

Crown Pastoral Land Tenure Review

Lease name: BEN LEDI

Lease number: PO 199

Public Submissions - Part 1

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

September 06

Geoff Clark
10 Smacks Close
Papanui
Christchurch.8051

Opus International
Dunedin

Tenure Review...Ben Ledi

Dear Sir,

I am fairly happy with this proposal.

My main concern was the view from the road. I regard the road trip through Danseys Pass as one of the best drives in the country.

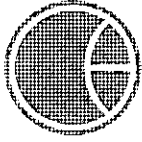
As stated in CA1, the high landscape values can be attributed to much of this area and I would hate to see this lost due to further farm development and had considered requesting a CC over some of the land viewed from the road.

However, after reading the rest of the description of the proposed designations I have decided that it is not necessary.

I don't however agree with Class 7 land being used for farming even if it is current farming practice.

Regards

Geoff Clark

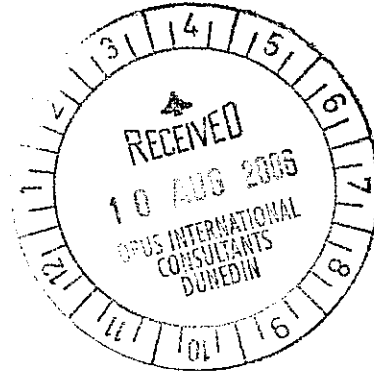


OTAGO CONSERVATION BOARD

Our ref: SBC-08-34

9 August 2006

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



Dear Sir

SUBMISSION ON TENURE REVIEW OF BEN LEDI PASTORAL LEASE

Thank you for the opportunity to comment on the Preliminary Proposal for the tenure review of the Ben Ledi Pastoral Lease.

The Otago Conservation Board supports all aspects of the preliminary proposal that was publicly notified, including:

- the designation of about 2200 ha as land to be restored to or retained in Crown control as a conservation area (CA1);
- the conservation covenant over a total area of about 325 ha for the purpose of protecting remnant shrublands and broadleaf indigenous forest.

We appreciate the opportunity to provide comment on this proposal and we are willing to elaborate on any of the issues we have raised.

Yours faithfully

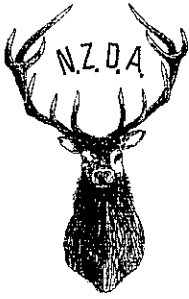
P P

Fergus Sutherland
Chairperson

Dave Payton

From: Hugh Barr [hugh@infosmart.co.nz]
Sent: Friday, 11 August 2006 15:24
To: Dave Payton Opus Dn
Cc: Graeme Steans; Chaz Forsyth; Dianne Brown; Harvie Morrow; Harvie Morrow Hm; John Crone; Kevin Duckworth; Paul Clark; Steve Veail; Steve Veail Nat Exec; Trevor Dyke; Alan Mackie
Subject: NZDA Submission: Ben Ledi Tenure Review
Attachments: SubBenLediNZDA.doc

Submission attached
Dr Hugh Barr
NZ Deerstalkers' Association 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 P O Box 6514 Wellington
 Phone: 04 801 7367 Fax: 04 801 7368
 Email: deerstalkers.org.nz
 Website: <http://www.deerstalkers.org.nz>

10 August 2006

Commissioner of Crown Lands
 C/o David Payton
 Opus International Consultants Ltd
 Private Bag 1913
 Dunedin
 03 474 8914 Fx 8995
Dave.payton@opus.co.nz

Dear David

NZ Deerstalkers' Association Submission: Ben Ledi 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 53 branches and a number of hunting clubs throughout New Zealand. We have 7200 members, and have been actively advocating for deerstalking and hunting and running training courses, trips, conferences etc since 1937.

NZDA has a longstanding interest in the surrender of wildlands unsuitable for grazing from pastoral leases and pastoral occupation licences. Under New Zealand trespass laws, recreational hunters have often been locked out of hunting the Crown owned wild deer on the wildland parts of these tenures by the lessees. They have kept the public wild big game for their own use or sale.

1 Summary of Proposal

The 5,399 ha Ben Ledi pastoral lease is on the eastern side of the Kakanui Mountains. It is accessible from the Danseys Pass road, and 25 km south-west of Duntroon.

CA1, (2,200 Ha) is recommended for surrender. It stretches from the crest of the range from Mt Nobler (1,550 m) about 4 km, to point 1,586 m, NW of the Summit of Mt Pisgah (Pisgah Downs, the next lease SE is currently completing tenure review). An unformed legal road runs along the range crest boundary. The block stretches about 5 km NE from the crest.

About 85% of this area is Class VII e capability land – severe limitations on grazing – rock, scree and alpine herb-fields. It has high natural landscape values. 890 Ha of the block is a RAP. A livestock Access concession is provided across CA1, to allow ready stock movements between the eastern and Spur parts of the area proposed for freeholding.

