

Commissioner of Crown Lands
Land Information New Zealand.

20 January 2020.

Dear Craig,



Glenaray and Whitecomb Crown pastoral leases tenure review

Introduction

Federated Mountain Clubs was founded in 1931 and advocates for New Zealand's backcountry, outdoor recreation, and public recreation access on behalf of around 22,000 members in 90 climbing, tramping, ski, and other clubs. We have a strong interest in the tenure review of Crown pastoral leases because, where conservation values of the land are high, the relevant legislation 'prefers' that the leasehold land be restored to full Crown ownership and control for the preservation of those values, which enable recreational enjoyment.

We wish to sincerely thank David Pinckney for his hospitality at Glenaray and Whitecomb.

The prioritised objects of the statute enabling tenure review, Part 2 of the Crown Pastoral Land Act 1998, are core to our submission:

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).

The Parliamentary Commissioner for the Environment affirmed the primacy of the promotion of the management of reviewable land in a way that is ecologically sustainable and the protection of significant inherent values in her 2009 [Change in the high country: Environmental stewardship and tenure review](#). Barton's 2006 [Legal Aspects of High Country Pastoral Leases and the Tenure Review Process - A Background Paper](#) takes the same position and points to the objects' equivalence.

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It should be noted that ecological sustainability is a scientific concept whose definition and possibility and potential in general and specific ways is for the determination of the ecological scientific community, and that, as Barton says, its *promotion* involves “an active and not a passive approach”.

With respect to process, FMC notes firstly that the objects of Part 2 of the CPLA must be given effect to and that, except in final details, tenure review is not a bargaining process; and secondly, that any information provided in this, or any other, submission that is germane to the statute’s objects should be considered.

Glenaray and Whitecomb

The combined 62,452 hectares of the Glenaray and Whitecomb leases have been farmed relatively conservatively and are largely in high health despite some recent intensification. Present main issues may be a largely circumscribed broom infestation, and noticeable damage by deer.

As long ago as 1981, at the FMC Wilderness Conference, much of the property was proposed as part of the Garvies Wilderness Area. Emeritus Professor Sir Alan Mark has long advocated for protection of the land’s significant values, and, along with Forest and Bird, he supported FMC’s 2017 proposal of creation of a Remarkables National Park, which would include much of the leases.

Values include wilderness, in which primordial nature is intact and a human footprint is absent; various beech and mixed forests; diverse shrublands and tussocklands; rockfields and fellfields; wetlands and seepages; cushion bogs; herbfields and snowbanks; tablelands; glacial and periglacial landforms; eight threatened native bird species; native bats (likely long-tailed); a variety of lizard species; and rich invertebrate life, including species endemic to the Waikaia Ecological Region. There is contiguousness with public conservation land parcels. Potential for backcountry skiing, cross-country skiing, tramping, mountain biking, whitewater kayaking, horseriding, trout fishing, and many other recreational activities is strong. Some of the huts on the property have historic values.

This submission addresses the Glenaray and Whitecomb preliminary proposal through the lens of the objects of Part 2 of the Crown Pastoral Land Act 1998 and their hierarchy.

The leases’ natural values

We have no wish to exhaustively list significant inherent values here (although we have summarised them below). Suffice to say, FMC is well acquainted with the values of the leases. We expected that their presence or absence would be cited in the preliminary proposal in justification of proposed redesignations. Regrettably, this has not occurred; we assume - but cannot be certain - that the proposal has been created by those with full knowledge of them.

Invertebrates

Species recorded on the property number 385. All land systems present contain integrated complexes of habitats or faunal assemblages. Species richness is very high in upland, lowland shrubland, aquatic, and forest systems. Aquatic faunal associations largely retain their natural character, a nationally rare circumstance. Regenerating shrublands and forests and low altitude eroded patches on slopes provide habitat of significance.

