

CROWN PASTORAL LAND ACT 1998

GLENDHU TENURE REVIEW

NOTICE OF PRELIMINARY PROPOSAL

Notice is given under Section 43 of the Crown Pastoral Land Act 1998 by the Commissioner of Crown Lands that he has put a preliminary proposal for tenure review to Robert Ian McRae and Pamela June McRae, lessees of Glendhu Pastoral Lease.

Legal description of land concerned:

Pastoral lease land:

Sections 1, 2, 3 and 4 SO 22997 and Section 1 SO 19596 contained in Land Registry Folio Reference 14C/990 (*Otago Registry*) comprising 3095.2317 hectares.

Conservation area:

Crown land Block IX Motatapu Survey District comprising an area of 20.2343 hectares.

General description of proposal:

- (1) 215 ha (*approximately*) to be designated as land to be restored to full Crown ownership and control under Section 35 (2) (a) (i) of the CPL Act as conservation area .
- (2) 2880 ha (*approximately*) to be designated as land to be disposed of by freehold disposal to the holder under Section 35 (3) of the CPL Act subject to Part IVA of the Conservation Act 1987, and Section 11 of the Crown Minerals Act 1991 and the following protective mechanisms under Section 40 (1) (b), Section 40 (2) (a) and Section 40 (2) (c) CPL Act:

Protective mechanisms:

- (a) 340 ha (*approximately*) subject to Open Space Covenant under Section 22 QEII National Trust Act 1997 to protect landscape and amenity values of Rocky Hill.
- (b) 55 ha (*approximately*) Conservation Covenant under Section 77 Reserves Act 1977 to protect mixed native shrubland/forest.
- (c) 70 ha (*approximately*) Conservation Covenant under Section 77 Reserves Act 1977 to protect mixed native shrubland/forest.
- (d) An easement to provide for public foot access along the true right of the Motatapu River.
- (e) An easement to provide public foot access from the Wanaka Mount Aspiring Road to proposed conservation area at Hospital flat.

- (3) 9 Ha (*approximately*) to be designated to remain as conservation area under section 37 (1) (a) CPL Act.
- (4) 11 ha (*approximately*) to be disposed of by way of exchange to the Holder under section 37 (1) (c) CLP Act.

Further information including a copy of the plan, easement and covenant documents is available on request from the Commissioner's agent at the following address:

The Manger
DTZ New Zealand Limited
Land Resources Division
P O Box 27
ALEXANDRA

Phone: (03) 448-6935
Fax: (03) 448-9099
e-mail: ken.taylor@dtz.co.nz

Submissions:

Any person or organisation may send a written submission on the above proposal to the Commissioner of Crown Lands, C/- DTZ New Zealand Limited at the above address.

Closing date of submissions:

Written submissions must be received no later than 20 September 2002.

**SUMMARY OF THE PRELIMINARY PROPOSAL
FOR TENURE REVIEW OF GLENDHU PASTORAL LEASE
UNDER THE CROWN PASTORAL LAND ACT 1998**

INDEX:

- (1) Details of land under consideration.
- (2) The Proposal.
- (3) Description of proposed designations.
- (4) The proposal in relation to the objects of Part 2 CPL Act.

Appendices:

- Appendix 1: Designations plan.
- Appendix 2: Draft easement document for Easement E2.
- Appendix 3: Draft easement documents for Easement E3.
- Appendix 4: Draft conservation covenant document for proposed Open Space Covenant area marked "A".
- Appendix 5: Draft conservation covenant document for proposed covenant area marked "B".
- Appendix 6: Draft conservation covenant document for proposed covenant area marked "C".

(1) Details of land under consideration:

1.1 Pastoral lease:

<i>Lease Name:</i>	Glendhu
<i>Lessee:</i>	Robert Ian McRae and Pamela June McRae as tenants in common
<i>Location:</i>	Glendhu Bay, Lake Wanaka
<i>Land Registry Folio Ref:</i>	14C/990 (<i>Otago Registry</i>)
<i>Legal Description:</i>	Sections 1, 2, 3 and 4 SO 22997 and Section 1 SO 19596.
<i>Area:</i>	3095.2317 ha
<i>Local Authority:</i>	Queenstown-Lakes District Council
<i>Term of Lease:</i>	33 years from 1 July 1984

1.2 Conservation area:

<i>Location:</i>	Hospital Flat on south side of Wanaka Mount Aspiring Road.
<i>Legal Description:</i>	Crown land Block IX Motatapu Survey District.
<i>Area:</i>	20.2343 hectares
<i>Status:</i>	Stewardship land subject to Section 62 of the Conservation Act 1987.

