

Crown Pastoral Land Tenure Review

**Lease name: TEMPLE PEAK
STATION**

Lease number: PO 094

Public Submissions - Part 2

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

April

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The Commissioner of Crown Lands,
C/- DTZ,
P O Box 27,
ALEXANDRA.

DTZ ALEXANDRA

18 JAN 2010

RECEIVED

9th January 2010.

Dear Sir/Madam,

TEMPLE PEAK TENURE REVIEW – PRELIMINARY PROPOSAL

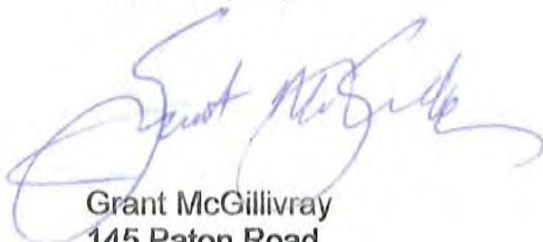
I am a member of the public who enjoys the outdoors and in particular the outstanding natural beauty of Glenorchy and the surrounding area visiting from the Nelson region once or twice a year.

I consider the Temple Peak preliminary report as a positive proposal in terms of the public access that it provides to the large amount of land that will come under Crown control and ownership. The easement for public access via routes 'a-b', 'c-d-e' and 'd-j-f' will provide a particularly scenic route to the Ox Burn, Flood Burn and Davidsons creek catchment areas. In particular the section of access from 'c-d' with its altitude of approximately 900m will provide outstanding panoramas to the natural beauty of the surrounding area.

The public access route up Precipice Creek will provide a very scenic route to this backcountry area, and has the added advantages of being close to Glenorchy, and having a under utilized car park already in place adjacent to Glenorchy Paradise Road. Due to the visibility of this car park from the road, it will also allow for a safe place to leave vehicles while enjoying the backcountry.

I thank you for accepting this submission.

Yours faithfully



Grant McGillivray
145 Paton Road
RD1 Hope
Nelson

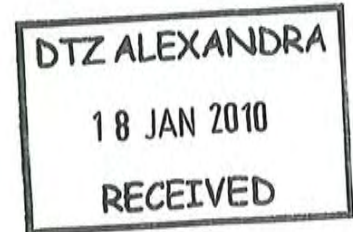


OTAGO CONSERVATION BOARD

Our ref: SBC-08-34

15 January 2010

Commissioner of Crown Lands
c/- Darroch Ltd
Land Resources Division
Box 27
ALEXANDRA 9340



Dear Sir

SUBMISSION ON TENURE REVIEW OF TEMPLE PEAK

Thank you for the opportunity to comment on the preliminary proposal for the tenure review of the Temple Peak pastoral lease.

The Otago Conservation Board is pleased to support the preliminary proposal as it stands. The board would not want to see the preliminary proposal altered in any significant way.

If this tenure review proceeds in accordance with the preliminary proposal, a large area of 'clean country' will be added to the existing public conservation land on the Richardson Mountains.

The board notes that good access is proposed for conservation management purposes and public recreation.

We congratulate the parties concerned on reaching such an agreement.

Yours faithfully

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

Hoani Langsbury
Chairperson



Federated Mountain Clubs of NZ (Inc)

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

15 January 2010

The Commissioner of Crown Lands
C/-Darroch Ltd.
PO Box 27
ALEXANDRA

DTZ ALEXANDRA

18 JAN 2010

RECEIVED

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Temple Peak Pastoral Lease (Po 094)

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 additional (introduced by the Labour-led government) 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 Temple Peak Pastoral Lease.