There are invertebrate species of special importance, and areas within the leases that have particular importance with respect to invertebrates. For example, some southern lowland invertebrate species present are endemic to the Waikaia Ecological Region. There are also species found within the Nokomai Ecological District that are more characteristic of the Gore Ecological District, and species formerly found commonly in Central Otago are present in rich assemblages here. And, as noted in the preliminary proposal documentation, there is montane and upland wetland invertebrate assemblage patterning that may be considered of international importance.

Six threatened invertebrate species have been recorded on the leases; four threatened invertebrate species are likely to be present on the property; and 15 species on the property have restricted distribution.

Invertebrate species and their locations are well-described in the available conservation resources reports.

Lizards

Herpetofaunal values are well described in the available conservation resources reports.

Overlapping populations of two gecko and four skink species have been recorded on the leases' southern ridgetops. Three of these are threatened. It may be that *Naultinus gemmeus* and *Hoplodactylus* aff. *granulatus* exist here also.

Bats

It is assumed that the bat recorded on the leases was a *Chalinolobus tuberculata* - South Island. The species travels and roosts widely. Old trees are needed for roosts. The South Island form of the species is Nationally Vulnerable.

Birds

Eight threatened native bird species have been recorded on the leases. Habitats are forests, upper forest gorges, tussockland, subalpine plateaux, shrublands, tarns, and mountain ridgelines. A raft of other native bird species exist there also.

Bird values are well described in the available conservation resources reports.

Aquatic fauna

Above 710 metres, brown trout are the only fish recorded. Aquatic invertebrate populations are typical throughout the leases.

Aquatic fauna are well described in the available conservation resources reports.

Botanical values

Within three ecological districts and two ecological regions, over 650 ferns and flowering plants have been recorded; lichens, liverworts, and mosses are additional, as are several unnamed species. Fifty nine threatened and regionally uncommon plant species exist on the leases.

Vegetation is very well described in the available conservation resources reports.

Landscape

Landscape values are well described in the available conservation resources reports.

In addition to mostly significant landscape and visual resource values, seven soil sites have international, national, or regional importance, and twelve geological and landform features have international, national, or regional importance.

Proposed CA1

FMC appreciates the acknowledgement of many of this proposed 28,934 hectare block's natural values and its connectivity with existing public conservation land in the preliminary proposal's documentation.

A vast many other values of note exist within the land parcel. For example, the proposed block contains the largest alpine schist plateau in New Zealand, and the largest area of unmodified slim snow tussockland in the District. Additionally, some District extremes exist around Rocky Mount, including the most extensive scree slopes, and snow tussock's extension to 1,800 metres.

Recreationally, this area's remoteness and wilderness qualities offer immense opportunities with respect to tramping, hunting, and fishing. Of note is snow with continental qualities, which is unusual nationally and sought after by backcountry skiers.

FMC believes that proposed CA1 should, in the fullness of time, be designated as part of a Remarkables National Park. It could also, in the fullness of time, be designated as part of a Garvies Wilderness Area or remote area.

Creation of this block is in accordance with the objects of the statute.

Recommendation:

*** that proposed CA1 be adopted.**

Proposed CA2

This 9,155 hectare proposed parcel enjoys, largely, the same values as those existing within proposed CA1, and, as such, is appropriate for restoration to the Crown's full ownership and control as public conservation land.

While we support the proposal of a grazing concession, we believe that: it should be for a maximum term of five years to allow for the farming transition; and that measures will need to be put in place to ensure that any breaches do not go unsanctioned because a lack of timeliness puts them outside the 12-month limitation period set out in s43(2) of the Conservation Act 1987.

FMC believes that proposed CA2 should, in the fullness of time, be designated as part of a Remarkables National Park.

Recommendations:

*** that proposed CA2 be adopted.**

*** that the grazing concession be for a maximum of five years.**

*** that measures be put in place to ensure that any grazing concession breaches do not go unsanctioned because a lack of timeliness puts them outside the 12-month limitation period set out in s43(2) of the Conservation Act 1987.**

Proposed CA3

FMC supports addition of these seven small areas, totalling around 25 hectares, to the Waikaia Forest Conservation Area as it will strengthen protection of conservation values and provide for recreational enjoyment as identified in the proposal.