(2) The Proposal:

2.1 To be designated as land to be restored to full Crown ownership and control:

As conservation area, (under Section 35 (2) (a) (i) CPL Act):

Area: 215 ha (approximately) (marked outlined green on Plan attached as Appendix 1) comprising areas shown as Area 1 (north), Area 1 (south) and Area 2.

2.2 To be designated as land to be disposed of by freehold disposal to the holders (under Section 35 (3) CPL Act) subject to protective mechanisms detailed below:

Area: 2880 ha (approximately) (marked outlined pink on the diagram attached as Schedule 1).

Protective mechanisms: Under Section (40) (1) (b), Section 40 (2) (a) and Section 40 (2) (c) CPL Act.

- (a) Open Space covenant under Section 22 QEII National Trust Act 1977 for the purpose of preserving landscape amenity and amenity values over an area of approximately 340 ha (*coloured yellow and marked "A" on diagram in Schedule 1*). The terms and conditions of the covenant are as detailed in the covenant document attached as Appendix 4.
- (b) Conservation covenant under Section 77 of the Reserves Act 1977 to protect the mixed native shrubland/forest containing the threatened tree daisy *Olearia hectorii* over an area of approximately 55 ha (*shown marked "B" coloured yellow on Plan attached as Appendix 1*). The terms and conditions of the covenant are as per the draft covenant document attached as Appendix 5.
- (c) Conservation covenant under Section 77 of the Reserves Act 1977 to protect the mixed native shrubland/forest over an area of approximately 70 ha (*shown "C" coloured yellow on Plan attached as Appendix 1*) and to provide public access over the land to a lookout point (*between points marked "a" and "b" on Plan, Appendix 1*). The terms and conditions of the covenant are as per the draft covenant document attached as Appendix 6.
- (d) An easement under Section 7 (2) Conservation Act 1987 to provide unrestricted public foot access along the true right bank of the Motatapu River on a line shown as E2 on the map attached as Appendix 1 including providing for a public carpark area adjacent to Motatapu Road to service this access. The terms and conditions of the easement are as per the draft easement document attached as Appendix 2.
- (e) An easement under Section 7 (2) Conservation Act 1987 to provide for free unrestricted public foot access on a route from the Wanaka/Mount Aspiring Road to the proposed conservation Area 1 (south), on a line shown marked E3 on Plan, Appendix 1. The terms and conditions of the easement are as per the draft easement document attached as Appendix 3.

2.3 Conservation areas:

2.3.1 To remain conservation area under Section 37 (1) (a) CPL Act:

Area: 9 ha (*approximately*) (*outlined green and cross-hatched black on Plan attached as Appendix 2*).

2.3.2 Land to be disposed of by way of exchange with other land designated by the proposal under the Conservation Act 1987 (under Section 37 (1) (c) CPL Act):

Area: 11 ha (*approximately*) (*outlined pink and cross-hatched black on Plan attached as Appendix 1*).

The area is to be exchanged for lease land designated as land to be restored to full Crown ownership and control as part of this proposal under Section 35 (2) (a) (i) CPL Act.

(3) Description of Proposed Designations:

3.1 Areas to be restored to full Crown ownership and control as conservation area:

Total area: 215 ha (approximately)

3.1.1 Diamond Lake (Area 1 shown on plan, Appendix I).

This area is approximately 170 ha and comprises steep bluffy hill slope on both sides of the Wanaka/Mount Aspiring Road. The area contains forest and shrubland communities growing amongst spectacular bluffs on shady aspect hill in the vicinity of Diamond Lake plus regenerating shrublands and bracken on sunny north facing slope on the south side of Wanaka Mount Aspiring road.