THE PRELIMINARY PROPOSAL

- 2.1 . 85 hectares approximately to be restored to full Crown ownership and control as a conservation area (CA 3) under Section 35(2)(a)(i) Crown Pastoral Land Act 1998.**
- 2.2 3,650 hectares approximately to be restored to Crown control as a conservation area (CA 1) subject to a qualified designation under Section 35(2)(b)(i) Crown Pastoral Land Act 1998.**
 - 2.2.1 A recreation concession in favour of Temple Peak Limited under Section 36(1)(a) Crown Pastoral Land Act 1998.**
- 2.3 2,600 hectares approximately to be restored to Crown control as a conservation area (CA 2) subject to a qualified designation under Section 35(2)(b)(i) Crown Pastoral Land Act 1998.**
 - 2.3.1 A grazing concession in favour of Temple Peak Limited under Section 36(1)(a) Crown Pastoral Land Act 1998.**
 - 2.3.2 The entire area of CA 2 is subject to the same recreation concession as previously described over area CA 1.**
- 2.4 1,600 hectares approximately to be disposed of by freehold disposal to Temple Peak Limited under Section 35(3) Crown Pastoral Land Act 1998 subject to a qualified designation and protective mechanisms.**
 - 2.4.1 An area of approximately 650 hectares will be subject to a conservation covenant under Sections 40(1)(b) and 40(2)(a) Crown Pastoral Land Act 1998.**
 - 2.4.2 An easement for public foot access under Section 36(3)(b) Crown Pastoral Land Act 1998.**
 - 2.4.3 An easement for conservation management access under Section 36(3)(b) Crown Pastoral Land Act 1998.**

Introduction

Temple Peak Station is a large (almost 8,000ha) pastoral lease at the head of Lake Wakatipu, overlooking Glenorchy, much of which is still in a largely unmodified state. As such it offers significant areas with a multitude of recreational opportunities on Temple Peak and west over the Richardson Mountains to Mt Aurum on the edge of the Skippers Creek/Shotover River catchment. The Richardson Mountains, of course, extend both north and south from Temple Peak so the range of opportunities for extended recreational travel and climbing challenges is almost endless.

It should be pointed out that FMC submitted a report in 2003 entitled "Preliminary Report on Recreational and Related Significant Inherent Values: Temple Peak Station" That Report is included in the Conservation Resources Report (CRR) and can be viewed on the LINZ website. FMC is pleased to note that many of the recommendations made in that report have been adopted in the Preliminary Proposal for the tenure review of Temple Peak, while others will be revisited in this submission.

Significance of Landscape Values

One of the natural features of greatest importance to recreational visitors to the high country is landscape. The significance of landscape is discussed in the CRR for Temple Peak. FMC agrees with and fully supports the following commentary reproduced from the Temple Peak CRR:-

“The whole of Temple Peak Pastoral Lease is identified as having significant inherent landscape values. The Rees River Valley Faces (LU 1) have high cultural landscape values, while the Richardson Mountain Lands (LU 2) have high natural landscape values.

We agree that the landscapes of Temple Peak are truly outstanding.

The Rees River Valley Faces (LU 1)

This area is generally more culturally modified than LU 2, but still retains high inherent landscape values which are derived from the following characteristics and features:

- *the mosaic of vegetation patterns including tree-lined paddocks at the base of the faces to mixed shrub, pasture and forested slotted gorges on the slopes*
- *the terraced slopes and deep, forested slotted gorges*
- *the visual unity of the faces and flats with the surrounding landscape characteristics*
- *the highly visible nature of the front faces and their important enclosing nature on the Rees Valley as well as the wider landscape at the head of Lake Wakatipu*

Richardson Mountain Lands (LU 2)

This area has high natural landscape values derived from the following characteristics and features:

- *the impressive and often dramatic landform characteristics consisting of high alpine zones and steep and highly dissected mountainous lands with rock outcrops at all elevations*
- *the dominant rugged peaks and aretes*
- *the intactness, naturalness and scenic values associated with the vegetation cover and patterns, including alpine and sub alpine plant communities and extensive tussock grasslands*
- *the remote, wild, backcountry characteristics*
- *the high legibility and dynamic nature of landforms*
- *the impressive views into the Rees and Dart Valleys at the head of Lake Wakatipu, views over the Richardson Mountains and surrounding ranges and peaks from higher elevations*
- *the landscape continuity with the adjoining Richardson Mountain range”.*

FMC Submissions

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

Proposal 2.1

85 hectares approximately to be restored to full Crown ownership and control as a conservation area (CA 3) under Section 35(2)(a)(i) Crown Pastoral Land Act 1998.

FMC understands that this proposed conservation area includes a peat bog wetland located in the north western corner of the property as well as adjacent shrubland and remnant beech forest communities.

The CRR reports that the wetlands and their associated communities are rare ecosystems supporting highly specialized plants dependant on their habitat. We agree that the remaining examples of wetlands are a priority for protection particularly those in the low land-mountain bio-climate zone. This particular example contains the nationally threatened *Olearia bullata* and associated grey shrubland communities.