Recommendation:

*** that proposed CA3 be adopted.**

A word on covenants

As noted above, the two prioritised objects of Part 2 of the CPLA are 'preferably' accomplished by restoration of the relevant land to full Crown ownership and control; covenants are not the Act's favoured way of achieving them. However, covenants are indeed provided for, and it is important that they, and the 'preferred' restoration to Crown ownership and control, are used in full appreciation of their capacities and limitations with respect to achieving the prioritised objects.

Significance is complex; among many other things, it can be assigned, for example, to particular species for a variety of reasons; and, for instance, to land parcel attributes such as size and contiguity (see *Department of Conservation guidelines for assessing significant ecological values*, 2016, by Davis, Head, Myers, and Moore).

Where lease land with strong natural values is adjacent to existing or proposed public conservation land - and particularly where it has high hectareage - highly significant systems-level conservation and extensive recreational opportunities are possible through restoration to full Crown ownership and control as public conservation land. This 'preferred' approach eliminates potential negative recreational and land management edge effects and ensures an ongoing positive trajectory for the values to be protected.

Where land parcels containing values to be protected are relatively small, where fencing may be absent, and where adjacent land is already, or likely to become, freeholded, mediocre outcomes can be expected from protective mechanisms regardless of the type of protection afforded. In such situations, exotic animal and plant incursions may be unavoidable, natural systems' normal functioning may be compromised by those incursions and the parcels' small sizes, and recreational opportunity may be minimal or nil; here, where an upward trajectory for the values may be an unreasonable expectation, covenants may be satisfactory for some basic level of protection.

Covenant design and monitoring should always be multidisciplinary and expert and provided by the Department of Conservation; this includes determination of monitoring cycles, which may differ discipline to discipline. Monitoring and any follow-up should be substantially funded by the land owner as the protected values are public assets to be put to private use. The landowner should never be formal provider of monitoring services on her/his own property.

Proposed freehold disposal with CC1

These proposed blocks, CC1a, CC1b, CC1c, CC1d, CC1e, CC1f, and CC1g, totalling around 13,463 hectares, sit within modified grazed country proposed for unencumbered freehold disposal. Assuming the proposed unencumbered freehold disposal occurs, edge effects on the conservation values of these parcels will be realities to varying extents; however FMC does support this move to provide protection.

Beyond this, we wish to comment in two ways on this part of the preliminary proposal. Firstly, while we support proposed CC1, we note that it relates to botanical aspects of the relevant land only; this ignores simple ecological tenets. Attention to and active management of documented geomorphological and faunal aspects are necessary parts of ensuring the covenant is meaningful and we ask that they be included.

Secondly, to ensure the protective mechanism is worth establishing and able to achieve a genuinely protective purpose (and for the Department of Conservation and the public to be properly informed about that over time), certain things need to be in place at the outset. Full multidisciplinary baseline study should be completed as soon as possible after covenant formalisation. While five-yearly multidisciplinary monitoring may turn out to be appropriate, we would suggest tighter timeframes for the first few years at the least; it should be considered that disciplines' monitoring cycles may need to be different. Monitoring should always be completed by experts in their disciplines. The owner should substantially fund the cost of monitoring. The owner should never be formal provider of monitoring services on her/his own property.

Recommendation:

*** that proposed freehold with CC1 be adopted with amendments as above.**

Proposed freehold disposal with CC2a and CC2b

Comprising around 2,446 hectares, these proposed blocks are in the lease's southwestern area and have significant edge exposure to the proposed freehold unencumbered land and, in the case of CC2a, neighbouring land. While conservation values would be negatively affected by that exposure, we do appreciate that the proposed protective mechanisms' conservative approach would support their ongoing health; therefore, we back creation of these blocks.

