

Crown Pastoral Land Tenure Review

Lease name : TWIN PEAKS

Lease number : PO 204

Public Submissions

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

These submissions are released under the Official Information Act 1982.

Submission One



Department of Botany

Division of Sciences
PO Box 56, Dunedin
NEW ZEALAND

University of Otago
Te Whare Wananga o Otago

Tel: National 03 479 7573 International 64 3 479 7573
Fax: National 03 479 7583 International 64 3 479 7583
Email: amark@otago.ac.nz

April 27, 2017.

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

SUBMISSION ON PROPOSED TENURE REVIEW: TWIN PEAKS PASTORAL LEASE

Dear Sir/Madam,

I thank Mr Stewart Hydes of the Property Group for making a copy of the "Summary of Preliminary Proposal" available for this 3533 ha. leasehold property. Other than the basic outline of the proposal, including a map of the property and easement information, there was very little relevant ecological information (11 photographs excepted) in this brief, 12-page document. The Conservation Resources Report of 33 pages plus maps and photographs, was therefore essential to obtain much relevant information pertaining to this tenure review exercise.

I visited the property with three other interested persons on December 13, under ideal conditions, and had preliminary discussions with the review agent, and the lessees before spending three hours inspecting some of the lower slopes and outwash flats of the property.

A track wash-out prevented us reaching the extensive, 1475 ha **proposed Conservation Area (CA1)** which extends above about 900-1000 m and contains all of the Top Ewe and Wether blocks. This area is bounded on its lower side by existing fences and extends to the property's upper boundary on the crest of the Wether Range, where it reaches a maximum elevation of 1785 metres. Comprising Landscape Unit 3, the upper slopes and summit of the Wether Range (Fig. 1), it is bounded to the north by the **Killermont Conservation Area** and to the south by **Oteake Conservation Park**.

I am aware of the ecological/conservation values of this area on the basis of several previous visits to the crest of the Wether and adjacent ranges. The proposal for **formal conservation of this area CC1 is endorsed**. It would provide continuity between these two adjacent conservation areas and so is justified on the basis of reserve criteria, as well as landscape values and particularly conservation (heritage) values, since it consists of an altitudinal sequence from low-alpine narrow-leaved (*Chionochloa rigida*) to slim (*C. macra*) snow tussock grasslands, on to a mix of high-alpine plant communities: fellfield, cushionfield and boulder-scrree slopes, with a wide range of alpine species typical of the general area (see Fig. 1). While the plant species are characteristic of the St Bathans Ecological District, the vegetation cover throughout is generally highly depleted through more than a century of exploitative pastoral farming. Categorised as comprising land with severe to extreme limitations for land use (Classes VIIe and VIIIe), there is no question that the land should be retired from grazing. Hence the **recommendation is strongly endorsed**. Also, when protected it **should be designated as an extension to the Oteake Conservation Park**, presently on its south-eastern boundary. This would provide a significantly higher level of protection than the Stewardship land status of the Killermont conservation area on its northwestern boundary. At this time the Killermont CA should also be included as an extension to the Oteake Conservation Park. **This**

recommendation is made in the knowledge that land of **Conservation Park status** assumes **significantly greater status and security** than a mere conservation area (which would be classified as Stewardship land), which is now known to have relatively limited conservation status and security, as highlighted in a recent (April, 2015) report by the **Parliamentary Commissioner for the Environment**. Although it is likely that such a recommendation will be deemed to be outside the scope of a tenure review exercise, I consider that it should not be, since **the purpose of identifying and allocating land for conservation purposes through the tenure review process, should also extend to the most appropriate designation for such land and any adjoining conservation lands, for the long term. A response from the appropriate authority on this issue would be appreciated.**

Qualified Designations:

1. Continued limited grazing for a further 3 years, as proposed to facilitate adjustment of stock management, being up to 2000 ewes for up to 30 days between 1 February and 30 April, inclusive, is **reluctantly agreed to in principle only**. An easement concession for farm management purposes only, is proposed to provide access within the lower boundary of the CA1 area (labelled "a-b" on map). This easement, as well as the proposed easement within the CA1 (labelled "-d"), should have terms consistent with the term of the limited grazing; i.e., up to 30 April, 2020, and this is **recommended** since neither should be required beyond this time.

2. The existing unregistered easement in gross to the **Airways Corporation** for maintaining a calibration beacon for 18 years from 1 April 2013, is also **agreed to**.

Public access to the CA1 area, however, remains unavailable through the lower slopes of this property and is to be available only via a long route (>8 km) through the Killermont property as far as the proposed easement shown as "a – b", but apparently not along the existing 4WD track of several (~8) kilometres shown as "b – c" on the map, which traverses the proposed conservation covenant CC1. It is disappointing that public access to this ecologically valuable area of mixed Grey Scrub, will be denied.

All public access would be for foot access or persons on horses or non-motorised, person-powered vehicles only. This would amount to about a 7 km walk from Shortcut Road near the Lindis Pass highway (see Fig. 6), to the lower margin of the proposed conservation area: certainly not conducive to the elderly!

The **proposed Conservation Area CA2**, of ~140 ha, is located on the Ahuriri Outwash Terrace on the northern corner of the property at ~520 m elevation. As described in the CR Report, this area is in Landscape Unit 3: Alluvial Outwash Plain and where not developed, as here, it is dominated by exotic plants, most notably mouse-ear hawkweed, with less of sheeps sorrel and browntop (Figs. 3-5), and a negligible presence of native species; only a few scabweed mats (Fig. 4) and scant *Muehlenbeckia axillaris* herbs were seen, but several others are listed in the CR Report (p. 12). It is said in the proposal that "The area is to be managed by DOC for the purpose of protecting its SIV's" but, other than the natural outwash landscape and some very minor indigenous species, such are not readily apparent at this time. Perhaps time would see some improvements and at least the area has ready access in the form of the highway along its full northeast boundary. This area is certainly representative of the few undeveloped areas on these outwash terraces and so is **recommended for formal protection**.

The **proposed Conservation Covenant CC1** of ~25 ha (under s.77 of the Reserves Act), the 1918 ha of land proposed for freehold disposal, is intended to protect an area of the best quality mixed grey shrubland within the area to be freeholded. Only the lower part of this area of shrubland was inspected (Fig. 2) but it appeared to be relatively dense and diverse, but sheep were grazing within it. As described in the CR Report (p. 11), being dominated by matagouri (*Discaria toumatou*) and *Coprosma propinqua*, with *Olearia virgata* conspicuous among a wide range of other shrubs and climbers, including *Rubus schmedelioides*, *Clematis marata* and *Muehlenbeckia complexa*. The

nationally threatened climbing broom, *Carmichaelia kirkii*, is also listed as being present, but was not seen on our visit.

It is difficult to determine from the map, the exact extent of this proposed covenant, but it should certainly extend to the ridge line on both sides, so as to obtain the full elevation sequence of probably 100 m, as well as the contrasting north-west and south-east aspects. Ideally this covenant should be fenced to exclude stock but, rather, no fence is proposed (it would be difficult with a 4WD track up the valley floor), so with no fencing, there is provision to graze both sheep and cattle. Nor is there any provision for monitoring here, which should be a requirement, at **least photo-point monitoring** by qualified DoC staff on representative sites, and this is **strongly recommended**.

I trust that this response and its recommendations will be given serious consideration. I also thank you again for the opportunity to assess and comment on this important proposal for tenure review.

Yours sincerely,

Alan F. Mark. FRSNZ, KNZM. Emeritus Professor.



Figure 1. View to the crest of the Wether Range from the track alongside Manuka Creek near Map Point “b”, showing the low-alpine snow tussock grassland-clad upper slopes, with high-alpine communities near and on the crest. Snow totara (*Podocarpus nivalis*) dominates the shady south-east slopes of Killermont Station conservation area on the right, with mixed shrubland on Twin Peaks property on the left.



Figure 2. View up an unnamed creek to the mixed “Grey Scrub” which dominates both aspects to their ridge crests and is proposed as a Conservation Covenant (CC1). Ideally the covenant should extend from the fenceline shown on the left, upslope to both ridge crests and up-valley to embrace the full extent of the shrubland-dominated area.



Figure 3. View south-west across the proposed Conservation Area (CA2) across the Twin Peaks property towards the Wether Range from near the covenant’s roadside boundary, showing the dominance of the exotic flat weed, mouse-ear hawkweed (*Hieracium pilosella*), with clones of two shades of green, and a few typical single lemon-coloured flower heads (last years heads are prolific by comparison). The smaller brown patches are of sheeps sorrel (*Rumex acetosella*: prominent in the distance). Bare, frost-heaved soil covers about 10% of the ground.



Figure 4. A close-up view of the area in Figure 3, showing the exotic mouse-ear hawkweed and sheeps sorrel, as well as two pale-green mats of native sacabweed, *Raoulia australis*, plus lichen-covered rocks and bare soil.



Figure 5. Local area within the proposed Conservation Covenant, showing relatively lush browntop (*Agrostis capillaris*) and mouse-ear hawkweed, associated with a rabbit burrow and, presumably, some related nutrient enrichment.



Figure 6. Public access to the Wether Range off Shortcut road, between the Lindis Pass road and Broken Hut road, indicating a distance of 7 km to the boundary of the existing Killermont Conservation Area. This would also apply to the proposed Conservation Area (CA1).

Submission Two



8 February 2017

Commissioner of Crown Lands
Land Information New Zealand
Private Bag 4721
Christchurch 8140

Dear LINZ Pastoral & Tenure Review Team

TENURE REVIEW PRELIMINARY PROPOSAL – TWIN PEAKS PASTORAL LEASE

Fish & Game has reviewed the preliminary proposal for the tenure review of Twin Peaks pastoral lease. Omarama Stream, which runs through the northeast corner of the property, provides spawning habitat and juvenile recruitment to the lower reaches of Omarama Stream, a reputable rainbow and brown trout fishery. Omarama Stream contributes to the fish populations of the Ahuriri River. The Ahuriri River is recognised by the Ahuriri Water Conservation Order for its fishery and angling values. The 2014/15 National Angler Survey reveals 720 angler days for Omarama Stream and 2,030 angler days for the Ahuriri River itself.

