



## **Crown Pastoral Land Tenure Review**

**Lease name: Braeside**

**Lease number: Po 181**

### **Public submissions**

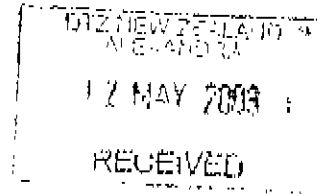
*These submissions were received as a result of the public advertising of the preliminary proposal for tenure review.*

**September 03**

**Suzanne Smith**

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OFFICIAL INFORMATION ACT**

**From:** Brian Patrick [bpatrick@xtra.co.nz]  
**Sent:** Sunday, 11 May 2003 8:48 p.m.  
**To:** Suzanne Smith  
**Subject:** Braeside PI Draft Tenure Review



Dear Ken

please find attached my comments re the above. Please let me know if you require any further clarification or assistance.

cheers  
Brian

Brian Patrick

38 St Albans St  
Dunedin 9001  
New Zealand

phone 03 4534002

DRAFT REPORT OF TENURE REVIEW OF BRAESIDE PASTORAL LEASE

NEW ZEALAND  
ALEXANDER  
17 MAY 2003  
1360-1281

11 May 2003

Generally I support the draft results of this Tenure Review of Braeside PL as advertised. The area to be retained by the Crown is substantial and justified based on my experience in this region studying the native flora and fauna. The clean lines of the area will make management straightforward and provide buffers to development from adjacent areas.

I have one comment though;

From my experience there are substantial inherent values in the valley-floor and hill country in the northwest of the PL. That is the northern half of the area proposed for freeholding. These consist of the following features and communities:

- wetlands and flushes of copper tussock/ *Oraobolus*/ dense short herbfield containing an important autumn-emerging moth fauna that I have documented. Moth species include many with flightless females so the fauna is local and threatened because of this immobility. Moth species include *Eurthecta leucothrinca*, *Alpinotortrix* new species, *Cladoxycanus minos*, *Heloxycanus patricki*, *Asaphodes ida*, *Asaphodes sericodes* and *Scoparia apholes*.
- shrublands of *Coprosma intertexta*/ *Olearia bullata* in gullies/ alluvial flats of the hill country and wetland edges. Both shrub species also support a distinctive and specialised insect fauna.

The Maniototo Ecological District PNA Programme report (Grove 1994) is a useful guide to these values as documented under RAP AOI 1 Upper Manuherikia Valley, which is adjacent to the area in question.

In fact this area within Braeside PL assumes greater value given that similar areas within Blackstone PL were freeholded a number of years ago.

I would ask that the above values in the indicated area be investigated in detail to assess whether they merit inclusion in the area to be retained by the Crown.

Thank you for the opportunity to comment.

Kind regards

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OFFICIAL INFORMATION ACT

Brian Patrick

**Ken Taylor**



**From:** cpearson88@aol.com  
**Sent:** Tuesday, 3 June 2003 12:41 p.m.  
**To:** Ken Taylor  
**Subject:** Braeside Tenure review

Ken

I would like to send in the following submission on the Braeside Tenure review which closes June 4th. I very strongly support the proposed exchange of rights. As the document makes clear this is an opportunity for the crown to acquire a large continuous area of high alpine terrane with very high conservation values and a wilderness aspect that is rare even in Central Otago. I was also very pleased to see that provision has been made for access, including horse and vehicle access. As I am sure you are aware the remoteness of the Hawkduns make this a major issue here.

One issue I am concerned about is the public roads. I believe that these roads are formed however I am not aware as to whether the formations are on their legal alignment. If they are not then I believe that legal alignment should be changed to cover the road formation. This is particularly important in the area top be transferred to private ownership but in my view it is also important in the area that will become a DOC reserve.

Best Regards,

Chris Pearson

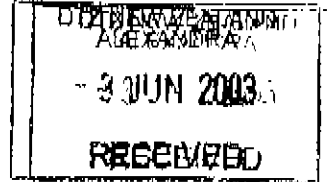
Dr Chris Pearson  
National Geodetic Survey  
Illinois Geodetic Advisor  
IDOT Admin Bldg Rm 005  
Springfield IL 62764-0001  
ph 217 524 4890  
fax 217 524 4149  
EMAIL Chris.Pearson@noaa.gov

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PS I am 2/3 of the way through a 3 year posting in the US. We will be back in about a year though and I am watching the tenure review scene.

