

Crown Pastoral Land Tenure Review

Lease name: RUGGED RIDGES

Lease number: PO 145

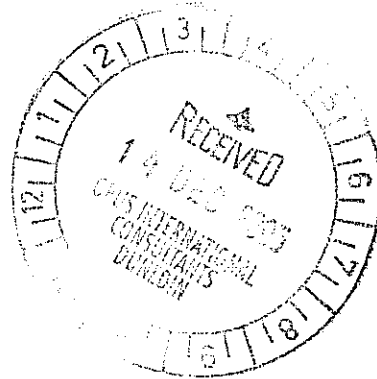
Public Submissions

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

May 06

①

David Payton
Tenure Review Contract Manager,
Opus International Consultants Ltd.,
Private Bag 1913,
Dunedin



Dear Sir,

My name is Struan Munro and I live in the Rugged Ridges Homestead which I own with about 8 hectares of land.

I managed the property from 1957 to 1967 at which time I bought the property. I sold the Pastoral Run in 1997 so am very conversant with property.

I understand there are areas which are to go into the crown estate and I have grave concerns over weeds and pests and the future management of these on the Land that is to be retired, as these areas could well affect me and a block that I own of 32 hectares about six kilometers east of the Rugged Ridges Homestead.

I request that I have some discussion with you over my concerns..

Yours sincerely .

Struan Munro.

Struan Munro
Rugged Ridges,
Kurow.
Ph/fax 03 4387814

Struan Munro
9 December 2005

Tenure Review—Rugged Ridges Pastoral Lease.

It is important that the Parsons Rock remain under some form of Covenant. Alfred Davis and John Everate –Bushrangers broke from Custody in Dunedin and rode up to Oamaru and then up the Waitaki Valley. They managed to hold up many of the accommodation houses on the way. The Police were in hot pursuite after they left the Wharekuri Hotel. It is believed that they buried their loot at the Parsons Rock. The loot was never recovered but the empty saddle bags were. However they were captured by William Grant Munro who found them hiding under a bed at the Otematata Hotel. Also Parson Andrews of whom the Parsons Rock was named after and was the first European to take up Otematata Station use to preach from the Rock . Parson Andrew was an ordained Anglican Priest.

Adjacent to the main highway 83 on the Lakeside at what as known as the Cliff Paddock are three large Rocks. The Rocks have Maori significance as a burial site .The Rocks should not be destroyed or removed.

The remains of a stone cottage which was the original Rugged Ridges Homestead is on the top side of the road ,opposite the Rugged Ridges entrance at the Rugged Ridges Station Creek. It was the home of the Julias Brothers although they only lived there a short time. It was the home of the Munro family who worked for the Julias Brothers in the early 1860`s, Where William Grant Munro brought up eleven of a family. It would be a pity to be destroyed as it is a part of the history of the valley and should have some protection.

The Rugged Ridges Stone Yards are already protected under the Waitaki District Plan.

W. Munro
9th December 2005

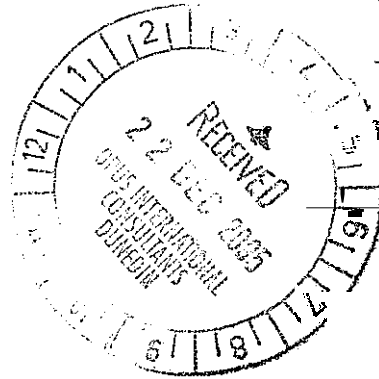


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File reference
Enquiries to Michael Ross
Email mross@WaitakLgovt.nz

Waitaki DISTRICT COUNCIL

15 December 2005



Waitaki District Council
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20 Thames Street
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OPUS
Tenure Review Contract Manager
Private Bag 1913
DUNEDIN

Attention: David Payton

Dear Sir

Tenure Review - Rugged Ridges Pastoral Lease

I acknowledge your letter dated 4 November 2005 advising that the Commissioner of Crown Lands has put a preliminary proposal for tenure review to the holders of Rugged Ridges pastoral lease pursuant to section 34 of the Crown Pastoral Land Act 1998.

The Waitaki District Council submits the following:

Parsons Rock

1. It is important that the Parsons Rock remains under some for of Covenant. Alfred Davis and John Everate - Bushrangers, broke from custody in Dunedin and rode up to Oamaru and then up the Waitaki Valley. They managed to hold up many of the accommodation houses on the way. The Police were in hot pursuit after they left the Wharekuri Hotel. It is believed that they buried their loot at the Parsons Rock. The loot was never recovered but the empty saddle bags were. However they were captured by William Grant Munro, who found them hiding under a bed at the Otematata Hotel. Also Parson Andrew, of whom the Parsons Rock was named after, was the first European to take up Otematata Station use to preach from the Rock. Parson Andrew was an ordained Anglican Priest.

Three Rocks

2. Adjacent to the main highway 83 on the lakeside, at what is known as the Cliff Paddock, are three large Rocks. The Rocks have Maori significance as a burial site. The Rocks should not be destroyed or removed.

Stone Cottage

3. The remains of a stone cottage, which was the original Rugged Ridges Homestead, is on the top side of the road, opposite the Rugged Ridges entrance at the Rugged Ridges Station Creek.

It was the home of the Munro family who worked for the Juhas brothers in the early 1860's, where William Grant Munro brought up eleven of a family. It would be a pity for it to be destroyed as it is a part of the history of the valley and should have some protection.

We also note that the Rugged Ridges Stone Yards are already protected under the Waitaki District Plan.

I trust that the Crown will ensure that these matters are provided for in the protections proposed and we look forward to hearing how these matters have been handled in the next round of the review.

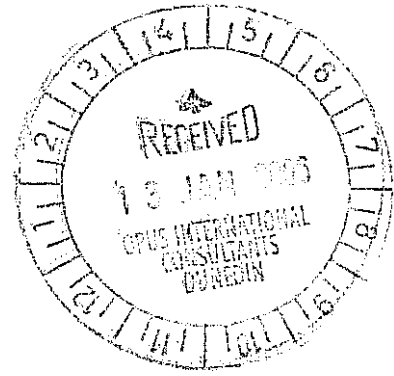
Yours faithfully



Michael Ross
Chief Executive

10 Smacks Close
Papanui
Christchurch 5

Opus International
Re: Rugged Ridges Tenure Review



Dear Sir,

I'm happy with the review except for the land between the road and the lake I feel should be retained in Government hands.

Obviously this land has little or low native vegetation however there is no denying the fact that the lake is the dominant feature when traveling along the road. Therefore the view from the road is of major importance.

Thus the land between the road and the lake should be retained in Government hands as an area of significant inherent value.

It could be leased out long term for grazing or strangely enough it was mentioned this morning in the news about a review of camping facilities around the country after so many being sold to private users. There is no reason why some of this land could not be used for a camping ground.

However it should be retained in Crown ownership.

I prefer that the land designated as CC be retained in Crown hands due to its conservation values and the fact that management restraints are now placed on this land, when the purpose of the review is to remove these restraints.

Regards

A handwritten signature in cursive script that reads "Geoff Clark".

P.S. Good to see the use of rabbit proof fencing.

Commissioner of Crown Lands,
C/o David Payton
Tenure Review Contract Manager,
Opus International Consultants Ltd,
Private Bag 1913,
Dunedin

19.1.06



**FOREST
& BIRD**
Dunedin Branch
PO Box 5793
Dunedin
19.1.06

Dear Sir,

Submission on the proposed outcomes from tenure review of Rugged Ridges pastoral lease

On behalf of the Dunedin Branch Management Committee of Forest and Bird.

This submission is written on behalf of the Dunedin Branch of the Forest and Bird Protection Society which has approximately 565 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.

The submission is written with reference to the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the recently stated government objectives for the South Island high country, especially the following:-

- *to promote the management of the Crown's High Country in a way that is ecologically sustainable.*
- *to protect significant inherent values of reviewable land by the creation of protective measures; or preferably by restoration of the land concerned to full Crown ownership and control.*
- *to secure public access to and enjoyment of High Country land.*
- *to ensure that conservation outcomes for the High Country are consistent with the NZ Biodiversity Strategy to progressively establish a network of High Country parks and reserves.*

Note: We much regret that the Manager, Anne Scanlon, declined to give us permission to inspect the lease using a 4WD vehicle over one day. Her suggestion that we could only walk or bike on the proposed access tracks was not practicable for us as it would have taken several days and been impossible for one of our number who recently had a knee replacement. We much prefer to write submissions where we have inspected the lease on the ground to gain a better understanding of what is proposed on country we are not familiar with.

The Proposal

The 9648 hectares lease, is mainly moderately steep slopes with deeply incised gullies but with some hill country with gentle rolling spurs. It overlooks Lake Aviemore on its northern

boundary, goes back as far as the Otematata River to the south and rises to a height of 1500 metres on the northern and western slopes of the St Mary's Range. It adjoins the St Mary's Range Conservation Area, which is mainly composed of country retired from the Rugged Ridges lease some time ago.

Conservation Areas Proposed

1855 hectares (approximately) to be designated as land to be restored to or retained in full Crown ownership and control as four Conservation Areas under section 35 (2)(a)(i) of the Crown Pastoral Land Act 1998.

CA 1 (25ha),

This is an area close to the shore of Lake Aviemore on the south side of SH 83 which contains grey shrublands and includes two threatened native brooms, *Carmichaelia curta* and *C. vexillata*. In addition, there is a large population of prostrate Kowhai on the spur on the true left of McRae Creek. This kowhai is considered to be near its southern limit. There is a population of *Coprosma crassifolia* (near to its western limit) in the dry shrublands overlooking Lake Aviemore. The area will be fenced to a rabbit-proof standard and a car park is proposed off SH83 where it abuts CA1. With the removal of stock the prostrate kowhai and other shrubland plants would be able to regenerate, which is not happening at present

Forest and Bird strongly support the creation of this Conservation area to protect the rare and endangered plants within it and to maintain that protection by means of a rabbit-proofed fence. The proposed car park will provide adequate access to the area.

CA 3 (395ha),

This area covers the northern side of the dome area of the St Mary's Range overlooking lake Aviemore and includes parts of Parson's Rock Creek, Rugged Ridges Creek and McRae Creek catchments. It ranges from 1000m to 1431m in altitude and contains snow tussock in good condition, and other significant vegetation ranging from dry shrublands to the alpine plants (including small alpine bogs and cushionfields), on the St Mary's range.

Forest and Bird strongly support the return of this area, rich in vegetation and landscape natural values, to full Crown control and ownership as a fenced off Conservation Area and note that the proposed access routes from on' at the southern corner of CA1 to on' on the CA3 boundary and from point 'a' on SH 83 up Parson's Creek to the western corner of CA3 then provides also for two points of access into the St Mary's Range Conservation Area which will also enhance recreational use of that area.

CA 4 (5ha)

This Carex swamp area on the true right of the Otematata river contains wetlands formed from seepage below old river terraces. It is well worth protecting as a rare wetland for the area and as a different habitat compared to the majority of the Otematata River. The grasshopper *Phalacridium otagoense* is endemic to the Mackenzie Country and Central Otago and is found here

We strongly support the return of this area to Crown ownership and control and the easement proposed to give access to it.

CA 5 (1430ha).

This area, to the west of the St Mary's Range Conservation Area, covers the southern part of the Otematata Valley and the northern boundary, an existing subdivision fence along the line of a legal road, follows up the hill north of Miller Creek to about the 1000m contour line.

There is a musters hut north of the boundary between the proposed freehold and conservation areas within the Millar Creek catchment which, given the time needed to walk into the area by the proposed access tracks, would be a valuable recreational facility which would allow more leisurely botanising and tramping trips to make the most of the natural and recreational values and might mean that older people too would be more able to visit the area and use the hut as a base without the need to carry tents. I understand the hut might not be in good condition, but the possibility of restoring it as a historic hut should be considered if it is appropriate.

We suggest that the boundary of the proposed CAS should be adjusted so that the hut is included within it by use of the existing fence around the northern side (ridge on the true right) of Shaw Creek catchment up to 1431 m. This would then abolish the need for a new fence from O-P at the proposed boundary of the CC with CAS. In addition (given the existing St Mary's Range Conservation Area) this would also provide protection for a more representative area of the altitudinal sequence which included the shrub-filled gullies of the Otematata River tributaries, and the tussock grasslands up to the crest of the St Mary's Range.

Forest and Bird supports the return of the land within proposed CAS Crown ownership and control but strongly recommends that the area be extended to include at least all of the Millar Creek and Shaw creek catchments and the existing hut for the reasons given above and under discussion on the proposed Conservation Covenant area.

CA2 595 ha (approximately),

This land is to be designated as land to be restored to or retained in Crown control as Conservation Area under section 35 (2)(b)(i) Crown Pastoral Land Act 1998 subject to a Farm Management Easement Concession under section 36 (1)(a) Crown Pastoral Land Act 1998.

This area has very significant landscape values being the front faces overlooking Lake Aviemore above SH 83 and includes shrublands and kowhai patches and dry grassland herbfield which contains the native broom *Carmichaelia curta*, which is a rare and endangered species. It also has *Coprosma crassifolia* which is near its western limit.

Forest and Bird strongly supports the return to Crown ownership and control and the stipulation that the area will be enclosed with rabbit proof fencing to allow the plants to recover from grazing.

Conservation Covenant

A covenant is proposed to be over approximately 1045 hectares under Section 40(2)(a) Crown Pastoral Land Act 1998, in perpetuity, for the purpose of preserving the landscape and inherent natural values in the Otematata River Catchment.

We submit that some of this covenanted area (see discussion under CAS) should be added to CAS. We note the provisions for monitoring stock numbers '*to restrict grazing to levels that prevent deterioration of the significant inherent values*' but submit that any grazing will prevent regeneration of the native species, and note from the Conservation report the

existence of significant ecological values in the area including Shaw Creek (*a diverse range of native shrublands*) and Miller Creek catchments.

Land proposed for freeholding

7141.0497 ha (approximately) is to be designated as land to be disposed of by freehold disposal to the holder under section 35(3) Crown Pastoral Land Act 1998 subject to Part IVA Conservation Act 1987, Section 11 Crown Minerals Act 1991 and the following:

We submit that the area NE of the Harrison Saddle and SW of Parson's Rock Creek and abutting the NW boundary of the St Mary's Range Conservation Area should not be freeholded, but rather returned to full Crown ownership and protection as a Conservation Area.

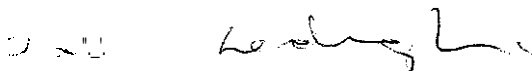
This area contains good snow tussock cover and intertussock diversity which improves with altitude and also landscape values when looked at in association with the St Mary's range Conservation Area, i.e. it has significant inherent values worthy of protection.

Public Access

An easement under Section 40(2)(b) and (c) Crown Pastoral Land Act 1998 to provide public access by foot, horse and non-motorised vehicle, and access for conservation management to the conservation areas over routes on existing tracks on the property.

We support the proposals for public access by on foot or non-motorised vehicle and consider they are adequate to allow access to the Conservation areas and to the existing St Mary's Range Conservation Area.

We appreciate the opportunity to make submissions on this proposal.



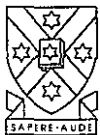
Janet Ledingham

For the Management Committee of the Dunedin Branch, Forest and Bird Protection Society

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622 Highgate, Maori Hill, Dunedin. Phone 03 467 2960

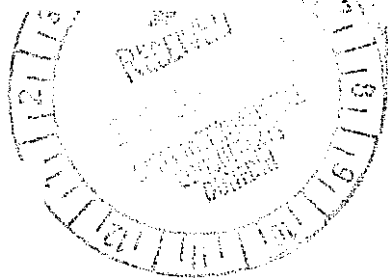


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January 19, 2006.

Manager,
OPUS
International Consultants,
Private Bag 1913,
DUNEDIN.

SUBMISSION ON PROPOSED TENURE REVIEW OF RUGGED RIDGES PASTORAL LEASE

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it, based on my general knowledge of the area involved which has been gained with ecological research in the vicinity over many years. I was disappointed and concerned not to be able to gain access to the property since it came into tenure review so as to refresh my earlier information, but this was denied by the lessee.

Having submitted on many earlier proposals I am conversant with the process, including the relevant legislation (CPLA 1998), and the current government's policy on the South Island high country and tenure review in particular.

Rugged Ridges Pastoral Lease is a relatively large property (9591 ha) which extends from the floor of the Waitaki Valley up the northern aspect slopes of the St Mary's Range to close to its crest in the upper reaches of the Otematata River. The Preliminary Proposal, if implemented, would result in the major part of the run (7141 ha or 74%) being freeholded (with a Conservation Covenant involving some restrictions on future use over the upper 1045 ha, and the remaining 2450 ha (26% of the run) being restored to full Crown ownership and control, as five separate Conservation Areas (one to five). Given that the largest parcels of the proposed conservation lands are at high elevation, the overall proposal is clearly strongly in favour of the freeholding option. I believe a more equitable distribution of the land is justified, given the obvious conservation values on some of the areas proposed for freeholding.

Each of the five separate conservation areas being proposed will be discussed separately, below:

Conservation Area One of 25 ha is mixed shrubland, containing two species of threatened native broom (*Carmichaelia curta* and *C. vexillata*) adjacent and on the South side of State Highway 83, up-slope as far as the transmission line. This area should be extended some 100 m to the east, as far as the walking track which is the proposed easement "k-j" to provide for walking and non-motorised vehicle (and conservation management) access, on the true left side of McRae Creek. The proposed car park is presumably to be located at the entrance to this track from the highway. The rabbit-proof fence to be completed around this Conservation Area will be important to reduce the threat to the more palatable shrub species here. Desirably a stile over this fence will be provided for public access to this area.

