

## **Crown Pastoral Land Review of Other Crown Land**

**Property name: Domett Downs**

### **Public Submissions**

These submissions were received as a result of the public advertising of the preliminary proposal for the Review of Other Crown Land for the Domett Downs pastoral occupation licence.

The attached submissions are released under the Official Information Act 1982.

**March 04**



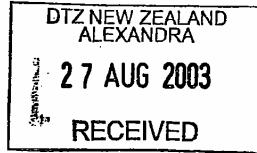
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Manager,  
DTZ New Zealand Ltd.,  
PO Box 27,  
ALEXANDRA.



August 25, 2003.

**SUBMISSION ON PROPOSED TENURE REVIEW: DOMETT DOWNS POL.**

Dear Sir,

Thank you for sending me a copy of the proposal for tenure review of the Domett Downs POL since I am aware of the significant ecological values there. I appreciate you sending me a copy of the Preliminary Proposal to comment on since I am aware of the many ecological values in this area.

The report describing the general features of the 575 ha area is commendable, and with some 74% of its area being designated as Class VII c and e, it clearly has very limited potential for production. As an addition to the conservation land which it adjoins along its upper boundary, it will add substantially to the conservation values already formally protected in this area. I am reassured by the decision to invoke S 83 of the Crown Pastoral Land Act in this case, where ecological sustainability and the protection of significant inherent values takes precedence over potential economic values. You might note that the coral broom, which is one of the few indigenous species listed in your report, has been incorrectly spelt: it is *Carmichaelia crassicaule*.

Thank you for the opportunity to comment on this proposal. I trust you will give my recommendations your serious consideration.

Sincerely,

Alan F. Mark.  
Professor Emeritus



# OTAGO CONSERVATION BOARD

Our ref: SBC-08-34

29 September 2003

Commissioner of Crown Lands  
c/- DTZ New Zealand Ltd  
Land Resources Division  
PO Box 27  
ALEXANDRA



Dear Sir

## SUBMISSION ON TENURE REVIEW OF DOMETT DOWNS PASTORAL OCCUPATION LICENCE

Thank you for the opportunity to comment on the Preliminary Proposal for the tenure review of the Domett Downs Pastoral Occupation Licence.

The Otago Conservation Board fully supports the the preliminary proposal as described in the summary received with the letter of 8 August 2003 from DTZ New Zealand Ltd.

Yours faithfully

A handwritten signature in cursive script that reads "maclark".

P P

Fergus Sutherland  
Chairperson

DTZ NEW ZEALAND  
ALEXANDRA  
- 2 OCT 2003  
RECEIVED

Ken Taylor  
The Manager  
DTZ New Zealand  
PO BOX 27  
Alexandra

Dear Ken

Submission lone hill Pastoral Occupation  
licence.

This Pastoral Occupation licence plays  
a major part in Donnett Downs Farming operation.  
+ as the crown's agents you must  
take into consideration the effect on the  
whole farm rather than just the P.O.L.  
To put this land into the Conservation  
estate would be a travesty of Justice  
as this land has been farmed in a very sustainable  
manner for many years + Generations.

I would question the Accuracy of the  
DOC Conservation Resource Report. As DOC's Agenda  
seems to be to close up vast areas  
of land to make conservation parks whether  
it has conservation values or not +  
regardless of it being able to be farmed  
sustainably as in this case.

I believe that lone hill (Donnett Downs)  
Pastoral Occupation licence should be

Freeholded in its entirety  
Please let common sense prevail and  
let stainable farming of this ~~area~~<sup>POL</sup> high country  
continue

yours faithfully



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

30 September 2003

The Commissioner of Crown Lands  
C/- DTZ New Zealand Limited  
PO Box 27  
ALEXANDRA



Dear Sir,

**Re: Preliminary Proposal for Tenure Review: Domett Downs POL**

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 15,000 members of tramping, mountaineering, climbing and other outdoor clubs throughout New Zealand, and indirectly represents 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 public interest values, and to improve public access to the back country through the tenure review process.

FMC fully supports 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*

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

FMC appreciates this opportunity to comment on the Preliminary Proposal for Domett Downs POL.