The remainder of the lease (3,199 Ha) is proposed for freeholding. There are 2 small conservation covenants (325 Ha) of remnant shrubland and broadleaf forest.

2 Recreational values of the lease: DOC has very little about the potential recreational values of the area in their Conservation Resources Report. This addition is significant as a part of protection for the Kakanui Range crest, providing a ridge/range system that crosses Otago.

There are almost certainly Red deer present. Wild pigs are present. So there is a recreational hunting interest and resource. Cross country ski-ing, and winter and summer tramping along the Kakanui Range also take place, and are a challenging trip, especially in winter. The crest of the range is natural and remote. Also horse trekking takes place.

3 Public Access: This is available along the northern end from the formed Danseys Pass road via a public (unformed) road. Marginal strips exist up the east and west branches of the Maeraewhenua River, potentially give access to CA1. They are however not easy to use, because of the steep and gorged nature of parts of the stream.

The proposal from the public consultation, of public access up the Maeraewhenua Spur (along a farm track, difficult in wet conditions) has been dropped. Access up the Maerewhanua Spur was proposed for horse trekkers. We urge that this route be available for horse trekkers and the walking public, as it adds a lower level approach. There is only access for DOC provided for at present.

4 NZ Deerstalkers' Association supports the Proposal:

The NZ Deerstalkers' Assn strongly supports this Proposal, but with the provisos noted on more public access and more lower lands. This area adds key alpine wildlands to the potentially extensive area of such land that should be publicly owned in the Kakanui-Hakdun-St Bathans-Dunstan range tops of North and Central Otago.

The proposed surrender is an important piece in the jig-saw, and is strategically important. It is part of Special Place 14 in the Otago Conservation Strategy (Vol 2), and is covered in the Chapter on the Kakanui Mountains in Outdoor Recreation in Otago, Vol 1, pages 26-32 by Bruce Mason (Federated Mountain Clubs, 1988).

In other parts of New Zealand outside the pastoral lease area, such higher lands have been recognised as having minimal commercial values, but high recreational, scenic, ecological and water and soil conservation values. They are ranges almost always protected as public recreational and conservation lands. Hence this is another valuable step in protecting such mountain lands in the pastoral lease area. It does nothing however for native natural lands and ecosystems that are on marginal lands developed for grazing, and not being surrendered to public land in this tenure review.

NZDA supports this proposal. However, we stress the need for and importance of lower altitude wildlands to provide a range of ecosystems and habitats. Some of these have been put aside on Kyeburn and Home Hills. But such lower areas on the northern side of the Kakanuis would be valuable too eg the broadleaf forest in the Maeraewhenua River.

NZDA proposes also that walking parties be also allowed access up the distinctive and dominating Maeraewhenua Spur, along with DOC workers. This is a valuable scenic route to the crest of the Range.

Yours truly

Dr Hugh Barr
National Advocate

Dave Payton

From: Errol & Jan Kelly [ejkelly@clear.net.nz]
Sent: Sunday, 13 August 2006 22:52
To: dave.payton@opus.co.nz
Subject: Ben Ledi Tenure Review

Attachments: Ben Ledi by CORUF.doc



Ben Ledi by
CORUF.doc (34 KB)

Dear Dave Payton,

Attached is our submission on Ben Ledi Pastoral Lease, from the Central Otago Recreational Users Forum. I trust that it is helpful. The winter weather has precluded any attempts to visit the proposed Conservation Area, and it may be many months before we can do that as the tracks need to dry out first. Some of our group know the area very well indeed however, so we are reasonably happy with our understanding of the issues involved. With thanks for your attention,
Jan Kelly
secretary

CENTRAL OTAGO RECREATIONAL USERS FORUM

14 August 2006

The Commissioner of Crown Lands
c/o David Payton,
Tenure Review Contract Manager,
OPUS International Consultants Ltd.,
Private Bag 1913,
Dunedin

*Submission to Preliminary Proposal, Ben Ledi Pastoral Lease Po 199,
Land Registry Folio OT386/128.*

Dear Sir,

We appreciate the opportunity to submit to the Review of the Ben Ledi Pastoral Lease.

We have been unable to properly inspect the Lease this month because of continued snow cover and wet tracks, but several of our member groups are very familiar with the land in question and have made submissions to us about their concerns. We have also discussed our interests with Mr Anderson who has invited us to make our visit later in the year.

The Central Otago Recreational Users Forum wishes to make the following submission which relates primarily to the objectives of *Part 2 (b) (i) of the CPL Act 1998 "The securing of public access to and enjoyment of reviewable land"*

SUBMISSION.

The Ben Ledi lease is with in an area of high landscape values and high natural values, and as such any protective measures which maintain these are to be supported.