Conservation Area Two of some 595 ha of north-facing, dissected slopes with high landscape and ecological values, based on the representative mixed open grassland-shrubland-woodland with scattered kowhai and shrubs of *Carmichaelia* spp., is typical of extensive areas of the eastern Mackenzie basin. The proposed rabbit-proof boundary fence is justified but the across-slope alignment on its upper boundary and the proposed easement ("A-B") for farm management purposes along more than 2 km within the lower boundary, are both undesirable in terms of security of this Conservation Area against rabbit encroachment. The linkage of Conservation Areas One and Two by including the area west of the proposed public easement "k-m" on the eastern boundary, to create a single larger conservation area would be highly desirable in this context and should be considered. Similarly, an extension of the proposed Conservation Area Two upslope as far as the

main (tracked) ridge immediately northeast of the Rugged Ridges creek, using the lower section of the proposed public access easement "m-n" as its eastern boundary, would be a much more desirable upper (and eastern) boundary for the Conservation Area Two, and should also be seriously considered. It would about double the size of this conservation area.

Conservation Area Three, of some 395 ha, and extending up to 1530 m at the northern end of the St Mary's Range, adjoins the existing St Mary's Range Conservation Area along its southwestern boundary, and would provide an important addition to it terms of ecological, recreational and landscape values. An associated new fence line along the lower boundary of this proposed conservation area should be modified by utilising the existing fence in substitution for the c. 2 km of new fence proposed for the western part of the boundary. This would entail a relatively small additional area, mostly above 1200 m, being removed from the area proposed for freeholding but would provide a much more desirable irregular lower boundary to the conservation area. This will become an important lower boundary to an extended St Marys Conservation Area so that a fence line showing maximum sympathy with the topography, while minimising future maintenance costs, are important aspects to consider in this "one-off" exercise.

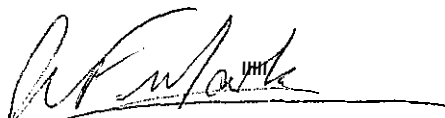
Conservation Area Four, a 5 ha wetland of *Carex* swamp, along the margin of the true right bank of the Otematata River, represents a small but ecologically important addition to the conservation lands of the St Mary's Ecological District. Formed from seepage below old river terraces, such a wetland is rare in this ecological district (as the report states) and every effort should be made to prevent the intrusion of grazing animals or burning and, in determining the boundary of this conservation area, it is important to ensure that the integrity of this wetland will be retained. Being above the normal river level, fencing of its boundary might be feasible and practicable, desirably on the margin of the terrace above the northeastern margin of the wetland. Presumably the legal road up the true left margin of the Otematata River will provide public access as well as the easement proposed ("d-g") down Harrison's Spur from the track beside Parson's Rock Creek.

Conservation Area Five, a 1430 ha block which is located on the upper part of the property and contiguous on its eastern and southern boundaries with the St Mary Conservation Area. This proposal is supported but the inclusion of the upper block (one third) of the proposed Conservation Covenant in the upper reaches of the Otematata River, by using the existing fence which runs down the prominent spur between spot height 1431 m and the Otematata River at Grid Ref. 140912018, would obviate the need for the 2 km of new fencing "P-O". This modification would add an area with high intrinsic values (ecological, including snow tussock grassland and 'a diverse range of shrublands', plus *Podocarpus hallii*, and landscape values). If adopted, this would also ensure that any deterioration of inherent values through the continued grazing of stock (sheep and cattle) on this area (a condition of the proposed Conservation Covenant) did not occur. The need for the two proposed easements to provide for public and conservation management access ("h-i" and "h-j"), plus the proposed monitoring on this upper block, would not then be required.

The remaining lower block (two thirds) of the area proposed for a Conservation Covenant on the land proposed to be freeholded in the upper Otematata catchment, to protect a range of ecological plus landscape values, is supported, as are the associated conditions of grazing and monitoring. The remaining easements which have been proposed, including the three for Fish & Game, are also supported

I trust that my recommendations will be seriously considered since they would achieve a much better balance of land allocation between freehold and conservation lands, and one much closer to the principles outlined in the Crown Pastoral Land Act. The partitioning of the areas between conservation and freeholding would also then be much closer to that intimated by the previous Minister of Lands, Hon. Denis Marshall, when introducing this important exercise and its associated legislation, in 1998.

I thank you for the opportunity to comment on this proposed tenure review.



Yours sincerely,

Alan F Mark FRS Z. Emeritus Professor.



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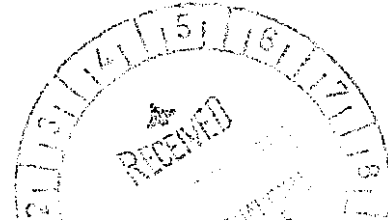
or: 0800 EO INFO (0800324636)

Email: ecinfo@ecan.govt.nz

Website: www.ecan.govt.nz

19 January 2006

The Commissioner of Crown Lands
C/- Opus International Consultants Ltd
Private Bag 1913
DUNEDIN



Attention: Mr David Payton
Tenure Review Contract Manager

Dear David

RUGGED RIDGES PASTORAL LEASE

SUBMISSION ON PRELIMINARY PROPOSAL FOR TENURE REVIEW

Thank you for advising Environment Canterbury of the release of the Preliminary Proposal for tenure review of Rugged Ridges Pastoral Lease. We appreciate the opportunity to review the proposal and make a submission in relation to the future management of this land.

Environment Canterbury has statutory responsibilities under the Resource Management Act 1991 (RMA) for the sustainable management of natural and physical resources of the region, including soil conservation, water quality and quantity and ecosystems, and for maintenance of biodiversity. In addition, Environment Canterbury also has statutory responsibilities under the Biosecurity Act 1993 for the management and eradication of animal and plant pests, in accordance with regional pest management strategies. These responsibilities are entirely compatible with achievement of the Objectives of Tenure Review, specifically to "promote the ecologically sustainable management of High Country land" and protecting land with "significant inherent values" by retaining it in Crown ownership.

The Canterbury Regional Policy Statement 1998 (CRPS) provides an overview of the resource management issues of the region, and sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management. Key to the management of soils is the maintenance and restoration of a vegetative cover over non-arable land that is sufficient to prevent land degradation and the onset of erosion (Ch7 Objective 1). Sustainable management of water resources requires safeguarding the life-supporting capacity of water, including associated aquatic ecosystems and significant habitats of indigenous fauna and vegetation (Ch9 Objective 3). Policy 11 in Chapter 9 promotes land use practices which maintain or enhance water quality. Large landscapes are a feature of the Canterbury high country and the CRPS recognises the importance of protecting both the interconnectedness of landscape components and the vast, open nature of these landscapes.

Environment Canterbury has recently notified its Proposed Natural Resources Regional Plan (NRRP) to address the resource management issues identified in the CRPS and to provide more specific standards and methods, including rules, to achieve the objectives. The NRRP recognises the close relationship between land and water ecosystems by promoting the integrated management of soil and water resources across the region. In particular, the provisions of the plan emphasise the links between land use practices and the management of water quality.

Our Ref: PL5C-103; AG5T-46
Your Ref:
Contact: Cathie Brumley

The Soil Conservation chapter (Ch8), Objective SCN1 seeks to: "...maintain soil quality and an intact and resilient vegetation cover sufficient to minimise the risk of induced erosion, safeguard the life-supporting capacity of the soil, and prevent, as far as practicable, the movement of soil into water bodies." The objective contains specific guidelines for intact and resilient vegetation cover. Policy SCN1 provides options to restore such a cover where it has become depleted.

Policy WQL5 of the Water Quality chapter includes a range of regulatory and non-regulatory methods to manage the riparian margins of rivers to maintain or improve water quality.

The Canterbury Regional Pest Management Strategy (2005) [which is a revised combination of the former CRPMS (1998) and the Canterbury Regional Pest Management Strategy Biodiversity Pests (2002)] identifies a number of species of plants and animals for control or management as pest species.

In line with these statutory responsibilities and documents, and Section 24 of the Crown Pastoral Lands Act (1998), Environment Canterbury technical and planning staff *have reviewed* the Preliminary Proposal for Rugged Ridges Pastoral Lease to assess the impacts, if any, of this proposal on the sustainable management of the land, including pest management, indigenous biodiversity protection, recognition and protection of significant landscapes, public access opportunities, soil conservation and the integrity of the water bodies. Our comments and recommendations are listed below.

General comments

The Rugged Ridges pastoral lease extends from the southern edge of Lake Aviemore to the top of the St Marys Range including a number of substantial catchments draining the St Marys Range. Lake Aviemore is highly valued as a trout fishery and several of the streams draining the St Marys Range are important spawning rivers retaining high water quality and instream habitat values. Many of these streams are deeply incised and retain significant remnants of their original vegetation cover. The soils of the pastoral lease are *very dry* with *severe* limitations for productive use. Depletion of the vegetation cover from past grazing by stock and rabbits has led to an increased incidence and risk of erosion. The slow *recovery* of these areas has illustrated the limited capability of the land for economic use and the need for ongoing restorative management.

Environment Canterbury has identified considerable concerns with the proposal to freehold much of the property through tenure review on these grounds that this appears inconsistent with the objectives for tenure review under the Crown Pastoral Lands Act and also with the purpose of the RMA for the ecologically sustainable management of the land.

On 9 February 2005, the Cabinet Policy Committee noted that of the ten high country objectives for the management of Crown-owned land in the South Island high country, the objectives for promoting ecologically sustainable management and protecting significant inherent values of reviewable land "*are of primary importance*". Objectives to enable freeholding of land capable of economic use and to secure public access can occur if they are consistent with the primary objectives. Tenure *review* was noted as a key tool for achieving these objectives.

One of the issues for tenure *review* is the likelihood of changing, or intensifying, land uses that may result from the freeholding of land, and the effects of these changes on the primary *objectives*, both within the land to be freeholded and on the wider landscape or catchment. The protection of extensive landscapes, for example, can be affected by small-scale changes in land use or land *cover*. Any intensification of land use, which is likely to be accompanied by the use of fertilizer *and/or* irrigation, has the potential to affect the water quality and the instream habitat of the streams flowing across the property, and consequently the water quality of the downstream catchment.

Many parts of the high country Crown estate contain soils with limited potential for production due to their inherently low fertility, their position in the landscape or limitations of the prevailing climate for plant growth. Intensification of land use on these soils runs the risk of causing a reduction in the health of the vegetation *cover* and increasing the risk of soil erosion or long-term loss of soil quality. Soil erosion can lead to a loss of water quality and the health of the instream environment of lakes and rivers. Much of the Class VII and VIII soils and Class VI soils susceptible to erosion will *have very* limited potential for production and be at high risk of erosion from the loss of an intact vegetation *cover*. The priority for ecologically sustainable management of these lands will be the maintenance of an intact and resilient vegetation *cover*.

The tenure *review* process has a clear role to identify and enable the sustainable management of these lands, and the protection of those significant inherent values that provide the distinctiveness of

the high country natural landscape, "(preferably) by the restoration of the land to full Crown ownership and control" (s24(b)). While it is outside the tenure review brief to dictate how land should be used, it is well within the objectives to ensure that the designations given to land are appropriate to the long-term sustainable management and protection of significant inherent values identified for the land.

Regional councils and land owners also have a responsibility under the RMA to maintain the quality and quantity of water in water bodies and to protect important natural, cultural, landscape and amenity values identified for the land. These responsibilities are also fundamentally important to the primary objectives of the CPLA for the long-term "ecologically sustainable management" of the land, which must include both the management of land and water within the lease, and the management of any downstream effects of land use on land or water beyond the lease.

While there is a range of statutory options for managing and protecting important natural values of the land, the tenure review process is clearly recognized by the Cabinet Policy Committee as a key tool to enabling this protection. The focus for the following discussion will be the ability of the Preliminary Proposal to provide for the integrated and long-term, ecologically sustainable management of land and water resources of the Rugged Ridges lease and to protect the range of significant inherent values identified for the land.

Soil Conservation

Management of the Rugged Ridges lease has been subject to both a Soil and Water Conservation Plan and a Rabbit and Land Management Property Plan

Soil and Water Conservation Plan

A Soil and water Conservation Plan (S&WCP) was drawn up for Rugged Ridges by the Waitaki Catchment Commission in 1975. The key objectives for the plan were:

- Construction of retirement fencing to facilitate the retirement and surrender of eroded Class VII and VIII land on the St Marys Range
- Improvement of vegetation cover of degraded land through conservation fencing, oversowing and top dressing and recuperative grazing management
- Increased pasture production to provide offsite grazing
- Cattle proofing
- Reduction of fire hazard through tracking
- Control of wind erosion by planting of shelter
- Improvement of stock water supply

Extensive soil conservation works were carried out from 1975 to 1989 which largely completed the intended programme. Subsidy payments in excess of 75% of costs were contributed. Unfortunately improvements to pasture production were not as successful as anticipated and retirement and surrender of pastoral lease land was not implemented.

A Land Improvement Agreement (L1A) was signed by both parties in 1975 but not registered against the title of the property. After the lease was transferred in 1998 without notification of the agreement the agreement can no longer be considered binding on the current lessee. The inclusion of those areas intended for surrender within the land proposed to be restored to the Crown in this Preliminary Proposal is therefore recognised as a good outcome for soil conservation and Environment Canterbury fully supports this designation.

Rabbit and Land Management Property Plan

A further Land Improvement Agreement was signed by both parties in 1992 and registered on the title. The agreement runs until 1 April 2010. The management objectives of this L1A included:

- The identification and recuperation of degraded lands; and
- The identification of the potential for weed invasion

The limited ability of the property to increase grazing potential became apparent during development of the R&LMP. This has been exacerbated since by the very slow recovery of areas degraded by rabbits and the continued loss of vegetation cover on the lower Class VI sunny faces. Recent satellite

Imagery shows some areas of land with reasonable vegetation cover but large areas of land have less than desirable vegetation cover. The majority of soils either have low fertility, or are drought prone and have a high risk of wind erosion where vegetation cover is depleted. Overall the lower altitude lands have shown a variable response to management improvements and very limited potential for productive use.

Environment Canterbury is concerned that if current stock numbers are retained and grazed over the reduced area of freehold land proposed through the Preliminary Proposal then this could create severe overgrazing problems with further loss in the extent and vigour of the vegetation cover. This situation would not be sustainable and would conflict with the objectives of both the CPL Act and the RM Act.

On this basis, the proposal to freehold a large proportion of the Rugged Ridges lease, including significant areas of Class VII land and limited productive Class VI land is not supported as being in the interests of the long-term sustainable management of this land. There are several alternatives that could be investigated:

- (a) to restore the land to full Crown ownership and control as a conservation area to protect the significant inherent values identified and to encourage the recovery of the vegetation cover.
- (b) to retain the property under Crown control with the option to continue some level of grazing management compatible with the restoration of the intactness and resilience of the vegetation cover
- (c) to freehold only those areas of the lease that can be grazed sustainably and to retain in Crown ownership all other less productive areas.

Environment Canterbury recommends that options (a) or (b) are more in the interests of long-term soil conservation for this land.

Recommendations

1. *That the Rugged Ridges lease is retained in Crown ownership to protect the significant inherent values identified for the land, and to enable grazing or other land use activities only where these activities*
 - o *can be managed sustainably in the long term and*
 - o *will not compromise the protection of any significant inherent values identified for the land*
2. *if recommendation 1 is not accepted, then to retain, at the very least, the following additions to areas retained under Crown ownership:*
 - o extend CA2 at either end to include the remaining dry faces, especially towards Parsons Rock. This includes some of the most rabbit prone parts of the property.

Indigenous vegetation, habitat and wetlands values

Tenure review provides a valuable opportunity to help achieve two key objectives of the Reserves Act 1977 and the New Zealand Biodiversity Strategy (2001). These are, respectively, "preservation of representative samples of all classes of natural ecosystems and landscapes" and to "maintain and restore a full range of remaining natural habitats and ecosystems to a healthy functioning state." A Complimentary Objective of the tenure review process is to ensure that conservation outcomes are consistent with the New Zealand Biodiversity Strategy.

The Land Environments of New Zealand landscape classification system (Leathwick et al. 2003) provides a framework for securing protection and/or restoration of examples of the full range of terrestrial vegetation and habitats. Land environments, and potential natural vegetation cover (in the absence of human modification) are classified at four different national scales: Level I (20 land environments nationally), Level II (100 land environments nationally), Level III (200 nationally) and Level IV (500 nationally). Each is nested within higher levels. The 500 Level IV environments provide the most detailed information on the diversity of New Zealand's terrestrial environments and is the best nationally comprehensive estimate of the 'full range' of ecosystems, habitats and biodiversity.

Analysis of Land Environments in conjunction with spatial data depicting indigenous vegetation cover (from Land Cover Data Base) and current legal protection has recently been carried out by Landcare Research (Walker et al. 2005), for the Department of Conservation. This analysis offers a useful method of identifying the most threatened environments, and therefore determining what should be priorities for protection of indigenous biodiversity, as part of tenure review. In reporting this work, the authors recommended that threat classification analysis be carried out using Level IV Land Environments, as these provide a more accurate, efficient and plausible assessment at regional and local scales.

