that most of the Hospital Creek catchment will be protected as a conservation area under Crown control.

The area contains a significant population of *Hebe cupressoides* and a good population of *Olearia fimbriata*. Also present is remnant podocarp/broadleaf forest, regenerating shrublands, extensive kanuka, diverse sub-alpine shrublands, and very good slim snow tussock. The threatened *Myosotis pygmaea* var. *minutiflora* is also present in the sub alpine area. The landform is very steep with spectacular rocky ridges and tors in the upper parts.

The Significant Inherent Values present in CA 1 include:

Landscape values: The landscape values are very significant as they are highly visible from the Hawea Basin and as far away as SH 6.. The glacial landform comprises very steep and rugged slopes with bands of bluffs, outcrops, and spurs that are highly visible. These with the associated vegetation of tussock and mixed shrublands are important to the landscape character and local identity.

Vegetation: The area contains a number of threatened plant species and ecosystems. These include: *Myosotis pygmaea* var. *minutiflora* (Nationally vulnerable) located on a high ridge in Hospital Creek, *Hebe cupressoides* (Nationally vulnerable) is present in the valley bottom near the head of the North Branch of Hospital Creek. (Nationally vulnerable), *Carmichaelia vexillata* (Gradual decline) is common along upper ridges, *Olearia fimbriata* (Serious decline) is also found in Hospital Creek.

Public Recreation: The proposal provides for tramping opportunities for the public. The top of the Grandview Mountains provides a destination which has existing recreational demand. We accept that access to this area will be provided by easements from the 'Grandview Range' running through

adjoining properties, Lake Hawea Station, Glenfoyle and Sandy Point, and along Hospital Creek. However, the proposed routes through adjoining properties are too long for day walks, while Hospital Creek catchment is challenging and not for the faint hearted. It is not suitable for mountain bikes.

Historic Significance: The Grandview Trig D has significant historic values in particular its association with surveyor John Turnbull Thompson. It also has significance with its original stone plinth and bayonet trig. Trig J also has significant historic value for its stone plinth.

FMC Submission

FMC fully endorses and wholeheartedly supports the designation of the Hospital Creek catchment to be retained in Crown control as a Conservation Area CA 1.

Qualified designations pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998:

The continuation in force of an existing registered easement in favour of Upper Clutha Transport Limited. The easement provides for the right to erect a remote telecommunications base and maintain a helicopter landing pad on Mt Grand.

FMC recognizes that this is an existing easement, and has no objection to its continuation in force in favour of Upper Clutha Transport

FMC Submission

FMC has no objection to the continuation in force of the easement in favour of Upper Clutha Transport to erect a remote telecommunications base and maintain a helicopter landing pad on Mt Grand.

Proposal 3.

An area of approximately 1,519 hectares to be designated as land to be disposed of by freehold disposal to Lincoln University – 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.

This area comprises the balance of the property with Conservation Covenants proposed over two areas. The first is the upper catchment of Lagoon Creek and lies between the proposed Hospital Creek conservation area to the north (CA 1) and the proposed Bluenose conservation area (CA 2) to the south. A landscape covenant is proposed for this area.

The significant values present include:

Landscape Values: The area in conjunction with the higher altitude land adjoining provides a significant landscape feature with little built elements.

Species and habitats: The area forms part of the catchment for *Galaxias sp D* in Lagoon Creek which runs along the southern boundary of the proposal inside Conservation Area CA 2. Galaxias were found in the creek within CA 2 as well as further downstream.

The second area to be covenanted is the lower stretches of Lagoon Creek where *Galaxias sp D* were also recorded. The creek may not qualify for marginal strips and therefore no protection will be afforded the values present. The covenant will cover a 20m wide strip on either side of the stream to allow protection of the margins. Some strategic fencing may be required at some time if stock damage becomes a problem.

Lakefront Issues:

Part of the north west corner of the property is situated within 5km of Lake Hawea. Under the previous policy this land required protection to preserve the lakefront landscape. The new policy relies on the District Plan to protect the values from any development that would impact negatively on the values.

Like many other properties on the 'Grandview Range', parts of Mt Grand are highly visible from the lake and surrounding areas. The most striking part of this landscape in this location are the Hospital Creek catchment and the unusual Bluenose area, both of which are proposed for Crown ownership. A landscape covenant is also proposed on the high area between CA 1 and CA 2 to protect the landscape values between Hospital Creek and the Bluenose area. One continuous Conservation Area covering these three parcels of land would be better as indicated in the FMC Report (2005).

That part of CC (Landscape) in its SE corner would be better added to CA 2 for the following reasons. The steep and eroding country cannot be managed in a way that promotes ecological sustainability (as required by the CPL Act), and it contains significant landscape and natural vegetation values. This could be achieved by moving the proposed fence line to a new line between "D" and point 1147m on the east boundary of CC(Landscape).

The CRR states that no landscape values have been identified in the area situated within the 5 kilometre range of the lake. This has been confirmed with recent discussions with the DOC representative involved with this review. There are already significant built elements in the area adjoining Mt Grand and any risk from subdivision or other development is likely to be minimal. The District Plan has quite strict rules around additional farm buildings, the clearance of vegetation and subdivision.