FMC Submission:

FMC fully endorses and wholeheartedly supports this proposal to protect, under full Crown ownership and control, an ecologically important ecosystem containing nationally threatened species.

Proposal 2.2

3,650 hectares approximately to be restored to Crown control as a conservation area (CA 1) subject to a qualified designation under Section 35(2)(b)(i) Crown Pastoral Land Act 1998.

We note that this area extends up the catchment of Precipice Creek and Temple Burn to the high country on the Richardson Mountains as far west as Mt Aurum (2,245m). The proposed conservation area CA 1 encompasses much of the back block of the property. This is such a magnificent area of back country NZ it is hard to know where to begin to sing its praises!

Landscapes are acknowledged as one of the most important underpinning features for the enjoyment of outdoor recreation. FMC is in full agreement with the CRR for Temple Peak which states that:- *“The whole of Temple Peak Pastoral Lease is identified as having significant inherent landscape values”*. Included within CA 1 are the following features:-

- *“the impressive and often dramatic landform characteristics consisting of high alpine zones and steep and highly dissected mountainous lands with rock outcrops at all elevations*
- *the dominant rugged peaks and aretes*
- *the intactness, naturalness and scenic values associated with the vegetation cover and patterns, including alpine and sub alpine plant communities and extensive tussock grasslands*
- *the remote, wild, backcountry characteristics*
- *the high legibility and dynamic nature of landforms*
- *the impressive views into the Rees and Dart Valleys at the head of Lake Wakatipu, views over the Richardson Mountains and surrounding ranges and peaks from higher elevations*
- *the landscape continuity with the adjoining Richardson Mountain range”*.

For all these reasons, and to protect these features, FMC is convinced that designation as land to be returned to Crown control is appropriate.

The land lies primarily in the Shotover catchment with a narrow strip fronting into Precipice Creek. Included in this area is Mt Aurum (2,245m) at the eastern end, Temple Peak (2,089m) towards the western end and numerous unnamed peaks in between. Altitudes range from approximately 500m in the lower Precipice Creek, up to 2,245m at Mt Aurum.

The area contains a diversity of ecological communities associated with the range of altitude, aspect, geomorphic, and climatic conditions. Most of the land proposed for inclusion in this conservation area has had little development and is largely in a natural state with noted flora and associated fauna communities. This includes: beech forest remnants, shrublands, short and tall tussock grassland, cushion field, fell field, alpine scree, snow bank and rock bluff communities. Limited examples of red tussock and wetland communities are also contained within the area.

The following significant inherent values (SIVs) are associated with and will be protected as a result of the proposed designations:- The high inherent natural landscape value of the Richardson Mountain lands, identified in the CRR, is considered a SIV due to the high value related to the features described above and associated with the intactness, legibility, aesthetic factors, visibility, significance and vulnerability of the area.

Vegetation of the proposed conservation area has several important features contributing to its overall status. The vegetation over the entire area displays a high degree of naturalness. The vegetation of this area is a good representation of plant communities of the Richardson ecological district. The large altitudinal range and size of the proposed conservation area is important in achieving the protection of the diverse and representative vegetation in the area. Of note is that four threatened plant species are reported in the area proposed as conservation. These are *Carex pterocarpa*, *Hebe buechananii*, *Epilobium purpuratum* and *Corallospartium crassicaule* var. *racenosa*. It is also important to note that narrow leaved, mid ribbed and slim snow tussock are all represented. The mid ribbed snow tussock is near its eastern extent, while slim snow tussock is near its western extent. This is relevant because the protection of areas of distributional limit provides for the protection of diversity of species and communities. It is especially important given the current understanding of the effects of global warming and climate change. The inclusion of variations in habitat within protected areas will be important to allow species to adapt to climate change, and allow scientists to follow these adaptations.

The extent and variety of shrublands on the property is one of its most significant vegetation features. *Dracophyllum*, *Hebe*, *Coprosma* and *Olearia* dominated shrublands are present within CA 1. Protection of shrublands is important because as it is noted in the CRR that they are a rare ecosystem, with the area of those in the mountain climatic zone being drastically reduced by fire and pastoral farming.

The fauna of the proposed conservation area also has subsequent ecological values. Species of note within the area include the kea (nationally endangered), a pentonid bug, *Hypsithocus hudsonae* (range restricted), six species of spider noted as being data deficient.