It is also important to us that enduring public access is supported, at least to the boundaries of the Conservation Area being created, to allow recreational activities within it.

We fully support the creation of *Conservation Area CA1*.

We propose

1. Legal Road

- that the Legal Road which travels the crest of the Kakanui Mountains from Danseys Pass via Mt Alexander to the back boundary of Ben Ledi, and continues through Mt Pisgah Lease, be maintained in its present (or better) status as 4WD road. The *status quo* would be a minimum requirement for this road.

- we appreciate that this is contingent on the said road being made available via the Review of either or both of Mt Alexander and Mt Pisgah leases, but also feel that it could be taken into account in a wider, long term view of what may be accomplished.

There is an opportunity here to create a long back country driving route through an outstanding natural landscape

- that further access, from the Legal Road into Ben Ledi Conservation Area CA1, be by non-motorised means, from suitable stopping points on the legal road, e.g. via a stile over a fence.

- we note that should this Legal Road be lost as a vehicle route, then the Ben Ledi Conservation Area effectively becomes land locked and inaccessible by reasonable means. No guarantee of public access via the Maerewhenua Spur road has been given.

2. Maerewhenua Spur, DOC Maintenance Road

- that hikers, cyclists and horse trekkers be permitted to use the Maerewhenua Spur road at times of their choosing, with the proviso that the private owner may post denied access for farming reasons in season.
- that there be circumstances where the public in motorised vehicles may traverse the farm road / DoC Maintenance road along Maerewhenua Spur, to carry, say, groups who need to experience and learn from the diversity of the Conservation area, and can get there by no other means; that such an arrangement be written into the Tenure Review Proposal.
- that, while appreciating that the Spur Road is "precarious in places", it is looked on as being the enduring access route to the Conservation Area, and is maintained to that end.

3. General

- that horse trekkers be allowed to continue to access the area, as has been permissible so far
- that hunters be allowed to continue to access the area, and to have some means of getting a vehicle to a start point for hunting, even although this may be in dry conditions only.
- we are uneasy about the loss of the main crest of the Maerewhenua Spur to wholly private ownership, and feel that while the present owners are very good stewards of this land, it may not always be so, and that more of the crest, as far as Conservation Covenant 1, be placed in a covenant that is protective of flora, fauna and natural landscape.
- we request that the open beauty of the landscape in question be appreciated as a quality in itself, to be valued and protected.

4. Conservation Covenants 1 and 2

We support the retention of these hillside and valley patches of native shrub land as covenanted conservation areas. It would be important to allow walking public access to these, to study or view the significant native vegetation that has been conserved. The riparian strips on the north and south branches of the Maerewhenua River seem to present difficulties as walking tracks, and one of them would have to be accessed via the Ben Ledi homestead and yards area.

Thus it would be preferable for the larger area CC1, at least, to be accessible from the Maerewhenua Spur road, via a detour off that road.

Central Otago Recreational Users Forum

The Central Otago Recreational Users Forum is a voice for a diverse group of user interests, representing over 50 recreational clubs and groups in the Central Otago area. Part of our brief is to find a middle way that provides acceptable conditions to differing interests.

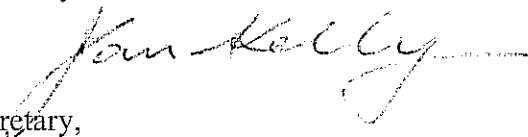
A fundamental principle guiding us is the belief that public lands should be accessible in some way to the public, and not restricted only to the very fit and capable.

The associated principle is for due care and respect, to the land, the landscape, natural and historical values, and to the private landowners whose properties adjoin conservation land.

With these things in mind, we make the above submission.

Yours faithfully,

Jan Kelly



Secretary,

Central Otago Recreational Users Forum

186 Faulks Road, RD 2, Wanaka 9382.

Dave Payton

From: ajaemackie [ajaemackie@xnet.co.nz]
Sent: Monday, 14 August 2006 11:03
To: Dave.payton@opus.co.nz
Subject: Ben Ledi tenure review
Attachments: Ben Ledi tenure review.doc

Hello Dave
Thanks for the opportunity to pass in a submission to the above .
Alan Mackie

PRELIMINARY PROPOSAL
SUBMISSION

RE: TENURE REVIEW OF BEN LEDI STATION

Commissioner of Crown Lands
C/O Dave Payton
Opus International Consultants Ltd
Dunedin
Dave.payton@opus.co.nz

Submitter: Central Otago Deerstalkers Club. Alexandra
Prepared by CODC Tenure review subcommittee 10 August 2006

Introduction

We welcome and support the trend of extending local Conservation areas.

Some of these areas are going to be remote and high which may in some instances be limited for recreational activity especially during wet or winter months.