Water rights

There are four separate water rights registered on the property. These have all been treated as **qualified designations** so that the existing rights are protected by designating them "continuation in force" in order for them to be brought down onto the freehold title. All four are over areas proposed for freehold disposal and provide no direct benefits to the property. There is nothing in the easement documents that outlines the end use of the water; however our investigations indicate they feed a small irrigation scheme on an adjoining farm property.

FMC Submission

FMC is not opposed to the freeholding designation per se, but we are concerned about the Covenant and public access provisions as discussed below.

Protective Mechanisms for the protection of the conservation values:

Proposal 3.1

A conservation covenant over approximately 4 hectares (labelled "CC 1" on the Plan in Schedule A) under Section 40(1)(b) and Sections 40(2)(a) and Sections 40(2)(b) Crown Pastoral Lands Act 1998. This covenant is designed to protect the native fish values present in Lagoon Creek.

The values present include:

Galaxias sp. D. is present in Lagoon Creek. This species is ranked "Nationally Vulnerable" and is the fourth rarest fish in New Zealand.

FMC Submission

FMC supports the proposed designation of a Conservation Covenant designed to protect native fish and their habitat in Lagoon Creek.

Proposal 3.2

3.2 A conservation covenant over approximately 200 hectares (labelled "CC (Landscape)" on the Plan in Schedule A) under Section 40(1)(b) and Sections 40(2)(a) and Sections 40(2)(b) Crown Pastoral Lands Act 1998. This covenant is designed to protect the highly visible landscape area situated between CA 1 and CA 2.

The values present include:

The upper slopes of the main creek (above about 1,100 m) are predominantly vegetated in snow tussock, with tussock hawkweed a significant component. These slopes are classified LUC Class VIIe and have serious limitations for pastoral use, and at this altitude cannot be managed in a way which promotes ecologically sustainable land use without regular fertilizer application, and this would be uneconomic.

The CRR states that the front faces form part of the eastern wall of the Hawea Flat and the wider Upper Clutha Valley. As a whole, the headwall forms a distinctive landscape feature and highly identifiable feature of the Hawea Basin (and the wider Upper Clutha Basin). The very steep and often rugged slopes with bands of bluffs, rocky outcrops and distinctive spurs on the upper slopes and wider landscape within Lagoon Creek are visually impressive, and highly expressive of both glacial and subsequent erosion processes. The vegetation cover of tall tussock and mixed shrubland are important contributors to landscape character and local identity. The mid and lower slopes though modified are an integral part of the significant landscape. The landform patterns and features remain distinctive and impressive regardless of the modified state of the vegetation on the mid and lower slopes. FMC agrees with this analysis and description of the natural values of this area. We support the intention to protect these values, and particularly the landscape values from adverse effects of inappropriate land use and development. However, we assert that because ecologically sustainable land use is unlikely, we prefer (as too does the CPL Act) restoration to Crown control as Conservation Area. If this recommendation is accepted, then CA 1, CC(Landscape) and CA 2 could be combined into one continuous Conservation Area.

We note that Schedule 2 of the Covenant document removes Clause 3.1.1 of the agreement so that grazing will be permitted within the Covenanted area. We further note that no stock limitation is defined, and there is no provision for monitoring. FMC recommends that if the final outcome is protection under Covenant, then there should be a stock limitation no greater than 0.5 SU per ha per

annum, and that provision should be made for regular vegetation monitoring. If monitoring shows that there is significant deterioration in vegetation condition, there needs to be a mechanism to reduce the stocking rate.

Furthermore, it was proposed above that that part of CC (Landscape) in its SE corner would be better added to CA 2 for reasons discussed under the heading Proposal 3.

FMC Submission

FMC supports the principle of protecting the landscape values of this area. Our preferred outcome (and the CPL Act preference) is that the area of CC (Landscape) should be returned to Crown control.

If the proposal to protect these values under Covenant prevails, then FMC recommends that a stocking rate limitation of no more than 0.5 SU per ha per annum should be imposed, and provision made for regular monitoring of vegetation condition and reduction in stocking rate if monitoring indicates that such is required. Its area should be enlarged for the reasons discussed above, by moving the proposed fence line to a new line between "D" and point 1147m on the east boundary of CC(Landscape).

Preferably, CA 1, CC (Landscape) and CA 2 should be combined into a single Conservation Area for management, and enjoyment by the public. Note that there is no secure right of access to natural values in Covenanted areas.

Qualified Designations pursuant to Section 36(2)(c) Crown Pastoral Land Act 1998

3.3 Public Access and Minister of Conservation Management purposes Easement in Gross. An easement under Section 7 Conservation Act 1 987:

- 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, over that part of the land shown marked as "e-d-c-b", "d-f-g-h", "f-i" and "k-l", on the Plan.**

FMC notes that these routes provide access along the boundary between CA 2 and CC (Landscape), along the ridge-crest between Bluenose and the Lake Hawea Station boundary, from the ridge crest to Conservation Area CA 3, and up a track adjacent to Hospital Creek which leads to Conservation Area CA 1. FMC supports all these provisions for foot and non-motorised vehicle access.