**The Preliminary Proposal**

FMC has studied the Preliminary Proposal for the review of Domett Downs and notes that it is proposed that 575ha is to be designated as land to be retained in full Crown ownership and control as a conservation area pursuant to S85 (5) (a) (i) CPL Act 1998.

FMC notes that this POL is the residual part of a previous deal with DOC in the 1980s when the higher parts of the property (then known as Lone Hill) were transferred to DOC to become the Mt Domett Conservation Area.

The POL seems to be variously known as Domett Downs POL or Lone Hill POL. This POL (575ha) adjoins the Mt Domett Conservation Area and occupies the mid and lower slopes of Mt Domett and Little Domett. It seems eminently reasonable that, given its significant inherent values, it should be added to the Mt Domett Conservation Area.

We note the summary statement in section 3.2 of the Proposed Designations Report:- *“The interaction and complexity of the natural values of this POL together make up a total landscape which represents a range of significant inherent values.”* We further note that those values include landscape, landform, geology, and the diversity and naturalness of the vegetation.

FMC is pleased to support the proposal.

**Access**

FMC notes that there is currently no legal access to the POL or the adjacent Mt Domet Conservation Area. Current DOC management access and any public recreational access is by arrangement with adjoining landowners. This is clearly unsatisfactory.

We are disappointed to note that the provision of public access is not an outcome from this review, but we understand that this matter cannot be addressed within the bounds of this review. However, the absence of legal public access to conservation land is a deficiency which should be rectified at the earliest possible opportunity.

**Mitigation**

FMC urges the Commissioner to address the question of access to this block and the adjoining Conservation Area, as soon as possible, and through whatever means that might become available.

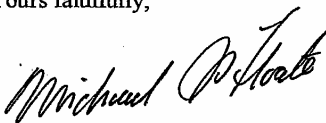
**Conclusion**

FMC fully supports the proposal that all the land in the POL should be retained in full Crown ownership and control as a Conservation Area. This will form a worthy addition to the Mt Domet Conservation Area, and ultimately to the Oteake Conservation Area. Such an outcome will materially assist in achieving one of the Government’s recently declared objectives (See Bullet Point 5 above).

The outcome of this review would have been an excellent if public access had been provided. We urge the Commissioner to take all steps necessary to ensure that the lack of public access is rectified at the earliest opportunity.

Finally, we thank you for this opportunity to comment on the Preliminary Proposal for the review of Domett Downs POL.

Yours faithfully,



*pb* Barbara Marshall  
Secretary, Federated Mountain Clubs of NZ, Inc.

# Public Access New Zealand

INCORPORATED

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3 October 2003

**FAXED**



Commissioner of Crown Lands  
C/- DTZ New Zealand Limited  
PO Box 27  
ALEXANDRA  
Fax (03) 448 9099

## Domett Downs Tenure Review Preliminary Proposal

Public Access New Zealand wishes to make the following comments on this review.

The area under review, although adjoining an existing conservation area, is landlocked with no legal access. From a public use perspective, the proposed reservation of all 575 hectares without access serves little purpose.

We note that the Scoping Report states that "hopefully...legal access will be negotiated outside the review" but no further indication is given in any official papers of the likelihood of this being achieved, or even if official efforts are in progress. Given that an object of tenure review is the "securing of public access to and enjoyment of Crown land", one might expect some effort to provide access. However the Summary of the Preliminary Proposal states that "the provision of public access is not an outcome of this review". It should be.

There is a pressing need for public access to the southern St Marys Range conservation area centred on Little Domet and Mount Domet. Domet is essentially an isolated massif that is separated from the rest of the range by dissected range crest. It is most unlikely that anyone would attempt to climb Domet by traversing along the range from the north, where there is legal access. There are only two practical routes. One is from the south via the Otekaieke River, however this is freehold and dependent on owner consent. I believe that this is not always forthcoming. The other approach is from the east from Domett Road, which ends in Lone Creek. This is directly under the east face of Little Domet and only two kilometres distant from the existing conservation area boundary. This is a very good approach; one that I used during my formative mountaineering years, by busing from Dunedin and walking all the way from the Duntroon-Kurow Road. This is challenging winter climb and good snow craft training for novice climbers.