Beyond this, we wish to comment in two ways. Firstly, while we support proposed CC2a and CC2b, we note that they relate only to herpetological and strong botanical aspects of the relevant land; this ignores simple ecological tenets. Attention to and active management of the documented geomorphological and other faunal aspects are necessary parts of ensuring the covenants are meaningful and we ask that they be included.

Secondly, to ensure the protective mechanisms are worth establishing and able to achieve a genuinely protective purpose (and for the Department of Conservation and the public to be properly informed about that over time), certain things need to be in place at the outset.

Full multidisciplinary baseline study should be completed as soon as possible after the covenants' formalisation; this should include determination of whether grassland areas contain more or less than 20% tall tussock, which is the trigger point for allowance of oversowing and topdressing. While five-yearly multidisciplinary monitoring may turn out to be appropriate, we would suggest tighter timeframes for the first few years at the least; it should be considered that disciplines' monitoring cycles may need to be different. Monitoring should always be completed by experts in their disciplines. The owner should substantially fund the cost of monitoring. The owner should never be formal provider of monitoring services on her/his own property.

Recommendations:

*** that proposed freehold with CC2a and CC2b be adopted with amendments as above.**

*** that the further relevant amendment to the preliminary proposal on page 10** be adopted additionally.**

Proposed freehold disposal with CC2c, CC2d, CC2e, CC2f, and CC2g

Totalling 7,693 hectares, these proposed blocks have adjacency to existing public conservation land and/or lease land proposed for restoration to full Crown ownership and control. Their values, including landscape, geomorphological, botanical, all faunal, recreational, and historic, are fulsomely recorded (to illustrate, the area proposed as CC2e is part of an area identified in the records provided to Land Information New

Zealand as containing: high representativeness with respect to mixed beech forest and shrubland remaining in the Waikaia catchment; high diversity with respect to its beech and shrubland communities; high wetland diversity with a great number of species listed; key invertebrate and avifauna habitats; high viability if the large forest stand is protected, plus the shrubland and induced tussocklands near the natural tree line; and high representativeness of deeply incised valleys within the Waikaia catchment). While there is similarity to proposed CC2a and CC2b with respect to some specific values, the situation of this land means its future should be treated differently.

Edge considerations are significantly different from those relating to CC1 and CC2a and CC2b. In those locations, FMC accepts a strong likelihood of ongoing adjacency with modified freehold country meaning values' fortunes may be unexceptional; in the cases of proposed CC2c, CC2d, CC2e, CC2f, and CC2g, there is a clear chance to avoid negative conservation and recreation edge effects. We do acknowledge the presence of Class VI components, which could allow grazing as per below*.

To be in accordance with the Act, these proposed blocks should be redesignated as public conservation land to genuinely protect all documented (and as yet unrecorded) conservation values, including systems-level values, and to maximise the area's significant recreational opportunities. Department of Conservation action to significantly reduce ungulate damage will be enabled. Fences 'A'-B', 'F'-G', 'H'-I', and 'O'-P' should not be needed.

Subject to agreement of the lessee and the Department of Conservation, any part of this land should be able to be included in the proposed CA2 grazing concession*, which should be for a maximum of five years to enable the farming transition; we believe this should include all proposed concession conditions and it should ensure that any breaches do not go unsanctioned because a lack of timeliness puts them outside the 12-month limitation period set out in s43(2) of the Conservation Act 1987.

FMC was surprised at the proposed redesignation of freehold with covenants for this land, for reasons encapsulated in the paragraphs above. We were dismayed to find that the proposed mechanisms related only to botanical and herpetological aspects of the relevant land, unacceptably ignoring other fundamental - documented geomorphological and other faunal - aspects of natural systems.

Should the covenanting approach be pursued further, FMC requests that full multidisciplinary baseline study be completed as soon as possible after the covenants' formalisation; this should include assessment of whether grassland areas contain more or less than 20% tall tussock, which is the trigger point for allowance of oversowing and topdressing. While five-yearly multidisciplinary monitoring may turn out to be appropriate, we would suggest tighter timeframes for the first few years at the least; it should be considered that disciplines' monitoring cycles may need to be different. Monitoring should always be completed by experts in their disciplines. The owner should substantially fund the cost of monitoring. The owner should never be formal provider of monitoring services on her/his own property.