We note however, that by far the best recreational access to Grandview Mountain is via the zig-zag track from the vicinity of the woolshed on Hawea Back Road to the summit of Grandview Mountain. We understand that arrangements have been made to provide access along a track in Grandview Creek on Lake Hawea Station, and this might provide an alternative to the Mt Grand zig-zag but it is not clear to us that the Grandview Creek track actually connects with the Mt Grand track to Grandview Mountain. Unless this public access is complete and secure it is not acceptable to FMC.

We are disappointed that the direct route (j-g) has not been included in the provisions for public access but we note that it is included for DOC Management purposes. If this route was available for public use it would enable a number of interesting one-day round trips to be made. We strongly recommend that negotiations be re-opened with a view to securing direct public access from the Hawea Back Road to the summit of Grandview Mountain.

The route "e-d-c-b" down from Bluenose appears to be incomplete unless the additional section down to "a" through Lagoon Valley property is available.

We are pleased that there will be legal public access from the Hawea Back Road to CA 1 and the Hospital Creek catchment.. There have been suggestions that this provides another route to Grandview Mountain. However, the Hospital Creek catchment is steep and rugged and not for the faint hearted. It is entirely unsuitable as a mountain bike route.

We pointed out in our introduction to this submission that "The actual provisions for public access in this proposal are however, less that satisfactory. The proposed use of the existing access to the Grandview Range from Sandy Point is too far away to be used for day walks to Grandview Mountain while another proposed route is incomplete. There appears to be no provision for round trips that could be completed by walkers in one day. FMC strongly recommends that the entire situation of access to Grandview Mountain, the Grandview Track and the 'Grandview Range' should be reviewed with a view to establishing better provisions for public access over Mt Grand and surrounding areas.

FMC Submission

FMC welcomes the provision of public foot and mountain bike access over the routes "e-d-c-b", "d-f-g-h", "f-i" and "k-l", but urges that negotiations be reopened to secure direct public foot and mountain bike access from Hawea Back Road to the summit of Grandview Mountain (ie route "j-g"). FMC strongly recommends that the entire situation of access to Grandview Mountain, the Grandview Track and the 'Grandview Range' should be reviewed with a view to establishing better provisions for public access over Mt Grand and surrounding areas.

- 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-d-e", "d-f-g-h", "f-i", "j-g" and "k-l" on the Plan attached.**

We note that the proposal summary claims that providing suitable public access has proved difficult for this property. FMC accepts that access along the top of the Grandview Range is possible with an existing track on the subject property joining into an easement already secured through Glenfoyle and Sandy Point. However, the Sandy Point route is too long for day-trip walking access. Route "j-g" discussed above would be preferred.

Department of Conservation management purposes access is provided over an existing farm track passing the homestead and farm buildings. Additional access is also provided on existing tracks up Lagoon Gully, although access from the road to the track over freehold land will need to be negotiated outside tenure review.

An additional access route is included along Hospital Creek for access into CA 1 from the Hawea Back Road.

FMC Submission

FMC has no objections to the routes proposed for management access purposes. We do however strongly urge that efforts be made to establish public foot and mountain bike access over the route "j-g".

Qualified Designations pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998

- 3.4 Continuation in force of an existing registered right to take water created by memorandum of transfer 833058/3 and marked as a solid blue line "a-p" on the plan in the proposal attached.
- 3.5 Continuation in force of an existing registered right to take water created by memorandum of transfer 91 301 3 and marked as a solid blue line "q-r" on the plan in the proposal attached.
- 3.6 Continuation in force of an existing registered right to take water created in Deed of Easement CT OT1 8C/826 and marked as a solid blue line "s-t" on the plan in proposal attached.
- 3.7 Continuation in force of an existing right held in Certificate under S.41 7 of the Resource Management Act 1991 in favour of Russell Hunter Lovelock and Beverley Ann Lovelock (marked in a bold black line and labelled "u-v" and "w-x" on the plan under Section 36(3)(c) Crown Pastoral Land Act 1998.

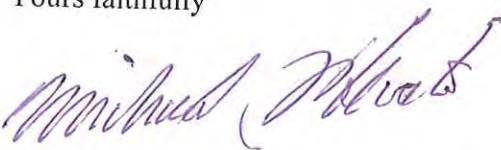
FMC understands that these water rights are all in existence at the present time and that the qualified designations are simply to provide for the continuation in force of these existing rights. FMC has no objection to the continuation of these existing rights.

FMC Submission

FMC has no objection to the continuation of these four existing rights.

Finally, FMC appreciates this opportunity to comment on the tenure review of Mt Grand, and is grateful to the agent, Darroch Valuations Ltd., for making appropriate arrangements for the inspection of the property. We would also like to thank the manager for permission to inspect the property.

Yours faithfully



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