It is unlikely that anyone will want to directly access the conservation area that will result from this review, however there is certain to be demand, if provision were made, for access to Little and Mt Domet from the east. How this could be negotiated "outside of the current review" is problematic if there is nothing to offer in return. We presume that the preferred access route, being the land between the end of Domett Road and the lower conservation area boundary below Little Domet, is part of the same farm holding as the former POL under review. If so, there may be something to "trade" in return for public access.

In the Scoping Report, 335 hectares of the reviewable land was recommended for freeholding, however this proposal was dropped from the Preliminary Proposal. It consists of the eastern half of the former POL, part of which has been previously oversown and topdressed.

We submit that the inherent values be reassessed over the eastern area to see if parts are capable of economic use. If so these should be offered as freehold (with or without protective mechanisms) to the adjoining land holder in return for public access. This should be from the end of Domett Road to the existing conservation area along the leading ridge north east of the summit of Little Domet. This access need be for foot only. It should be a dedicated footpath rather than a DOC whimpy easement. The former provides the only secure access so far devised.

No doubt LINZ will howl that all this is outside the provisions of the Crown Pastoral Land Act and therefore "cannot be done". As the many parallel "outside review" actions that take place during tenure review involving DOC and LINZ demonstrate, anything is possible given a little imagination and will. We recommend that the officials concerned exhibit some of both commodities and see what results. If all parties are agreeable what is the problem?

Yours faithfully



Bruce Mason  
Researcher

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Public Access New Zealand is a charitable trust formed in 1992. Objects are the preservation and improvement of public access to public lands, waters, and the countryside, through retention in public ownership of resources of value for recreation. PANZ is supported by a diverse range of land, freshwater, marine, and conservation groups and individuals.

PANZ is committed to resist private predation of the public estate.

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Mr. Donnett Downs

DTZ NEW ZEALAND  
ALEXANDRA  
- 7 OCT 2003  
RECEIVED

Dear Sir,

In regards to the review of the Donnett Downs pastoral lease I am in agreement to the proposals.

A lot of the land in this area would ~~make~~ be suitable for a National Park even if land has been used for farming in the past.

A trip through Dansey's Pass and the Kinds is a wonderful experience and having a National Park or Conservation Area stretching over this distance and including the Kakanui Mountains would be a great gift to leave to future generations.

Regards



Rod Patterson Consultancy Limited  
142 Glenstrae Road  
Redcliffs  
CHRISTCHURCH 8008

Phone 03 3846002  
Fax 03 3846009  
Cell Phone 025 794297

2 October 2003

Ken Taylor  
The Manager  
DTZ New Zealand  
PO Box 27  
Alexandra



Dear Ken

**Submission on behalf of Brian McCone, Domet Downs Review of Other Crown Land (Lone Hill Pastoral Occupation Licence) advertised in the ODT 08/ 08/03.**

In the final year of its five-year term POL O 82 was registered over an area of 1535ha, please refer to Appendix 3. The diagram on that POL clearly shows two areas of 960ha and 575ha. The Senior Field Officer in his report of 3 June 1980 (Appendix15) clearly indicated that there was confusion over the future use of this area but he had *"no doubt that the lessee had been led to believe that he would retain permanent grazing rights over the 575ha ... I am surprised it was not freeholded in the first place."* Today we are also surprised why the area is not to be freeholded. We are further dumbfounded as to why the 31-May-02 version of the plan of Domet Downs (also shown on the plan as Domet) shows the major portion to be freeholded and the 1-Apr-03 version shows the total area being returned to the Crown. We can only surmise that the change occurred after the receipt of the DOC Conservation Resources Report. That report is undated, it does not disclose who made the various assessments, does not show what significant inherent values are being protected and then admits it is not specifically referred to in the Otago Conservancy CMS but *if relevant to a proposed Park* and if you apply some general policies and if you grab hold of Goal Three of the New Zealand Biodiversity Strategy then it must be returned to the Crown! How can the Commissioner be drawn to the conclusion *"The interaction and complexity of the natural values of this POL together make up a total landscape which represents a range of significant inherent values."* The Licensee has not seen such values on the land and has not seen these spelt out in the DOC report. Before he embarks on further study to bring DOC to some accountability we need to know what disciplines were represented by DOC staff and their qualifications.