CA 1 is also a potentially very significant recreational resource area. There are many exciting opportunities for public recreation on Temple Peak pastoral lease albeit for generally the fit and in limited numbers. CA 1 will offer a high quality back country and remote recreational experience in a spectacular setting. Likely recreational activities include day walks, tramping, climbing, hunting and ski touring. It is anticipated that recreational use of the area will increase post tenure review.

FMC Submission:

FMC fully endorses and wholeheartedly supports this proposal to protect, under Crown control as a Conservation Area, the outstanding mountain landscape and ecologically important ecosystems which constitute CA 1. FMC recognizes the importance of this area in making provision for climate change and because it increases the range and extent of recreational opportunities in the Glenorchy area.

Qualified Designation 2.2.1

A recreation concession in favour of Temple Peak Limited under Section 36(1)(a) Crown Pastoral Land Act 1998.

The proposed concession allows for heli-skiing between 15 June and 30 October. It is for a term of 10 years with the specific conditions set out in the draft concession document.

FMC notes that this concession is a continuation of an existing activity which operates over some 2,000ha of mountain land in the Ox Burn, Flood Burn and Davidsons Creek catchments.

From our perspective, the most important potential adverse effect would be on other users of the area. We note that the operator is required to avoid landing skiing parties in the vicinity (ie within 500m) of private parties. We also note that the concession is limited to 15 trips per year. So long as these conditions are fulfilled, FMC is satisfied that potential conflict should be minimised. However, we propose a 5-year term with the option for renewal for a further 5 years, subject to satisfactory performance, because this activity is now to be permitted on newly created public conservation land.

FMC Submission

FMC recognizes that conditions will be imposed to limit any adverse effect of this concession on other users of the area. This activity is to be permitted on new public conservation land so we recommend that the concession should be granted for a period of only 5 years, with the option of renewal subject to satisfactory performance.

Proposal 2.3

2,600 hectares approximately to be restored to Crown control as a conservation area (CA 2) subject to a qualified designation under Section 35(2)(b)Q) Crown Pastoral Land Act 1998.

The area for inclusion in the proposed conservation area CA 2 includes most of the upper catchment of Twelve Mile Creek. As with CA 1, this area contains a diversity of ecological communities associated with the range of altitude, aspect, geomorphic, and climatic conditions. It contains many of the same values as CA 1. The vegetation does however display a greater level of grazing influence but still shows a high level of naturalness. Additional values noted within this area include examples of dry terrace herb fields, a small alpine tarn, wetlands, and short tussock communities. This area will also provide significant recreational opportunities similar to those to be enjoyed in the adjoining area CA 1. Together the areas CA 1 and CA 2 will provide a magnificent new mountain playground.

FMC Submission

FMC fully endorses and wholeheartedly supports this proposal to protect, under Crown control as a Conservation Area, this area of outstanding back country landscapes and ecosystems. We also recognise that, together with CA 1, the whole area will provide a range of additional opportunities for outdoor recreation in the Glenorchy area.

Qualified Designation 2.3.1

A grazing concession in favour of Temple Peak Limited under Section 36(1)(a) Crown Pastoral Land Act 1998.

This area is currently utilised for wether grazing by Temple Peak Limited for approximately four months over the summer of each year. The current low level of stocking has historically had minimal impact on the significant inherent values associated with the area except in several stock camps or where high goat numbers are also present.

FMC notes that the existing problems of pressure on stock camps and grazing exacerbated by goats have been recognized and that measures are proposed in the conditions of the concession in an attempt to minimise these adverse effects. We recognize that the allowed 1,000 wethers approximate to a stocking rate of 0.1 SU per hectare per annum, which is a very low rate. We accept that by themselves, the sheep are unlikely to have any adverse effect on natural values but the numbers of goats are undefined. We recommend that efforts should be made to reduce goat numbers by introducing a hunting programme.

We are concerned that the term of this concession is for a total of 21 years, consisting of 3 terms of 7 years each. We recognize the importance of making provision for changes in farm management to adjust to the new farm situation, but believe that a maximum of 15 years should be adequate for 'phase-out grazing'.

FMC Submission

FMC submits that the 'phase-out grazing' should be permitted for a maximum of 15 years in three 5-year renewable periods, with renewal being subject to satisfactory monitoring results. We recommend that a hunting programme should be introduced to reduce goat numbers.

Qualified Designation 2.3.2

The entire area of CA 2 is subject to the same recreation concession as previously described over area CA 1.