Examples of 10 Level IV land environments are present on Rugged Ridges pastoral lease (Leathwick et al. 2003).

Q1.1 a, Q1.1 d – Southeastern steep mountains; high elevation tops and range crests

Q2.1 a, Q2.1 b - Southeastern steep mountains; mid-slopes

N3.1 d - Eastern South Island, poorly drained soils on undulating plains

N4.1 a, N4.1 c, N4.1 e - Eastern South Island, lower hillslopes and basin floors with well-drained soils

N5.1 a – Eastern South Island, gently undulating plains, imperfectly drained soils

N6.2a - Eastern South Island, gently undulating plains with recent soils

These Land Environments are listed, in altitudinal sequence (highest to lowest) as they occur on Rugged Ridges pastoral lease, in the table below. The table shows the threat category for each land environment, based on the percentage of indigenous vegetation remaining in each land environment nationally, and the proportion of each environment that is already protected in existing reserves or conservation covenants (from Walker et al. 2005). Presence/absence of examples of each land environment in conservation areas, conservation covenants, freehold described in the Rugged Ridges Preliminary Proposal are indicated.

Level IV land environment	% indigenous vegetation remaining	% protected	Threat category	Present in proposed CAs	Present in proposed CC	Present on proposed freehold
Q1.1a	98.4	23.7	Not threatened	CA3, CA5	No	Yes
Q1.1d	84.7	32.5	Not threatened	CA3, CA5	Yes	Yes
Q2.1a	38.0	8.1	Critically underprotected	CA3, CA5	Yes	Yes
Q2.1b	66.4	4.7	Critically underprotected	CA2, CA3, CA5	Yes	Yes
N3.1d	13.5	0.3	Chronically threatened	No	No	Yes
N4.1c	48.6	1.3	Critically underprotected	CA2, CM	Yes	Yes
N4.1a	18.0	0.04	Chronically threatened	CA1, CA2	No	Yes
N4.1e	23.7	3.8	At risk	No	No	Yes
N5.1a	3.3	0.13	Acutely threatened	No	No	Yes
N6.2a	17.6	0.2	Chronically threatened	CM	No	Yes

The two highest altitude land environments present on Rugged Ridges lease (Q1.1 a and Q1.1 d) have, at a national and regional level, retained most of their indigenous cover, are already fairly well represented in the existing network of protected areas, and are therefore not considered to be threatened.

All other land environments present on the pastoral lease are threatened to a greater or lesser extent. Mid- to lower-slope environments 02.1 a, 02.1 b and N4.1 c, while still retaining more than 25% of their original cover at a national level, are not well represented in protected areas and are therefore assessed to be 'Critically Underprotected'. Lower hillslope environment N4.1e has lost more than 75% of its original cover, is also not well represented in the existing reserve network and is considered 'At Risk'.

The four remaining low foothill and valley floor land environments present on Rugged Ridges (N3.1 d, N4.1 a, N5.1 a and N6.2a) have, throughout their overall range, lost most of their indigenous cover and are very poorly represented in protected areas. Three of these are assessed to be 'Chronically Threatened' while one, Land Environment N5.1a, has the highest threat category 'Acutely Threatened'. It is noted, however, that two of these highly-threatened environments, N3.1d and N6.2a, are of very limited extent on this property.

The proposed conservation areas and covenant area together contain examples of seven of the land environments present on Rugged Ridges pastoral lease. However, no examples of three of the most highly threatened environments, including 'Acutely Threatened' N5.1a, are identified for protection in the preliminary proposal.

The conservation areas and covenants detailed in the preliminary proposal appear to include more than half of the areas identified as having ecological value in the Conservation Resources Report. It is encouraging to see recognition of, and protection proposed for, significant low-altitude foothill native shrubland, grassland and wetland habitats within CA1, CA2, CA4 and the conservation covenant. CA1 and CA2 support rare threatened native broom species, and CA2's dry gully shrublands were also assessed as the best native invertebrate habitat on Rugged Ridges.

It is also pleasing to note that upgrading the rabbit-proof fencing of the boundaries of CA1 and CA2 is recommended in the preliminary proposal. De-stocking and effective rabbit/hare control will promote recovery and regeneration of native shrubs in these areas. We endorse and support these sorts of management recommendations as part of the tenure review process, and believe they should be more generally applied, for example fencing of riparian and wetland areas. We submit that a stock-proof boundary fence should also be erected to protect the CA4 wetlands in the Otematata River valley.

Substantial areas of high-altitude tussock grassland and alpine habitats identified as having ecological value in the CRR are recommended for freeholding in the preliminary proposal. These are not threatened environments, however, and are relatively well-protected elsewhere. Of far greater concern for the conservation of indigenous biodiversity is the proposed freeholding of several small but ecologically significant areas between the highway and lakeshore identified in the CRR. These are examples of three of the most highly threatened dry foothill land environments (N4.1 a, N4.1 e, N5.1 a) and as such should be priorities for protection under the tenure review process.

Recommendations

- *Increase CA2 to include areas of ecological value on highly-threatened environments between the highway and lakeshore*
- *Create another Conservation Area around Parsons Rock*
- *Extend CA4 to include example of threatened recent soil dry plains environment N6.2a and boundary fence to exclude stock and rabbits.*

Surface water and ground water resources

The pastoral lease is situated at the northern end of the St Marys Range. One moderate sized river - the Otematata River - forms the western boundary to the property. A number of creeks rise in the property and flow into Lake Aviemore on the northern boundary.

Environment Canterbury has undertaken water quality sampling of Otematata River (at SH83) since November 2005. The river is a typical high country waterway; clear, cool water and essentially no nutrients are present. It is of very high quality, and is still close to its natural state. The water quality of the smaller creeks draining the pastoral lease is also likely to be very high. Surveys of similar small catchments by Environment Canterbury show that the water quality is generally very high and the stream ecosystems, when retaining continuous flow, are usually in a healthy condition.

It is disappointing to see that the Conservation Resources Report only contains a description of the terrestrial ecosystems. The report does not describe the state of the riparian vegetation or describe the type or condition of water ways within the pastoral lease or their instream values. The proposed changes to the tenure in the Preliminary Proposal appear also to have only considered landscape values and indigenous plant communities in their protection of the "significant inherent values" of the property. The property is situated in a low rainfall area; much of the land is steep, and under the land capability classification system is classed as at risk from erosion. The areas set aside for Crown ownership or control occupy only portions of catchments and would not provide effective protection for the water ways from land use intensification or activities, such as the construction of new tracks.

Lake Aviemore and its contributing waterways

Lake Aviemore is highly valued as a trout fishery. Parsons Rock Creek and the Otematata River are both important spawning rivers for rainbow and brown trout that populate Lake Aviemore. The aquatic values and water quality of Parsons Rock Creek and the Otematata River are therefore very important components of the lake ecosystems and values and need to be retained as such.

Banks, Boundary and Dry Streams are the key hill country catchments to flow from St Marys Range into the lake through the Rugged Ridges property. The CA2 conservation area only covers a portion of these catchments, leaving the upper reaches unprotected where they flow through land proposed for freeholding in the Preliminary Proposal. Land use activities in the headwaters of these streams could potentially impact on the middle and lower reaches of these waterways, affecting the significant inherent values identified as well as reducing the water quality of Lake Aviemore.

To provide effective protection of the waterways, the boundaries of the conservation areas should follow the catchment boundaries rather than cutting across or only comprising part of the catchments.

Small streams and rivers draining the St Marys Range into the Otematata River

Much of the land through which these tributary streams drain is classified as Class 6 and Class 7 land. The combination of steep land, much of it situated at reasonably high altitude, and poor vegetation cover indicates that the land is vulnerable to accelerated erosion from land use activities. It is unlikely that marginal strips (typically 20 metres in width), will adequately capture the runoff of nutrients and sediments and prevent them from entering the creeks draining the property.

The conservation covenant proposed over freehold land along the Otematata River allows for sheep and cattle grazing as well as oversowing and topdressing of the land. A 20 metre marginal setback for oversowing and topdressing will be very difficult to implement in such steep rugged terrain, where aerial application across the slope will be required, and is unlikely to be effective in maintaining the high ecological values of these waterways. Any intensification of landuse is likely to have a marked effect on the quality of water in these catchments.

The impact of agricultural land use activities on water quality and aquatic ecosystems is well documented, most recently in the report "GrOWing for Good" by the Parliamentary Commissioner for the Environment.

Tributary creeks or small rivers, because of their size and limited assimilative capacity, are particularly susceptible to degradation from agricultural activities such as grazing, and tracking. Grazing of riparian margins, for example, reduces vegetation stature and trampling of soils and banks results in an increase in sedimentation. One of the most effective ways of maintaining water quality is to restrict stock access to water ways, avoid disturbance of the soil adjacent to water ways, and to maintain well vegetated riparian margins to trap pollutants in runoff from adjacent land.

Chapter 4 of the Proposed Natural Resources Regional Plan seeks to maintain water quality in a natural state, where rivers and their tributaries are largely unaffected by human activities (Objective WQL 1). The plan also promotes the retention, maintenance and planting of riparian vegetation to minimise bank erosion and to reduce runoff of sediment, nutrients and animal faecal matter (Policy WQL 5).

Once a property becomes freeholded through the tenure review process, the property can be used for a wide range of land uses, subject only to the Resource Management Act 1991 and the various

statutory plans. It is reasonable to expect that the proposed freehold portion of the Rugged Ridges property will need to be developed further to improve its economic viability as a smaller unit.

Although dictating the future use of the property is beyond the scope of the tenure review process, the change in title from public leasehold land to freehold land offers a "one off" opportunity to ensure that the long-term protection of the water resources, and the values placed on these by the wider community are safeguarded. Once the property becomes alienated from Crown ownership it becomes very difficult to manage land uses to minimise adverse effects on waterways. During the tenure review process, the alignment of Crown and freehold property boundaries should take into account the needs for protection of water ways and their aquatic ecosystems, and the measures to achieve this, such as retaining important waterways under Crown ownership and fencing freehold boundaries along riparian margins to exclude livestock from entering the water ways.

The impact of land uses on the water quality of tributary streams can best be avoided by ensuring that the bed and margins of the permanently flowing streams draining the St Marys Range through the Rugged Ridges property are excluded from the proposed freehold areas and that their margins are fenced to prevent stock access. As for CA2, the proposed conservation area CA5 only covers a portion of the catchments. To provide effective protection of these waterways, the boundaries of the conservation areas should follow the catchment boundaries rather than cutting across or only comprising part of the catchments.

The Parsons Rock Creek catchment, because of its significant instream values, together with high landscape and indigenous vegetation values, should be retained in Crown ownership.

Recommendations

- *Extend CA5 conservation area to protect all the steep facing slopes and tributary streams draining into the Otamatata River. This will include the area currently proposed as conservation covenant CCt.*
- *Extend CA2 to include the upper reaches of Banks, Boundary and Dry Streams to ensure the protection of water quality and instream environment values identified for the middle and lower reaches of these streams*
- *Create a new conservation area CA6 to protect the Parsons Rock Creek catchment. At a minimum the bed and sufficient riparian margin to include a secure public access walkway (designated as public access Easement on accompanying maps) should be retained in Crown ownership. The boundary between Crown and freehold land to be fenced to prevent stock access to the river.*
- *Retain in Crown ownership the beds and margins of all permanently flowing streams and require the fencing of these riparian margins where they form a boundary to freehold land. An easement should be arranged to ensure that the landowner has access to streams where stock drinking water supply is required.*

Public access

The tenure review process also offers an opportunity to resolve public access difficulties to the conservation estate to meet the needs of the public while minimising interference with farming operations.

The Canterbury Regional Policy Statement seeks to improve public access to and along rivers and lakes in the Canterbury Region¹ by developing new opportunities for public access especially where links can be established to isolated areas. Similarly, the Department of Conservation will, as part of the tenure review process, negotiate for enhanced public access to the conservation estate.²

Lake Aviemore is highly valued by the public for recreation and fishing. State Highway 83 provides a key access route to and around the lake. The highway is a main arterial route through inland

¹ Objective 4, Policy 7 Canterbury Regional Policy Statement pg 159 -160

² Canterbury Conservation Management Strategy pg 193 Objectives and Implementation p 5

Canterbury and provides uninterrupted views across the lake where it travels around the Rugged Ridges property. The CRR identifies the importance of these views and the increasing popularity of the road as a tourist route.

Section 24(c) of the CPLA mirrors the section 6(d) RMA that priority to be given to enabling public access to and enjoyment of this reviewable land (i.e. the lake frontage). The preliminary proposal for Rugged Ridges, however, does not ensure that public access will be secured along the lake margin in a way that allows practical access to or along this area or, for that matter, recreational use. The proposal to freehold much of the land between the road and the lake may enable a range of land use activities that adversely affect the values and access opportunities associated with this lake frontage.

In response to this issue, Environment Canterbury recommends that a strip of land along the lake frontage should be restored to full Crown ownership (such as marginal strip or easement) to provide public foot access along the shoreline together with easements to allow access from the SH. In addition the future use of the land between SH 83 and the lake shore should be compatible with the protection of the uninterrupted views from the road across the lake.

Recommendations

Environment Canterbury recommends that:

- *Land around the margin of Lake Aviemore should be retained in Crown ownership to provide for public access and uninterrupted views of the lake from SH83.*
- *Easements for public access should be provided across any freehold land between SH 83 and the lake shore*

Pest management

Rabbits have caused significant degradation of the vegetation of the dry and drought-prone soils on the middle and lower altitude hill country. This vegetation has been slow to recover, even with the oversowing and top dressing management provided through the S&WCP and the R&LMP programmes, and large areas of land are still in a poor condition. The rabbit problem still exists, even though currently at a reduced level, and will require continued management to prevent further damage to the vegetation cover. The faces along the Otomatata River and above Lake Aviemore are classed as the most rabbit prone parts of the property. Combined with continued or intensified grazing pressure, these parts of the property remain at high risk of erosion. Any freeholded portions of this property will remain subject to the terms and conditions of the R&LMP L1A until 2010.

The CRR identifies willows and wilding pines present in the Otomatata catchment. Their spread may be difficult to manage in the steeper and more dissected valleys of the tributary streams. Woody species such as gorse, broom and briar are also identified as invading the low altitude shrublands of several of the catchments. The spread of these species is noted as likely to impact on the significant landscape values of this area.

Recommendations

1. **In the interests of the long-term ecological sustainability of land and water resources of this property, and the protection of the significant inherent values identified for the land, Environment Canterbury recommends strongly that the Rugged Ridges pastoral lease is retained in Crown control:**
 - (a) to encourage the restoration of an intact and resilient vegetation cover over all land where the vegetation has been depleted by pests or pastoral activities;
 - (b) to protect the significant areas of indigenous vegetation and biodiversity, particularly within those lowland and hill country land environments classed as threatened;
 - (c) to maintain the high water quality and instream values of the permanently flowing streams and of Lake Aviemore;
 - (d) to secure public access to, and enjoyment of the land, including its lakes and rivers

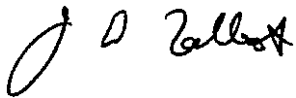
- (e) to undertake pest control to facilitate (a) - (c).
2. **Where it is compatible with 1 above**, to allow the use of the land for agricultural or tourism activities, provided any land use is subject to monitoring of its impacts on (a) to (e) and the regular review of the use and conditions of use of the land to ensure the long-term ecological sustainability of the land.
3. **In the event of some land being freeholded through the tenure review process, then Environment Canterbury recommends that, as a minimum, the following additions are made to those areas proposed to be retained in Crown ownership and control:**
- (a) For soil conservation management**
- (i) **Extend CA2** at either end to include the remaining dry hill country faces above Lake Aviemore, especially towards Parsons Rock
- (b) for the protection of significant inherent values**
- (i) **Extend CA2** to include all remaining areas of ecological value on highly-threatened environments between the highway and lakeshore
- (ii) **Create a new Conservation Area** around Parsons Rock to include all land between SH 83 and the lakeshore to protect highly threatened dry foothills and plains environments
- (iii) **Extend CA4** to include the area of threatened recent soil dry plains environment N6.2a and fence boundary to exclude stock and rabbits.
- (c) For water quality management:**
- (i) **Extend CA2** to include the upper reaches of Banks, Boundary and Dry Streams for the protection of water quality and the values identified for the middle and lower reaches of these streams
- (ii) **Extend CAS** to protect all the steep facing slopes and tributary streams draining into the Otematata River. This will include the area currently proposed as conservation covenant CC1.
- (iii) **Retain in Crown ownership** the bed and riparian margins of Parsons Rock Creek catchment together with sufficient land to allow for a public access Easement. The boundary between Crown and freehold land should be fenced to prevent stock access to the river.
- (iv) **Retain in Crown ownership** the beds and margins of all permanently flowing streams and require the fencing of these riparian margins where they form a boundary to freehold land. An easement should be arranged to ensure that the landowner has access to streams where stock drinking water supply is required.
- (d) To secure public access and enjoyment:**
- (i) Set aside a strip of land around the margin of Lake Aviemore to be retained in Crown ownership to provide for secure, long-term public access.
- (ii) Create easements for public access across any freehold land between SH 83 and the lake shore
- (iii) Establish conditions for land use activities on land between SH 83 and the lake shore to protect the uninterrupted views of the lake from SH83

The accompanying maps show the areas recommended in 3 above as the minimum additions required to land remaining in Crown ownership.