Brian McCone, owns and farms Domet Downs (210 ha freehold), 1,546 hectares freehold (Mt Domet Renewable lease) and the Lone Hill Pastoral Occupation Licence (Mt Domet Renewable lease). Brian is the fourth generation of McCone's to farm Domet Downs. This is the only farm land that Brian has an interest in, although a different Brian McCone is a trustee of Ben Ledi Station. Brian leased the "Lone Hill" freehold and POL (both being part of Run 28a) from the former owner Lindsay Smith for 8 years from 1982, who was the second generation on the property. The 210 ha home block of "Lone Hills" was sold by Lindsay Smith in 1982 to a third party.

Lone Hills including the POL was all one block until the first land improvement agreement in 1964, when progressively boundary fences between the freehold and POL's and internal subdivision fences were erected under a land improvement agreement.

The Lone Hill property was a renewable lease of “Rural and Pastoral land under the Land Act 1924”, and the land for Settlements Act, 1925, from 1/7/41 (Appendix 1). It was split into two blocks:

- 7150 acres being Run 28a Domet SD
- 519.2 acres being Sec. 27a Otekaike Settlement

Total 7669.2.0 acres (3103.7365 hectares).

### **Waitaki Catchment Commission Involvement**

In a letter dated 4 March 1975 from the Waitaki Catchment Commission (Appendix 11), to the Director, Water & Soil Conservation MOWD Wellington, the following points are made:

#### **1. General**

*“The Commissioner of Crown Lands, Dunedin, has advised that Mr L A Smith, Otiake has applied to freehold his renewable lease property, in terms of the conditions of his lease. ... The Commissioner considers that freeholding should be restricted to stable lands only, and has requested the Commission's collaboration to secure retirement of the high altitude lands, and their exclusion from freehold title, through the operation of a Soil and Water Conservation Plan.*

*2.1 “If the property were held under Pastoral Lease, the line for retirement fence would run as shown (on the plan).*

*2.2 The retirement line satisfactory for a leasehold property is not acceptable as the upper limit of freehold land”.*

*6. ... Council approve the ... Plan for retirement ... to assist Lands & Survey to ensure that, in processing the runholder's application, the grant of freehold title is restricted ... so that high altitude lands remain in leasehold tenure.*

Clearly the lessee had applied to freehold all the land in his lease but the Crown applied Pastoral policy (they referred to him as a “runholder”) and sought the assistance of the catchment authorities to manoeuvre the surrender of certain lands.

The partitioning of “Lone Hill” into the various land and “tenure” classes is set out in a letter dated 23 April 1975, from the Director, Water & Soil Conservation MOWD Wellington to the Waitaki Catchment Commission (Appendix 9).

Under a land improvement agreement with the Waitaki Catchment Commission (Appendices 2 & 6) – *“The existing Run 28a is to be split three ways: rested land, Pastoral Lease; Deferred Payment Licence. The survey (land survey) is nearing completion and licences will be issued then. The current lease ran out 1974”.*

A Deferred Payment Licence under the Land Act 1948, number 819 (Appendix 5), of 1545.9820 (back dated to the 3<sup>rd</sup> of October 1975) and a Pastoral Occupation Licence (number 82) covering 1535 hectares were both created on the 30<sup>th</sup> day of October 1979. From the above-mentioned renewable lease of “Rural and Pastoral land

under the Land Act 1924”, and the land for Settlements Act, 1925. The POL for a term of 5 years, rent \$250 (Appendix 3).

The current Lone Hill Pastoral Occupation Licence, covering 575 ha (Section 2) was created on the 24<sup>th</sup> day of December 1982 for a term of 21 years (Appendix 4), with the retirement of 960 hectares (Section 1) from the POL, plus 101 hectares from the Deferred Payment Licence. There is an emergency grazing provision in place for land behind the retirement fence (Appendix 7).