FMC Submission

Our comments and submission above on the proposed recreation concession over Conservation Area CA 1 apply equally to this concession over Conservation Area CA 2.

Proposal 2.4

1,600 hectares approximately to be disposed of by freehold disposal to Temple Peak Limited under Section 35(3) Crown Pastoral Land Act 1998 subject to a qualified designation and protective mechanisms.

The proposed freehold area is the most modified part of the Temple Peak Pastoral Lease. Land included in this area comprises cultivated pasture, oversown and topdressed grassland and modified native grassland. The soils of the lower slopes are mainly Queenstown High Country Yellow Brown Earth soils, classified as Land Use Capability (LUC) Class VI which should be capable of supporting ecologically sustainable pastoral use so long as nutrient losses through animal production are replenished by appropriate maintenance fertilizer. Soils grade into Moonlight Steepland High Country Yellow Brown Earth soils at higher elevations. These are classified LUC Class VIIe of very limited suitability for pastoral use. It is unlikely that these soils could support ecologically sustainable pastoral production in the long term.

The proposed unencumbered freehold includes the flats and lower hill slopes of the property totalling approximately 950 hectares. This area lies within an altitudinal range from approximately 400m to a high point of a little over 1,000m. The flats have been cultivated and the areas up to approximately 800m have been oversown and top-dressed creating grassland with mainly exotic species. The upper fringe of this unencumbered area is a continuation of this landscape with the exotic component progressively reducing. Remnant riparian vegetation and areas of shrubland reversion are also included.

The proposal states that *"The upper levels contain more natural vegetation however this is a continuum with the area described above leading up to fenceable boundaries with a maximum altitude of approximately 1,600m"*. FMC submits that pastoral production at this altitude is low and unsustainable and there is a wealth of natural values which deserve protection.

Within the area are deeply incised gully systems including manuka shrublands and beech forest. Although the proposal states that these latter areas will be protected by a covenant it does not explain how this will be achieved without fencing and stock limitations. FMC recognizes that the proposed freehold area is a complex patchwork or mosaic of improved grassland, regenerating manuka shrublands and beech forest which are virtually impossible to fence out separately. We do however, believe that it will be very difficult to achieve the aims of the protective Covenant while it allows for the uncontrolled grazing of sensitive shrublands and forest remnants.

We also recognize the importance of the existing careful management regime which has ensured the survival of natural values in the past. Tenure review must however, make provision for similar careful management to be continued into the future regardless of any possible changes in ownership.

We are aware that protection under a Conservation Covenant is proposed but have serious doubts as to whether the terms and conditions of the proposed covenant will actually achieve the intended protection. This issue is discussed in more detail below.

FMC Submission

FMC accepts that some 950ha of land below about 1,000m, classified as LUC Class VI land, which has been significantly modified by pasture improvement, is probably capable of supporting ecologically sustainable pastoral use and is therefore suitable for freehold disposal. Above about 1,000m we have serious doubts about the capacity of LUC Class VIIe soils to support ecologically sustainable pastoral use, and whether the conditions of the covenant will be adequate to "protect the values" which have been defined in commendable detail. These questions and doubts are further discussed under Section 2.4.1 below.

Protective Mechanism 2.4.1

An area of approximately 650 hectares will be subject to a conservation covenant under Sections 40(1)(b) and 40(2)(a) Crown Pastoral Land Act 1998.

The proposed Conservation Covenant includes the land above approximately 1,000m on the front faces east to the boundary of the proposed conservation areas CA 1 and CA 2, but is unfenced along its lower boundary. The covenant also includes the remnant riparian vegetation beside Davidsons Creek and tributaries commencing at approximately 400m. Vegetation of the covenanted area includes remnant riparian beech forest, grey shrubland, shrubland and narrow leaved tall tussock grassland. The proposal states that the covenant provides for the protection of an altitudinal sequence of remnant communities from approximately 400m to just above 1,600m, but it does not explain how this will be achieved.

Whilst it is recognized that the lax grazing system employed by the existing holders has largely maintained the natural values in the past, there is no guarantee that any and all future holders will employ such careful management in the future. The terms and conditions of the Covenant must be tightly written to ensure that future management is equally careful.