The land is characterised by the following significant inherent values:

- (i) The area forms a gateway to the Matakahi Valley and to Mount Aspiring National Park. The Diamond Lake massif known as Rocky Hill is a spectacular roche moutonnee. Forest and shrubland nestled into bluff systems adds an attractive component to the landscape. Diamond Lake, with its backdrop of high schist cliffs, is another spectacular feature.
- (ii) The proposal contributes to the natural landscape character of the Wanaka Ecological District and assists with retention of the district's landscape integrity. Bluff systems within the area have become one of New Zealand's premier rock climbing venues and are used by both commercial and non-commercial participants. Tens of thousands of visitors drive through the proposed conservation area en route to Treble Cone Skifield and Mount Aspiring National Park.
- (iii) The proposal ranks between medium and high for all six of the seven criteria used for assessing conservation value of a natural area.
- (iv) The proposal contains a range of forest species growing at or near their distribution limits, including southern rata and matai. The presence of large podocarps growing in this area provides some insight into the areas character prior to Polynesian era fires and is significant from a scientific perspective. The two matai trees present represent the eastern limit for the species in inland Otago.
- (v) *Olearia hectorii* is a Category A threatened plant species and is present within the area.
- (vi) The Diamond Lake area supports one of the largest known populations of rare native *Crux*, *Ischnocarpus novaezelandiae*, in Otago. This plant is listed as endangered on the New Zealand threatened plant list.
- (vii) New Zealand falcon are known to periodically nest in bluffs around Hospital Flat. Falcon are a Category B threatened specie.

Recreation:

A network of walking tracks has been constructed in the vicinity of Diamond Lake, a voluntary community project of Wanaka residents. These tracks have proved extremely popular with visitors to the area.

Diamond Lake has long been a popular ice skating venue over winter.

The area has become an increasingly popular site for rock climbing being the most popular site for this activity in the Wanaka Basin.

3.1.2 Glendhu Bluff (Area 2 shown on plan, Appendix 1):

This area comprises approximately 45 ha in the vicinity of Glendhu Bay. It contains native shrublands on steep bluffy hillslope overlooking the lake.

Vegetation:

Comprises predominantly native shrub species including *Pittosporum tenuifolium*, *Griselinia littoralis*, kowai and fuchsia.

These shrublands provide an attractive backdrop to Glendhu Bay, an area that receives a high level of recreational use over summer months.

Landscape:

The proposal contributes to the natural landscape character of the Wanaka Ecological District and assists with the retention of the district's landscape integrity.

Recreation:

An increasingly popular recreational activity in the area is rock climbing. At least three named climbs are located within the proposal.

3.2 Land designated as land to be disposed of by freehold disposal to the holder subject to protective mechanisms:

Total area: 2880 ha (approximately).

This area comprises approximately 93% of the reviewable land. It consists mainly of Class IV, V and VI land being mainly moderately sloping hill below 780 m.a.s.l. 245 ha of the property has been cultivated and sown in permanent pasture with approximately 450 ha oversown and maintained with topdressing. The balance has previously been oversown but has not been maintained being in low producing grasses with varying levels of reversion to bracken fern.

The property is located adjacent to the south-western end of Lake Wanaka and the lower reaches of the Matukituki River. The Wanaka Mount Aspiring Road dissects the property. Consequently parts of the property are highly visible from the road and popular recreation areas such as the Matukituki Valley and Treble Cone ski field.

Although some of the steeper and colder hillslopes are marginal for farming purposes, as a total unit the improved portions of the property are complementary with the unimproved portions. Parts of this property have potential for alternative

uses such as subdivision for lifestyle blocks or tourism development, however this potential is significantly constrained by rules in the District Plan protecting landscape.

3.3 Protective mechanisms:

3.3.1 QEH Open Space Covenant A:

The purpose of this covenant is to protect the landscape values arising from Rocky Hill, a spectacular *roche moutonnée* located at the base of the Matukituki Valley and the entrance to Mount Aspiring National Park. The covenant covers approximately 340 ha of the top of the hill. Although the vegetation has been mostly modified to a mixed short tussock/exotic pasture, the areas landform is an important natural feature.

3.3.2 Conservation Covenant B:

This area is approximately 55 ha and comprises two areas of native shrubland nestled at the base of steep bluffs. The native shrub/forest community comprises an island of native vegetation in an otherwise modified, although spectacular landscape. This plant community is representative of a previously far more widespread forest/shrubland type. Species include broadleaf forest species with shrub species on ledges along with mountain flax, *Poa colensoi* and *Olearia sp.* The golden Spaniard *Aurea*, *Gaultheria crassa* and narrow leaved snowtussock *Chionochloa rigida* also make up part of the diverse plant community. The broadleaf forest contains trees of the rare *Olearia hectorii* growing on the outer fringe and several *Hoheria lyallii* trees.