Additionally, should covenanting be pursued, we request creation of two easements. One would cross CC2e to line up with proposed public access easement 'i'-j' and facilitate recreational round trips through the two main sections of Waikaia Forest and proposed CA1; the other would, at a convenient point, facilitate recreational access out of the southern part of the Waikaia Forest Gow Burn, which would otherwise be akin to a cul de sac.

Recommendations:

- * **that proposed freehold with CC2c, CC2d, CC2e, CC2f, and CC2g not be adopted and that the land instead be redesignated as public conservation land.**
- * **that part or all of the land become part of CA2.**
- * **that fences 'A'-B', 'F'-G', 'H'-I', and 'O'-P' should not be needed.**

- * that where land becomes part of CA2, the grazing concession runs for a maximum of five years, and measures be put in place to ensure that any grazing concession breaches do not go unsanctioned because a lack of timeliness puts them outside the 12-month limitation period set out in s43(2) of the Conservation Act 1987.
- * that, should our recommendation of alternative redesignation not be taken up, covenant amendments be made as above.
- * that, should our recommendation of alternative redesignation not be taken up, easements be created to cross proposed CC2e and to facilitate access out of the southern part of the Waikaia Forest Gow Burn as above.

Proposed freehold with CC3

Almost enclosed by existing or formally proposed public conservation land, this 999 hectare proposed block has strong documented integrated landscape, geomorphological, botanical, faunal, and recreational values. These include the relatively recently discovered stonefly *Vesicaperla celmisia*, significant 'basin and range' topography, and high legibility with respect to glaciated terrain. Its contiguousness with land designated for, and proposed for, conservation and recreation purposes magnifies these values very significantly (note above FMC's recommendation of redesignation of the adjacent proposed CC2e as public conservation land, based on its inherent natural values).

It is FMC's view that proposed CC3 should not be subject to freehold disposal. In addition to its clear conservation values, it is of high recreational importance, allowing ready access to the proposed CA1 and connection with Waikaia Forest Conservation Area; it is also important for day walkers to Titan Rocks from Piano Flat, with strong potential for further low-impact recreational activity.

This land should become part of CA1, for protection of its specific and broader conservation values and its year-round recreational values; a covenant is insufficient to provide for these adequately. Fence 'Q'-R' should not be needed.

Disappointingly, the covenant proposed is based on cursorily-described landscape, botanical, and recreational values, unacceptably downplaying them and ignoring the significance of other fundamental aspects of the natural systems and recreational potential present.

Should the covenanting approach be pursued further, FMC requests that full multidisciplinary baseline study be completed as soon as possible after the covenants' formalisation; this should include determination of whether grassland areas contain more or less than 20% tall tussock, which is the trigger point for allowance of oversowing and topdressing. While five-yearly multidisciplinary monitoring may turn out to be appropriate, we would suggest tighter timeframes for the first few years at the least; it should be considered that disciplines' monitoring cycles may need to be different. Monitoring should always be completed by experts in their disciplines. The owner should substantially fund the cost of monitoring. The owner should never be formal provider of monitoring services on her/his own property. Leashed dogs should be allowed.

Recommendations:

- * that proposed freehold with CC3 not be adopted and that the land instead become public conservation land.
- * that the land become part of CA1.
- * that fence 'Q'-R' should not be needed.
- * that, should our recommendation of alternative redesignation not be taken up, covenant amendments be made as above.

Proposed freehold with CC4a and CC4b

These proposed blocks total 1,708 hectares. Among documented values, proposed CC4a has high representativeness in altitudinal sequencing from tussocklands to forest, including wetland and scrub communities; high diversity and range of communities; and the two Bush Huts, which include the historic Canadian-built log cabin. Proposed CC4b has high representativeness with respect to snow tussocklands and wetland associations, high landscape values, and some relatively high visual resource value; and, significantly, where values have been and continue to be compromised, restorability is high.