**Ken Taylor**

**From:** Sue Maturin [suem@earthlight.co.nz]  
**Sent:** Tuesday, 3 June 2003 9:35 a.m.  
**To:** Ken Taylor  
**Subject:** Fw: Braeside Pastoral Lease - Central Otago



----- Original Message -----

**From:** Robert P Lowe  
**To:** suem@earthlight.co.nz  
**Sent:** Sunday, June 01, 2003 6:13 PM  
**Subject:** Braeside Pastoral Lease - Central Otago

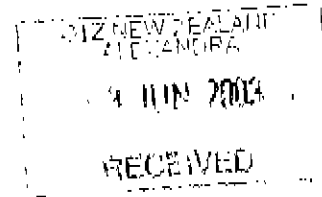
We support of the protection of low level red tussock on the Braeside property because of the rarity of remaining areas of the low level red tussock in Otago. This area is too significant to be freeholded and lost. It is insufficient in conservation terms to protect only the upper level block.

Would you please copy this email to the Commissioner of Crown Lands, Wanaka, as we do not have his email address.

R&J Lowe

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OFFICIAL INFORMATION ACT**

Safari Excursions – Wild Flower Walks  
41 Glencarron St  
ALEXANDRA  
Phone 03 448 7474  
E-mail [jdouglas\\_alx@xtra.co.nz](mailto:jdouglas_alx@xtra.co.nz)



2<sup>nd</sup> June 2003

The Commissioner of Crown Lands  
C/o DTZ (NZ) Ltd  
Lands Resources Division  
PO Box 27  
ALEXANDRA

**RELEASED UNDER THE  
OFFICIAL INFORMATION ACT**

Dear Sir

**BRAESIDE TENURE REVIEW – PRELIMINARY PROPOSAL**

Thank you for a copy of this preliminary proposal. I would be pleased if you would accept this submission.

I run a tour operation business and wild flower walks that covers the Central Otago Area. Though the Hawkdun Range does not fall into an area I visit, I have been fortunate enough to be involved in some field research work and appreciate the significance of the Range values.

Of all reviews that I have been involved in and made submissions on so far, this particular one goes a long way in meeting most of the aims and objects of the Crown Pasture Land (ACPL) Act 1988.

It is a good outcome for the Crown and the public of New Zealand. To have this large area involved, adding to the other two areas of existing conservation land already returned to the Crown through the Tenure Review process, is most encouraging.

The Hawkdun Range with its outstanding landscape features along with its significant botany inherent values will I hope be a valuable asset as a Conservation Park. The summit comprises of alpine cushionfields and wetlands.

However I would like to comments on some parts of the preliminary proposal, which I believe should be open to further consideration. Public consultation requires willingness by all parties to discuss openly, and at times reconsider the many issues presented to them.

**1. GENERAL DESCRIPTION OF THE PROPOSAL – Runs 227B & 227C:**

1. 7922 hectares approximately, to be designated as land to be restored to full Crown ownership and control under Section (35) (2) (a) CPL Act as a Conservation Area

2. 4585 hectares approximately, to be designated as land to be disposed of by way of freehold disposal to the holder under Section 35 (3) of the CPL Act, subject to part IV A of the Conservation Act 1987, Section II of the Crown Minerals Act 1991 and the following protective mechanism under Section 40 (1) (b), Section 40 (2) (b) and 40 (2) (c) CPL Act

***Protective Mechanism:***

A Right Of Way easement for unrestricted public motorised and non-motorised vehicle access and access by foot or accompanied by horses from Home Hills Runs Road to the proposed conservation area.

**2. SOME CONCERNS:**

**Roads and Access:** The Designation Plan (Appendix 1) shows several legal roads.

In the vicinity of the confluence of Coal Gully, Pierces Creek and Johnstones Creek, there appears to be at least three, perhaps 4, if I include the road running around the water race.

***Protective Mechanisms: 2.3 last para (p6)*** "...Access will be available where the proposed legal boundary of the conservation area diverges from the existing fence line to abut the road formation on the south side of Pierces Creek...."

I believe the above statement in the proposal is far too vague. It is important that access be available at this point, but it must be legalised and before any agreement is signed

The "Home Hills Runs Road" which is maintained by the Local Authority (CODC) runs from the southern Boundary through the property to the northern boundary. The present formation no doubt diverges from the legal roads shown on the map. If this proves to be the case, then this must be rectified at the time of survey.

**Marginal Strips:** I note the marginal strips on Pierces Creek, Johnstones Creek and Hills Creek. These will have to be included in the documents at the time of surveying.