Though some of the new Conservation lands may be of limited recreational use. Access for those recreations using the area is important. We would like to see more 4WD tracks negotiated with a limited use period.

1. This will allow access to remote areas.
2. With more limited access tracks available this will help to educate the public there are such things. (as it is, the public appear to expect tracks to be available all year round, as of right).

Along with Pisgah Downs, Ben Ledi is going to have red deer and pigs inhabiting its open warmer faces.

Access

There appears to be little access of interest to hunters in this review but we would appreciate consideration during neighbouring reviews to make 4WD access available which will connect with the legal road at the South end of Ben Ledi .

We see Ben Ledi as an escape catchment for deer and pigs hunted on the more handy Pisgah Downs and neighbouring properties.

This reinforces the necessity for 4WD access to the back of these areas allowing hunters to hold or reduce deer numbers to lower level.

DOC has aims to preserve and protect the conservation estates entrusted to it and we support them in their efforts. We see the benefits of biodiversity and reclaiming of the high country to ensure the existing biodiversity is preserved and protected.

On Sunday 16th July News : Radio New Zealand 12.00pm.

News reader. The Minister of Conservation says he wants to see as many New Zealanders as possible out hunting deer. It is part of the Kiwi identity going out and hunting, this is something very popular in this country.

With 4WD access hunters will be able too.

Central Otago Deerstalker Club

Alexandra

Secretary

Alan Mackie

Dave Payton

From: John Turnbull [jturnbull@xtra.co.nz]
Sent: Monday, 14 August 2006 13:41
To: Dave Payton
Subject: Ben Ledi Tenure Review
Attachments: F&B Bern Ledi Preliminary Proposal (1).doc

To the Commissioner of Crown Lands,
C/o David Payton,
C/o Opus International,
DUNEDIN.

Dear David,

On behalf of UpperClutha Branch, Forest and Bird, I am attaching our tenure review submission on Ben Ledi. I am sending the signed hard copy via New Zealand Post; the map will be attached to that.

We at last got to see the property on Saturday and although it was still under snow on the higher levels and the tracks were still frozen we were able to see and understand the proposal, and all its reports on the ground, in the short time available to us. The trip was well worth while.

Thank you for your help in the process.

Our Best Regards,

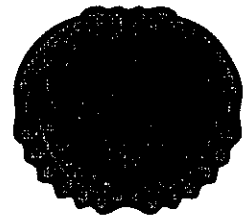
John Turnbull

14/08/2006

13th August 2006

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

(e.mail - David.Payton@opus.co.nz)



**FOREST
& BIRD**

Royal Forest and Bird
Protection Society
of New Zealand Inc

Dear Sir

Tenure Review, Pastoral Lease Po 199 - BEN LEDI - Preliminary Proposal

On behalf of the Upper Clutha Branch of the Forest and Bird Society we would be pleased if you would accept this submission and comments on the preliminary proposal for Ben Ledi.

On the whole we see this proposal as being a good one, although in our opinion and in some respects, it does not meet fully the requirements of the Crown Pastoral Land Act of 1998.

As you will be aware our society is fully supportive of the tenure review process and approve of the more recent objectives for the high country of New Zealand approved by Cabinet in February 2005.

1.0 General Matters to be Considered.

Ben Ledi occupies a prominent position in the landscape of North Otago; the long and high Maerewhenua spur is a dominant feature of that landscape and forms the bulk of the property. The Kakanui Range is the back ground to North Otago. It is still mostly an intact landscape, made up of tussock covered ridges and gullies and in winter is mostly snow covered. The mostly clean short tussock grasslands on the lower country merging into tall tussock with attitude is an important ingredient of the landscape.

Ben Ledi lying on the east side, and almost at the north end of the Kakanui Range, will be an important addition to any future Conservation Area being created on the Kakanui Range. Although not mentioned as one in the Six Pack of Parks, it will, if and when Tenure Review is completed on all the Kakanui Range Pastoral Leases, comprise of an area of well over 10,000ha; an area stated by Government as being necessary to form a Conservation Park. At present most of these pastoral leases are in the process, with Dome Hills completed.

The Kakanui Range up until now has not attracted the same attention from outdoor people as some of the other uplands of Otago, as it is not so readily accessed. It can be classed as being remote, which in itself is a valuable attribute. With the results of tenure review this will change when more suitable access is arrived at.

Such a park would be very positive for recreational interests, and therefore the future well being of North Otago, and Otago as a whole. The Kakanui Range covers many areas of varied and great inherent conservation value from Danseys Pass in the north right down through the area of volcanic importance almost to Shag Point. The Kakanui Range is mentioned in the Conservation Management Strategy as being one of the "41" Listed Places.