The section of stream from approximately NZTM CA15:5063-6289 downstream to NZTM CA15:5126-6352 (which is encompassed by the property boundary) is considered to be rearing water for juvenile brown and rainbow trout. Due to sufficient flow at this site, adult brown and rainbow trout are also known to inhabit this location and have been seen at the Berwen Bridge. Additionally, Fish & Game understands that the Berwen Bridge site is a recognised release site for Waitaki River longfin and shortfin elver for the Waitaki River Elver Trap and Transfer Programme.

In 2014, Fish & Game monitored Omarama Stream at Omarama Station (downstream of the referenced section above) as part of the Cawthron Cumulative Effects Programme. Monitoring involved electric fishing 100 metre sections of stream, collecting habitat information, and recording weight and length data for all species caught. At the Omarama Stream site, 194 of the

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

Central South Island Region

32 Richard Pearse Drive, PO Box 150, Temuka 7948, New Zealand. Telephone (03) 615 8400 Facsimile (03) 615 8401
www.fishandgame.org.nz



200 total fish captured were trout. This equates to 5.6 trout per square metre. Of the 194 trout caught, 32 trout were greater than 300mm. The large number of trout caught at this location could be indicative of successful spawning and rearing upstream.

On farm management

Fish & Game notes from the proposal that the grazing of sheep, beef cattle and non-milking dairy cattle will take place on the Twin Peaks property. Given the value of Omarama Stream to the sports fishery, Fish & Game considers that fencing the stream at this location with an appropriate setback distance (minimum 3 metres) is warranted.

Please feel free to contact me with any further questions.

Best regards

A handwritten signature in black ink, appearing to read "Angela Christensen".

Angela Christensen

Resource Officer

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

Central South Island Region

32 Richard Pearse Drive, PO Box 150, Temuka 7948, New Zealand. Telephone (03) 615 8400 Facsimile (03) 615 8401
www.fishandgame.org.nz

Submission Three

TWIN PEAKS

Submission on the Preliminary Proposal for Twin Peaks Pastoral Lease On behalf of the Dunedin Branch Forest and Bird Management Committee.

This submission is written on behalf of the **Dunedin Branch of the Royal Forest and Bird Protection Society** which has approximately 800 members with strong interests in botany and natural history in general and in the High Country. Many of the members enjoy active recreation in the back country and are very aware of the need to ensure the protection of natural values, vegetation and landscape, historical sites and to improve public access through the tenure review process.

In making these recommendations we are mindful of the fact that under the CPLA Section 24 (b), significant inherent values must be protected by the creation of protective mechanisms (e.g. conservation covenants) with a preference to return to full Crown ownership and control.

This submission is made on the basis of an inspection trip in April 2012 at the early warning stage and more recently in December 2016 and of knowledge of the surrounding area. We have also consulted the Conservation resources Report (CRR) and Due Diligence report. In 2012, due to a recent snowfall we were unable to get up onto the ridge crest in the time available to us and in December we were also thwarted due to track damage and lack of time to walk up so have relied on the CRR for descriptions of the high CA1 land.

Twin Peaks Lease.

Twin Peaks is a relatively small lease of about 3,535 ha extending from the flats alongside Omarama Stream up to almost 1,800m on the eastern slopes and crest of the Wether Range. The northwest boundary is with Killermont which has completed tenure review and the southeast boundary with Dunstan Peaks which has also completed the tenure review process.

The lease has a number of significant inherent values which warrant protection, landscape, ecological, botanical and fauna, all well described in the CRR.



Figure 1. A panoramic shot of the pleasing landscape view from the Omarama-Lindis Pass Highway. Twin Peaks lease is in the middle, to the left, the dark hillside is the edge of Dunstan Peaks. To the right of centre is Manuka Gully and the slopes at the right are on Killermont

Landscape values on the lease are high as the Wether Range is an integral part of the western rim of the Mackenzie Basin (Figures 1, 2). The faces of the Wether Range are visible from the main highways traversing the basin towards the Lindis Pass and Twizel-Mt Cook and are very much part of the tourist experience when travelling the McKenzie Country (Figures 1-2). They are also loved and appreciated by New Zealanders who know the area. Those faces still have a natural appearance when seen from a distance (Figures 1-2).



Figure 2. A closer view of Twin peaks. Manuka Gully can be seen towards the right up to the head of the catchment.

CA1 Area to be restored to or retained in Crown Control as Conservation Area ("CA1")

An area of approximately 1,475 hectares designated as land to be restored or retained in Crown control as Conservation Area, pursuant to Section 35(2)(b)(i) Crown Pastoral Land Act 1998 (CPLA),

CA1 includes the upper slopes and summit of the Wether Range and has high landscape values, as described under 'Landscape Unit 3' in the CRR.

The upper slopes above 1000m to the ridge crest at around 1800m consists of steep slopes, ridges, upper gullies, screes, minor cirque basins, all of which are characteristic of the sub-alpine and alpine zones of the Wether Range.

We note that the tussock country from about 900m is severely depleted from past practices and that the Soil and Water Conservation Plan (referred to in the Due Diligence document) stated that "*Past fires and heavy grazing pressures have been the cause for much of the severe depletion on the sunny faces at altitude in the Wether Range.*" While vegetation values still exist on the range crest the tussock and inter-tussock species are considerably depleted. Nevertheless, the CRR states that "A high diversity of native plant species is associated with these snow tussock communities".

However there are still significant botanical values, well described in the Conservation Resources Report, which are worthy of protection as a CA with grazing removed, so that eventually the tussock and plant cover will regenerate. It is well known that the tussock regeneration is very important for water conservation, something of great concern in the McKenzie Basin.

We note that Land Use Capability (LUC) above about 800m is rated as Class VIIe and VIIIf, i.e. the land within CA1 is non-arable with severe to extreme limitations for pastoral use.

We fully endorse this proposal for conservation area CA1 to protect and enhance the significant inherent values within it

The above recommendation is entirely consistent with the CPL Act S24 (b) (i) *To enable the protection of significant inherent values of reviewable land by the creation of protective mechanisms*

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



Figures 3 and 4. Manuka Creek looking into the head of the catchment (March 2012 and December 2017). Note the scree slopes at the head and the zig-zag track up at right.



Qualified Designations (under Section 36(1)(a) CPLA):

A grazing concession under Section 17Q(1) Conservation Act 1987 to Twin Peaks Station Limited for 3 years, over "CA1". The concession allows the grazing of up to 2,000 ewes for up to 30 days total within the period from 1 February to 30 April inclusive, during each year of the term. The inclusion of the grazing concession over "CA1" for 3 years provides a realistic and finite timeframe within which the lessee can modify pastoral farming practices and eliminate grazing over this area of the property.

We note the special conditions set out in Schedule 3 but note the absence of any monitoring provisions such as photopoints, which would surely be needed to determine if there were adverse effects - discussed in schedule 3 point 8.

We do not object to this short grazing concession, though would rather it didn't exist.

An easement concession under Section 17Q(1) Conservation Act 1987 to Twin Peaks Station Limited for farm management purposes over the land marked as a blue line and labelled "c-d".

The easement is over an existing formed track and will provide practical access for the lessee to the upper sections of the proposed freehold for farm management purposes.

We have no objection to this easement, but wonder why it will still be needed once the grazing ceases after 3 years.

An existing unregistered easement in gross to Airways Corporation of New Zealand for establishing and maintaining a calibration beacon for a term of 18 years, from 1 April 2013.

The beacon and associated facilities are located within the proposed "CA1", bordering on the rear boundary which follows the ridgeline of the Wether Range.

We have no objection to this easement

CA2 Area to be restored to or retained in full Crown ownership and control as Conservation Area ("CA2")

An area of approximately 140 hectares designated as land to be restored to or retained in full Crown ownership and control as Conservation Area. The area includes part of the 640 block, also known as the Ahuriri Outwash Terrace. This block sits at the northern most end of the leased area, and borders Short Cut Road, which provides both legal and physical access.

The area is part of the expansive Waitaki Basin floor and was formed by fine scale deposition of alluvium associated with post glacial ice melt. It is uniformly flat with subtle topographical undulations and habitat variations associated with numerous outwash channels. Although substantially modified, it is considered a significant ecosystem, being one of the last sizeable areas of an undeveloped alluvial outwash ecosystem remaining in the Ahuriri Ecological District.

Sufficient area has been allowed for within the perimeter of "CA2" to create an untouched central core. This is intended to preserve the authenticity of the undeveloped basin and to prevent its infiltration by weeds, pests and agricultural contaminants from the cultivated plains which surround it.

The above description of the proposed CA2 area is endorsed.

That northeast corner of the lease bounded to the east by Shortcut Road we believe is a significant example of a lowland LENZ land unit which is significantly under-represented in the spectrum of NZ natural environments.

A short walk across it indicated that in this dry and, on the surface, uninteresting patch of land, there were a number of plants and lichens of interest in this very dry area on the flats which we understood from the lessee in 2012 are not well suited to farming activity.

We fully support the proposal for CA2 which is in keeping with the CPL Act 1988 S24 (b) (ii) To enable the protection of significant inherent values of reviewable land (preferably) by the restoration of the land concerned to full Crown ownership and control.



Figure 5. A *Carmichaelia* – lichen association on the CA2 Drylands area at the northwest corner of the lease



Figure 6. More of the many plants and lichens seen on the Drylands patch. Native scabweed, *Raoulia australis* on the left and the lichen, *Xanthoparmelia* (*Chondropsis*) *semiviridis* which is becoming increasingly rare as its dryland habitat disappears.