**Public Access Easement:** (a - b on the plan). That this is to be fenced on both sides meets with general approval.

**Water Race Road:** The public should also have legal access to this.

**Landscape Values:** I would like to draw your attention to:

2. 2.2. *Land to be disposed of by freehold disposal to the holders:* Page 4, second paragraph, the last two sentences:

*".....This land does not include any significant inherent values requiring protection under the review. It comprises mainly extensive rolling improved and semi improved fescue tussock grasslands with patches of matagouri and snow tussock on shady faces and moister low lying areas....."*

I find this statement rather dismissive and rather sweeping of that land between the road and the proposed conservation land in the northwest of the proposed freehold.

Also that land which includes the braided stream channels on the floor of the Hills Creek valley in a radius of 2 to 3 kilometers of Trig G, and above the above the Mt Ida Water Race.

This country I describe, has very significant inherent conservation values in its unique landscape. Although the amount of tall tussock making up the ground cover varies, there is still ample sufficiency there, to give the landscape its texture and its colour. The main ingredients, which go to make up this landscape.

Also, although it has been modified to a certain extent over time through burning and grazing the fact remains that the area is still tall tussock dominated and relatively intact. In the more open spaces amongst the tall tussock there are young tussock plants growing: a sign that if given time, a recovery to tall tussock grasslands is practicable.

These lower slopes are the foreground to the Hawkdun Range and therefore very important to the integrity of the whole scene.

3. **No mention is made in the proposal of the fact that most of the tussock concerned covering some 400 ha here, is in fact red tussock, a species of tussock that is becoming increasingly rare on the lower country of Otago, therefore for that reason alone, is worthy of protection.**

Added to that, is the fact that if this area were added to that which is to be returned to the Crown above it, it would give an altitudinal sequence of vegetation from the valley floor to the range crest. This is something that is lacking in many conservation areas coming out of tenure review.

4. The proposal states that there are "*patches of matagouri*" in the make up of the cover, but no mention is made of other woody plants present, such as *Olearia*, *Coprosma*, *Melicytus* or *Carmichaelia* species on the rolling country to the east of Trig G.

Again I believe the proposal is incorrect in stating there are only "patches of matagouri".

**Where as, matagouri is very widespread throughout this area and is by far the dominant woody plant present.**

**In 3 Discussion of Proposed Designations:** Page 4, 1<sup>st</sup> para, ".... Ecologically sustainable management will also be promoted on the proposed freehold....." "....The lower altitude and more fertile soils on this portion of the property justify inputs of fertiliser and improved pasture seed that render the land more suitable for sustainable grazing by sheep and cattle..."

We believe insufficient thought or research has been given to the ecological sustainability of this land we are discussing, with the amount of matagouri present, if it is intended to apply super phosphate to this country

When super phosphate is applied to country containing matagouri, it promotes for quick growth and spread of that plant above its natural habitat zone. When this happens, the steps to be taken to remove the plant will be detrimental to the landscape and other values.

The options are:-

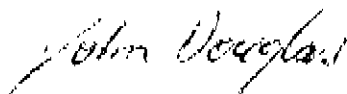
- (a) Burning. This is damaging to the other important values present, and is a very short-term solution. Burning, while a practice in the past, is not an option today.
- (b) Spraying. This is costly and there is the hard seed still in the ground, there to strike and grow at a later date.
- (c) Finally, root raking or ploughing. This will take out the tall, and in places of most importance, is the some 400 ha of red tussock.

### **3. TO MEET MY CONCERNS;**

If the landscape and ecological issues I have raised in this submission, were to be fully investigated again, and discussions re-opened on both the landscape and the red tussock, then I believe that a far better preliminary proposal would be forthcoming.

I thank you for the opportunity to make this submission.

Yours faithfully



John Douglas  
Manager

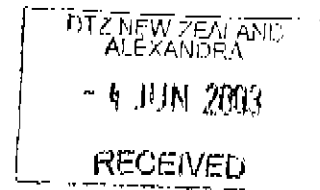
ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED

Upper Clutha Branch

PO Box 38  
LAKE HAWEA

4<sup>TH</sup> June 2003

The Commissioner of Crown Lands  
C/o DTZ (NZ) Land Resources Division  
PO Box 27  
ALEXANDRA



Dear Sir

BRAESIDE - Tenure Review - Preliminary Proposal

We thank you for sending us a copy of this proposal. We would be pleased if you would accept this submission on it.