The Kakanui Range is mostly in the Dansey Ecological District where a Protected Natural Area Programme Survey was carried out over the summer of 1989/90 and the report was

Upper Clutha Branch, PO Box 38 LAKE HAWEA

published in 1992. This report covers part of Ben Ledi and it is pleasing to see that it is being heeded.

The Conservation Resources Report has been compiled by experts both by people in the Conservation Department and other agencies. We ourselves would not presume to have more knowledge of the flora and fauna of the area.

The proposal was first advertised on 17th June 2006 but as it has been mostly under snow up until now we have been unable to make an inspection of the whole property as we would have liked to before making comment. However the lessee kindly granted us permission at this late date and it did not take long for us to see sufficient of the proposal to fully convince us that those making the various reports over some years are correct in their reports.

We would like to thank Mr Ian Anderson for allowing us to fully participate in the process and allowing us to use his track in spite of it being in perhaps a marginal condition.

2.0 CA1; an Area off approximately 2200 hectares. Land to be returned to the Crown for protection.

Yes, we fully support this as it will be a fundamental and valuable addition to the Kakanui conservation area.

We do not see that the access for farming purposes will pose any problems as long as the conditions are adhered to, especially the avoidance of stock movements through that are so slow as to allow grazing and trampling.

The proposed lower boundary needs reconsideration however as it excludes a large area of the lease that has been identified as having SIVs. It is noted that the only reason this line has been chosen is because there is an existing fence there, not because it represents the division between land with SIVs and land without. We regard this approach to determining boundaries as undesirable, short sighted and inadequate. Tenure review is about making land allocation decisions that are long term; decisions that will not be made again. The presence of a fence should not determine the boundary – the distribution of values should.

The existing fence is a north-westerly continuation of the proposed boundary on Pisgah Downs (per our submission on that property) and at first glance would appear a reasonable choice. However it excludes a considerable area of the property that has been identified as having significant inherent values, and areas of steep high altitude Class VII and VIII land not suited to on going farming use as it will not be ecologically sustainable. Much of the upper third of the spur is above 1000m altitude. In our opinion, this area is not small enough nor insignificant enough to justify excluding it for the sake of avoiding building a new fence in what is a permanent and long term land management decision. Long new fence lines have been a feature of other tenure reviews.

3.0 An area of approximately 3199 hectares to be designated as freehold and disposed of to the holders - The Maerewhenua Spur.

This land comprises the larger balance of the Maerewhenua Spur. The Maerewhenua Spur is a large and distinctive spur with a highly natural and homogenous landscape character. It contributes significantly to the wider landscape values of the Kakanui Mountains. With change

in land use and management to a more conservative regime it is clear from the Conservation Resources Report that values would be greatly enhanced with return of indigenous woody communities. Every effort should be being made through this tenure review to protect the integrity and considerable values of the spur.

The Conservation Resources Report clearly states the values of the south side of the Maerewhenua Spur. Its homogenous cover, large scale and steepness underlies its importance as high country landscape with associated distinctive attributes of remoteness and sense of open space. Its "overall intactness... overall sense of uniformity and coherence ..." results in a "harmonious high country landscape", an area of moderately high landscape values at present (this would increase if farming use ceases and the indigenous cover returns). It stresses the importance of retaining a tussock grassland character (this would include indigenous regenerating shrubland). We add that the retention of the perception of the spur as an unbroken whole landform in a visual sense is important. Increased farming pressure under freehold ownership threatens this goal. It is also important to protect the integrity of the landscape, from ridge crest to valley floor by including the whole within conservation area, not just the land above 1000m altitude.

In the landscape and ecological sections of the Conservation Resources Report, the following descriptions are given stressing the values of the spur: "... the predominantly shady slopes are clad in narrow leaved snow tussock in good condition with a wide distribution of golden spaniard... steep interfluvies on the mid slope carry dense narrow leaved snow tussock and mountain flax, golden spaniard... and patches of scrub with tauhinu and hebe odora...an altitudinal sequence of vegetation exists that is almost completely natural and in excellent condition but for the dominance of exotic pasture species... on the lower slopes. However the latter is being displaced vigorously by indigenous shrub-land communities, and in the further absence of fire, the exotic component of the vegetation will all but disappear completing the re-establishment of the natural vegetation sequence that links the highest point of Maerewhenua Spur with the shrub-lands and forest of the river below. **Opportunities for protection of such sequences are rare elsewhere in the Ecological District (our emphasis)...**"

To put it very simply, and if fencing is regarded as an issue, we would strongly suggest that all that land known as Oliver's block be returned to the Crown for protection as has been argued by those with knowledge and whose job it is to advise you. This would result in the large area of significant inherent values (both landscape and ecological) being included as conservation area (including CC1).