Area to be disposed of as freehold

An area of approximately 1,918 hectares designated as land to be disposed of by freehold disposal to Twin Peaks Station Limited, pursuant to Section 35(3) CPLA Subject to protective mechanisms under Sections 40(1)(b), 40(2)(a) and 40(2)(b) CPLA and a qualified designation under Sections 35(3) and 36(3)(b) CPLA.

We have no objection to the proposed area for freehold and the CC1 protective mechanism.

Protective mechanisms

CC1 Conservation Covenant over approximately 25 hectares

Protective mechanism "CC1" – Part Ewe Block

Conservation Covenant under Section 77 Reserves Act 1977, pursuant to Section 40(1)(b), Section 40(2)(a) & (b) CPLA over approximately 25 hectares

It is stated that "This covenant is intended to protect the SIVs present and enable grazing to continue. The covenant encompasses part of Ewe Block and is designed to protect the botanical values of the block, along with the natural landscape of the area particularly as viewed from the highway". The covenant area supports shrublands which are best described in Schedule 1 and the CRR and include matagouri, *Coprosma propinqua*, *Olearia odorata*, *Olearia virgata*, mountain wineberry *Carmichaelia petriei*, common broom (*Carmichaelia australis*), matagouri and tauhinu (*Cassinia leptophylla*). Also present, but less common, are *Coprosma intertexta*, *Coprosma taylorii*, *Corokia cotoneaster*, *Olearia bullata*, *Hebe salicifolia* and *H. rakaiensis*. Climbers, include the nationally threatened climbing broom (*Carmichaelia kirkii*) (not seen by us) and the uncommon native jasmine (*Parsonsia capsularis* var. *rosea*), *Rubus schmidelioides*, *Clematis marata* and *Muehlenbeckia complexa*.



Figure 7. View up the un-named tributary of Manuka Creek showing the CC1 shrubland. From the map it is difficult to be sure of the proposed covenant boundary. We strongly suggest that it needs to extend from the fenceline, see Figure 6, (below), up to the ridgeline and that it should include all of the shrubland.

This shrubland is certainly worthy of protection. We assume and hope that it extends to the ridgeline on both sides of the gully.

We note that it is not to be fenced which is not ideal and that grazing by sheep and cattle is to be permitted. If the proposed monitoring listed in Schedules 2 and 3 does indicate some deterioration in botanical values we would presume that cattle might then be excluded as a first step.

We regret that is to be no public access to CC1 which has much of interest to botanists and as a low level walk and ask that this be reconsidered.

We support the creation of the CC1 covenant and the conditions, including monitoring, listed in Schedules 2 and 3.



Figure 8. Part of CC1. We submit that it should extend from the fenceline at left along the ridgeline on both sides of the gully.

Public access easements

An easement in gross for public access, under section 7(2) Conservation Act 1987 for access on foot, on or accompanied by horses, or by non-motorised vehicle powered by a person or persons, over that part of the land marked as an orange line and labelled "a- b" on the designation plan.

The easement takes up at point "b", the place where the existing trampers track on the adjoining Killermont Conservation Area crosses the Manuka Stream and enters Twin Peaks. The track follows the stream on the western boundary to point "a" on the boundary to the proposed "CA1".

This section of public access easement complements the existing Killermont public access easement as it provides a more practical access along an existing track through to "CA1".

The public access easement does not allow for passage by motor vehicles, similar to the adjoining public access on the former Killermont Pastoral Lease, which this access is connected to. The public access easement does not allow for the carrying of guns or accompaniment of dogs.

The above provisions for public access with a 7km long , often hot, walk will mean that many older and less able people will be unable to get up onto the higher areas and ridgetop to enjoy the botanical values and amazing views. In my early warning submission I suggested:-

'We suggest that vehicle access along the Twin Peaks side of the boundary as far as about GR Topo50 449 613 or the water tank be negotiated, if necessary by application for special permission. This would allow for maximum enjoyment of the Manuka Creek catchment and the range crest by a wider range of people'.

As already mentioned, we regret that is to be no public access to CC1 which has much of interest to botanists and as a low level walk and ask that this be reconsidered.

Since the CPL Act 1998 requires "the securing of public access to and enjoyment of reviewable land" we submit that the above suggestions for access are entirely appropriate.



Figure 9. The beginning of the long 7km walk to reach the CA1 boundary.

Conservation management access easements

An easement in gross for DOC management purposes, under section 7(2) Conservation Act 1987. 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 non-motorised vehicle, 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 as an orange line and labelled "a-b" and "b-c" on the designation plan included in the proposal document.

We have no objections to this provision

Comments on the designation of CA1 as a Conservation Area - which is classified as Stewardship land

Conservation land, as highlighted in a recent (April, 2015) report by the Parliamentary Commissioner for the Environment, in fact has relatively limited conservation status and security and this has already resulted in some Conservation disasters, eg, destruction of an iconic area with hugely significant ecological values on the Denniston Plateau to allow mining there.

We consider that CA1, should be given Conservation Park status together with the already created CA areas on Killermont and Dunstan Downs and ultimately added to Oteake Conservation Park. We know that this may be outside the review process but must be borne in mind when reviews are being negotiated. This provides much better protection than does 'Conservation Area' designation.

Acknowledgements

We wish to thank LINZ for facilitating access and Mark Becker, the lessee, for permission to inspect and advice on tracks.

J. m. Ledingham

Janet Ledingham

For the Dunedin Branch of Forest and Bird
PO Box 5793, Dunedin. 9010

9/2/17

Submission Four



WALKINGACCESS
ARA HĪKOI AOTEAROA

10 February 2017

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

Preliminary Proposal for Tenure Review of Twin Peaks Pastoral Lease Submission from the Walking Access Commission

Thank you for the opportunity to comment on the Preliminary Proposal for the tenure review of the Twin Peaks pastoral lease.

The Commission's public access statutory role is described below, under section **A. Introduction**, and the detailed submission is presented in section **B. Submission**.

In summary, the Commission;

- 1. **Seeks to have enduring, practical public access established (i.e. by an easement under section 7(2) Conservation Act 1987 or Part 3 of the Walking Access Act 2008) on the track identified 'a'-b' between the existing Manuka Creek easement and the proposed CA1. The access not be subject to any closure period or to exclude the carrying of guns.***

A. Introduction

Purpose, Objective and Functions of the NZ Walking Access Commission

The Walking Access Act 2008 (WA Act) (sections 3, 9 and 10) sets out the purpose, objective and functions of the NZ Walking Access Commission.

The Commission is the Crown agency with statutory responsibility¹ for leading and supporting the negotiation, establishment, maintenance, and improvement of –

- walking access (including walkways, which are one form of walking access) over public and private land; and
- types of access that may be associated with walking access, such as access with firearms, dogs, bicycles, and motor vehicles.

Central to its role is the negotiation and provision of free, certain, enduring and practical access to the outdoors for New Zealanders and visitors.

¹ Section 3(b) Walking Access Act 2008

Focus of Submission is Public Access

The Commission's submission on the Preliminary Proposal for Twin Peaks is designed, as envisaged by the WA Act, to achieve free, certain, enduring and future-focused public access in this area of New Zealand.

The Commission's submission reinforces the objectives of the Crown Pastoral Land Act 1998 (CPL Act), in particular section 24(c)(i) which is to make easier the securing of public access to and enjoyment of reviewable land. Specifically, our submission addresses the public access and public enjoyment matters specified in subsection (2) (c) and (d) of section 40 of the CPL Act (Protective mechanisms).

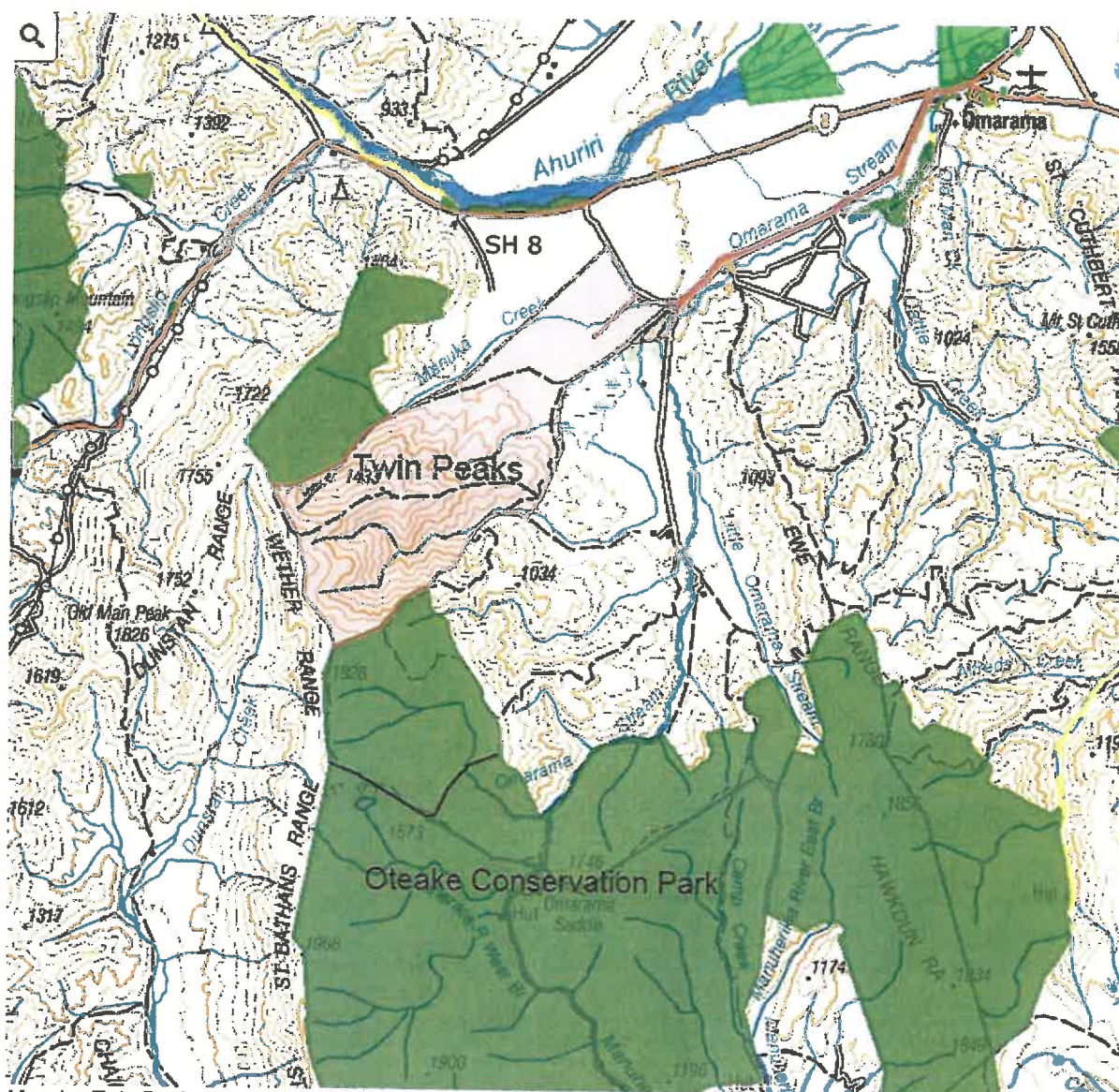
This submission is aligned with Land Information New Zealand's (LINZ) Statement of Intent 2015-2019 and will help achieve the outcomes relating to:

- location information – unlocking the potential of 'where' (pages A5 and B3), and
- Crown Property – ensuring that the best economic, environmental and recreational uses are being made of Crown-owned and Crown-used land (pages A5 and B15).

B. Submission

Context

The Twin Peaks pastoral lease, located approximately 10km by road south west of Omarama, is situated in the Ahuriri Valley on the eastern slopes of the Wether Range, at the northern end of the St Bathans Range (see Map 1).



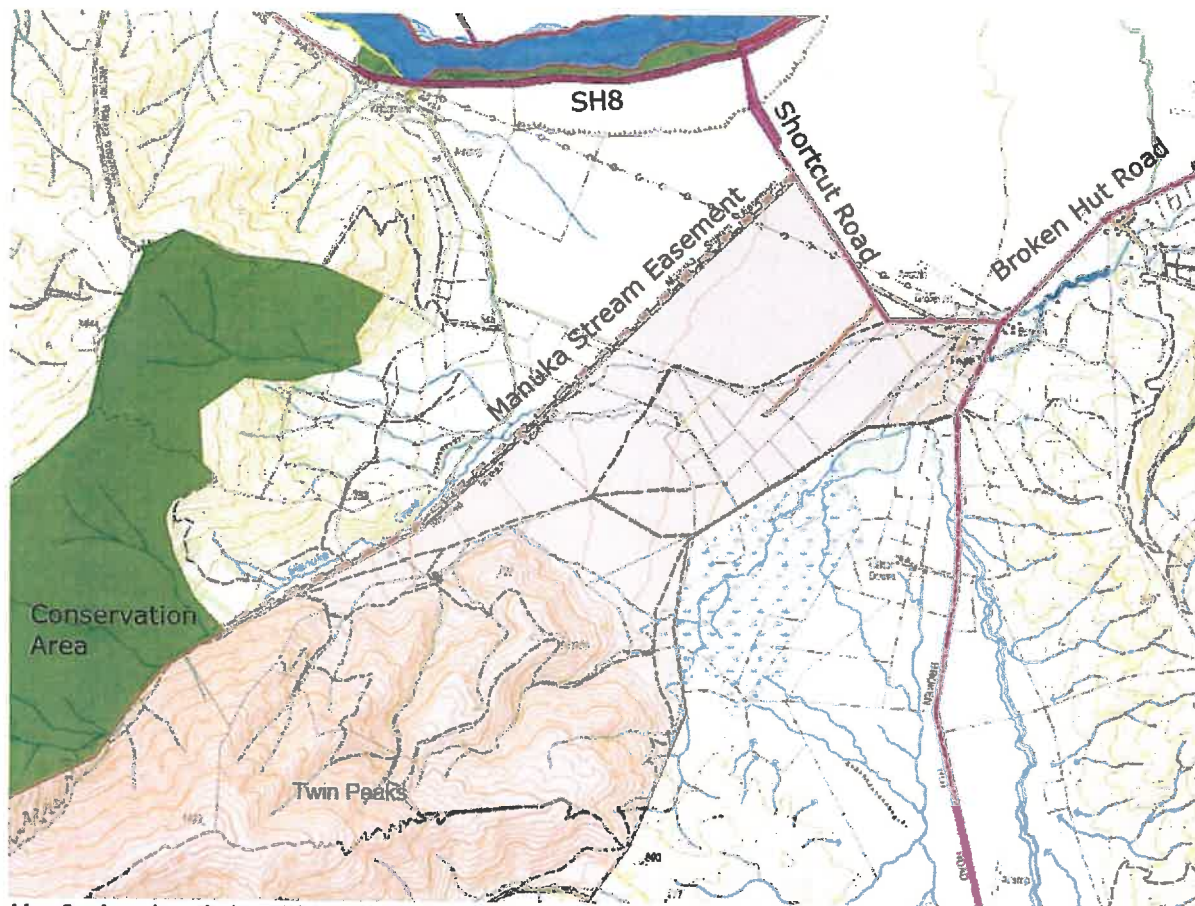
Map 1 Twin Peaks pastoral lease (red). Public conservation land (green)

(source www.wams.org.nz).

While the Ahuriri Valley is an important recreational area, the significance of Twin Peaks is the result of its location on the Wether Range, situated between two conservation areas, and just north of the extensive Oteake Conservation Park (see Map 1.) Twin Peaks has strategic importance in providing access onto the St Bathans Range via the Wether Range and enabling important access linkages between the Ahuriri Valley and Oteake Conservation Park, and potentially to areas east and south of the Park

Existing public access

Broken Hut Road from Oamaru, and an un-named road (commonly known as Shortcut Road) off State Highway (SH) 8, provide legal access to the north eastern end of the property. A public access easement (Manuka Stream Easement) adjoining the north western boundary of the property provides for walking access to the adjoining conservation area (see Map 2).

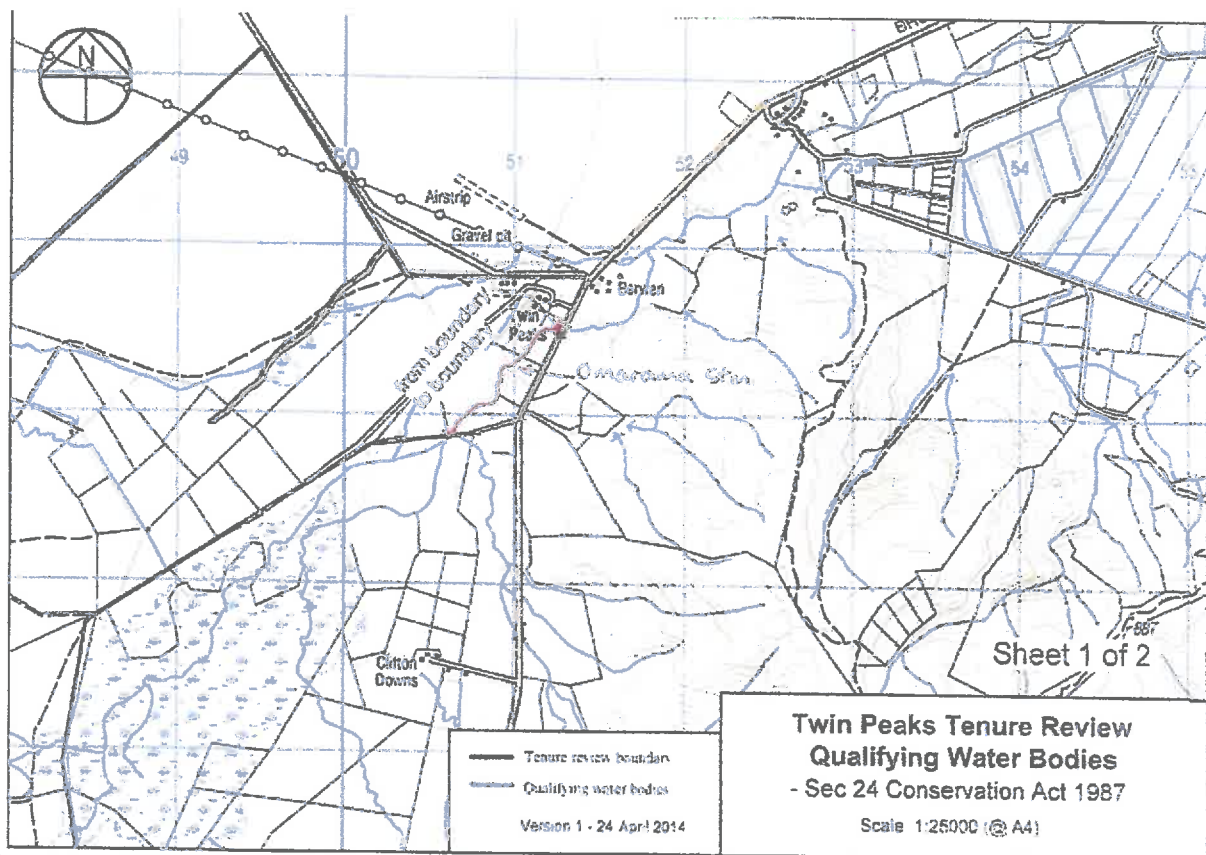


Map 2 Legal roads (purple) to Twin Peaks, and public access easement (dashed red). (source www.wams.org.nz)