The proposed covenant area contains high inherent natural landscape values at higher altitudes while some similar values also exist on the lower portion of the covenanted area (below approximately 1100m) where the greatest cultural modification has occurred. Characteristic features of this area include:

- *“The mosaic of vegetative patterns including mixed shrub, pasture and slotted gorges.*
- *Terraced slopes and deep forested slotted gorges.*
- *Visual unity of the faces with the surrounding landscape characteristics.*
- *The highly visible nature of the front faces and their important enclosing nature on the Rees Valley as well as the wider landscape at the head of Lake Wakatipu.*
- *The recognition in the CRR that these faces:- “the Rees River Valley Faces (LU 1) have high cultural landscape values.”*

Vegetation of importance includes the hemi-parasitic mistletoe, *Alepis flaida* on riparian beech remnants, which is listed as a nationally threatened species in gradual decline. The tree daisy *Olearia bullata* found in damp gullies within the covenanted area is also a nationally threatened species regarded as sparse. Areas of grey shrubland are a vegetation type that has a much reduced area due to burning and pastoral development. Small areas of grey shrubland containing *Olearia bullata* are considered especially rare communities. It is however considered in the proposal that in the wider context these are well protected within the proposed covenant, but it is a mystery to us as to how such protection will actually be achieved.

Important fauna species associated with the covenanted area include the nationally endangered long tailed bat *Chalinolobus tuberculatus* and the threatened New Zealand falcon *Falco novae seelandiae*.

All these values are comprehensively (although landscape values are sadly lacking) described in Paragraph 3 of Schedule 1 in the Covenant where the stated objective is to “protect the values”.

FMC has some very serious concerns about this proposed covenant area. The first is that given its elevation range (1,000 to 1,600m) and soil resources (LUC Class VIIe Moonlight Steepland soils) with very limited suitability for pastoral use, we question whether it is capable of being managed in a way that is ecologically sustainable in the long term. The promotion of ecologically sustainable land use is a statutory objective of the CPLA and is a logical condition for freeholding. We have argued consistently that soil nutrients lost through grazing and burning must be replenished if ecological sustainability is to be achieved. Replenishment of nutrients would normally be done by application of fertilizer, but this is generally regarded as uneconomic where pasture production at higher elevations is limited by climatic constraints.

We note that the objective of the Covenant states *“That the land must be managed so as to preserve the Values”*. Schedule 2 specifies that sheep only are to be grazed north of Davidsons Creek while sheep and cattle may be grazed south of that creek. It is most important to note that grazing is permitted *“only to an extent that is consistent with the objective in Clause 2, and the protection of the values described in Schedule 1”*.

Given that no stocking rate limitation is proposed and that no protection of the values will be provided by fencing, we find it very hard to understand how these important conditions will be enforced, and how the objective *“to protect the values”* will be achieved. It is unclear to us whether the strictures apply to the entire covenant area, or only that part north of Davidsons Creek where only sheep grazing is to be permitted. It also appears that there is only provision for monitoring and reduction in stock numbers north of Davidsons Creek. We therefore fail to understand how the objective to protect the values on the land south of Davidsons Creek will be achieved, especially as the grazing of both cattle and sheep are to be permitted. FMC believes that it will be absolutely essential that the effects of grazing over the entire area of the covenant are rigorously monitored especially in the first five years and that there should be appropriate provision for reduction in stock grazing pressure (both numbers and class of stock), and construction of new fencing, should monitoring indicate that such action is necessary. We believe that the alternatives are to fence the Covenant area along the line “c” to “d” or to enlarge the covenant area down to an existing fence at about 600m and impose a stock limitation on that larger area which is fenced.

We appreciate that new fencing (along the line “c” to “d”) could impact on landscape values by encouraging new sheep camps which would be visible across the upper Wakatipu area.

If new fencing as suggested above is unacceptable because of undesirable effects, there may be an alternative strategy involving an enlarged Covenant area and a stock limitation which applies to the entire enlarged covenant area. This could be achieved by using the existing fence at approximately 600m between map references: NZMS 260 E40 474.900 and 487.926. An appropriate stock limitation could be imposed over this entire, enlarged covenant area.

A third alternative might be to confine fertiliser use below say 900m and thereby provide an incentive for stock to remain below this altitude.

FMC Submission

FMC is most concerned about the appropriateness of this protective mechanism. We seriously question whether the land is capable of being managed in a way that is ecologically sustainable as required by the CPLA. Our reasons for this concern are explained above.