This would better protect the values in perpetuity than unconditional freehold ownership, where increased grazing pressure and pasture development along with additional subdivisional fencing would be a likely outcome, even on these cooler southerly faces.

3.1 Conservation Covenant of approximately 325 hectares to protect remnant shrub-lands and a small area of broadleaf indigenous forest.

CC1. Would not be necessary if the south side of the Maerewhenua Spur was re-designated as conservation land.

CC2. We support the protection of the forest remnant in the north branch. This forest remnant is described as "the largest and most intact forest north of the Kauru River. It remains in relatively natural condition with a variety of forest species and a healthy regeneration over

-4-

much of the area.”

However we cannot see how the values present in the woodland will be protected, as it is not proposed to fence it off, and domestic stock, including cattle, will be free to access the woodland with consequent trampling and browsing of the vegetation. Some of the species present e.g. broadleaf and tree fuchsia are intolerant of browsing.

Grazing stock in this area is in contradiction to the aims of protecting the values it contains. With less land to farm and the desire to maintain or increase production, higher stocking rates generally will be sought on the surrounding land. Without fences it will not be possible to have different stocking rates within the covenant area and outside the area. Stock grazing at any rate is not desirable however as regeneration is unlikely to be able to occur and eventually the remnant would die out. It is said that the steepness of the country will protect the values and we would agree that this might be so until weather, climatic or any other future conditions force stock into the area.

If the values in this remnant forest are to be protected it should be fenced off and become a Conservation Area.

3.2 Maerewhenua Gorge.

The steep-sided gorge of the South Branch of the Maerewhenua River was identified as having SIV due to its natural landscape character and woody communities. We submitted on the Pisgah Downs proposal that all the steep gorge areas should be retained as conservation land and the woody cover allowed to recover. The CRR for Ben Ledi states that the woody remnants have the potential to spread both up and down stream replacing the present shrub-land and becoming linked with the altitudinal sequence of indigenous vegetation that extends to the high points of the Maerewhenua Spur.

The gorge areas could easily be fenced off and linked to the conservation area of the south side of the Maerewhenua Spur described earlier, thus forming a more comprehensive approach to protecting landscape and ecological values, not just within the property but with respect to Pisgah Downs as well.

4.0 Access. The access being suggested in the proposal via the legal road on Mt Pisgah and from Danseys Pass via a legal road through Mt Alexander, both properties also being under review, is good. The question arises however, are those two routes going to be sufficient? We think not, when we take into consideration the importance of the whole Conservation Area being created at this northern end of the Kakanui Range.

Up until now the reason this high country is not visited very often is due to its not being known and the distances required to be covered to reach it. The main use for the area will be walking, studying its botany, photography and other general nature appreciation. While not to any great extent being used in winter for cross-country skiing, this will change as access to it becomes as well known as the other snowfields on the other block mountains of Otago. The snow in these basins is usually good in most winters.

The Danseys Pass route - which is practically the same length to the Nobbler as via the Maerewhenua Spur route - will also require that the legal road be re-surveyed onto the present formation in places, or if this is not practical or visible, that it be marked with poles where it

does not exist. This is not likely to happen if Mt Alexander does not complete the tenure review process. While may be both neighbouring properties are in the process, there is no guarantee that they will be completed. Each property in the process is required to stand alone.

The present lessee may have a perfect working relationship with trampers and shooters who use the spur; but it must always be remembered that there is an ever present chance that property will change hands in the future and perhaps access denied completely. Tenure Review is for ever and the public must be fully considered at this particular time.

The objectives of Part 2 (b) (i) of the CPL Act 1998 ".....The securing of public access to and enjoyment of reviewable land"

It is of our opinion that the objectives of this part of the Act are not being properly met because there is no walking access from the Danseys Pass road up the Maerewhenua Spur to the proposed Conservation Area; this is very desirable for round trips to be undertaken. Also it is better access for visitors to see the proposed Covenanted Area (CC1). While it is argued that there is access to this area via the Marginal strip alongside the river, this would take considerably longer and be more difficult to traverse and would not necessarily be so enjoyable. This route would also require access over freehold land from the river to the bottom of CC1.

Walking the Maerewhenua Spur with its many ups and downs would be a satisfying and enjoyable experience itself. **The Maerewhenua Spur is made for walking.**


Access to the proposed CC2 is also via a marginal strip through a virtual gorg- a great trip in summer - but from what we can see it would be a time consuming route to a very important botanical area for any one wishing to visit it. We note that there is a vehicle track starting from the Danseys Pass road running just above the marginal strip towards the proposed covenanted area - we would argue that this could be used to allow those interested to walk to the area, or, as we see it a Conservation Area.