It should be noted that the primary recommendation of Environment Canterbury is that the entire property remains under Crown control and is not designated as land to be freeholded.

Thank you for the opportunity to comment on this Preiiminary Proposal.

Yours sincerely

A handwritten signature in black ink, appearing to read "John D Taibot". The signature is written in a cursive style with a large initial "J".

John D Taibot

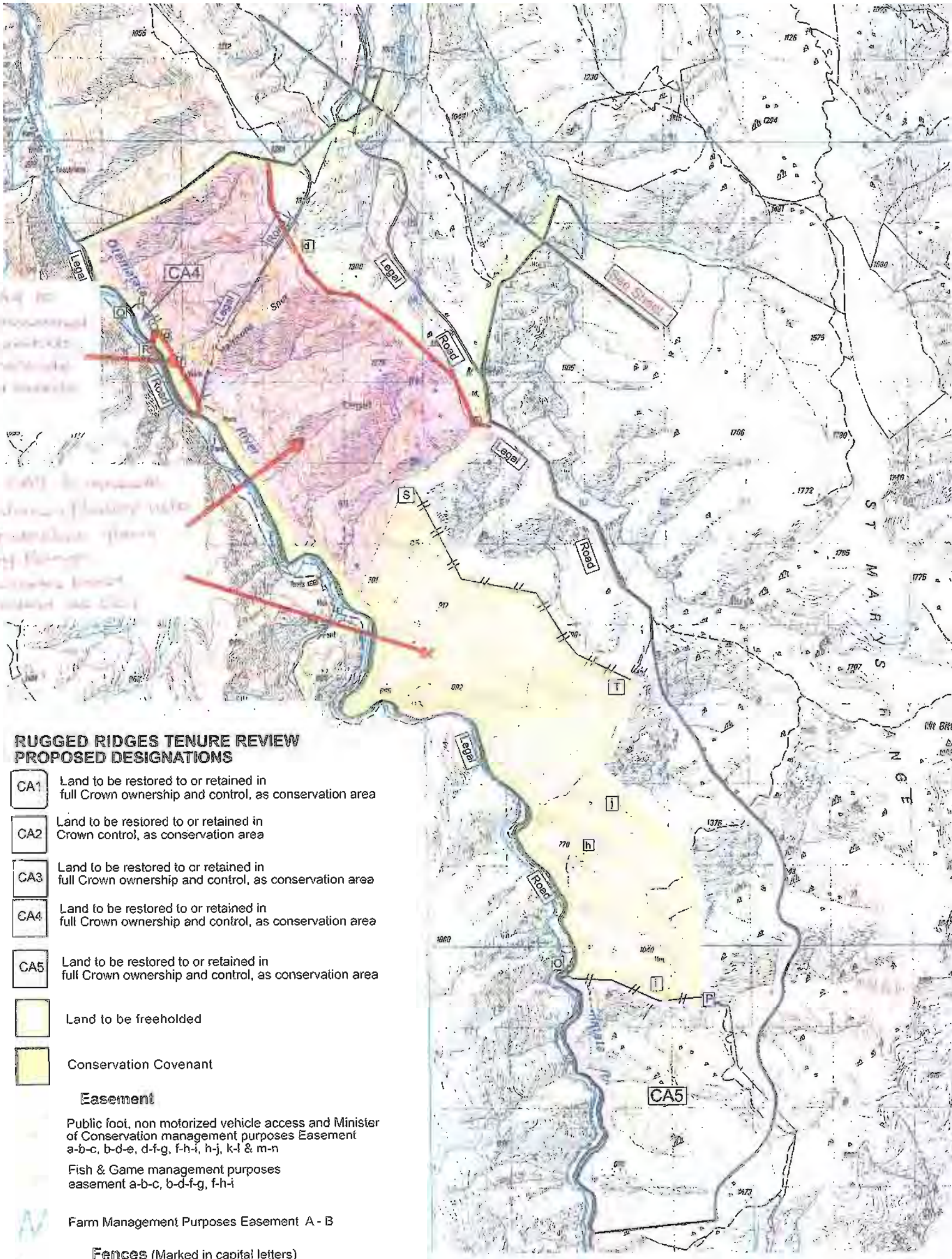
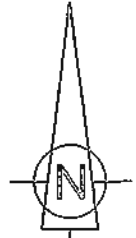
DIRECTOR OF POLICY AND PLANNING

Attachments:

Rugged Ridges Sheets 1 and 2 – showing recommended changes to proposed Designations Plan.

The boundaries shown on this plan are indicative and are for illustrative and discussion purposes only. No guarantee of accuracy can be given until the survey data supporting the boundary positions is researched thoroughly when the survey prescription is prepared.

Recommended changes to Designations



Example CA4 to illustrate proposed boundary positions. This is not a final boundary position.

Example CA1 to illustrate all boundaries. This is not a final boundary position.

RUGGED RIDGES TENURE REVIEW PROPOSED DESIGNATIONS

- CA1** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA2** Land to be restored to or retained in Crown control, as conservation area
- CA3** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA4** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA5** Land to be restored to or retained in full Crown ownership and control, as conservation area
- Land to be freehold
- Conservation Covenant
- Easement**
 - Public foot, non motorized vehicle access and Minister of Conservation management purposes Easement a-b-c, b-d-e, d-f-g, f-h-i, h-j, k-l & m-n
 - Fish & Game management purposes easement a-b-c, b-d-f-g, f-h-i
 - Farm Management Purposes Easement A - B
- Fences (Marked in capital letters)**
 - New fencing U-V, S-T, Q-R, O-P
 - New rabbit proof fencing Y-Z, W-X
 - Upgrade to rabbit proof fence X-X1
- Part IVA Conservation Act 1987 Marginal Strips expected to be created upon disposition

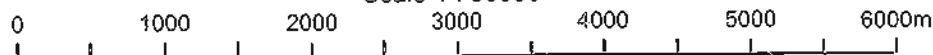
Land being disposed as freehold will be subject to Part 4A of the Conservation Act 1987, specifically including land adjoining Parsons Rock Creek shown as a dashed red line. Part 4A applies to the entire length of rivers and streams within the boundaries, or adjoining the land to be disposed of.

Version	1	2	3	4	5
Otago Land District	Sheet 2 of 2				
NZMS 260 H.40, L40	Date 04/04/2005				

DPUS INTERNATIONAL CONSULTANTS

Rugged Ridges

Scale 1 : 50000



Graphics by : TL Survey Services Ltd DUNEDIN

Certified a true copy of the original status check plan.

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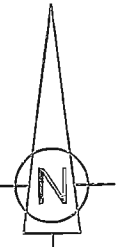
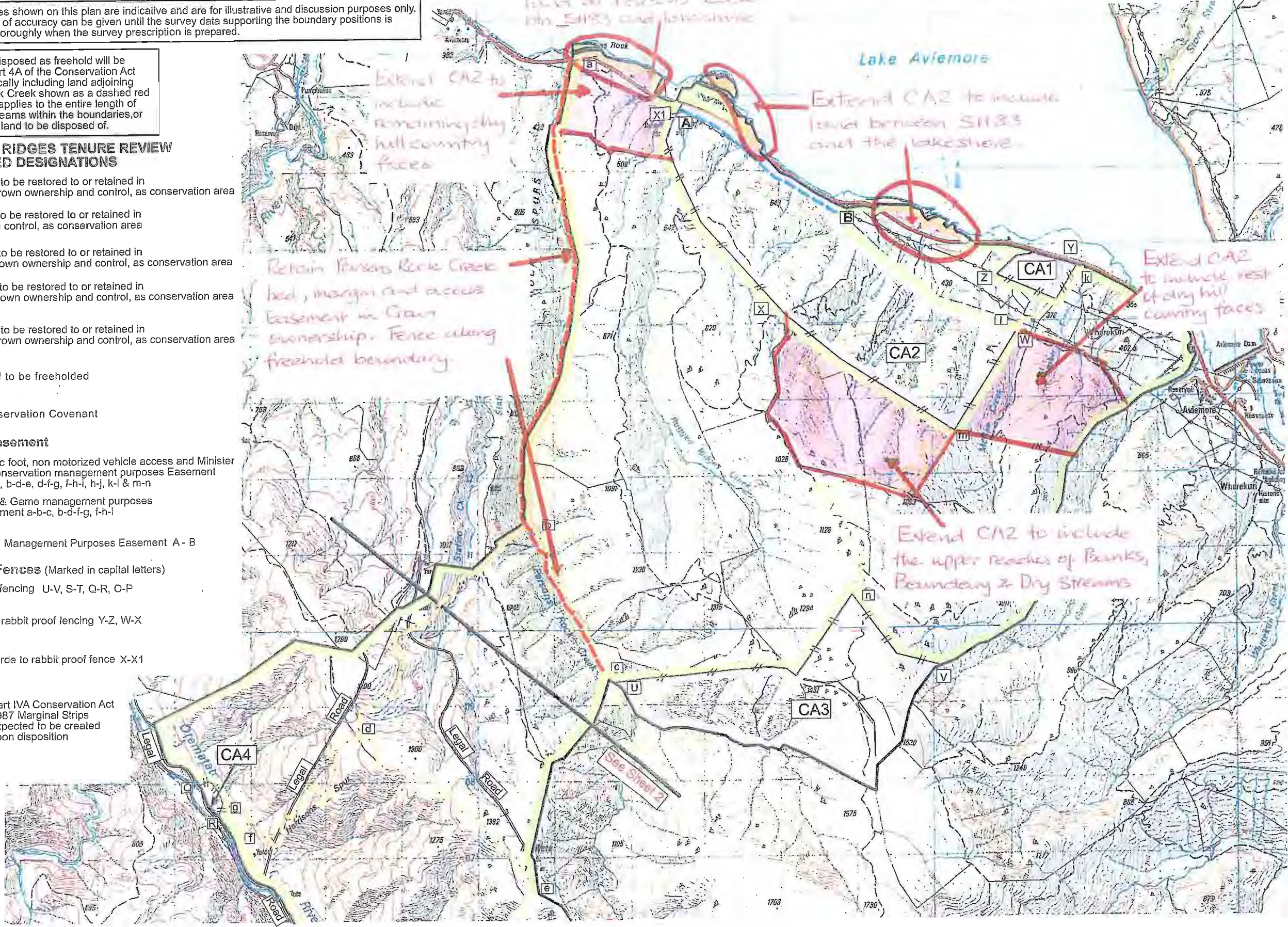
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- Land to be freeholded
- Conservation Covenant

Easement

- Public foot, non motorized vehicle access and Minister of Conservation management purposes Easement a-b-c, b-d-e, d-f-g, f-h-i, h-j, k-l & m-n
- Fish & Game management purposes easement a-b-c, b-d-f-g, f-h-i
- Farm Management Purposes Easement A - B
- Fences** (Marked in capital letters)
- New fencing U-V, S-T, Q-R, O-P
- New rabbit proof fencing Y-Z, W-X
- Upgrade to rabbit proof fence X-X1

Part IVA Conservation Act 1987 Marginal Strips expected to be created upon disposition

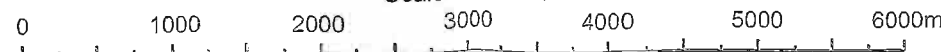


OPUS INTERNATIONAL CONSULTANTS

Certified a true copy of the original status check plan.

Rugged Ridges

Scale 1 : 50000



Version	1	2	3	4	5
Otago Land District NZMS 260 H.40 & I.40	Sheet 1 of 2 Date 04/04/05				

Dave Payton

From: Anne Scanlan [ann.scan@xtra.co.nz]
Sent: Friday, 20 January 2006 18:12
To: dave.payton@opus.co.nz
Subject: Rugged Ridges Submission
Attachments: Ltr20thJan06,OpusRRten.doc

Hello Dave,
Please find attached submission for Rugged Ridges Ltd.
Hope the weather treated you well.
Regards,
Ann Scanlan

OTAMATAPAIO PARTNERSHIP

OTAMATAPAIO
RUGGED RIDGES
GLENROCK

E-mail otamatapaio.station@xtra.co.nz
P.O. Box 421, Wanaka.

Friday, January 20, 2006,

The Contract Manager Tenure Rugged Ridges,
Mr Dave Payton,
Opus International Ltd,
Private Bag 1913,
DUNEDIN.

Dear Dave,

Re: Preliminary Proposal, for Lease hold property Rugged Ridges.

I am writing this submission on behalf of Rugged Ridges Ltd in relation to the public easement along the lake front of Aviemore. The easement reference is "k" - "1" and **easement "rn" - "n"**.

With the down turn in fine wool for Rugged Ridges to continue farming as a viable economic unit, we have had to look at our farming practices and therefore have had to make some considerable changes, from fine wool merino wethers to running merino ewes.

The public easement that I have referred to we are asking that we can have the access closed to **all** public for a period of six weeks from the 25th September to 5th of November, annually.

For further discussion please do not hesitate to give me a call my cell phone number, 0274858357.

Yours sincerely,

G. Ann Scanlan,
(on behalf of Rugged Ridges Ltd).

North Otago Tramping and Mountaineering Club

Clo 59 Tamar Street
Oamaru
New Zealand

Commissioner of Crown Lands
C/- Opus International Consultants Ltd.
Private Bag 1913
DUNEDIN

Tenure Review
Rugged Ridges Pastoral Lease



On behalf of the North Otago Tramping and Mountaineering Club I wish to make the following submission.

This submission may not be as detailed as we might wish, as access to this property for a proper inspection has been severely restricted. This applied prior to Tenure Review as well as during the review process. The FMC submission covers this problem in more detail.

In general terms we support the intent of the FMC submission but would like to make two further submissions.

Submission 1.

That a further easement be provided along the upper part of Parsons Rock Spur from GR 900108 to follow the existing track and fence line to Mt Weta. It seems odd that after climbing up on to this spur that a walker would then have to drop down into Station Creek and take a circuitous route of an extra 3 kilometres when a track already exists directly towards Mt Weta. Our members would greatly appreciate this more convenient route.

Submission 2

That if the FMC suggestion that the Shaw and Millar Creek catchments be added to CA5 is not agreed to, then the Millar Creek hut should be fenced off with a stock proof fence. Our reasoning is two fold, (1) that stock would no longer be able to further damage the hut and (2) that the fenced off area would provide a useful area to monitor the effects of grazing in the Covenanted area. With this last aim in mind it would be preferable to bring the fence up to and beyond spot height 1040 so that not only the easterly face would be monitored.

We thank you for the opportunity to make this submission and would further appreciate the opportunity to be heard at any future hearing on this review.

Yours sincerely

A handwritten signature in cursive script that reads "Ian B. Roger".

Ian B. Roger for NOTMC

Dave Payton

From: Mike Floate [mike.floate@xtra.co.nz]
Sent: Monday, 23 January 2006 09:23
To: Dave Payton
Cc: fmcsec@xtra.co.nz; richard@alpineclub.org.nz
Subject: RE: FMC submission on the Preliminary Proposal for tenure review Rugged Ridges

Attachments: Rugged Ridges Submission January 2006.doc



Rugged Ridges
 Submission Janua...

Thanks Dave,

Please now find attached the final version of the submission from FMC on the Preliminary Proposal for the tenure review of Rugged Ridges.

I am putting hard copy version (complete with illustrations) in the mail today

Cheers Mike

PS to Barbara Marshall (FMC) I will send a hard copy version to you too for FMC files.

At 09:22 19/01/06, you wrote:

>Hi Mike

>

>Arrival of the email version prior to the cut off will avoid any
 >problem provided the hard copy does arrive within a day or two of the closing date.

>

>Regards

>

>Dave Payton

>Tenure Review Contract Manager

>

>DDI: 03 474 8914

>Mobile: 025 2428671

>Fax: 03 474 8995

>

>This message contains information which is confidential and may be
 >subject to legal privilege. If you are not the intended recipient, you
 >must not peruse, use, disseminate or copy this message. If you have
 >received this message in error, please notify us immediately and
 >destroy the original message.

>

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>

>-----Original Message-----

>From: Mike Floate [mailto:mike.floate@xtra.co.nz]

>Sent: Wednesday, 18 January 2006 5:13 p.m.

>To: dave.payton@opus.co.nz

>Cc: richard@alpineclub.org.nz; fmcsec@xtra.co.nz

>Subject: FMC submission on the Preliminary Proposal for tenure review
 >Rugged Ridges

>

>Hello Dave

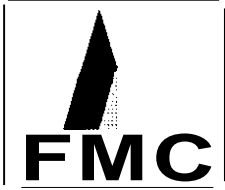
>

>I have prepared a Draft submission on behalf of FMC on the Preliminary
 >Proposal for the tenure review of Rugged Ridges. As instructed in the
 >Public Notice, this is addressed to the Commissioner of Crown Lands,
 >c/- Opus. The Draft submission is currently out for peer review among
 >FMC colleagues. I am aware that the closing date for submissions is 23
 >January
 >2006 but I shall be away from my office between January 20 and 22, and
 >will be unable to post the final version to you until Monday January 23.
 >I will however be able to e-mail you the final version (without
 >illustrations) before the closing time on 23 January.