Marginal Strips

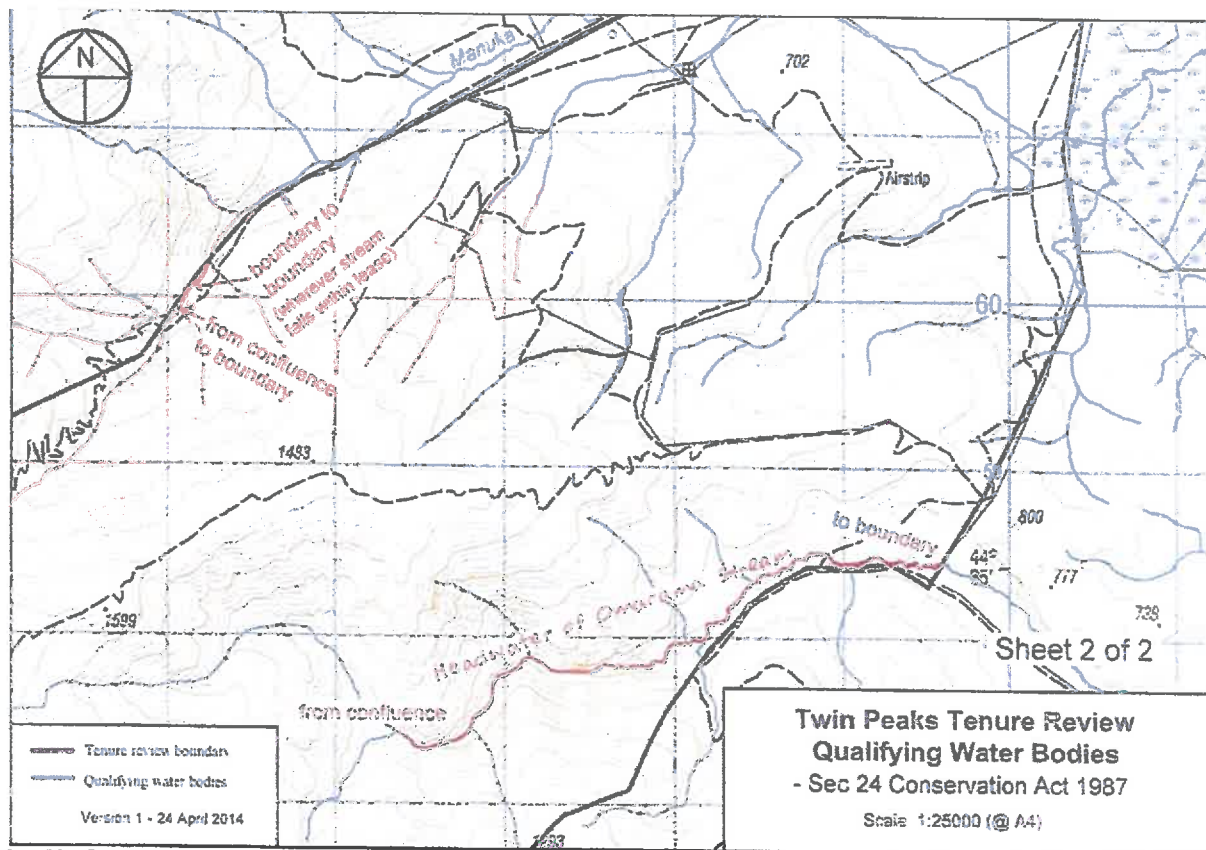
The 'Twin Peaks Tenure Review QWB Assessment (23 April 2014) states that the property has no fixed marginal strips pursuant to s24(3) Conservation Act 1987.

The QWB Assessment identifies the majority of Omarama Stream and Manuka Creek within the property, as waterbodies that qualify for marginal strips (Map 3).



Map 3a Qualifying water bodies; Omarama Stream

(source: Twin Peaks Tenure Review QWB Assessment (23 April 2014))



Map 3b Qualifying water bodies; Manuka Stream & headwaters Omarama Stream

(source: Twin Peaks Tenure Review QWB Assessment (23 April 2014))

Public access in the Preliminary Proposal

The only public access proposed (walking, mountain biking, with horses) is 'a'-'b' south west from an existing easement some 900m to the proposed CA1. Special terms include that the public are not permitted to carry a gun or be accompanied by a dog, and that the easement may be closed between 1 October and 20 November for livestock management purposes.



Map 4 Existing and proposed access to CA1.

(source www.wams.org.nz)

The Commission supports appropriate public access to the conservation area, but believes the proposed access is too restricted.

Proposed public access

The principal requirement for access as part of this tenure review is the provision of practical public access to the proposed CA1 and onto the Wether Range.

The existing public access easement adjoining Twin Peaks (Manuka Creek easement) provides for public access on foot, with horses and bikes. There are no provisions to close the access, and the easement does not prohibit the carrying of guns.

On disposition of Twin Peaks, there will be a marginal strip, normally 20m wide, on either side of Manuka Creek in the vicinity of the proposed easement 'a'-'b'. The public will have the right of unrestricted use of the marginal strip and the carrying of guns is usually permitted.

It is perhaps unfortunate that allowing for the closure of 'tenure review' easements for livestock management purposes has become common place, and there appears to be minimal justification for any closure in this case. There is already unrestricted public access on the easement and conservation area adjoining the block where the easement is proposed. The proposed easement also closely follows the boundary of the block which would minimise any stock disturbance.

It appears to be illogical to have restrictions on public use of some 900m of proposed easement when access over a nearby marginal strip will not be restricted, and where some 6.5km of an existing easement leading to the proposed easement does not restrict the time of access or the carrying of guns.

The Commission recommends that enduring and unrestricted public access (on foot, with horses or on mountain bikes), including the carrying of guns, is provided for on the track identified 'a'-'b' between the existing Manuka Creek easement and the proposed CA1.

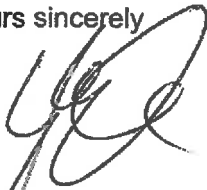
Conclusion

The Commission:

2. *Seeks to have enduring, practical public access established (i.e. by an easement under section 7(2) Conservation Act 1987 or Part 3 of the Walking Access Act 2008) on the track identified 'a'-'b' between the existing Manuka Creek easement and the proposed CA1. The access not be subject to any closure period or to exclude the carrying of guns.*

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

Yours sincerely



Eric Pyle
Chief executive

Submission Five



New Zealand Deerstalkers' Association Inc

Canterbury Regional Access Group
c/- PO Box 9034, Tower Junction, Christchurch 8149

David Hodder, ph 03 339 7038 / 027 616 1290, email s.d.hodder@xtra.co.nz
Stewart Hydes ph 021 403 927, email stewart.h@clear.net.nz

12 February 2017

Submission to:

Attn: David Gullen
Commissioner of Crown Lands
c/- Land Information New Zealand Crown Property
CBRE House, 112 Tuam Street
Private Bag 4721
CHRISTCHURCH 8140
Email: tenurereview@linz.govt.nz

TWIN PEAKS – TENURE REVIEW

Preamble

The New Zealand Deerstalkers Association Incorporated was founded in 1938, and advocates for recreational big game hunting for its 10,000 members spread across 49 branches around New Zealand.

The NZDA is strongly motivated to strive to have a positive influence on Tenure Review – as it is both a significant threat – and a significant current opportunity – for retention, maintenance and enhancement of public recreational hunting access, particularly in the South Island.

Further insight into the views of the NZDA are provided in the preamble provided in our TR submission on **Glenfalloch Station dated 10 July 2016**.

Station Location and Hunting interests

Twin Peaks is located south of Omarama, near Broken Hut Rd, Upper Waitaki basin on the highway between the townships of Twizel and Cromwell, on the north side of the Lindas Pass, and almost opposite the entrance to the Ahuriri river valley on the north facing tussock slopes of the McKenzie Basin. The total area is approx. 3,500ha and the PP is suggesting a division of almost 50/50 for crown retention/freehold being the higher/lower lands respectively. The top of the Wether Range provides the southern boundary and along with the adjacent Kill station provide adjacent public walking and possible public vehicle tracks.

Fish & Game reports some game bird hunting opportunities exists for upland game birds, like chukor and quail. They support the maintaining of all existing legal road and foot access on the property. The DOC report emphasises the geological, landscape, botanical, native species, recreational viewing aspects of the property. Although just outside the official 'range' of the Himalayan Tahr there is the prospect of encountering wandering tahr plus chamois and the ever spreading wallabies, rabbits and hares.

Public access

Although the PP provides some walking only access, which includes horses and mountain bikes it specifically excludes any public rights to take a motorised vehicle over the freehold proposed property, and excludes the carrying of a firearm, or the taking of a hunting/bird dog.

Therefore the PP provides less public access than before the TR was proposed. This would not be an acceptable outcome to the NZDA or the recreational hunting public.

There seems to be some possibility via the driveable ridge-line of the Wether Range and the tracks on the adjacent station (Killermont ?), plus the tracks on Twin Peaks to negotiate some public vehicle access to the UCL boundary.

Hunting access provisions

The CRAG believes TR must provide suitable enduring access to the new Crown land boundary created, for the express purpose of public recreation and volunteer assistance with the management of wild animals on all public land.

We believe that this is a duty of LINZ on behalf of the Minister of Crown Lands and the government and NZ citizens

WE THEREFORE REQUEST THAT THE PP FOR TWIN PEAKS BE MODIFIED TO PROVIDE THIS ACCESS.

The comment has been made that access via a vehicle is often less disturbing to stock than people walking through a paddock !

Public parking

Another aspect of TR that is often neglected is the provision of suitable vehicle parking where walking access is provided. Also where horses are permitted to the public walking access easements there needs to be provision for parking horse floats, as well as cars/4WD's.

Waterway access

There needs to be a regular statement in the PP that discloses any waterways within the TR that are 3m wide, or over, that fulfil the legal requirement to be classed as a 'right-of-way' for access for fishers, hunters, walkers etc.