FMC is also most concerned that the objective of the covenant – “to protect the values” – will not be achieved because there appears to be no provision for fencing or control of grazing pressure. At the very least we believe that there should be rigorous monitoring of grazing effects over the entire covenant area in the first 5 years, with provision in the Covenant conditions to reduce stock numbers, eliminate cattle and construct new fencing, should the results of monitoring indicate that this is necessary.

Fencing could be considered along the line of the public access route “c-d”. However this may be unacceptable because sheep camping effects may impact on landscape values. If stock limitations

and new fencing are unacceptable an alternative strategy could consist of an enlarged Covenant area and a stock limitation which applies to the entire enlarged covenant area. This would apply not only over the originally proposed Covenant area CCI, but would also include the proposed unencumbered freehold area down to the line of the existing fence (Map Reference NZMS 260 E 40 474.900 to 487.926).

Qualified Designation 2.4.2

An easement for public foot access under Section 36(3)(b) Crown Pastoral Land Act 1998

The proposed easement provides access to the conservation areas CA 1, CA 2 and CA 3. It allows for the significant inherent values associated with the recreational and natural resources to be utilised and enjoyed as of right by the public. The proposed conservation areas will provide a high quality of back country and remote recreational experience in a spectacular setting.

It can be anticipated that there will be a small number of serious tramping parties who wish to make the demanding crossing to the Skippers and Shotover, so access to the backcountry in CA 1 and CA 2 will be important. Access via the proposed route beside Precipice Creek and from "c" to "d" would be adequate but the shorter route proposed only for management access would be much better.

Many more trampers and day walkers will be seeking day trips to a specific destination, or to make a round trip. Temple Peak is the obvious day trip destination, and again the proposed Precipice Creek access route would be adequate. There seems to be no provision for a round trip, day trip.

For a day trip, access adjacent to Precipice Creek and across the glacial bench from "c" to "d" would provide a lot of variety in natural values and views across the Rees and Dart Rivers, and across these rivers and head of Lake Wakatipu to the Humboldt and Ailsa Mountains. A serious weakness of the proposal is that there is no public access route to provide an alternative return to the Rees Valley floor. The access route proposed for management access only would enable the completion of an excellent round trip. We understand that a short section of freehold land is obstructing that opportunity. It seems to us that there are two alternatives: (a) negotiations should be reopened with the freehold owner to gain permission for public access or (b) a short diversion track (within Temple Peak property) could be constructed to avoid the freehold land.

FMC Submission

FMC appreciates that provision has been made for access to the very significant recreation opportunities in the new Conservation Areas CA 1 and CA 2, and along the route "a" to "d". However, in view of the significance of these opportunities, and the extent that they would be used in future (if a round trip opportunity was available) we believe that access should be re-negotiated with neighboring freehold owners. The alternative would be to construct a short section of new track within Temple Peak property, to avoid the neighbouring freehold land.

Qualified Designation 2.4.3

An easement for conservation management access under Section 36(3)(b) Crown Pastoral Land Act 1998

The Proposal document states that *"the route proposed for conservation management access only from the Rees Valley Road adjacent to Davidsons Creek is not available for public use as sections of this track lie within other properties. At this stage the proposed easement will only allow DoC management*

access provided arrangements can be made with the adjacent land owners. The adjacent land owners have made it clear that they will not allow public access on this route". FMC does not accept that this should be the final position in this tenure review. FMC does not object to the use of the proposed route for management purposes.

FMC Submission

FMC does not object to the use of the proposed route for management purposes. FMC notes the remarks above about the distinction between public and DOC management access to conservation Area CA 2. In view of our comments above about the provision for public access we strongly recommend that further attempts are made to negotiate public access across the short sections of neighboring freehold to enable much more convenient public foot access to CA 2 and the completion of a round trip which starts from "a", through "b" and "c" to "d". An alternative could be to construct a short section of new track, within Temple Peak property, to avoid the neighbouring freehold as suggested above.

Finally, FMC appreciates this opportunity to comment on the tenure review of Temple Peak Station, and is grateful to the agent, Darroch Ltd., for making appropriate arrangements for the inspection of the property.