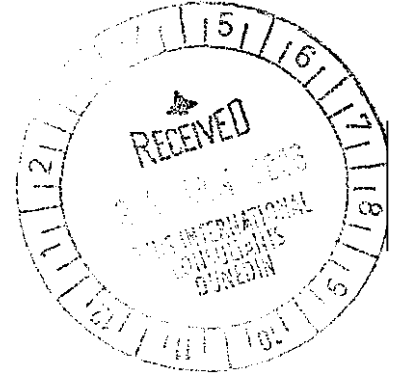
RELEASED UNDER THE OFFICIAL INFORMATION ACT

>
>I propose to send you the e-mail version on Monday 23 January, with
>hard copy (complete with illustrations) to follow by post.
>It should arrive on Tuesday 24 or Wednesday 25 January. I should be
>grateful if you would let me know if this is acceptable.
>
>Yours truly
>
>Dr Michael J S Floate (for Federated Mountain Clubs of NZ Inc.)
>
>

9



FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)
P.O. Box 1604, Wellington.



22 January 2006

The Commissioner of Crown Lands
C/- Opus International Ltd.,
144 Rattray Street,
PO Box 1913
DUNEDIN

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Rugged Ridges

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 13,000 members of tramping, mountaineering, climbing and other outdoor clubs throughout New Zealand. We also indirectly represent the interests and concerns of many thousands of private individuals who may not currently be members of clubs but who enjoy recreation in the back country.

On their behalf, FMC aims to enhance recreation opportunities, to protect natural values, especially landscape and vegetation, and to improve public access to the back country through the tenure review process.

FMC fully supports the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the more recently stated government objectives for the South Island high country especially the following:-

to promote the management of the Crown's high country in a way that is ecologically sustainable.
to protect significant inherent values of reviewable land by the creation of protective measures; or preferably by restoration of the land concerned to full Crown ownership and control.
to secure public access to and enjoyment of high country land.
to ensure that conservation outcomes for the high country are consistent with the NZ Biodiversity Strategy.
to progressively establish a network of high country parks and reserves.

[EDC Min (03) 5/3; CAB Min (03) 11/5 refer]

FMC appreciates this opportunity to comment on the Preliminary Proposal for the review of Rugged Ridges pastoral lease.

Permission for access to inspect Rugged Ridges

FMC is disappointed that the lessee of Rugged Ridges has effectively obstructed a proper public inspection of this property. There is an expectation when a Preliminary Proposal for tenure review is publicly notified, that interested members of the public should be given the opportunity to thoroughly inspect the property to assess the public value of the proposed outcomes of the review. Only in this way can a meaningful submission be prepared. The Public Notice stated that "Any person wishing to inspect the property is advised to contact the LINZ contractor in the first instance". This advice was followed by FMC and despite advocacy by the contractor on behalf of FMC and other NGOs, and requests on at least two occasions by NGOs, we were informed that inspections would only be permitted on foot or by mountain bike as these are the conditions included as outcomes of the Preliminary Proposal. To the best of our knowledge the proposed outcomes have never before been used as conditions for inspection at the public notification stage. In the case of Rugged Ridges, the foot or mountain bike condition is unrealistic because of the size of the property (some 40km on steep farm tracks from SH6 to the back boundary to the mid-reaches of the Otamatata River). We estimate that it would take about three days to inspect the property properly, whereas this could be done in one long day if access by 4WD vehicle was permitted.

In our view this is unacceptable, but we do understand that the lessee does have the right to refuse access. We call upon the Commissioner of Crown Lands to use his best offices to ensure that such uncooperative behaviour on the part of a lessee does not occur again. Meantime, this submission is based on our general knowledge of the Lake Aviemore/St Mary's Range/Otematata River area, and information obtained from clubs who use the area for recreational activities. This knowledge was supplemented by a flight over Rugged Ridges on Saturday 14 January 2006.

The Preliminary Proposal

FMC notes that the proposed designations are described as follows:-

Proposed Designations

1. 1855ha (approximately) to be designated as land to be restored to or retained in full Crown ownership and control as Conservation Area under section 35 (2)(a)(i) Crown Pastoral Land Act 1998. This consists of 4 separate areas as follows:- CA1 (25ha), CA3 (395ha), CA4 (5ha) and CAS (1430ha).
2. 595ha (approximately), labelled CA2 on the plan, to be designated as land to be restored to or retained in Crown control as Conservation Area under section 35 (2)(b)(i) Crown Pastoral Land Act 1998 subject to a Farm Management Easement Concession under section 36 (1)(a) Crown Pastoral Land Act 1998.
3. 7141ha (approximately) to be designated as land to be disposed of by freehold disposal to the holder under section 35 (3) Crown Pastoral Land Act 1998 subject to Part IVA Conservation Act 1987, Section 11 Crown Minerals Act 1991 and the following:

Protective Mechanisms:

- (a) A Conservation Covenant over approximately 1045ha under Section 40 (2)(a) Crown Pastoral Land Act 1998, in perpetuity, for the purpose of preserving the landscape and inherent natural values in the Otematata River Catchment.
- (b) An easement under Section 40 (2)(b) and (c) Crown Pastoral Land Act 1998 to provide public access by foot, horse and non-motorised vehicle, and access for conservation management to the conservation areas over routes on existing tracks on the property.

Qualified Designation

An easement under Section 36 (3)(b) Crown Pastoral Land Act 1998 for Fish and Game Management Purposes over routes on existing tracks on the property.

FMC Submissions

The details of FMC views on, and objections to, the Preliminary Proposal are presented below and are arranged in the same format as the Preliminary Proposal quoted above.

Preliminary Proposal, Proposed Designation 1.

1855ha (approximately) to be designated as land to be restored to or retained in full Crown ownership and control as Conservation Area under section 35 (2)(a)(i) Crown Pastoral Land Act 1998. This consists of 4 separate areas as follows:- CA1 (25ha), CA3 (39500), CA4 (5ha) and CA5 (1430ha).

We applaud the proposal that a total of some 1850ha of high country will be restored to full Crown ownership and control as Conservation Areas. We comment on the 4 proposed separate areas - CA1 (25ha), CA3 (395ha), CA4

(5ha) and CA5 (1430ha) as follows:-

Proposed Conservation Area CA1 is an area of 25ha adjacent to, and on the south side of, SH 83 which contains shrublands including native broom, kowhai and coprosma. FMC is pleased to note that this area of lowland grey shrubland containing several threatened species, which is easily accessible and is highly visible from the public highway, will be returned to full Crown ownership and control. This will mean that the shrubland will have a better chance for regeneration and the public will have an opportunity to enjoy these important natural values.

FMC submission:

FMC supports the proposal to restore this area (CA1) to full Crown ownership and control, to provide a carpark, and to encourage the regeneration of threatened native species by protecting the area with rabbit proof fencing.

Proposed Conservation Area CA3 is an area of 395ha on the northern end of the St Mary's Range that extends up to 1530m and adjoins the existing St Mary's Range Conservation Area. It includes the upper reaches of Parsons Creek, and part of Rugged Ridges Creek catchment. This area is important for conservation and recreation as it adjoins the northern boundary of the existing St Mary's Range Conservation Area. The proposal to return this area to full Crown ownership and control is welcomed because it not only protects the natural values of vegetation and landscape but more importantly from a recreational perspective also provides two new access ways to the St Mary's Range (see discussion below on protective mechanisms).

FMC submission:

FMC supports the proposal that 395ha on the northern end of the St Mary's Range (CA3) should be returned to full Crown ownership and control to protect the significant natural values of vegetation and landscape and provide recreational opportunities which will complement the existing St Mary's Range Conservation Area.

Proposed Conservation Area CA4 is a small (5ha) area of Carex wetland created by seepage from overlying river terraces. This is an unusual feature of the Otematata valley which deserves recognition and protection.

FMC submission:

FMC supports the return of this area (CA4) to full Crown ownership and control for the protection of the significant inherent values of a Carex swamp in the Otematata valley.

Proposed Conservation Area CA5 is a large (1430ha) upland area located to the west of the St Mary's Range Conservation Area which extends from about 700m in the Otematata valley to about 1400m along the flanks of the ridge between the Otematata River and Parsons Rock Creek. It extends southwards from Mt Weta, along the western flanks of the St Mary's Range to the southern boundary of Rugged Ridges pastoral lease about 3km south of Millar Creek. We note that there is a partially derelict musterers hut within the Millar Creek catchment just north of the boundary between the proposed freehold and conservation areas. Although derelict and probably not serviceable as accommodation in its present state, this hut is likely to have historical significance and could be restored to provide a valuable facility for the recreational enjoyment of the St Mary's Range. This could be especially useful in winter when there are opportunities for cross country skiing, at least in some seasons. In view of the tramping distances involved, it could also provide valuable shelter year-round for many kinds of recreation.

The Conservation Resources Report on Rugged Ridges (October 2005) states that *"Above the Shaw Creek confluence the margins of the Otematata River are clad in a diversity of native shrublands that include Olearia, native broom, matagouri and a scattering of sweet briar. These shrublands are starting to migrate up the slopes."*

The Report also states that *"The unit forms an integral part of the Otematata River valley with an opportunity for a*

large tract of land to be linked with the existing retirement area and contiguous pastoral leases that collectively would create a vast natural landscape. This sense of vastness is one of the essential ingredients of the existing landscape character that is reinforced by the uniformity in both the topography and ground cover. "

"On a smaller scale, the natural features that are associated directly with the river are special, in particular the sequence of deep constricted gorges that have cut into the bedrock. This generates an overall impression of a wild and scenic landscape that would make a backdrop for water-borne recreational pursuits. "

"In aesthetic terms this unit, above the Shaw Creek confluence, is memorable owing to the striking contrasts in the texture of the exposed rock and shrublands with the surrounding fine textured grasslands. Where the track crosses Shaw Creek large matagouri 'trees' (some up to 3m high) line the stream bank. The gully is protected by bluffs and rock outcrops which probably served to protect the matagouri from fire and allowed the matagouri to attain tree-like size. Matagouri exposed above the gully is more stunted. There is a solitary large willow in Shaw Creek. "

"Milial' Creek and its tributaries all have Olearia odorata dominated shrub filled gullies with Coprosma propinqua and matagouri common. In one of the tributaries there is a large solitary Olearia nummularifolia amongst the Olearia shrubland. Clematis marata often climbs through the Olearia shrublands. Boulder fields amongst shrubland support Melicytus alpinus, Blechnum penna-marina, Celmisia lyallii, blue tussock and golden Spaniard"

It is clear from all these statements that this area has outstanding natural values which surely must qualify as 'significant inherent values' in terms of the CPL Act 1998, and should therefore be protected *"preferably by the restoration of the land concerned to full Crown ownership and control"* This area is illustrated by Figs. 1 and 2 which accompany this submission.

FMC recommends that the boundary of the proposed conservation area should be adjusted so that the hut and the outstanding natural values contained in the Shaw Creek catchment are included within the new conservation area (CAS). This could be achieved by making use of the existing fence around the northern side of Shaw Creek catchment up to spot height 1431m (See Fig. 1). This would only reduce the proposed freehold area by some 300ha but would add the lower reaches of both Millar and Shaw Creek catchments to the Conservation Area (See Fig. 2). It would have the additional conservation advantage of protecting a larger and more representative part of the altitudinal sequence which includes the shrub-filled gullies of the Otamatata River tributaries, and the tussock grasslands leading up to the crest of the St Mary's Range.

We note that the proposed access to this Conservation Area is good and consists of 2 new easements viz. Up Parsons Rock Creek and the top of Harrison's Spur to Mt Weta, and via the Otamatata River valley to the back block and as well as through the existing St Mary's Conservation Area. These additions will significantly enhance recreation opportunities in the area.

FMC submission:

FMC supports the proposed Conservation Area CAS, but recommends that this should be enlarged to include the entire Shaw Creek catchment by making use of the existing fence from the Otamatata valley floor up an unnamed spur to point 1431m. FMC strongly supports the proposed access easements which we discuss more fully under Protective Mechanisms.

Preliminary Proposal, Proposed Designation 2.

595ha (approximately), labelled CA2 on the plan, to be designated as land to be restored to or retained in Crown control as Conservation Area under section 35 (2)(b)(i) Crown Pastoral Land Act 1998 subject to a Farm Management Easement Concession under section 36 (1)(a) Crown Pastoral Land Act 1998.

The 595ha area of proposed Conservation Area CA2 is very visible from SH 83 and as such its natural and landscape are a significant and important resource for the public to enjoy. FMC is pleased to note that it is proposed that this area should be returned to full Crown control, subject to an easement along the pylon track for fann

management purposes. We also note that the vegetation includes native broom species, one of which is regionally endemic and largely confined to Rugged Ridges. The area also includes significant groves of kowhai so because of the presence of both the native brooms and kowhai, it is appropriate that the area is enclosed by a rabbit proof fence to allow the regeneration of these significant native shrublands.

It is not clear to us whether the feature marked on the designations plan as 'Historic site' is within *CAI* or not; nor is it clear what is the nature of the historic site. The Conservation Resources Report (CRR) states that "*Near the original homestead on the lakefront are the remains of a cob house, probably the home of WG Munro who worked on the run between 1858 and 1871.*" In reality there are at least 2 features of significant historic interest in the vicinity of the Rugged Ridges Homestay which is occupied by Mr S Munro, the former runholder of Rugged Ridges. According to Mr Munro the stone ruin near SH 83 was the original homestead built by his grandfather, and in which 11 children were raised (Fig.3). The other feature of interest is the set of stone yards near the lakeshore (Fig. 4) which must date back to the 19th Century and which are still in good condition. Both these features are worthy of protection and should be accessible by the public.

It seems likely that the stone ruin (and possibly the remains of the cob house referred to in the CRR) are included within the proposed area of *CAI*. If that is the case they will be protected and accessible to the public. If on the other hand these historic features are outside *CAI*, some other arrangements for protection and public access should be made. We also refer to the need for protection and public access to the stone yards in our submissions on the area proposed for freehold disposal.

FMC submission:

FMC supports in general the proposal to return the area CA2 to full Crown control, subject to an easement along the pylon track for farm management purposes, in order to protect the significant natural and landscape values of these Aviemore faces which are highly visible from SH 83. If the Historic Site near the homestead is included within CA2 this will provide for protection and public access, if it is not included alternative arrangements for protection and public access are required. (see our submissions on the area proposed for freehold disposal).

Preliminary Proposal, Proposed Designation 3.

7141 ha (approximately) to be designated as land to be disposed of by freehold disposal to the holder under section 35 (3) Crown Pastoral Land Act 1998 subject to Part IVA Conservation Act 1987, Section 11 Crown Minerals Act 1991 and the following:

FMC notes that it is proposed that some 7000ha of Rugged Ridges should be disposed of as freehold subject to the Protective Mechanisms which we discuss below. It will be appreciated from our submissions above that FMC considers the public outcome of this tenure review would be much improved with some minor adjustments to the boundaries of the area proposed for freehold disposal. We submitted that most of the catchment of Shaw Creek on the true right of the Otomatata valley should be added to Conservation Area CA5.

We also noted (in the submissions about *CAI*) that there are at least 2 features of significant historic interest in the vicinity of the Rugged Ridges Homestay, occupied by the former Rugged Ridges runholder, Mr S Munro. These are the stone ruin near SH 83 (Fig. 3) which according to Mr Munro was the original homestead built by his grandfather, and in which 11 children were raised, possibly the remains of a cob house referred to in the CRR, and the fine set of stone yards near the lakeshore (Fig. 4). These features date back to the 19th Century when Rugged Ridges was one of the largest of the early farms in the Waitaki area. These features are worthy of protection and should be accessible by the public.

FMC recommends that a small Reserve (Historic or Recreation) should be designated to include the stone yards and the adjacent small bay on the shoreline of Lake Aviemore, with public walking access from SH 83. It is not clear to us if there is public access to and along the lakeshore by way of marginal strip or other designation. If there is not already some form of public access to and along the lake shore, then this should be provided as a condition of this

tenure review.

There is some doubt whether the remains of the other buildings are within the proposed area of CA1. If they are not within CA1 then some appropriate form of protection and public access is required.

Subject to these submissions, FMC has no objection to the proposal to freehold the balance of the property.

FMC submission:

FMC has no objection to the proposal to freehold much of Rugged Ridges pastoral lease overlooking Lake Aviemore and land adjoining the Otematata River, subject to our submissions above. Those submissions recommend the addition of a relatively small parcel of land to CA5 in the Shaw Creek catchment and protection for, and public access to, historic features and lakeshore in the vicinity of Rugged Ridges homestead as discussed above, and if there is not already some form of public access to and along the lake shore, then this should be provided as a condition of this tenures review.

Protective Mechanisms

(a) A Conservation Covenant over approximately 1045ha under Section 40(2)(a) Crown Pastoral Land Act 1998, in perpetuity, for the purpose of preserving the landscape and inherent natural values in the Otematata River Catchment.

We note that the stated purpose of this Conservation Covenant is to "restrict grazing to levels that prevent deterioration of the Significant inherent values". FMC has reservations about this Covenant and its stated purpose for 2 reasons. The first of these is that the purpose should be to encourage and enhance regeneration of the native species within the covenant area, while the second reason is that if regeneration is the purpose, we assert that almost any level of grazing will be counter-productive.