Our Society is well known throughout New Zealand for its work in protecting the environment.

Our branch, as does the whole society, fully supports the aims of Part II of the CPL Act 1998. We in our branch take a particular interest in tenure review in Otago.

We have inspected the lower areas of Braeside and we wish to thank Mr AJ McKnight for allowing us to do so.

We see this proposal as a good one for the Crown and the people of New Zealand. That such a large area is to be added to the existing Conservation Area on the Hawkdun Range which has been created out of previous tenure reviews, is gratifying. The Hawkdun Range is an outstanding landscape feature and together with the other inherent conservation values on these uplands returned to the Crown argues well for the future of the area.

Apart from one critical part of the proposal; of the over 30 tenure review preliminary proposals we have made submission on so far, this particular one goes a long way in meeting most of the aims and objects of the CPL Act. We would thank the lessee and those involved.

However we wish to submit some comments on a part of the proposal which we sincerely believe should be open for further consultation and consideration. Public consultation requires a willingness by all parties to discuss openly, and at times reconsider the many issues presented to them.

**1. GENERAL DESCRIPTION OF THE PROPOSAL:**

- 1) 7922 Ha. (approximately) to be designated as land to be restored to Full Crown ownership and control under Section (35) (2) (a) CPL Act as a conservation area.
- 2) 4585 ha. (approximately) to be designated as land to be disposed of by way of freehold disposition to the holder under Section 35 (3) of the CPL Act, subject to part IV A of the Conservation Act 1987, Section II of the Crown Minerals Act 1991 and the following protective mechanism under Section 40 (1) (b), Section 40 (2) (b) and 40 (2) (c) CPL Act:

***Protective Mechanism:***

A ROW easement for unrestricted public motorised and non-motorised vehicle access and access by foot or accompanied by horses from Home Hills Runs Road to the proposed conservation area.

## 2. OUR CONCERNS ARE:

1) **Roads and Access:** The designation Plan (Appendix 1) shows several legal roads in the vicinity of the confluence of Coal Gully, Pierces Creek and Johnstones Creek: there appear to be at least three, perhaps 4, (if we include the road running around the water race). We refer you to:-

"...Protective Mechanisms : 2.3 last Para (p.5) "Access will be available where the proposed legal boundary of the conservation area diverges from the existing fence line to about the road formation on the south side of Pierces Creek..."

We believe the above statement in the proposal is far too vague. It is important that access be available at this point but it must be legalised and before any agreement is signed.

The "Homes Hills Runs Road", which is maintained by the Local Authority, runs from the southern boundary through the property to the northern boundary. The present formation no doubt diverges from the various legal roads shown on the map. If this proves to be the case then this must be rectified at the time of survey.

- 2) **Marginal Strips:** We note the marginal strips on Pierces Creek, Johnstones Creek and Hills Creek. These will have to be included in the documents at the time of survey.
- 3) **Public Access Easement:** (a - b on the plan) That this is to be fenced both sides meets with our approval
- 4) **Water Race Road:** The public should also have legal access to this similar to the above.
- 5) **Landscape Values:** The landscape values of the Hawkdun Range and surrounding foothills and countryside are extremely high. In the proposal we would like to draw your attention to:-

"...2.2 Land to be disposed of by freehold disposal to the holders: Page 4, second para, the last two sentences..."

"...This land does not include any significant inherent values requiring protection under the review. It comprises mainly extensive rolling improved and semi-improved fescue tussock grasslands with patches of matagouri and snow tussock on shady faces and moister low lying areas..."

We find this statement rather casual and dismissive and not a true description of that land between the road and the proposed conservation land to the northwest of the proposed freehold, see photo # 1; and also that land which includes the braided stream channels within a radius of 3 km. of Trig G and above the Mt Ida Water race in the east of the proposed freehold, and north of the Idabum Hills. Hatched yellow on map.

This country we describe has very significant inherent conservation values in its unique landscape. Although the amount of tall tussock making up the ground cover varies in density from place to place there is still ample there to give the landscape its texture and colour - the main ingredients which go to make up the composition of a landscape, see photos # 2,3,4 & 5.

As well as the above, although it has been modified to a certain extent over time through burning and grazing, the fact remains that the area is still snow tussock dominated and relatively intact. In the more open spaces amongst the tall tussock there are young tussock plants growing: a sign that if given time, a recovery to a tall tussock grassland is practicable.