Yours faithfully



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



Our Ref: 22015-001
Your Ref: Po200/1

(11)

Patron:
His Excellency The Hon
Anand Satyavard, PCNZM
Governor General of New Zealand

18 January 2010

The Manager
Darroch Ltd
PO Box 27
ALEXANDRA 9340



Attn.: Luana Pentecost
Property Administrator

Dear Ms Pentecost

**RE: TEMPLE PEAK PASTORAL LEASE – TENURE REVIEW UNDER PART 2
CROWN PASTORAL LAND ACT 1998**

Thank you for your letter of 2 November 2009 concerning the above.

The NZHPT is a Crown Entity and is New Zealand's lead agency in historic heritage management. Its purpose is to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand, as provided for in Section 4(1) of the Historic Places Act 1993. The NZHPT's powers and functions are set out in Section 39 of the Historic Places Act.

The NZHPT has developed guidelines based on internationally recognised best practice to assist in the identification and protection of historic heritage values. This includes guidelines on assessing impacts on historic heritage. NZHPT monitors 'one off' opportunities such as this to ensure that the Crown's commitment to the identification, recognition and protection of significant inherent historic heritage values on pastoral lease lands subject to the tenure review process, is adequately dealt with.

The NZHPT notes that the Conservation Resources Report (CRR) for Temple Peak Pastoral Lease covers the property's historic heritage values fairly briefly. Consequently the Summary of Preliminary Proposal does not appear to factor in historic heritage when determining the land allocation or any covenanting over areas proposed for freeholding.

From information available to it, the NZHPT understands that:

- The head of Lake Wakatipu was visited by Maori as a seasonal mahika kai, while the Dart River was a source of pounamu. More research may identify if sites of Maori significance exist on Temple Peak Station;
- Pastoralism was established by and gold mining took place within the Glenorchy area during the 1860s. The CRR notes that areas along Ox Burn and Precipice Creek were mined. While it is understood that Temple Peak was separated from Rees Valley Station in the 1920s, there may be buildings (e.g. musterers' huts) and/or other structures remaining on the property that are of historic heritage significance; and

NZHPT Otago/Southland Area Office, Floor 4, Queens Building, 109 Princes Street
PO Box 5467, DUNEDIN 9058 Ph (03) 477-9871 Fax (03) 477-3893

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- Glenorchy-Wyuna was New Zealand's principal area of scheelite mining. The activity's close association with the country's war history as demand for scheelite rose and fact that the area mined has been little disturbed by subsequent fossicking make this an historically significant location. Julia Bradshaw's book *Miners in the Clouds: a Hundred Years of Scheelite Mining at Glenorchy* (Christchurch, Caxton Press, 1997) points out the activity took place for almost a hundred years. While the most important locations appear to have been south and north-west of Temple Peak Station, 12 Mile Creek, Precipice Creek and Temple Peak itself receive specific mention as sites where scheelite mining took place. Davidson's Mine on the property, and potentially other locations, may consequently be of greater historic heritage significance than presently suggested in the CRR.

The NZHPT believes that the historic heritage values of Temple Peak Station should be further researched before this Tenure Review proceeds to the substantive proposal stage. I understand the Department of Conservation (DOC) has indicated it is considering further heritage assessment and is willing to commission such an investigation.

The NZHPT recommends that:

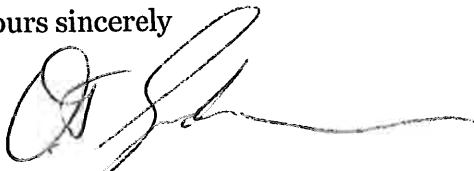
- Further assessment of the historic heritage values of Temple Peak Station be undertaken, in accordance with the guidelines for identifying and protecting significant inherent values on pastoral leasehold lands subject to tenure reviews, so as to fully inform future negotiations and decision making; and
- NZHPT is provided with a copy of the assessment of the historic heritage values of Temple Peak Station and opportunity to provide further comment on the review in terms of land allocation and protection mechanisms.

I note that the notice of this review was initially sent to the NZHPT's office in Christchurch. Please note that the Otago/Southland Area Office is the appropriate contact for all matters from the Waitaki District southwards.

Please address any queries you have in the first instance to:

Doug Bray
Heritage Adviser (Planning)
DDI (03) 477-9819
Mob (027) 241-3624
Email: dbray@historic.org.nz

Yours sincerely



Owen Graham
Area Manager (Otago/Southland)

CC Otago Conservator, Department of Conservation, PO Box 5244, Moray Place, DUNEDIN 9058, Attn.: Tony Perrett (HCTR Manager) and Shar Briden (TSO, Historic)