FMC is aware that the special conditions of the covenant provide for regular monitoring to ensure that the ecological integrity of the area is maintained. The conditions are also designed to ensure that if there is any deterioration in ecological condition or regeneration is being retarded, the Minister has power to adjust stock numbers and conditions for the covenant area. FMC is prepared to test this strategy on the understanding that deterioration or retardation of regeneration is effectively dealt with by an appropriate adjustment of conditions. In our opinion, it is highly likely that regeneration will be retarded and that an appropriate adjustment would be to reduce stock numbers to near zero levels.

We note that the proposal states that "above the Shaw Creek/Otematata River confluence the river margins are clad in a diverse range of native shrublands". We comment that if our proposal to change the boundary of the proposed Conservation Area CM to include the Shaw Creek catchment, then these shrublands would be much more effectively protected within an ungrazed conservation area.

FMC submission:

FMC believes that the purpose of the covenant should be to enhance the significant inherent values and doubts that the grazing regime will allow satisfactory regeneration. However, we are prepared to test the proposed conditions on the understanding that the Minister's power to vary conditions will be used if the monitoring regime shows ecological deterioration or retardation of regeneration. Furthermore FMC submits that the block including the Shaw Creek catchment would better achieve its purpose if this area is added to Conservation Area CA5 as recommended above.

Protective Mechanisms

(b) An easement under Section 40 (2)(b) and (c) Crown Pastoral Land Act 1998 to provide public access by foot, horse and non-motorised vehicle, and access for conservation management to the conservation areas over routes on existing tracks on the property.

FMC is pleased to note that 7 easements for public foot and non-motorised access over existing farm tracks are proposed. We believe that easements a-b-c (up Parsons Rock Creek to CA3), b-d-e (providing access to Mt Weta), d-f-g (over Harrisons Spur to the Otematata River and CA4), f-h-i and h-j (up the Otematata valley to CA5), k-l (from SH 83 to CA1) and m-n (between CA1 and CAS) will provide for much enhanced recreational opportunities on Rugged Ridges and the St Mary's Range Conservation Area (See Figs. 5 and 6).

FMC submission:

FMC fully supports the proposal to establish 7 easements to provide public foot and non-motorised vehicle access over the routes indicated as a-b-c, b-d-e, d-f-g, f-h-i, h-j, k-l and m-n on the plan.

Qualified Designations.

An easement under Section 36 (3)(b) Crown Pastoral Land Act 1998 for Fish and Game Management Purposes over routes on existing tracks on the property.

FMC submission:

FMC has no objection to the proposal to establish Fish and Game management purposes easements indicated as a-b-c, b-d-g and f-h-i on the plan.

Otago Conservation Management Strategy

FMC is aware that important objectives and priorities for conservation and recreation were set in the Conservation Management Strategy (CMS) for Otago. The objectives and priority for the St Bathans-Hawkdun-Ida Ranges Special Place are very relevant to the tenure review process and the outcomes of this tenure review can materially assist in the achievement of those objectives.

The objectives for this area, which includes Rugged Ridges and the St Mary's Range are:-

"To protect, on an extensive scale, the high altitude landscape, nature conservation, and historic resources of the area, principally by acquiring adjoining lands of high natural, historic and recreational value, through pastoral lease or occupation licence tenure reviews, to link existing areas of land administered by the department thus providing for more recreational opportunities, better protection of values and efficient integrated management of those values.

It is particularly important that these objectives will be implemented through:- *"Pastoral lease and occupation licence tenure review on adjacent properties will provide opportunities to negotiate the acquisition of areas of similar or complementary natural and historic values and significant recreational opportunities".*

These objectives and implementation statements accord very closely with our submissions on this Preliminary Proposal for the tenure review of Rugged Ridges. Furthermore, it should be noted that the priority for the St Bathans-Hawkdun-Ida Ranges Special Place is:- *"Pastoral lease and pastoral occupation licence tenure review negotiations will be the priority method for implementation of the objective....."*

FMC recognises that opportunities presented by the tenure review of Rugged Ridges have been taken to further these objectives. We also point out that further advance towards the stated objectives could be made by acting on the recommendations made in this submission.

Conclusions

There are many good features in this Preliminary Proposal for the tenure review of Rugged Ridges. These features include the proposed new conservation areas CA1 to CA5, and extensive public foot and non-motorised vehicle access over existing vehicle tracks on the property. FMC strongly supports these proposals.

We are concerned that the conditions attached to Conservation Covenant may not achieve its stated purpose. However, FMC is prepared to test the proposed conditions of the covenant on the understanding that the Minister's power to vary conditions will be used if the monitoring regime shows ecological deterioration or retardation of regeneration.

With respect to the proposal for freehold disposal, FMC has recommended that one small areas (in the proposed Conservation Covenant) should not become freehold but instead be added to the area (CA5) proposed to be returned to full Crown control. Most of the catchment of Shaw Creek (about 300ha) on the true right of the Otematata valley should be added to Conservation Area CA5.

FMC is aware of at least two historic features on the lower slopes of the Aviemore faces which deserve protection and should be accessible to the public. Furthermore, there is a case to ensure that as an outcome of this tenure review there is public access to and along the lakeshore, if this does not already exist either as a marginal strip or as some other designation.

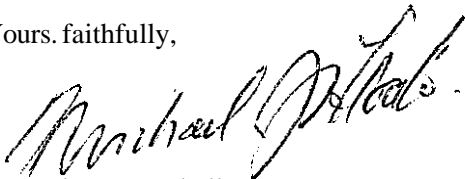
FMC is pleased to have had this opportunity to comment on the tenure review proposals for Rugged Ridges. Our submissions have been set out in this letter in the same format as the Preliminary Proposal for the tenure review of Rugged Ridges. Under each of the Proposed Designations we have summarised our recommendations under a subheading '*FMC Submission*'.

FMC believes that if these submissions are accepted and acted upon, the review would then be in accord with the Crown Pastoral Land Act, 1998 and would assist in achieving the objectives stated both in that Act and the more recently declared government objectives for the South Island high country.

FMC believes that the outcomes of this tenure review could materially assist in achieving important objectives declared in the Otago Conservation Management Strategy.

Finally, we thank you for this opportunity to comment on the Preliminary Proposal for the tenure review of Rugged Ridges pastoral lease. We also thank the agents (Opus International Consultants Ltd.) for trying to arrange permission to inspect Rugged Ridges. FMC is disappointed that it was not possible to arrange satisfactory conditions for inspection and, as stated at the outset, we respectfully request the Commissioner of Crown Lands to ensure that other runholders are more co-operative in future.

Yours faithfully,



pp Barbara Marshall
Secretary, Federated Mountain Clubs of NZ, Inc.



Fig. 1. This view into the catchment of Shaw Creek, a tributary of the Otematata River shows some of the conservation and landscape values in the area proposed as Conservation Covenant. FMC argues that these would be better protected by returning the land to full Crown ownership as preferred by the CPL Act 1998. This could easily be done using an existing fenceline up the prominent spur to 1431m, left of centre in this view.



Fig. 2. Some of the catchment of Millar Creek lies within the proposed Conservation Area CA 5 but the middle reaches lie in the proposed Conservation Covenant area. FMC argues that because of the outstanding natural values of this whole area, the land should be added to the proposed CA 5, instead of the proposed Covenant area. The shrublands in the tributaries would then be given a better chance to regenerate.



Fig. 3. Mr Munro, the former runholder of Rugged Ridges, and present occupier of Rugged Ridges Homestay, says that the old stone ruin near SH 83 was the original homestead his grandfather built in the 19th Century when Rugged Ridges was one of the largest of the early pastoral runs. 11 children were raised in this humble abode. Despite its present condition, it needs protection and should be accessible to the public.



Fig. 4. Another historic feature dating back to the early 1800s is the set of well preserved stone yards beside the lakeshore. It is recommended that a small Reserve should be designated to include both the yards and the little bay in the Lake Aviemore shoreline, to the right in this view. If protection and walking access are provided, both the yards and the bay could be enjoyed by the public.



Fig. 5. State Highway 83 can be seen alongside Lake Aviemore in this view, while the dome of St Mary's Range and the St Mary's Conservation Area can be seen on the skyline (top left). Access to St Mary's Range has not been easy in the past but the proposed public access up the spur on the true left of McRaes Creek (centre) will greatly improve this situation and is strongly supported by FMC.



Fig. 6. Additional public access up Parsons Rock Creek (on the right), providing access to Conservation Areas CA 3 and CA 5, adjacent to St Mary's Conservation Area, is also welcome. Parsons Rock Creek valley is interesting in its own right and is likely to be well used by FMC club members in the future. Protection for, and public access to, the historic site just above Rugged Ridges homestead is recommended.

Dave Payton

From: Sue Maturin [s.maturin@forestandbird.org.nz]
Sent: Monday, 23 January 2006 14:37
To: dave payton
Subject: Rugged ridges Submission
Attachments: Sub to Rugged Ridges.doc

Hi Dave

Please find attached a copy of our submission to Rugged ridges. map follows as part of hard copy.

Sue Maturin

Southern Office

Forest and Bird
Box 6230
Dunedin
0064 3477 9677 ph
s.maturin@forestandbird.org.nz
23.1.05

The Commissioner of Crown Lands
Opus International Ltd.,
144 Rattray Street,
PO Box 1913
DUNEDIN

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Rugged Ridges

1.0 Introduction

I write on behalf of the Royal Forest and Bird Protection Society, which represents over 38,000 members nationwide in 56 branches. The Society has been an active advocate of the protection and conservation of New Zealand's natural and physical resources since 1923.

This is a significant tenure review, and Forest and Bird is disheartened that the lessee has obstructed proper public inspection of the proposed tenure review. This means that the proposal has no public accountability, and should not be permitted to proceed until interested members of the public have been given the opportunity to inspect the proposal. This lack of access runs counter to the spirit of the Act which supports an open public process.

It is clear that there have been significant compromises made in order to reach this deal and if implemented will result in more than 74% of the land being freeholded, albeit some with a conservation covenant. The proposal involves freeholding significant and important areas which have significant inherent values that warrant return to full crown ownership and control. The Society does not consider that this proposal fulfills the objects of the Crown Pastoral Lands Act.

2.0 The Proposal

I. 1855 ha (approximately) to be designated as land to be restored to or retained in full Crown ownership and control as Conservation Area under section 35 (2)(a)(i) Crown Pastoral Land Act 1998. This consists of 4 separate areas as follows:- CA 1 (25ha), CA 3 (395ha), CA 4 (5ha) and CA 5 (1430ha).

2.595 ha (approximately), labelled CA 2 on the plan, to be designated as land to be restored to or retained in Crown control as Conservation Area under section 35 (2)(b)(i) Crown Pastoral Land Act 1998 subject to a Farm Management Easement Concession under section 36 (1)(a) Crown Pastoral Land Act 1998.

3.7141.0497 ha (approximately) to be designated as land to be disposed of by freehold disposal to the holder under section 35(3) Crown Pastoral Land Act 1998 subject to Part IVA Conservation Act 1987, Section 11 Crown Minerals Act 1991 and the following:

Protective Mechanisms:

(a) A Conservation Covenant over approximately 1045 hectares under Section 40(2)(a) Crown Pastoral Land Act 1998, in perpetuity, for the purpose of preserving the landscape and inherent natural values in the Otematata River Catchment.

(b) An easement under Section 40(2)(b) and (c) Crown Pastoral Land Act 1998 to provide public access by foot, horse and non-motorised vehicle, and access for conservation management to the conservation areas over routes on existing tracks on the property.

Qualified Designation

An easement under Section 36(3)(b) Crown Pastoral Land Act 1998 for Fish and Game Management Purposes over routes on existing tracks on the property

3.0 Forest and Bird Submissions

3.1 Conservation Area One

The Society supports protection of CA 1. However we are deeply concerned that the proposal contains no protection for any of the lake shore communities. Carol Jensen in her botanical report for Rugged Ridges for DOC in 2002, stated that the '*largest 1000^{own} population of Carmichaelia curta* (a regionally endemic native broom regarded as '*threatened*') occurs along the southern side of Lake Avimore from near Parsons Rock to 2 kilometers from the Avimore dam - ie *Most* of the lake side frontage of the Rugged Ridges Pastoral Lease.

The public notice observes that CA 1 contains *Carmichaelia curta* and states that '*this area south of Lake Avimore has been described as the strong hold of c.curta.*' Forest and Bird has been unable to inspect this area and so have not been able to verify whether in fact the proposed CA 1 is "*the stronghold area for C. curta*" and how much *C curta* occurs on the area to be freeholded, which includes all the Lake shore frontage of Rugged Ridges.

Opus RepOlt DN0255 page 30, suggests that DOC considers there to only be a small number of scattered *C curta* plants on the lake shore.

The above report in relation to this area raises a serious issue of concern to the Society. The report notes that the lake side area has been developed since the preparation of the conservation resource report. Destruction or degradation of this area which clearly qualified for protection under the CPLA should not have been permitted.

The Lake Shore frontage also has considerable recreational and landscape values, which appear to have been over looked. The Society considers that the combination of recreation, landscape and botanic values present that are clearly significant continue to require protection under the CPLA.

Public access is required around the Lake shore if there is no marginal strip.

Outcome Sought

The Lake shore frontage at Parsons Rock and further south as indicated on the attached map, be returned to full crown ownership and control. Secure public access to and along the lakeshore is required as an outcome of this tenure review.

3.2 Conservation Area Two

The Society notes that more extensive significant values were identified in this area and that through negotiations CA 2 has been reduced from 1168 ha to 595ha.

Opus Report DN0255 does not provide any justification for reducing this area other than noting that all parties have a consensus.

The Society is unable to verify the extent of significant inherent values that are being freeholded, and thus there is no public accountability for this decision.

Outcomes Sought

Creation of a conservation covenant to include the grove of prostrate kowhai, identified as being a landscape feature of significance, and link with proposed CA3. We have not been able to identify an appropriate boundary but note the proposed boundary in the Proposed Designations Report.

The Society also supports the suggestion by Alan Mark to link CA2 with CA 1.

3.3 Conservation Area Three

The Society supports CA 3 on the proviso that it is extended. CA 3 has been reduced from 1537ha to 395ha in part due to not finding the grasshopper *Paprides dugdali*, one of the original 8 justifications for protecting the wider area. This is a spurious justification, - not finding the grasshopper during a survey for tenure review does not confirm that it no longer exists there.

The original larger area was also identified as providing for an ecological altitudinal sequence, linking the dry shrublands and grasses of the Lake Avimore faces to the alpine plants of the retirement area. Opus Report DN0255 suggests that this original reason is not justified given that there are apparently other areas where native vegetation is more prolific. However the Summary of the Preliminary Proposal with the public notice notes that CA3 “..links the dly shrublands and grassland on the Lake Avil710re faces to the alpine plants of the St Mary’s Range Conservation Area.” This statement is now wrong and misleading, as there is no linkage between CA2 and CA3. However it also serves to illustrate that this area was considered to be an impOltant ecological cOITidor.

Forest and Bird was unable to inspect this lease to determine the importance of the ecological sequence. However in principle it is an important sequence and appears to be an area dominated by indigenous vegetation.

The botanical assessment for this area carried out by Carol Jensen for DOC in 2002 reports that tall tussock dominates the larger original area, with native shrubs on stream banks and the steep rubbly slopes and boulder fields. The Rugged Ridges catchment is described as fescue tussock with scattered native broom and *Copros71a propinqua* in the valley. Mouse ear hawk weed is present. This area rises to an alpine area with alpine bogs.

Other justifications for wider protection of this area included:

- High landscape values in Parsons Rock Creek - (now proposed to be freeholded)
- Type locality/habitat for grasshopper *Phaulacridiul71 otagoense*.
- Representative range of plant communities of this part of the ecological district.

Forest and Birds considers this area meets Objective 24 b of the Crown Pastoral Land Act, (CPLA). The proposed extensive freeholding of these values fails to meet Section 24 of the CPLA.

Outcome Sought

To remedy this in part the Society seeks: -

Addition of the upper Catchment of Rugged ridges and Parsons Rock Creek, utilising an existing fence for the boundary. This would protect the significant inherent landscape values, and montane/sub alpine vegetation. Using the existing fence line makes better reserve design sense, economic and resource conservation sense, and landscape sense.

3.4 Conservation Area 4

The Society supports the return of this area to full crown ownership as it is an important wetland feature. The Society supports Alan Mark's suggestion of entirely fencing this area if it is at all possible.

Outcome Songht

Endeavour to fence the entire boundary if at all practical

3.5 Conservation Area 5

The proposal to protect less than 13% of the area originally identified as containing significant inherent values would be of being restored to full crown ownership and control can not in the Society's view be justified.

Station Creek Catchment

The Station Creek Catchment including Mt Weta was originally identified as containing significant inherent values. According to the botanical section of the Conservation resources report vegetation above 1100m is dominated by indigenous species, with *C. rigida*, and fescue tussock dominating. Indigenous Intertussock species are present, but mouse ear hawkweed dominates. *Chiollochloa macra* is robust on the slopes of Mt Weta. It is clear that this area does sustain the special natural quality and integrity of the high country landscape. The Opus Report DN0255 seems to imply that because the area contains Mouse ear hawkweed it can't contain the special natural quality and integrity of the high country landscape. Forest and Bird does not accept this. Mouse ear hawkweed is not generally regarded as a conservation weed, and provided snow tussocks are dominant the landscape retains the special sheen of a tussock grassland, which contrasts with the brown and green of the more modified grasslands below.