These lower slopes are the foreground to the Hawkdun Range and therefore very important to the integrity of the whole scene.

6) **Vegetation and Biodiversity:** Through the tenure review process every effort must be made to secure for posterity altitudinal sequences of vegetation and biodiversity from valley floors - encompassing the braided stream beds and associated terraces - to mountain summits. These sequences are highly under-represented in the national conservation estate. Here in this proposal we have the opportunity, in part, to remedy this deficiency.

No mention is made in the proposal of the fact that most of the tussock here on this lower land is in fact red tussock, a species of tussock that is becoming increasingly rare in the lower country of Otago. Today only about 4000 has. of red tussock remains on land below 900m. This area on Braealde could make up about 10% of that total. For this reason alone the area concerned should be added to that above it and be returned to full Crown ownership and control for adequate protection.

The proposal states that there are "*patches of matagouri*" in the make up of the cover, but no mention is made of the other important woody plants present, such as Olearia, Coprosma, Melicytus or Carmichaella on the rolling country to the east of Trig G.

Again we believe the proposal is incorrect with regard to the amount of matagouri present. Matagouri is very widespread and is the dominant woody plant present. This concerns us when it is stated:-

*"...3. Discussion of proposed designations: Page 4, 1<sup>st</sup> Para,*

*"...Ecological sustainable management will also be promoted on the proposed freehold..." "...The lower altitude and more fertile soils on this portion of the property justify inputs of fertiliser and improved pasture seed that will render the land more suitable for sustainable grazing of sheep and cattle..."*

Given the amount of matagouri present, we believe insufficient thought or research has been given to the ecological sustainability of this land we are discussing, if it is intended to apply superphosphate to this land.

When superphosphate is applied to country containing matagouri, it promotes the growth and spread of that plant to the extent that the matagouri will become dominant, and to the extent that sheep, and to some degree cattle, will not, or cannot penetrate it. When this happens the steps taken to remove the plant will be detrimental to the landscape and the other values of the country. The methods to remove it are:-

- (a) Burning, which is damaging to the other important values present, and very short term. Burning, while practised in the past, is not an option today.
- (b) Spraying, which is costly, and then there is still the hard seed in the ground to strike and grow to replace that killed by the first spraying.
- (c) Finally, root-raking or ploughing.

Any of these methods will see the demise of the tall tussock, and in places, and most importantly, the red tussock, something which we cannot afford to do. When the tussock has gone so too have the landscape values.

### 3. TO MEET OUR CONCERNS:

In this submission we have outlined our concerns regarding some of that land, and its vegetation, at the foot of the Hawkdun Range that is to be designated land to be disposed of to the lessee. We have mentioned the landscape and its vegetation.

Red tussock was never mentioned anywhere in the preliminary proposal; nor was any emphasis placed on any inherent landscape values anywhere. As they were not mentioned we have to presume that they were never mentioned, or given any priority, in the Conservation Resource Report in the first place. If these two issues were mentioned in the conservation report however, we have to presume proper and due credence was never given to them when drawing up the proposal.

These two issues are extremely important to a satisfactory outcome to this tenure review. As they are of such importance they must be addressed by going back to the beginning, and the consultation process started up again; even if this means there would have to be another conservation survey done of the area, and another Conservation Resources Report produced.

### 4. LIST OF PHOTOGRAPHS AND PLAN:

Photo No (1) Shows the tall tussock between the Home Hills Runs Road and the snow line fence at the north west end of proposed freehold area.

Photo No (2) View of the tall tussock taken from the vicinity of Trig G looking down towards the Home Hills Runs Road. It shows the ground cover and patches of previous burns.

Photo No (3) View of the tall tussock looking south east and looking over the braided creek bed of Hills Creek. Red tussock is present throughout.

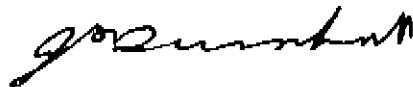
Photo No (4) View from the road looking towards Trig G.

Photo No (5) View taken from the easement towards the base of the hill. Shows some variation in the tussock cover, includes the red tussock.

Plan of the area. Area of lowland red tussock shown hatched in yellow.

We thank you for the opportunity to make this submission.

Yours faithfully



JL Turnbull

For Upper Clutha Branch Forest and Bird.



Photo (2) Tall tussock taken from the vicinity of Trig G looking towards road. Shows ground cover, and patches of previous burns.

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Photo (3) Tall tussock, looking south over braided creek bed of Hills Creek. Red tussock present throughout.