FMC's understanding is that, in and of themselves, these proposed blocks' aggregated individual values are lower than those present within surrounding land parcels. However, given their part in the wider environment and their documented restorability - and given that grazing would be very limited, to the extent that no grazing would be allowed under CC4b's conditions - FMC believes that the relevant land should be redesignated as public conservation land. Proposed CC4a should become part of proposed CA2, likely including all grazing concession conditions, with a maximum period of five years to support the farming transition, and ensuring that any breaches do not go unsanctioned because a lack of timeliness puts them outside the 12-month limitation period set out in s43(2) of the Conservation Act 1987; CC4b should be included in proposed CA1 and as part of the Department of Conservation's restoration work, aerial seeding of beech and other species could be considered. Department of Conservation action to significantly reduce ungulate damage will be enabled. A long view is necessary with respect to this part of the leases.

FMC was surprised to find that the proposed mechanisms related only to botanical aspects of the relevant land, unacceptably ignoring other fundamental - including, importantly, related to contiguity - aspects of natural systems.

If the covenanting approach is to be pursued further, FMC requests creation of a north-south easement through proposed CC4a to link proposed CA2 with proposed easement 'a'-b'. We also ask that full multidisciplinary baseline study be completed as soon as possible after the covenants' formalisation; this should include determination of whether grassland areas contain more or less than 20% tall tussock, which is the trigger point for allowance of oversowing and topdressing. While five-yearly multidisciplinary monitoring may turn out to be appropriate, we would suggest tighter timeframes for the first few years at the least; it should be considered that disciplines' monitoring cycles may need to be different. Monitoring should always be completed by experts in their disciplines. The owner should substantially fund the cost of monitoring. The owner should never be formal provider of monitoring services on her/his own property.

Recommendations:

- * **that proposed freehold with CC4a and CC4b not be adopted and that the land instead be redesignated as public conservation land.**
- * **that proposed CC4a become part of proposed CA2.**
- * **that the grazing concession be for a maximum of five years, with measures put in place to ensure that any grazing concession breaches do not go unsanctioned because a lack of timeliness puts them outside the 12-month limitation period set out in s43(2) of the Conservation Act 1987.**
- * **that proposed CC4b become part of proposed CA1; aerial seeding of beech and other species could be considered as part of the Department of Conservation's restoration work.**
- * **that, should our recommendation of alternative redesignation not be taken up, a north-south easement be created through proposed CC4a to link proposed CA2 with proposed easement 'a'-b'.**
- * **that, should our recommendation of alternative redesignation not be taken up, covenant amendments be made as above.**

Proposed unencumbered freehold

Located largely in the south of the leases, this 10,875 hectare parcel has undergone some significant modification. In parts, its primary remaining values are related to landscape and aquatic fauna. In general, it has moderate landscape values, reduced by exotic grasslands' extensive introduction coupled with woody weeds' strong extent; there is also high visual value at the very south due to its overlooking the Piano Flat Road area. Additionally, it contains native fish. FMC's view is that, largely, its alteration from its natural state means that its redesignation as unencumbered freehold land is appropriate.

We have three suggestions additional to that of the preliminary proposal. Firstly, our view is that the Dome Burn land between proposed CC2a and CC2b should be covenanted** along with those proposed blocks to protect its high documented values, including from edge effects; it should be absorbed into either proposed block. Secondly, we propose that conservation management easement 'm'-n' be expanded in purpose to include walking access, which should provide for stiles and obviate the need for the public to operate farm gates; this will provide quicker and safer travel than the river would. Thirdly, expert advice should be sought and implemented with respect to provision of ongoing protection of native fish habitat on the proposed freehold unencumbered land; given that these fauna no longer exist higher on the leases, nuanced protection in their vestigial habitat seems appropriate.