5.0 In conclusion. If the following alterations were to be made to this proposal it would more fully meet the objectives of the CPL Act 1998 and we would regard it as a good proposal:

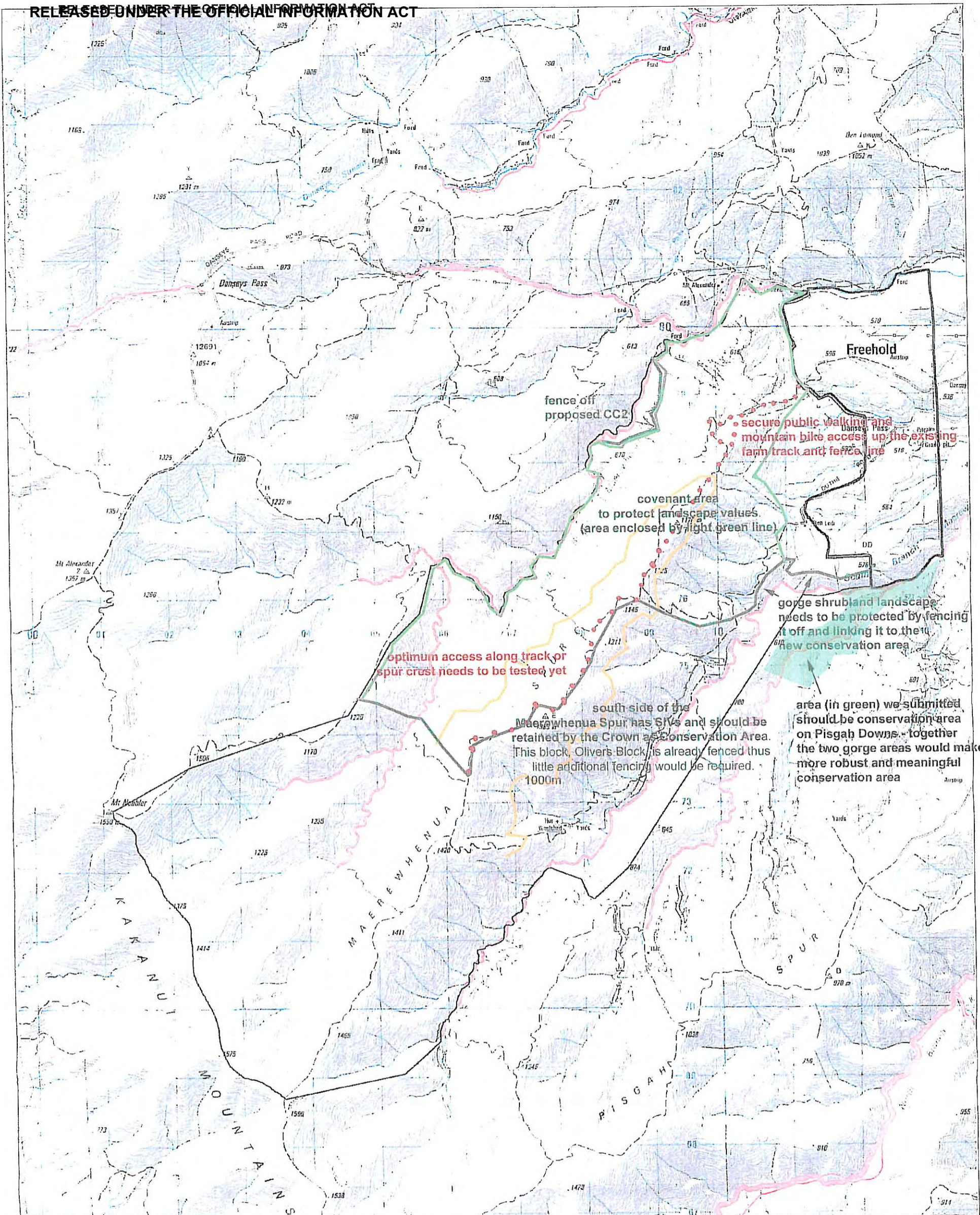
- (a) CA1 be expanded to include all of the crest and south side of the Maerewhenua Spur including the proposed CC1.
- (b) The woody shrublands in the gorge south of the homestead be given protection.
- (c) CC2 to be fenced off and become another conservation area.
- (d) Walking access up the Maerewhenua Spur be fully secured for the public
- (e) As the district plan offers no protection for the landscape there should be a landscape covenant to protect the area from undue earth-works, structures or forestry.

We thank you for the opportunity to make these comments.