3.3.3 Conservation Covenant C:

This covenant comprises two areas totalling approximately 70 ha that contain areas of forest and shrubland communities growing among spectacular bluffs with regenerating bracken fern and shrubland on rounded glaciated slopes on the south-eastern shoulder of Rocky Hill.

The covenant area forms an integral landscape component of the adjacent proposed conservation area around Diamond Lake being part of the Diamond Lake massif, a spectacular *roche moutonnée* located at the gateway to the Matukituki Valley and the Mount Aspiring National Park. This area contributes to the natural landscape character of the Wanaka Ecological District and assists with the retention of the district's landscape integrity.

The area contains a range of forest species growing at or near their distribution limits, including southern rata and matai. These communities give some insight into the vegetation that existed prior to Polynesian fires and consequently is of significant scientific interest.

The covenant provides for a proposed public access route "a – b" that gives access onto a popular lookout point on the track from Diamond Lake.

3.3.4 Public access easement E2:

This easement will provide a public foot access along the true right of the Motatapu River on a line marked E2 on the attached map in Appendix 1. This proposal includes a carparking area adjacent to the Motatapu Road. The easement will exist where the practical route diverges from the marginal strip.

3.3.5 Public access easement E3:

This easement provides public foot access from the Wanaka Mount Aspiring Road at Hospital Flat to Area 1 (south) following the line of a fenceline across a flat paddock. This route provides access to popular rock climbing sites. The easement will include provision for a carparking area adjacent to the road.

3.4 Conservation area:

3.4.1 Existing conservation area to remain conservation area:

This land comprises approximately 9 ha being the balance of the 20.2343 ha area following part disposal. The area comprises steep rocky bluff from the base of the hill to the ridgeline and is a natural component of the landscape unit of Area 1 (south). The area contains bracken fern and regenerating native shrubland on steep rocky and bluffy face.

3.4.2 Conservation area to be disposed of by way of exchange with other land designated by the proposal:

This area comprises the lower portion of the 20.2343 ha conservation area. The conservation area is unfenced and consequently the lower portion has been farmed as part of the surrounding lease. A set of cattle yards is located within it. Cover comprises improved and semi-improved pasture with some bracken fern and matagouri.

The land designated for disposal has no conservation or recreation values that warrants retention in Crown ownership.

(4) The Proposal in relation to the Objects of Part 2 CPL Act:

The objects of Part 2 of the CPL Act are set out in Section 24 Crown Pastoral Land Act 1998:

24. Objects of Part 2 - The objects of this part are:

- (a) *To:*
- (i) *Promote the management of reviewable land in a way that is ecologically sustainable;*
 - (ii) *Subject to subparagraph (i), 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*
- (b) *To enable the protection of significant inherent values of reviewable land:-*
- (i) *By the creation of protective mechanisms; or (preferably)*
 - (ii) *By the restoration of land to full Crown ownership and control; and*
- (c) *Subject to paragraphs (a) and (b), to make easier:-*
- (i) *The securing of public access to and enjoyment of reviewable land; and*
 - (ii) *The freehold disposal of reviewable land.*

The proposal designates approximately 7% (215 ha) of the reviewable land to be retained by the Crown for conservation purposes with a further 15% (465 ha) to be protected under conservation covenant. Approximately 93% (2880 ha) of the reviewable land is to be disposed of on freehold title.

Those parts of reviewable land designated for disposal, when considered as a whole, are capable of economic use for pastoral farming purposes, being its current use. Parts of this area are also capable of other economic uses such as commercial tourist development due to the location of the property bounding Lake Wanaka and being at the gateway to Aspiring National Park.

Freeing reviewable land from management constraints resulting from the current tenure will allow changes of land use to alternative sustainable uses should the economics of pastoral farming deteriorate to a point where this use is no longer sustainable.