Summary

NZDA advocates, in the strongest possible terms, that LINZ has a powerful obligation – on behalf of the people of New Zealand – to effectively negotiate to secure/enduring public access across reviewable land to crown / public conservation land (usually referred to as "PCL") and recreational hunting grounds beyond, during the Tenure Review process. The Tenure Review process defines what history will see as a significant watershed moment, in terms of the restoration, preservation and/or enhancement of the public's expectation (in our egalitarian society) of such public access. Any failure by LINZ to provide for such public access in Tenure Review outcomes entrenches what is likely to be an ever-lasting loss of the historical / customary / traditional right of reasonable enduring public access expectations across reviewable land.

Yours faithfully

David W Hodder
Joint Coordinator
CRAG

Submission Six

Central Otago Recreational Users Forum
c/o. 30 Earnscliffe Rd.
Alexandra 9320
11/2/2017

TO:

Commissioner of Crown Lands
Land Information New Zealand
Crown Property CBRE House,
112 Tuam Street
Private Bag 4721
CHRISTCHURCH
pastoral&tenurereview@linz.govt.nz

RE: Twin Peaks, PO 204
Preliminary Proposal for Tenure Review

Our submission.

CORUF

Central Otago Recreational Users Forum represents some 60 groups and individuals with outdoor recreational interests on public land. We can describe our members as general public of varying fitness levels wanting to enjoy their chosen outdoor pursuits. Most have a number of interests but all require reasonable access to give them a realistic opportunity to enjoy their chosen recreation which is often family orientated..

Recreations enjoyed by our members include: walking, photography, biking, horse riding, tramping, 4WD'ers, hunting (game and birds), cross country skiing, dog sledging, snow mobiling.

As we represent many different types of recreational groups our submission is a generalisation of the feedback received.

Access

It is important to have good access (as in available, legal access), and practical access which allows recreationalists to arrive at a point where they can set about enjoying themselves on the public land.

Tenure Review has promised to provide more secure and easier access for our members to get out into our wonderful new reserves and conservation areas. For this promised outcome we are in agreement with the Tenure review process.

It does not matter which of these activities provides the enjoyment . Having the right starting point is most important. Almost as important as the weather.

Access is key to being able to enjoy the new public areas.

If the review is completed and our members find that access provided is not of a standard to allow enjoyment better than pre Tenure review, then LINZ and DOC are failing the general public of NZ.

Twin Peaks is set in an area which will provide enjoyment for most of these recreations, however the access provided through Killermont and Twin Peaks reviews at this stage gives no ability to drive to a starting point where one can within a reasonable distance start enjoying oneself.

T/R promotes to our members an increasing variety of new and differing landscape backdrops which very much enhance their enjoyment.

Being able to involve other family members adds to the enjoyment, which in turn introduces more outdoor participation for the future.

Has the product of T/R so far helped them achieved these pleasures?

I'm afraid not. Members expectations after T/R is to be able to drive to a car park situated on the boundary of the new conservation area .

Do trip planners for walkers and harriers consider DOC land first for their activities? Apparently not, even though some groups walk 20 + km. These are mostly weekly day walks and are planned around farmer permission with the OK to roam and not be restricted to easements and distance up hill. Each farm has its own lowland and upland history. Discovering old buildings and encountering earlier huts, workings of yesteryear is the attraction.

If there was good (as explained above) access to Conservation land, it would be better used. Therefore vehicle access easements to the boundary of each Review is sought, as promised in s24(c)(i) CPLA.

Loop walks are obviously a preferred option and activities are built around the ability to do this. What is required is a car park next to the conservation boundary where various routes out onto the public land can be planned.

Do photographers go out and participate in the conservation area? Yes they do but their enjoyment is somewhat frustrated as one-day outings which are planned to weather and light (morning and evening) are severely restricted by not having access to car parks at conservation boundaries.

Winter sports such as Cross country skiers, dog sledgers and others obviously need 4WD access to a higher point (snow level) so are not able to enjoy areas that have only "walk, bike, and horse" easements.

Do 4WD'ers consider they are getting value from T/R.? A very big proportion of NZ families have 4WD vehicles. It appears they love to spend time introducing their families to the back country experiences; or they are older and can't walk far, but have a love of the landscapes available in NZ, which tends to whet their appetite for more. There are the hoons, yes, there will be some damage to roadsides but on the 10's of kms stretching from left or right of the track there is plenty of area they are not going to get to. CORUF is working on the problem of hoons and is making progress.

Hunters say they have a lot to offer the Conservation Department if adequate 4WD access is negotiated during the reviews. Graeme Nugent of Landcare has researched the best and cheapest form of wild animal control in NZ. The best, being most cost effective and reliable was to form 4WD access tracks to within a reasonable travel distance and make them available to recreational hunters.

Request 1

CORUF requests that 4WD access easement must be negotiated to the top of the Wether range through Twin Peaks review. There is apparently no 4WD access to this area which has one of the best of landscape views out across the Mackenzie country, including Mt Cook, Dobson, Hopkin valleys and west up the Ahuriri.

Reasons

This access would allow most of the above recreationalists reasonable time to enjoy their activity on conservation land without negotiating prohibitively long and difficult access routes.

1. within one of the best landscape back-drops in this province
2. would not restrict younger or infirmed family members from participating (no long walk access)
3. the amount of time available these days is restrictive, we see day-ventures becoming the norm.
4. allows shorter time to get out safely as weather can change quickly in this area.
5. When Omarama Station nearby completed its Tenure Review, only a foot-track and no upland Conservation land was created, from what had been NZ Crown Land. This should not happen again.

Comments

We do not see the provision of public access to the boundary as being unaffordable. DOC is moving towards a policy of public interaction. Members assured us that they would be happy to do work to keep tracks open. If there is no legal foundation of some sort for 4WD access now, then its never going to happen.

This is a great chance for the general public to participate alongside DOC, building the stronger partnership that DOC is promoting.

Request 2

At the very least there must be a 4WD access easement to the conservation boundary across Twin Peaks (with gun carriage permitted).

Reason

The reason for small length walk easement over Twin Peaks was stated as being formed because people travelling the Killermont walk easement were preferring to trespass on Twin Peaks rather than walk the poled last part, even though that last part was only 500 metres. I'm sure that reflects the inadequacy of that 7 km+ of preliminary flat-land track on Killermont. If they don't have the energy to walk the last, poled part, then how much farther up onto the conservation land are they going to walk that day, let alone get back? The walk track is unreasonably long for so-called "public access".

The Review should:

1. allow loop type exploratory walks for most of the general public
2. within one of the best back drops in this area.
3. this would not restrict younger or infirm family members from participating (no long walk access)
4. the amount of time available these days is restrictive, we see day ventures becoming the norm.
5. It allows shorter time to get out as weather can change quickly in this area.
6. We do not see any value in the argument that Land owners are more accepting of walking type easements over 4WD access, on the basis of possible stock disruption.

Request 3

Easements asked for must include ability to carry guns.

Reasons

There is no gun-carrying easement to the Wether Range. This gun restriction appears to be contrary to the requirement of the CPLA, around ecological protection and protection of significant inherent values.

As explained above, recreational hunting has been researched as the cheapest and most reliable way of controlling wild animals.

Over view

There has been a tendency during previous NGO meetings to be given information around access tracks which with time has become very unreliable. Time has shown us that farmers do not all want 4WD public access tracks excluded from their farm land. We also have reports from farmers offering tracks for public access during Reviews, and that not being accepted by LINZ or DOC.

We have found farmers promoting use of their tracks after the Review is completed: tracks which, we were told at NGO meetings, were said to be unobtainable.

At the very least this is creating distrust in the process, and we ask for NGO meetings to return so these questions can be answered.

It would appear to be a money saving exercise when only walk, bike and horse riding access are provided – which, our members comment, are of doubtful use. One could be cynical about this and say the only justification is that there is no upkeep associated with this type of track.

If after Tenure Review the public have to ask land owners for permission, to have reasonable access to conservation land, the process has failed the public.

If the land owners still have to take phone calls asking for permission to cross their land because there is no other good access, the process has also failed them.

We are thankful for the chance to submit to this Tenure Review and ask, Please carry out the objectives of Section 24 CPLA which states that it is an objective of tenure review to make easier both the securing of access and enjoyment of reviewable land.

CORUF

Chair Alan Mackie

Submission Seven



Federated Mountain Clubs of NZ

P O Box 1604

Wellington

administrator@fmc.org.nz

13 February 2017.

Commissioner of Crown Lands
Land Information New Zealand
Christchurch.

Dear Mr Gullen,

Tenure review of Twin Peaks Crown pastoral lease

Federated Mountain Clubs was founded in 1931 and advocates for New Zealand's backcountry and outdoor recreation on behalf of 20,000 members. This fundamental function gives the organisation a strong interest in Crown pastoral tenure review as, through the process, land can be redesignated for new purposes including conservation and recreation.

Of especial interest to FMC due to its interest in biological, landscape, and historic values and recreation access are the prioritised objects of the statute enabling tenure review, Part 2 of the Crown Pastoral Land Act 1998:

Section 24

(a) to-

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

(b) to enable the protection of the significant inherent values of reviewable land-

(i) by the creation of protective mechanisms; or (preferably)

(ii) by the restoration of the land concerned to full Crown ownership and control,

and the following object:

(c) subject to paragraphs (a) and (b), to make easier-

(i) the securing of public access to and enjoyment of reviewable land.

Additional objects, *to enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument, and the freehold disposal of reviewable land*, must also be considered, though their priority is not as high as those of (a)(i), (b)(i), and (b)(ii).