Recommendations:

- * **that the proposal of unencumbered freehold redesignation be adopted.**
- * **that, as above, the land between proposed CC2a and CC2b be subject to a protective mechanism. See also page 7**.**
- * **that walking access, including stiles, be added to the purpose of proposed conservation management access 'm'-n'.**
- * **that protection of native fish habitat be provided as above.**

Access

We have proposed redesignations that differ in some respects from those of the preliminary proposal. Access arrangements will, therefore, need adjustment. Below is discussion of access matters not addressed elsewhere in this submission.

Easements 'a'-b' and 'g'-h' will not be necessary if the underlying land becomes public conservation land as we have proposed. The provision for 'a'-b' motorised access between 1 January and 31 March should, however, remain, as this will be beneficial for recreational enjoyment regardless of designation.

FMC supports creation of easements 'c'-d' (if the purpose of walking access is not added to proposed easement 'm'-n') and 'i'-j'.

Where roading has been formed to follow legal roading, alignment should be checked and necessary adjustments made, to ensure formed and legal roads do indeed match.

We suggest that the hunting public be urged to leash their dogs and carry guns unloaded when using easements. Marginal strips and legal roads around and within the leases already allow access without extraordinary controls; dog prohibition on easements could incentivise hunters with dogs to use those other

means of access, potentially causing unintended difficulties. Proposed easements should be amended accordingly where necessary.

“Temporary closure” (easement terms 6.1 and 6.2) needs clearer definition that relates it to stock management and is plain that activities such as construction projects are excluded.

Recommendations:

- * **that proposed easements ‘a’-‘b’ and ‘g’-‘h’ not be adopted if the underlying land is redesignated as public conservation land. If the proposal is not changed, we support the easements.**
- * **that provision for ‘a’-‘b’ motorised access between 1 January and 31 March remain regardless of the underlying land’s designation.**
- * **that proposed easements ‘c’-‘d’ and ‘i’-‘j’ be adopted as above.**
- * **that, where roading has been formed to follow legal roading, alignment should be checked and necessary adjustments made, to ensure formed and legal roads match.**
- * **that easements created provide for leashed dogs and unloaded guns.**
- * **that “temporary closure” of easements be clearly defined as above.**

Land classification

This review of Crown pastoral lease tenure should ‘enable the protection of the significant inherent values’. However, the stewardship classification that the proposed public conservation land would initially receive would 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*). The expedition of precise classification will help address the Act’s requirement that the review ‘enable the protection’.

As noted earlier in this submission, Glenaray and Whitecomb land has been proposed for eventual inclusion in a Remarkables National Park. We acknowledge that the reclassification of at least one other land parcel is necessary for the park to be made possible; however, we strongly suggest that all property to become public conservation land through this review have such a final classification prepared so that it can be activated as soon as possible.

Although somewhat of a footnote in the context of this process, discussion of potential - and potentially seasonal - remote/wilderness zoning should be considered at the Remarkables National Park’s first planning round.

Recommendation:

- * **that final classification of land to be redesignated as public conservation land be prepared so as to enable activation as quickly as possible.**

Conclusion

While much of Glenaray and Whitecomb’s preliminary proposal is in accordance with the Crown Pastoral Land Act 1998’s first-order demands of enabling the protection of significant inherent values and promoting ecologically sustainable management, certain changes, as recommended, are needed to make it genuinely consonant with those statutory objects.

Where FMC has recommended restoration to full Crown ownership and control instead of covenants’ establishment as in the preliminary proposal, it is because the significance of the conservation and

recreation benefits of the contiguousness it would enable would almost certainly greatly outweigh the limited potential pastoral and economic gains of ongoing pasturage.

With the recommended changes made, we believe that the tenure review of Glenaray and Whitecomb leases will provide the present lessee with a productive farm and ensure that public conservation and recreation values are not just protected, but are set on a positive trajectory.

Yours sincerely,

Jan Finlayson,
Federated Mountain Clubs tenure review convenor.