The Opus Report DN0255 suggests that the main reason for not protecting this catchment is that the native vegetation in this area is duplicated in CA3 and more extensively in the adjoining St Mary's Range. However no report mentions the presence of *Chiollochloa macra* in CA 3. *C. macra* has been severely reduced in its original extent and does not thrive when grazed. Continued grazing of this area is not ecologically sustainable and should not be freeholded under the CPLA.

Merino sheep tend to preferentially graze *C. macra* ahead of *C. rigida*, as it is more nutritious. *C. macra* has higher organic matter digestibility and metabolisable energy than *C. rigida*. Thus even though the *C. rigida* is more dense at lower altitudes, the sheep will no doubt climb to the *macra*. *C. macra* is much more sensitive to grazing pressure than *C. rigida*, and grazing can significantly effect the regeneration of *macra*. Rose and Platt² in a study of the regeneration of *C. macra* in 10 montane-subalpine sites in the Harper Avoca catchment, subjected to different sheep grazing and hare browsing found that on areas subject to about 80 years of sheep grazing that most snow tussocks had been destroyed and that remaining tussocks were predominantly senescent and seedlings were infrequent. In contrast the stands retired from sheep grazing for 34 or 21 years were characterised by low proportions of senescent tussocks and high proportions of seedlings and juveniles, suggesting the onset of increases in tussock abundance. Population structures inside and out side a 10 year old exclosure showed that browsing by hares alone was capable of inhibiting *C. macra* recovery. Significantly they found that although depleted by past grazing, snow tussock populations in retired stands showed signs of considerable recovery. Senescent tussocks were infrequent and tussocks were taller than in other stands, high proportions of seedlings and juveniles and decreasing proportions of individuals in successively larger diameter classes, indicated increased seedling recruitment since retirement.

Outcome Sought

Conservation Area 5 be extended to include the Station Creek Catchment as shown on the attached map.

Shaw and Miller Creek Catchments

It is clear from the Conservation Resources Report that this area contains extensive significant inherent values that warrant being returned to full crown ownership and control.

The Conservation Resources Report states that *"Above the Shaw Creek confluence the margins of the Otematata River are clad in a diversity of native shrublands that include Olearia, native broom, matagouri and a scattering of sweet briar. These shrublands are starting to migrate up the slopes. "*

The Report also states that *"The unit forms an integral part of the Otematata River valley with an opportunity for a large tract of land to be linked with the existing retirement area and contiguous pastoral leases that collectively would create a vast natural landscape. This sense of vastness is one of the essential ingredients of the existing landscape character that is reinforced by the uniformity in both the topography and ground cover. "*

"On a smaller scale, the natural features that are associated directly with the river are special, in particular the sequence of deep constricted gorges that have cut into the bedrock. This generates an overall impression of a wild and scenic landscape that would make a backdrop for water-borne recreational pursuits."

"In aesthetic terms this unit, above the Shaw Creek confluence, is memorable owing to the striking contrasts in the texture of the exposed rock and shrublands with the surrounding fine textured grasslands. " Where the track crosses Shaw Creek large matagouri 'trees' (some up to 3m high) line the stream bank. The gully is protected by bluffs and rock outcrops which probably served to protect the matagouri from fire and allowed the matagouri to attain tree-like size. Matagouri exposed above the gully is more stunted. There is a solitary large willow in Shaw Creek. "

"Miller Creek and its tributaries all have Olearia odorata dominated shrub filled gullies with Coprosma propinqua and matagouri common. In one of the tributaries there is a large solitary Olearia nummulariifolia amongst O. odorata shrubland. Clematis marata often climbs through the Olearia shrublands. Boulderfields amongst shrubland support Melicytus alpinus, Blechnum penna-marina, Celmisia lyallii, blue tussock and golden Spaniard."

It is clear from all these statements that this area has outstanding natural values which surely must qualify as 'significant inherent values' in terms of the CPL Act 1998, and should therefore be protected *"preferably by the restoration of the land concerned to full Crown ownership and control."*

Outcome Sought

That the boundary of the proposed conservation area should be adjusted to include the outstanding natural values contained in the Shaw and Miller Creek catchments in CA 5. The existing fence around the northern side of Shaw Creek catchment **up** to spot height 1431 m could be utilised.

Thank you for the opportunity to comment. I look forward to further contact to enable an inspection.

Yours sincerely

Sne Maturin

Southern Conservation Officer

The boundaries shown on this plan are indicative and are for illustrative and discussion purposes only. No guarantee of accuracy can be given until the survey data supporting the boundary positions is researched thoroughly when the survey prescription is prepared.

Land being disposed as freehold will be subject to Part 4A of the Conservation Act 1987, specifically including land adjoining Parsons Rock Creek shown as a dashed red line. Part 4A applies to the entire length of rivers and streams within the boundaries/ adjoining the land to be disposed of.

RUGGED RIDGES TENURE REVIEW PROPOSED DESIGNATIONS

- CA1** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA2** Land to be restored to or retained in Crown control, as conservation area
- CA3** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA4** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA5** Land to be restored to or retained in full Crown ownership and control, as conservation area
- Land to be freehold
- Conservation Covenant

Easement

Public foot, non-empowered vehicle access and Minister of Conservation (management) purposes Easement a-b-c, b-d-e, d-f-g, h-i, j-k, l-m-n

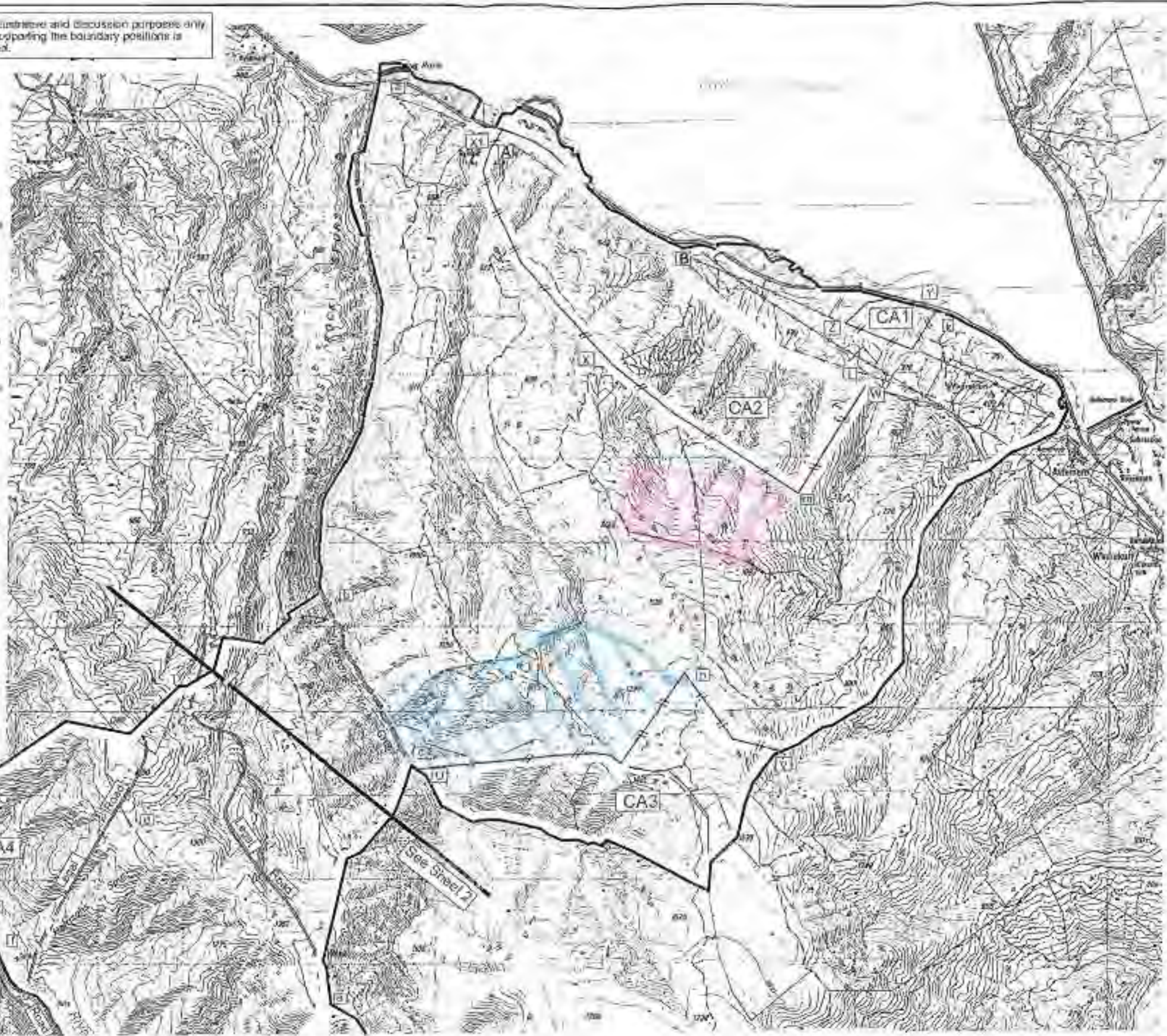
Riparian & Game management purposes easement a-b-c, b-d-f-g, h-i

Farm Management Purposes Easement A-B

FENCES (Marked in capital letters)

- New fencing U-V, S-T, Q-R, M-P
- New rabbit proof fencing Y-Z, W-X
- Upgrade to rabbit proof fence X-X'

Part IVA Conservation Act 1987 Mineral Strips expected to be created upon disposition



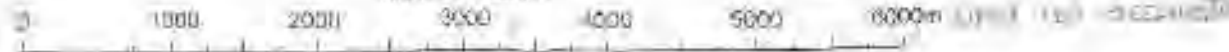
OPUS INTERNATIONAL CONSULTANTS

Certified & true copy of the original staked check plan.

F21E Subdivision Part 4A of the Conservation Act 1987
 Rugged Ridges
 Otago Land District

Rugged Ridges

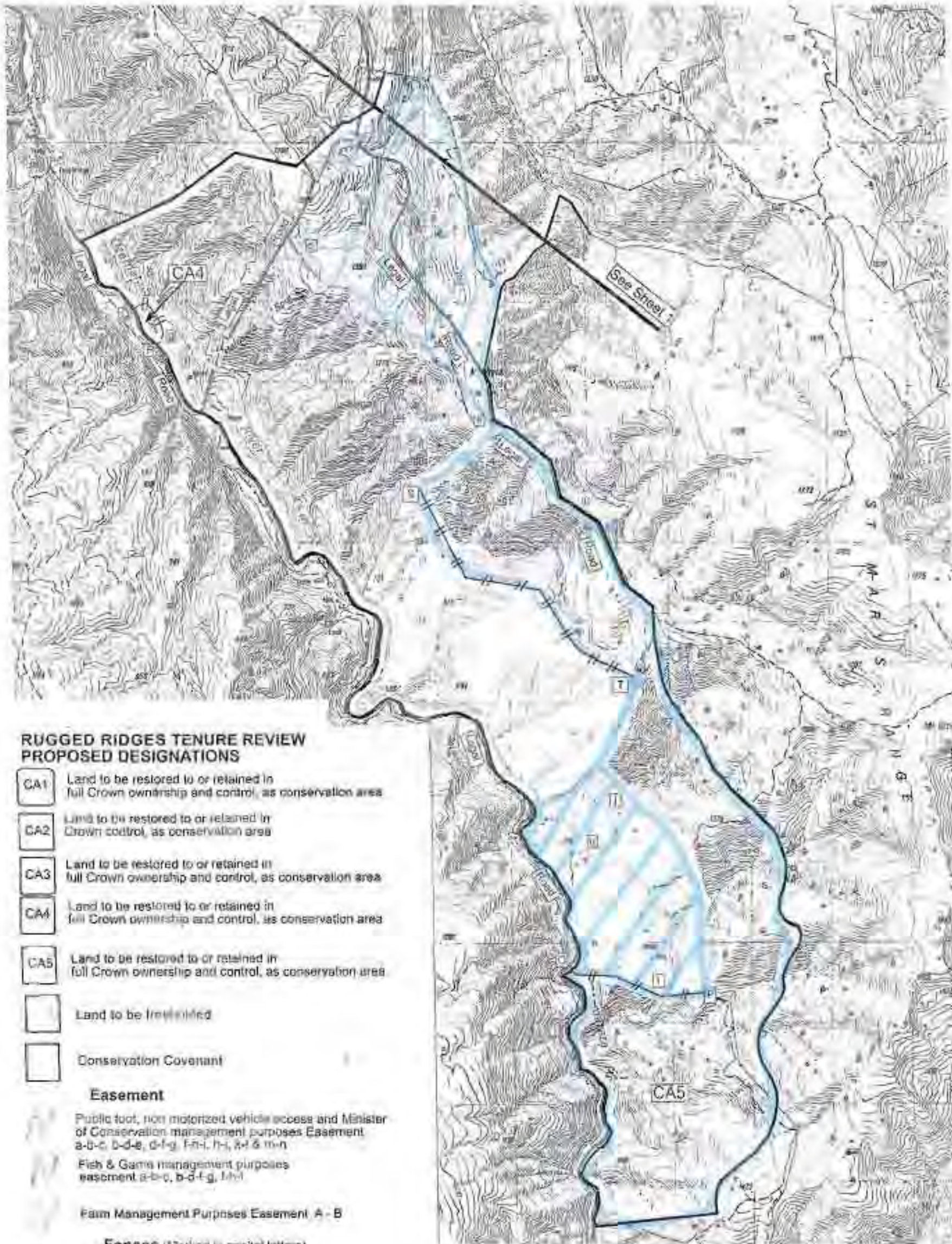
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F21B Subdivision
 Conservation Covenant

Version	1	2	3	4	5
Otago Land District	Sheet 1 of 2				
NZMS 260 H.40 & 1.40	Date 04/04/05				

The boundaries shown on this plan are indicative and are for illustrative and discussion purposes only. No guarantee of accuracy can be given until the survey data supporting the boundary positions is researched thoroughly when the survey prescription is prepared.



**RUGGED RIDGES TENURE REVIEW
PROPOSED DESIGNATIONS**

- CA1** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA2** Land to be restored to or retained in Crown control, as conservation area
- CA3** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA4** Land to be restored to or retained in full Crown ownership and control, as conservation area
- CA5** Land to be restored to or retained in full Crown ownership and control, as conservation area
- Land to be freehold
- Conservation Covenant

Easement

- Public foot, non motorized vehicle access and Minister of Conservation management purposes Easement a-b-c, b-d-e, d-f-g, f-h-i, h-j, k-l & m-n
- Fish & Game management purposes easement a-b-c, b-d-f-g, h-h
- Farm Management Purposes Easement A - B

Fences (Marked in capital letters)

- New fencing U-V, S-T, Q-R, O-P
- New rabbit proof fencing Y-Z, W-X
- Upgrade to rabbit proof fence X-X1

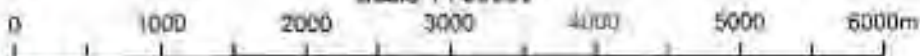
Part IVA Conservation Act 1987 Marginal Strips expected to be created upon disposition

Land being disposed as freehold will be subject to Part 4A of the Conservation Act 1987, specifically including land adjoining Parsons Rock Creek shown as a dashed red line. Part 4A applies to the entire length of rivers and streams within the boundaries, or adjoining the land to be disposed of.

Version	1	2	3	4	5
Otago Land District	Sheet 2 of 2				
NZMS 260 H.40,I.40	Date 04/04/2005				

Rugged Ridges

Scale 1 : 50000



Graphics by TL Survey Services Ltd DUNEDIN

Handwritten notes:
F&G Easement
not to be released
to the public



Dave Payton

From: Hugh Barr [hugh@infosmart.co.nz]
Sent: Monday, 23 January 2006 17:27
To: Dave Payton Opus Dn
Subject: NZDA Submsiion: Rugged Ridges Prelim Proposal
Attachments: RuggedRidges-23Jan06.doc

Attached
Dr Hugh Barr
NZDA National Advocate
Tel/Fax: 04 934 2244 Mob: 025 686 0063
hugh@infosmart.co.nz

New Zealand Deerstalkers' Association Incorporated

Level 1 45 – 51 Rugby Street POBox 6514 Wellington

Phone: 04 801 7367 Fax: 04 801 7368

Email: deerstalkers.org.nz

Website: <http://www.deerstalkers.org.nz>

23 January 2006

Commissioner of Crown Lands
C/o David Payton, Opus International Consultants Ltd
Box 1913
Dunedin
dave.payton@opus.co.nz

Submission: Rugged Ridges Tenure Review: Preliminary Proposal

This submission is made on behalf of the New Zealand Deerstalkers' Association Incorporated (NZDA).

NZDA is the national body of recreational deerstalkers and other big game hunters. We have 57 branches and a number of hunting clubs throughout New Zealand. We have 7200 members, and have been actively advocating for deerstalking and recreational hunting, and running deerstalker training courses, trips, conferences etc since 1937. NZDA also maintains the ethical side of hunting by maintaining ethics for hunting, including fair chase, and strongly encouraging harvesting of animals taken.

CPLA public access mechanisms (easements), in spite of this being a major object of the CPLA (S 24 (c) (i)). It would be best if these two leases were considered together, because, to some extent, they share common boundary and access issues.

1 Rugged Ridges Preliminary Proposal:

Pastoral lease on the true right of Lake Aviemore, Waitaki Valley, 9,591 Ha.