Twin Peaks

This 3,532.9057 hectare Crown pastoral lease is at the southwestern extremity of the Omarama basin on the southern side of State Highway 8. It rises to 1,789 metres above sea level on the Wether Range. To the north, depleted and undeveloped outwash flats dominate; beyond are the Clay Cliffs scenic landmark and the Ahuriri River. Conservation areas adjoin the property to the west and south.

Twin Peaks provides a large part of the backdrop to the southern part of the greater Mackenzie basin. It offers recreationists chances to climb from the valley floor to the tops, and to travel on the Wether Range ridgeline between the Killermont and Wether Range Conservation Areas.

The following submission views Twin Peaks' preliminary proposal through the lens of the objects of Part 2 of the Crown Pastoral Land Act 1998 and their hierarchy.

Proposed CA1 (including grazing concession)

Landscape values are very high in the upper parts of this proposed block, containing some of the best remaining representative examples of landscapes that characterised original New Zealand. Lower areas, though affected by grazing and burning, are capable of being restored to provide landscape links between important landforms and features.

Botanically, this proposed area's intact sequences are important; they are highly representative of its original vegetation. Very significant plants such as the Nationally Critical *Oreomyrrhis colensoi* var. *delicatula* and the chronically threatened *Carmichaelia vexillata* and *Carmichaelia crassicaule* exist here, supported by their communities.

The Declining New Zealand pied oystercatcher and the Declining New Zealand pipit and a variety of lizards have been found in the proposed area.

For invertebrates, this higher country is rich habitat. Scree weta - near the species' range limit - the alpine ringlet, mountain stone weta, the alpine grasshopper *Brachaspis nivalis* and two threatened spider species, *Anoteropsis arescens* and *Anoteropsis alpina*, both Sparse, exist in the area.

The proposed area has strong potential for recreation. The adjacency of the existing Wether Range and Killermont conservation areas increases its value as connection of the three areas will expand opportunities for backcountry enjoyment in the southern Omarama basin.

FMC supports the creation of the proposed three-year grazing concession.

FMC supports the creation of a farm management easement concession.

FMC supports the maintenance of an unregistered easement in gross to Airways Corporation of New Zealand, due to expire on April 1, 2031.

The significant natural values present in the proposed block qualify it for full Crown protection and control as indicated by the Crown Pastoral Land Act 1998. However, significance exists beyond proposed CA1 and the block's boundary should be adjusted accordingly. This will be discussed on page 5.

Recommendation:

*** that proposed CA1 and associated concessions be adopted.**

*** Note: necessity for extension to proposed CA1's boundary is discussed on page 5.**

Proposed CA2

At the northwest tip - and lowest point of the property - this 140 hectare outwash area is significant in landscape terms, with its essential features of scale and simplicity. It is representative of original outwash surfaces in the area.

Natural rarity means this part of the property is of the highest significance botanically. Its protection will provide the chance for gradual restoration and for regeneration of highly significant plants such as *Pimelea pulvinaris* and *Carmichaelia crassicaule*. Final designation as a scientific reserve under s21 of the Reserves Act 1977 would be appropriate.

The grasshopper *Sigaus minutus*, in Gradual Decline, is present in the proposed block. There are also spider and weta burrows, parts of a plant and invertebrate community that likely contains pre-agricultural biota.

Benefits of CA2 to recreationists as the proposal presently stands are largely related to appreciation of landform. Redesignation as scientific reserve, despite some potential constraints, would offer opportunities for learning about aspects of the outwash and its restoration that are not immediately obvious.

Significant inherent values existing in this block qualify it for full Crown protection and control in line with the statute. Significance extends beyond the proposed boundary for CA2, however, and adjustments should be made. This will be discussed on page 5.

Recommendations:

- * that proposed CA2 be adopted.**
- * that proposed CA2 be given a final scientific reserve designation.**
- * Note: necessity for extension to proposed CA2's boundary is discussed on page 5.**

Proposed CC1

At around 25 hectares, this proposed mechanism has potential to protect identified very highly significant botanical intactness and part of the visual backdrop to the southern part of the Omarama Basin.

Certain of its conditions, however, mean it is unlikely to provide real protection for identified values. Proposed unfettered grazing by cattle and sheep and almost unrestricted topdressing and oversowing mean it will likely achieve no more than maintain natural values' present compromised condition (indeed, 'maintenance' is referred to in Special Condition 7a). Additionally, as there is no certainty of establishment of a monitoring regime (Special Condition 7: "The Minister may design and undertake a monitoring programme..."), actual degradation could take place unrecorded. This is inadequate.

Moreover, strong natural values extend beyond the area proposed for protection. Land above, below, and alongside the proposed covenant area, though affected by past agricultural practice, can be restored for its landform and landscape feature values and to protect botanical intactness and individual species such as the Declining *Carmichaelia kirkii* and the locally rare *Parsonia capsularis* var. *rosea* - both with good populations - and *Sophora microphylla*.

For these reasons, the proposed protective mechanism should be expanded as the statute's prioritisation of significant inherent values indicates. It should extend out to the spur lines adjacent, run up to connect with proposed CA1 regardless of whether that block is created as proposed or expanded, and run down to the main farm track on the flat. It should be fenced, a grazing regime focussed on improving significant inherent values should be devised, and monitoring should be implemented.

Recommendations:

- * that proposed CC1 should be established and extended as outlined above.**
- * that CC1 should be fenced.**
- * that a grazing regime with the object of improving significant inherent values should be designed, implemented, and monitored.**

Proposed freehold (not including protective mechanism)

Redesignation as freehold is appropriate for much of this proposed 1,918 hectare block. However, there are parts of it that should be retained in full Crown ownership and control for the protection of identified significant inherent values to give effect to the Crown Pastoral Land Act 1998.

CA1 should be expanded to include the Wether Range foothills areas presently proposed as freehold that contain diverse and intact native botanical systems and include healthy populations of the Declining *Carmichaelia kirkii* and the locally rare *Parsonia capsularis* var. *rosea* as well as *Sophora microphylla*, notable in this area. Significant landscape values in this foothills area that, despite the impact of burning and grazing retain intact landform patterns and are restorable, also qualify for the protection full Crown ownership and control of these foothills areas will provide.

Also needing such protection is the outwash area southwest of and adjoining that presently proposed as CA2; this proposed conservation area should be expanded southwest to the smaller fenced paddocks. This is indicated by the natural rarity of the area's ecosystem which includes habitats for remnant populations of rare and threatened plant species. Along with the land presently proposed as CA2, this should be given scientific reserve final classification (see discussion on pages 3 and 4).

A further covenanted area - CC2 - is needed to restore and conserve identified high natural values along the property's border with Dunstan Downs in the property's southeast. Healthy shrublands and the invertebrates they provide habitat for are present in high condition. A threatened (Data Deficient) spider, *Matua valida*, is present there, as is the flightless beetle *Megadromus alternus*. CC2's boundary should be determined in consultation with the Department of Conservation; it should be established with fencing, a management regime focussed on significant inherent values' restoration and ongoing good health; and it should have a monitoring programme.

FMC supports creation of public access easement 'a'-b', but not Special Easement Terms 12 and 14. Failure of the easement terms to allow members of the public to carry guns or be accompanied by dogs (Term 12) is abrasive to the statute's intention regarding public access and recreational enjoyment as many members of the public will wish to access CA1 for hunting, a common pastime for New Zealand recreationists; many of those will wish to have dogs with them. Similarly, more than seven weeks' potential closure of the easement annually (Term 14) is in tension with the Act's stated purpose of providing public access and recreational enjoyment. These special easement terms should be removed.

Recommendations:

- * that part of the proposed freehold block northeast of and adjacent to proposed CA1, as described above, be included in CA1.**
- * that part of the proposed freehold block southwest of and adjacent to proposed CA2, as described above, be included in CA2 and be finally classified as scientific reserve.**

- * that a covenant, CC2, be established in the property's southeast, as described above, to protect identified significant inherent values.***
- * that Special Easement Terms 12 and 14 be removed as they do not fulfil the purpose of the Act.***
- * Note: alterations to proposed CC1 are discussed and recommended on page 4.**

Land classification

This Crown pastoral tenure review should 'enable the protection of the significant inherent values'. Therefore, as part of the review, all property to become public conservation land should be given final classification based on the technical data that have informed the review.

Stewardship classification does not ensure protection through appropriate management and does not provide protection from exchange (Section 16A(1) of the Conservation Act 1987 says: *Subject to subsections (2) and (3), the Minister may, by notice in the Gazette, authorise the exchange of any stewardship area or any part of any stewardship area for any other land*). FMC therefore proposes that land to be retained by the Crown be given precise classifications that will address the Act's requirements that the review should 'enable the protection'; otherwise, the review will fail to give proper effect to the Act.

Recommendation:

- * that public conservation land created by this tenure review be specifically classified as part of the process.***

Conclusion

This preliminary proposal for the tenure review of Twin Peaks' Crown pastoral lease, for the most part, expresses the objects of the Crown Pastoral Land Act 1998. However, improved protection for natural values is needed for the Act's primary demands - promoting ecologically sustainable management and enabling protection of significant inherent values - to be met properly.

In order to fulfil the public access and recreational enjoyment requirements of the statute, some minor alterations will need to be made.

Significant inherent values' protection - a prioritised object of the Crown Pastoral Land Act 1998 - on public conservation land is uncertain unless the land has specific, not stewardship, classification. Using the tenure review's supporting technical data to appropriately classify parts of the property being retained by the Crown will ensure that this statutory priority is achieved.

Yours sincerely,

J R Finlayson

Vice-president, FMC executive.

Contact: Jamie Stewart

Executive officer, Federated Mountain Clubs

P O Box 1604

Wellington 6104

04, 9346089

secretary@fmc.org.nz

Submission Eight



Canterbury Aoraki Conservation Board

Te Poari Kaupapa Atawhai ki te Rohe

P O Box 4175, Christchurch Mail Centre, Christchurch 8140

Tel: (03)3713700 mgrandiek@doc.govt.nz

11th February 2017

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

Review Under Part 2 Crown Pastoral Land Act; Twin Peaks Pastoral Lease

The Canterbury Aoraki Conservation Board has received the preliminary proposal for tenure review of the Twin Peaks pastoral lease and wishes to submit on the following points.