A portion of the reviewable land designated for disposal contains significant inherent values that arise from the landscape (*areas marked "A", "B" and "C" coloured yellow on plan*). These values can be adequately protected by covenant while existing, and some potential other commercial uses are being carried out. Consequently, conservation covenants to protect landscape amenity values is appropriate where landscape values are important.

A portion of the reviewable land designated for disposal contains significant inherent values that arise from the native shrub/forest community present (*areas marked "B" and "C" coloured yellow on plan*). These areas comprise either relatively small isolated pockets of native vegetation surrounded by farm land or comprise a mosaic of pasture and native shrub/forest vegetation. Public access is not considered an issue here and consequently covenants are considered an appropriate mechanism to protect the inherent values present.

Those parts of the reviewable land designated for restoration to full Crown ownership and control have significant inherent values arising from the native bush and shrub cover, the important landscape contribution the areas make to the character of the area. Recreation in the form of day walks and rock climbing is considered a significant inherent value within Area 1. The level of current use confirms this.

This proposal promotes the management of reviewable land in a way that is ecologically sustainable by:

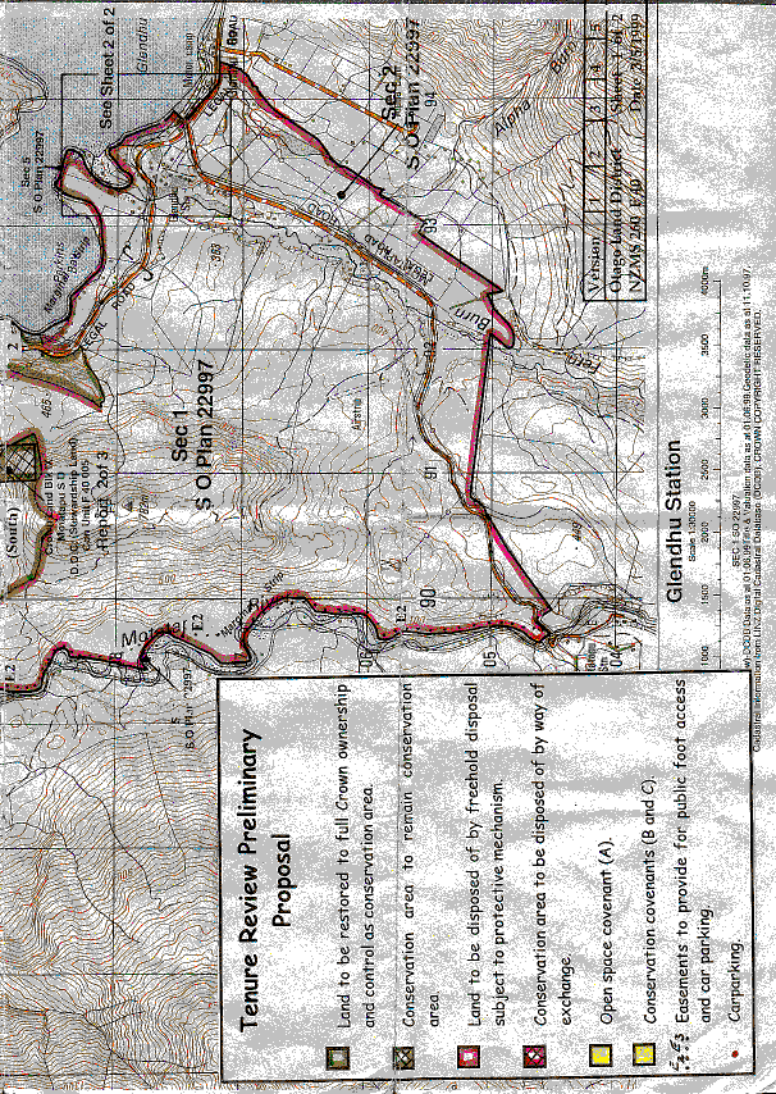
- (a) Freeing parts of the reviewable land capable of economic use from the management constraints resulting from its tenure thus allowing alternative and more sustainable uses than the existing pastoral use should changing commodity prices make maintaining nutrient inputs into the farmed land uneconomic.
- (b) Designating for management for conservation purposes land not capable of ecologically sustaining pastoral production.