Land to be surrendered to public conservation land:

CA1 – 25 Ha, upside of SH 83 - to protect regionally rare shrublands

CA2 – 595 Ha; faces along SH 83, overlooking Lake Aviemore. For native broom protection, and landscape

CA3-395 Ha. North end of the St Mary's Range, from 1000 m to 1530 metres. Includes steep parts of Parson's Road Creek. To protect uplands and wetlands. Backs onto St Mary's Range Conservation Area.

CA4 - 5 Ha. On Otematata River. Wetlands.

CA5 - 1430 Ha. West of the St Mary's Range Conservation area, with part descending to the upper Otematata River. Backs onto St Mary's Range Conservation Area, to the east.

Proposed Freehold: 7,141 Ha.

Conservation Covenant: 1045 Ha to the west of the northern part of CA5, to the bottom of the Otematata Valley.

Public Access easements, via 40 km of rough farm tracks:

To CA3 - From SH 83: a-b-c ; k-l and m-n

To CM (a-b-d-f-g);

To CA5: a-b-d-e (north end); a-b-d-f-h-l; a-b-d-g-h-j.

Although some of these are lengthy, they provide a range of public access opportunities.

It would be highly desirable, from a recreational hunter perspective, to have 4WD vehicle access to the St Mary's Range conservation areas, including CA3 and CA4. These are a significant distance, eg half to a full day's walk, from the roadend on SH 83.

2 Recreational Values of the Land:

Bruce Mason, *"Outdoor Recreation in Otago, a Conservation Plan, Volume 1* (Federated Mountain Clubs, 1988) in Chapter 4, discusses the recreational and other values of the St Mary's Range. Mason lists skiing, climbing, tramping and hunting as actual and potential recreational activities of the St Mary's Range. This is a more thorough assessment than that provided in the DOC Conservation Resources Report.

Big game hunting: CA3 and CA5 include the wild range of deer and chamois. The St Marys Range is valued by local hunters for its deerstalking.

NZDA branches in this area that would/could hunt on the surrendered land include: Ashburton Branch, North Canterbury, North Otago, Otago, Palmerston, Rakaia, South Canterbury, Southern Lakes (Queenstown/Wanaka/Cromwell).

Other branches further away, or from the North Island could also visit the area.

3 Conclusions:

3.1 NZDA strongly supports the proposed surrenders, particularly CA3 and CA5, the higher, wilder, more extensive areas, that back onto already surrendered conservation lands on the St Mary's Range, because of the recreational big game hunting opportunities they create.

3.2 Surrendered Land Unsuitable for sustainable use: NZDA strongly agrees that the lands CA3 and CA 5, proposed for surrender are unsuitable for sustained production, and should be surrendered. The land also has high actual and potential value for hunting and other outdoor recreation activities.

3.3 Better 4WD Vehicle Access to the St Mary's Range: Recreational big game hunters, who need to carry out animals taken, as part of ethical hunting, would greatly appreciate better recreational 4WD Drive access to the St Mary's Range public Conservation Area.

3.4 Tussock Covenant - Public Hunter Access outside Grazing times: NZDA supports this area being protected for its tussock values. We would strongly support the area being public conservation land, leased to the lessee. This would allow public access eg at times when the land was not being grazed eg during autumn, winter and spring.

Alternatively, adding a public access clause to the covenant, at times when the land was not being grazed, that allowed recreational hunters to access it would be appreciated. We are concerned that the winter the cow beef grazing proposed will be detrimental to the area, especially on the southern higher block, which rises to over 1000 m, and is mainly over 700 metres.

We believe this block should be surrendered, with only a summer sheep grazing licence. The amount of grazing proposed for both blocks, up to 800 sheep for 4 months, and up to 50 cows from 1 April to mid November each year is not large.

Thank you for the opportunity to comment. I trust these comments will assist achieve a good outcome for big game hunters and recreation generally.

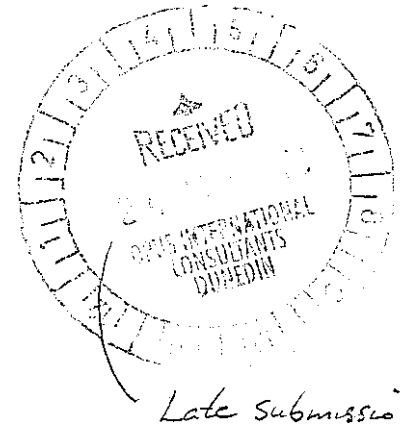
Best regards
Yours truly

Dr Hugh Barr
National Advocate

Makarora
Private Bag
WANAKA

20th January 2006

The Commissioner of Crown Lands
C/o Opus International Ltd
Private Bag 1913
DUNEDIN



Tenure Review - Preliminary Proposal Po145 - RUGGED RIDGES.

I would be pleased if you would accept this submission on this property. I approve of the Tenure Review process as it gives the parties involved, and the public of New Zealand as a Whole, the opportunity to re-asses our pastoral land resources and so to re-designate these resources in a better manner than has been done in the past. In the process it is possible to return land to the Crown, which in hindsight, should never have been farmed in the first place. This is sensible in a country that has still many conservation values and a biota peculiar to New Zealand and New Zealand alone. It is also extremely important that we remember that this tenure review process is the final disposition of Crown Land. I am familiar with the tenure review process having made submissions on behalf of other organisations previously.

I have travelled up and down the Waitaki valley for many years and have been able to observe the changes that have taken place over that time to the Lake Faces of the property. I have also travelled the ridge from Mt Kohurau to Mt Bitterness both winter and summer. I have read Conservation Resources Report on the property. I have referred to the Conservation Management Strategy.

Although permission for both myself and some NGO colleagues to inspect the property per a 4WD vehicle prior to making a submission was sought, this was declined, but permission was granted for foot or mountain bike travel. The reason given was that in the proposal access was only for walking or biking, therefore inspections had to be conducted in a similar manner. In our opinion some 2-3 days would be required for this to be done on foot.

While in law the lessee has every right to exclusive occupancy this does not fully meet the spirit of the whole process. This attitude is disappointing in view of the fact that this part of the process is a public process and involves the last disposition of some of New Zealand's most important Crown Pastoral Land, which in part, will be required for future generations.

It could be noted however in the Conservation Resources Report under Activities, 2.7.3 that: "...4WD trips linking access through the lease with trips on the St Mary's Range through to Sunny Peaks and *Kyeburn* leases are popular.

Matters to be Noted:

This is a reasonable proposal; although it has several weaknesses. The main one being that there is far too much high altitude ground becoming freehold to the holder which has conservation values and also cannot be regarded as being ecologically sustainable. I will refer to these areas in this submission. These weaknesses will require attending to in this proposal if it is to fully meet the requirements of the CPLA Act 1998.

-2-

- The government has stated that it intends to create several High Country, or Conservation Parks, Rugged Ridges will be part of one of these - Oteake.
- The Oteake Park will cover a large part of the area from Danseys Pass in the south, to the Omarama basin in the north; and from the upper Manuherikia basin in the West to the Waitaki River in the east.
- This area is high country and mostly forms a high plateau which is drained by the Otematata, and Otamatapaio Rivers flowing to the north.
- A land Improvement Agreement was instituted in 1992 and the portion of run Po 145 at the north end of St Mary's Range was retired and a retirement fence constructed. This area is now known as the St Mary's Range Conservation Area.
- Rugged Ridges is in the St Mary's Ecological District which is part of the Waitaki Ecological Region.
- It is reported that over sowing and top dressing have been carried out to an altitude of between 800 and 900 m.a.s.l on the property and has been described as successful.
- **Significant Inherent Conservation Values Present:**
- The landscape on Rugged Ridges is of great significance, especially so the higher country. As this higher country is to become part of Oteake Conservation Park this must be protected from further development. The higher country has a remote and lonely appearance to it, and although somewhat modified by pastoral farming over the years, still has the uniformity of a tussock grassland landscape.
- The chionocWoa macra on the higher country. This species of tussock is special and is an endangered species on our higher country, the reason being it is more palatable to stock.
- The various varieties of carnichealia and the remaining varieties of totara, kowhai, including the rather rarer prostrate kowhai present, are very significant.

1.0 Conservation Area One: (Approximately 25 ha)

I fully approve of this move, and also agree that the area must have rabbit-proof fencing to protect the shrub-lands to enable them to recover.

2.0 Conservation Area Three: (Approximately 395 ha)

Agree to this area being returned to full Crown ownership and control. It will be a valuable addition to the already established St Mary's Range Conservation area to its south and so too, eventually the Oteake Conservation Park. However I am concerned that the new fence U-V does not take in the high ridge running north from this area from approximately spot height .1431 north to spot height .1315. *The Objects of Part of 2 CPL Act are to "...Promote the management of reviewable land in a way that is ecologically sustainable".* To continually

graze this high country with fine wool sheep will not do that. (From the maps supplied with the

proposal there already appears to be some fencing north of .1315 in the vicinity of my proposed new boundary)

3.0 Conservation Area Four: (Approximately 5 ha)

This meets with my full approval such areas are a rarity in this type of country.

4.0 Conservation Area Five: (Approximately 1430 ha)

Otematata River Faces:

I fully approve of this as again it will be a valuable addition to the St Mary's range conservation area. The Conservation Resources Report states that:-
“...Near Mt Weta there is a good comparison of good robust *Chionochloa macra* in the retirement area, and heavily cropped *Chionochloa macra* on the grazed side of the fence”

Some of this tussock should be protected by this Conservation Area Five.

In Addition:

The head water areas at the head of Station Creek should also be returned to Full Crown control and added to CA5. The conservation resources Report states:-
“...The head waters of Station Creek are also quite heavily grazed but there is a reasonable snow tussock cover and diversity of species above 1100m....”
If grazing without some forethought as to the land's future is to be continued in this area the *Chionochloa macra* will inevitably be grazed out. This is not promoting ecological sustainability of the indigenous species, nor is it protecting the significant inherent values contained in the diversity of low growing species (that sheep will nibble away at to survive) which is essential to the landscape, giving it its colour and texture; also of significant inherent conservation value (even if not seen from SH83) - therefore must be protected. While aerial oversowing and topdressing is reported as successful up to an altitude of between 800-900 metres above sea level it means above that altitude there will be no replacement of any nutrients removed in the way of meat and wool, as it will not be economically viable. Attached is a photo showing the general nature of this country north west of Mt Weta.

Easements for the moving of stock and plant across this block can be supplied in the proposal..

5.0 Conservation Area Two: (Approximately 595 ha)

That the Lake Faces are to be returned to the Crown is positive and it has my approval. That is to be fenced to exclude rabbits also has my approval. It is reasonable that there be an easement granted for farm purposes through this block.

6.0 Land to be Designated Freehold: (Approximately 7141.0497 ha)

There is no reason as to why the bulk of the land proposed for freeholding cannot be disposed of in this manner. The suggestions made to add to the proposed conservation areas will not to any great extent affect the management of the property - although the latter is not a matter to

be considered in tenure review. A landscape protection covenant will be required to protect the public's interest and the integrity of the Waitaki Valley landscape between the main road and the shore of Lake Aviemore:- To prohibit any forestry, structures, earthworks or any other activity that will alter the present landscape.

7.0 Conservation Covenant:

SCHEDULE I

3. Values of Land to be Protected

- The area forms part of a vast natural landscape reinforced by uniformity in topography and ground cover of the Upper Otematata River.
- The area supports a range of plant communities representative of the original vegetation in the area and contributes to the altitudinal sequence from the Otematata River to the top of the St. Mary's Range Range.

SCHEDULE 2 - Special Conditions.

- 2) Oversowing and topdressing is permitted.

Comment. If the values in the land are to be protected they will have to be strictly monitored as oversowing and topdressing will in the end modify those values.

It is noted that the Minister has the right to adjust. Attached is a photo showing top dressed country on the lower faces.

8.0 Access:

- It is noted that there are legal roads passing through Aviemore Station from SH83 to the north west boundary of Rugged Ridges, and then along the ridge between the Otematata river and Parsons Creek to about above Camp Creek, with a branch going down Harrisous Spur to the river. Also there is a legal road the length of the Otematata River. It is essential that these roads be retained.
- The easements for public foot, mountain bike and horses access to the conservation areas are good. The easement k-l&m-n will be the more popular being the shorter route and should allow walking access to the St. Mary's Conservation Area in two to three hours.
- The areas being returned to the Crown will be Mecca for cross country skiers, walkers, cyclists and all who are interested in this vast plateau.
- The two parking areas are very small and should be enlarged.

9.0 Conclusion:

It appears that the new fencing suggested in this proposal is not being used in a useful manner so to fully meet the requirements of the CPL Act 1998. Looking at the fence lines in existence, as shown on the map provided, better use could also be made of these even if they do

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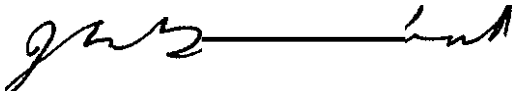
have to be upgraded.

- (a) Shift the new fence on CA3 further north to enclose the high ground to take in .1315.
- (b) The southern end of the proposed area to be managed by way of a Covenant taking in the Shaws Creek Basin and part of Millers Creek south of Shaws Creek be added to CAS.
- (c) Include all the high ground in the basins at the head of Station Creek in CAS.

See attached map:

I thank you for the opportunity of making this submission I trust it will be given due and proper consideration. I will await the outcome with interest.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John L. Turnbull', written over a horizontal line.

John L Turnbull

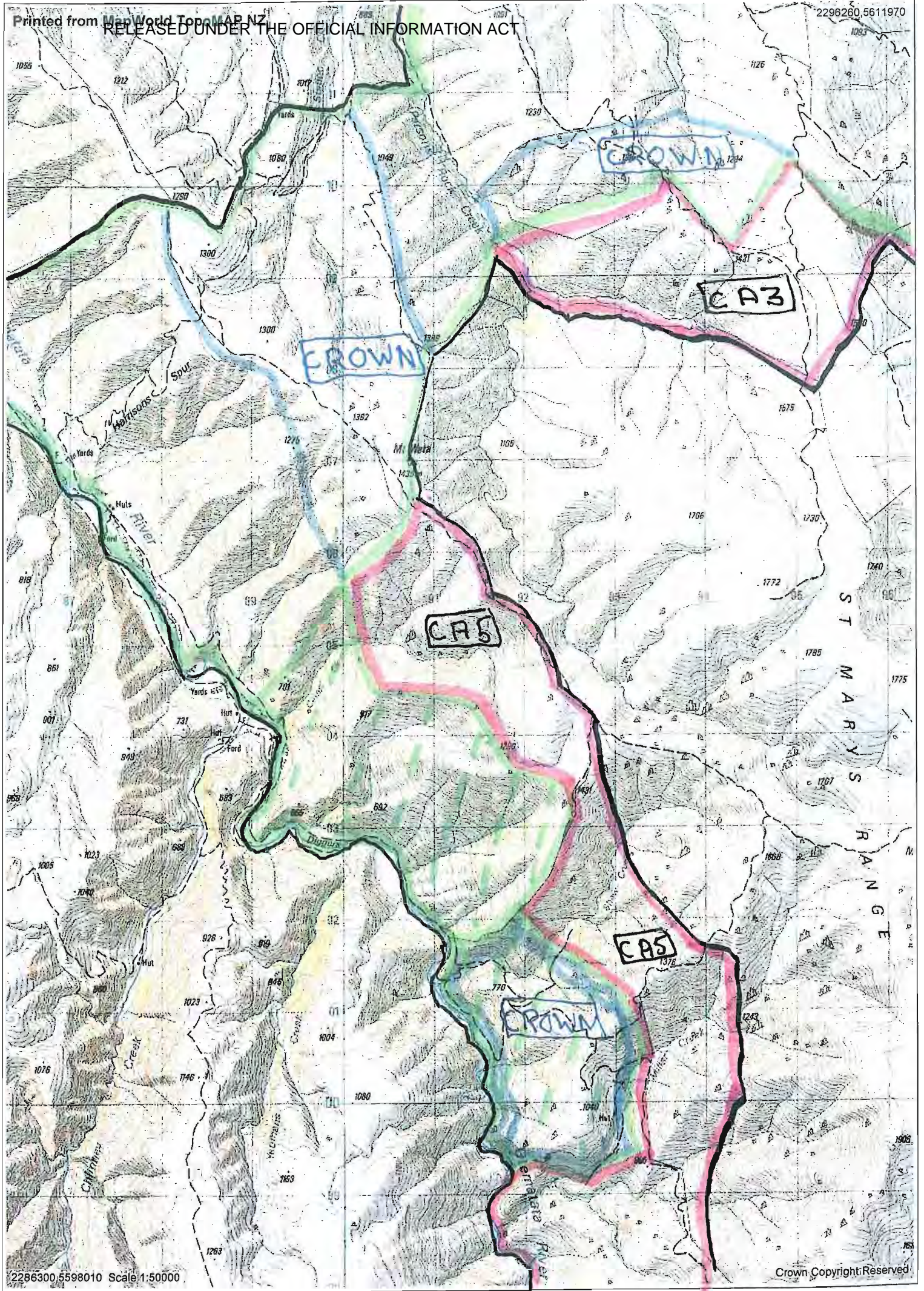
Attached: 2 photographs
I Map



Photo Shows area of land to the north west of Mt Weta



Photo Shows the change in the vegetation and landscape after oversowing and topdressing



CROWN