1. Public non-motorized access has been provided along with motorized Department of Conservation access for management and monitoring purposes over the area marked a-b. We would like to submit that if the existing access easement needed to be shifted considerably by the landholder, for whatever reason, this access would continue to be made available for the public, and for the department management and monitoring purposes.
2. That all public conservation land created as part of the Twin Peaks tenure review process be formally classified, as appropriate for inherent values identified, as part of this tenure review process.

This preliminary proposal appears to have satisfactory outcomes meeting many of the conservation and recreation needs in the Waitaki-Mackenzie Basin.

A handwritten signature in blue ink, appearing to read "Helen Ivey".

Helen Ivey

Chairperson Tenure Review Committee

Canterbury Aoraki Conservation Board

Submission Nine



Mackenzie Guardians Inc.
Secretary: Liz Weir
19 Hector St
RD Coalgate 7673
03 3182 643

13 February 2017

Commissioner of Crown Lands
LINZ Crown Property
Private Bag 4721
Christchurch 8140
Pastoral&tenurereview@linz.govt.nz

Dear Mr Gullen,

Re Submission – Twin Peaks Tenure Review

Thank you for the opportunity to make this submission on behalf of our members.

Introduction

The objects of Mackenzie Guardians Inc. (the Society) are to promote the protection of the natural/naturalistic wildlife, water, vegetation, heritage and other landscape values of the Mackenzie Country.

Mackenzie Guardians Inc. is a community group representing people who live in the Mackenzie Basin and around New Zealand. The group was incorporated in 2009 because people were deeply concerned about the rapid changes occurring in the Mackenzie Basin. Iconic landscapes valued by New Zealanders and overseas visitors alike were being transformed into intensive farming landscapes, without consideration for the long term impact on the environment.

Since 2009 the Society has made a number of submissions on tenure review and resource consent applications, on planning processes, and has been involved in mediation of several Upper Waitaki irrigation appeals. The Society was an active participant in the Mackenzie Shared Vision Forum and is a signatory to the Mackenzie Agreement.

The Preliminary Proposal

- The proposal is to designate approximately 1,475 hectares to be restored to or retained in Crown control as Conservation Area. (CA1)
- Designate 140 hectares as land to be restored to or retained in full Crown Ownership and control as Conservation Area. (CA2)
- Approximately 1,918 hectares to be designated as land to be disposed of by Freehold Disposal to Twin Peaks Station.

When considering the objects in Part 2 of the CPLA, the Society believes the preliminary proposal will not (a) promote the management of reviewable land in a way that is ecologically sustainable or (b) enable the protection of significant inherent values.

Key Submission points

Significant inherent values - Landscape

Mackenzie Guardians agree with the Landscape Description in the Conservation Report 2013 provided by the Department of Conservation as part of the Twin Peaks tenure review assessment.

The scale and prominence of the landforms on the property and their contribution to the wider Mackenzie/Waitaki Basin landscape are significant values. Also significant is the open uncluttered character of the undeveloped outwash terrace. The distant higher slopes of the property are clearly visible from an important tourist highway. (Para 2.2.1 Conservation Report 2013).

The Mackenzie Basin is an Outstanding Natural Landscape (ONL) of national importance. The natural drylands of the outwash terraces across the Basin floor are a fundamental contributor to this landscape resource. The ONL is increasingly fragile.

A significant flaw in the current tenure review process is the lack of oversight and strategic direction for the **whole** of the Mackenzie Country. To continue to address the issues in the current piecemeal way will increase the vulnerability of the fragile and unique ecosystems of the basin floor, threatening the integrity of the ONL. To date large areas of the free-hold land granted under tenure review have been changed from natural dry grasslands to intensive, irrigated exotic pasture.

Significant inherent values - Ecological

The Conservation Report 2013, map 4.2.3 of the LENZ environments and threat status, shows that most of the area to be free-held is critically unprotected.

The loss of biodiversity through tenure review, especially of the lower altitude high country ecosystems, is of huge concern to the Society. Remaining indigenous biodiversity on the basin floor is disappearing rapidly and what remains now, is of the utmost importance. More so now than when the conservation assessments were undertaken for this tenure review.

The Society understands there is valuable habitat for endangered invertebrates eg local weta and grasshopper species which were recently classified as nationally critical, on the area for freehold disposal. Nationally critical is the highest threat level. More extensive areas need to be protected to ensure edge effects from nutrients and water applied on neighbouring lands do not adversely affect the protected area in the long term.

Because future land intensification will destroy the dwindling areas of natural habitat, it is even more pressing to preserve what remains. The Society does not accept that the preliminary proposal adequately promotes ecological sustainability as is intended by the CPLA. Part 2 Section 24 (a).

Proposed changes

The Society requests the following:

Support the proposed area CA1 being restored to full Crown ownership and control.

Support the proposed area CA2 but with an extension southwest across to the next fence line and the right angled track shown. A preferable boundary would be from the

road frontage extending back to the stream. This would then include the last remaining area of drylands on these flats, this outwash plain, that have not been developed. These protected drylands flats, as the only “sample” across this important natural landscape unit, need to be of adequate scale and need reasonably logical/natural boundaries.

The Society opposes the freeholding of the proposed area of 1,918 hectares of Crown land without adequate protection for landscape and biodiversity values.

Summary

The Society is not confident that Significant Inherent Values (SIVs) on the land will be protected if the land is allowed to become freehold. To protect significant inherent values (landscape and biodiversity) is a requirement under the CPLA. Land use change made possible by freeholding Crown Land is the biggest threat to the Mackenzie Basin’s SIVs.

Recent evidence to the Mackenzie District Plan Change 13 Hearing reinforces Mackenzie Guardians’ concerns. The Basin has reached a tipping point as articulated by landscape architect, Stephen Brown.

.....I believe that the recent acceleration of change within the Basin has left us now perilously close to a landscape ‘tipping point’, beyond which it would be all too easy to see one of this nation’s truly iconic landscapes irrevocably changed to the point where its sense of place and identity are largely lost. I believe this would be a tragic outcome for the Mackenzie Basin, Canterbury Region and nation as a whole. Indeed, I see the Mackenzie Basin as symbolic of a range of landscape issues that presently confront New Zealand – where in light of cumulative and accumulative effects, the very sense of place associated with key landscapes is being eroded and, in some instances, lost. I regard the Mackenzie Basin as one of these places. (Para 12 EIC Stephen Brown, MDC PC13 Hearing August 2016).

The Society believes the only way to protect the area’s special character and the integrity of the wider landscape, is for it to remain in public ownership.

LINZ is charged with protecting Crown land on behalf of all New Zealanders. The current preliminary proposal is not in the public interest.

Decision Sought

The Society requests that Crown land on Twin Peaks be retained in full Crown ownership and control.

That LINZ not allow for any CPLA discretionary consent to be issued to intensify land use on the undeveloped outwash lands within Twin Peaks.

If freeholding is to be pursued, the Society requests that the entire undeveloped area of outwash plain between the road and track/stream be transferred to conservation management as a Scientific Reserve.

Yours sincerely

Liz Weir

Secretary Mackenzie Guardians Inc.

Submission Ten

Tony Fraser

From: Southern Lakes Deerstalkers Assoc. <info@southernlakesnzda.org.nz>
Sent: Thursday, 16 February 2017 11:51 a.m.
To: Tony Fraser
Subject: Fwd: FW: Twinpeaks Tenure Review

From: Peter Hurst [mailto:peter@bfl.net.nz]
Sent: Thursday, 1 December 2016 12:16 PM

Hi Gents,

Twin Peaks Tenure review is now open for public consultation.

I note that the proposed public access easement bans the carrying of firearms. Hunters screwed again! 4WDers screwed as well!

The existing Manuka Creek Easement starts at Shortcut Road and passes through Killermont Station, (which completed Tenure Review in 2006)

There appears not to be any restrictions on carrying firearms on this easement document.

However, the proposal is to join onto the end of the Killermont/Manuka Creek Easement. And extend the access through, what is marked as a to b on the designation plan and will become Twin Peaks Freehold (but with firearm restrictions) and with the option of Twin Peaks owners closing parts of the easement at any time.

The proposed easement is a very short section of track, marked as a to b on the Designation Plan attached, of some 800 Metres in length, and it follows Manuka Stream.

My understanding of the law is that the public will have unrestricted access by following what will be the newly created Marginal Strip on Manuka Stream anyway. There appears not to be any restrictions in the 2016 Conservation Management Strategy precluding the use/carrying of firearms on Marginal Strips.

The track and the Marginal Strip will be closely aligned with each other. So why mess the public round by trying to illegally enforce access restrictions on this short section from the end of the Manuka Stream Easement to the newly created PCL?

Over to you now. Time to make a fuss. Time to put in your submissions.

Cheers

Peter Hurst

Submission Eleven

Sunday, 12 February 2017
Commissioner of Crown Lands
Crown Property & Investment
CBRE House, 112 Tuam Street
Private Bag 4721
CHRISTCHURCH 8140
To Whom it may concern

Chris Pearson
18 Rewa St
Dunedin

I would like to make the following submission for Preliminary Proposal for the Tenure review of the Osland Peaks Station which is undergoing tenure review under the Crown Pastoral Land Act 1998. I feel that I can support this tenure review in its entirety.

I feel that the area CA1 certainly represents a valuable addition to the conservation estate because it connects to an existing DOC reserve and it contains spectacular mountain scenery. The public access easement a-p in the preliminary designation plan also provides practical public access.

As far as CA2 is concerned, it is less important for public recreation but it is nice to see some provision for preservation of lowland areas.

Sincerely yours,

Christopher Pearson