The proposal provides for the protection of significant inherent values by retaining in full Crown ownership and control all those areas identified as containing significant inherent values which justify Crown ownership to achieve protection of these values. Where the inherent values are contained within relatively small isolated areas, are within a mosaic of pasture or are landscape values alone covenants are considered an appropriate mechanism for protection.









Protective mechanisms in the form of public access easements will secure public access to and enjoyment of the reviewable land by better accommodating existing public use patterns.

APPENDIX 1:

Designations plan.



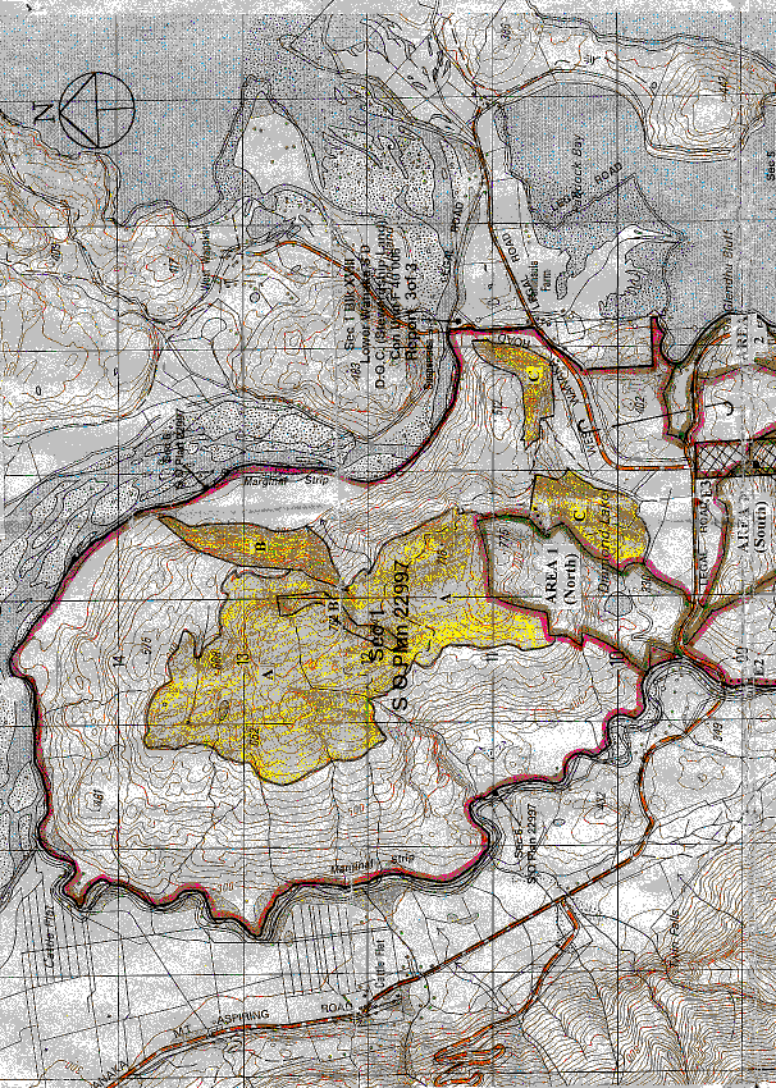
Tenure Review Preliminary Proposal

-  Land to be restored to full Crown ownership and control as conservation area.
-  Conservation area to remain conservation area.
-  Land to be disposed of by freehold disposal subject to protective mechanism.
-  Conservation area to be disposed of by way of exchange.
-  Open space covenant (A).
-  Conservation covenants (B and C).
-  Easements to provide for public foot access and car parking.
-  Carparking.

Glendhu Station



SEC 1 SO 22997
 WOOD Data as at 01/06/99 For A Valuation data as at 01/06/99. Geospatial data as at 11/10/97.
 Copyright information from LINZ Digital Cadastral Database (©2009), CROWN COPYRIGHT RESERVED.



Sec 1 Blk XIII
Lower Manasse SD
D.O.C. (Sheep Dip Land)
Cdn Unit F-10 (1960)
Report 301-3

Sec 1
S O Plan 22997

Sec 6
S O Plan 22997

Sec 5

Sec 5

AREA 3
(South)

AREA 3
(North)

AREA 3
(South)

AREA 3
(North)

AREA 3
(South)

AREA 3
(North)

AREA 3
(South)

AREA 3
(North)