Yours faithfully,



John L Turnbull and Anne Steven,
For Upper Clutha Branch
Map attached



fence off proposed CC2

secure public walking and mountain bike access up the existing farm track and fence line

covenant area to protect landscape values (area enclosed by light green line)

gorge shrubland landscape needs to be protected by fencing it off and linking it to the new conservation area

optimum access along track or spur crest needs to be tested yet

south side of the Mareswhenua Spur has SIVs and should be retained by the Crown as a conservation area. This block, Oliver's Block, is already fenced thus little additional fencing would be required. 1000m

area (in green) we submitted should be conservation area on Pisgah Downs - together the two gorge areas would make a more robust and meaningful conservation area

Ben Ledi Pastoral Lease
Topo/Cadastral

Scale 1: 50,000

Pastoral Lease Boundary

Freehold

Marginal Strips

1 0 1 2 Kilometers

TOPO/CADASTRAL

REVIEW OF
PRELIMINARY PROPOSAL
FOR BEN LEDI PASTORAL LEASE

prepared by Anne Steven Landscape Architect
for Upper Clutha Branch of Forest and Bird Society

August 2006

Dave Payton

From: Anita Fulton [Anita.Fulton@ecan.govt.nz]
Sent: Tuesday, 15 August 2006 12:11
To: dave.payton@opus.co.nz
Subject: Ben Ledi Pastoral Lease Submission on Preliminary Proposal for Tenure Review
Attachments: Opus Intl re Ben Ledi PP submission 150806.pdf; Copy of img-815123431.PDF

Dave

As requested by Cathie Brumley, please find attached Environment Canterbury's submission on the Preliminary Proposal for Tenure Review of Ben Ledi Pastoral Lease. A hard copy will also be posted to you today.

Regards

Anita Fulton
Executive Secretary
Environment Canterbury
P O Box 345
Christchurch

Phone DDI 03 372 7224
Fax 03 379 9550

www.ecan.govt.nz

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.
This footnote also confirms that this email message has been swept by MIMESweeper for the presence of computer viruses.
www.ecan.govt.nz



58 Kilmore Street, PO Box 345, Christchurch

General enquiries: 03 365 3828

Customer services: 03 353 9007

Fax: 03 365 3194

or: 0800 EC INFO (0800 324 636)

Email: ecinfo@ecan.govt.nz

Website: www.ecan.govt.nz

14 August 2006

Electronic copy email 15/8/06

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

Attention: Mr David Payton
Tenure Review Contract Manager



Dear David

BEN LEDI 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 Ben Ledi 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 or 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 or restoration of a vegetative cover over non-arable land that is sufficient to prevent land degradation or 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 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

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

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.

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) (CPLA), Environment Canterbury technical and planning staff have reviewed the Preliminary Proposal for Ben Ledi 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 Ben Ledi pastoral lease is bounded by the north and south branches of the Maerewhenua River and is dominated by the Maerewhenua Spur up to the summit of the Kakanui Mountains. The altitudinal range is from 350m asl up to 1550m asl. The north and south faces of the Maerewhenua Spur are sharply contrasting in vegetation and productive capability. The lease contains land with significant inherent values for biodiversity, landscape and recreation. As part of the Kakanui Mountains, land in the Ben Ledi pastoral lease is identified in the Department of Conservation's CMS as one of Otago's special places, in reference to which the CMS has as its objective to take "opportunities that may arise through pastoral lease tenure review to negotiate protection of and access to areas of high natural and recreational value."

The authors of the Conservation Resources Report are to be commended for producing a very clear, thorough, well-researched and readable summary of Ben Ledi's inherent values. This has provided a comprehensive basis for identifying the requirements for the protection of these values and the threats to their protection.

It is therefore disappointing to see once again that areas to be retained in the Crown include very little of the mid to lower altitudinal land, particularly the faces above the South Branch of the Maerewhenua River which retain much of their indigenous habitats, including extensive shrublands along the river margins, and which are well documented for their high indigenous diversity for flora and invertebrate fauna and their intact and cohesive landscape values.

The use of a conservation covenant over some of this land recognises that there are significant values within the proposed freehold area that need to be protected. The proposed conditions in the conservation covenant offer little reassurance, however, that the values in the block will be safeguarded, and appear to be in conflict with the statutory aim of a conservation covenant to "*preserve the natural environment, or landscape amenity, or wildlife or freshwater life or marine life habitat ...*" (s 77(1) Reserves Act 1977).

No recognition is given to the high water quality of the streams traversing the property, or the significance of these streams for supplying the greater Waitaki River. Little provision for public access has been made apart from use of marginal strips, even though the Ben Ledi land offers key access routes to the Kakanui mountain area which has high recreational values.

While there is a range of statutory options for managing and protecting significant inherent values and public access, the tenure review process has a clear role and responsibility under the CPLA to achieve this "(preferably) by the restoration of the land to full Crown ownership and control" (s24(b)). This role is supported by the decision of the Cabinet Policy Committee, 9 February 2005, that the objectives for management of Crown-owned high country land should be prioritised with the promotion of ecologically sustainable management and protecting significant inherent values of reviewable land being accorded "**primary importance**". Objectives to enable free holding of land capable of economic