In a letter dated 28 October 1975 from the Waitaki Catchment Commission (Appendix 8) the aims and objectives of the Land Improvement Agreement are clear as set out. The first plan commenced operating in 1964. Appendix 8 provides: *Conservation Objectives 4.1, page 2. To integrate retirement of severely eroded high altitude areas with the freeholding of stable lower country and the reverting of Class VII lands at intermediate altitude to Crown leasehold tenure with restricted grazing”.*

*Summary 5.5, page 3.*

*This first programme has resulted in complete vegetative cover over formerly depleted sunny facings. Also improved grazing control over areas previously unattractive to stock. These works will assist towards this revised programme.*

*Future Tenure Retired Lands. Page 9 (appendix 10).*

*It has been agreed with field staff of Department of Lands and Survey that, following the erection of the grant fencing, establishment and consolidation of equivalent grazing, and erection of subsidized protection fencing subdividing the freehold land from the area proposed for restricted grazing, the area above the retirement fence will be surrendered from the lease, and revert to such tenure as the Lands Settlement Board may direct. It is anticipated that, following surrender, this area will form an integral part of a future catchment management area for the St. Mary's Range, with provision for emergency grazing as agreed between Department of Lands and Survey and the Commission.*

The above paragraph does not specifically address the future tenure for “*the area proposed for restricted grazing*” (the 575 ha POL), but clearly the intent is for grazing to continue on this area, rather than for it to be included in “*part of a future catchment management area for the St. Mary's Range*”. My conclusion is also supported from the text of appendix 16 - “*The Commissioner considers that freeholding should be restricted to stable lands only, and has requested the Commission's collaboration to secure retirement of the high altitude lands, and their exclusion from freehold title, through the operation of a Soil and Water Conservation Plan*”. “*The retirement line satisfactory for a leasehold property is not acceptable as the upper limit of freehold land, owing to the large area of class VII at a lower altitude, especially the steep and actively eroding sunny face in Lone Hill Block, where continued control through appropriate leasehold tenure is necessary*”.

**Appendix 8 and 10 were both signed by RV Maxwell on 27 August 1975 and both refer to retirement of class VIII and retention of leasehold tenure over class VII. The Class VII should have remained on lease in accordance with the classifications shown on the map attached to Appendix 9. If only the people that made this decision could have envisioned what the sunny face looks like today**

**(see appendix 13) they would have included the 575 ha into the freehold without question, as they had for the bottom left photograph.**

Appendix 10 at page 10: *11.2 Economic Analysis ... benefits are anticipated as follows:*

- (a) *Improvement of cover and stability on 987hectares high altitude land retired from grazing and on 600 ha, on which grazing will be controlled, will assist better regulation of stream flow and improvement of water supplies, especially for irrigation, in the lower Otiake catchment. (Farmers in the lower catchment have applied for a communal irrigation scheme to be investigated and this application has received a high priority.*
- (b) *Retirement of high altitude lands will integrate with retirement on adjoining properties (4 are mentioned in a WCC report dated 8 February 1975) and so assist towards future implementation of a catchment management area for the St. Mary's Range.*
- (c) *On site works for improvement of cover through OSTD and to assist better grazing control will assist catchment stability.*
- (d) *Reduction of fire hazard on tussock grassland of intermediate altitude.*

Whilst the first point in (a) is accepted and has been achieved, the second point was not regarded to have any merit following the conclusions of a report – “*Snow Tussocks and Water Yield – a review of the evidence*”. By MJ McSaveney & IE Whitehouse, two eminent DSIR scientists published in July 1998. The communal irrigation scheme referred to has never in fact proceeded. Point (b) means that a more strict deal was struck than if it were the fifth case, whilst points (c) and (d) can in no way justify the tenure of 575 being in POL versus where it should be under freehold. In fact under (d) the most practical and sustainable way of “*reducing the fire hazard on tussock grassland of intermediate altitude*”, is to continue to summer the wethers on the POL and winter them on the freehold land referred to above.

The fact is that there was no compensation offered by the Waitaki Catchment Commission for the sheep grazing on the current POL. If the Crown now wishes to remove the 575 hectares from the Lone Hill property it must pay at the current market rate for the total number of stock units displaced in compensation to the Licencee.

The retired part of the POL (1061 hectares) ranges in altitude from 900 meters to the highest point Mt Domet 1942 meters. Whereas the present POL ranges in altitude from under 600 meters to the highest point 1144 meters. The freehold area rises to 1158 meters. It is very interesting that the class VII land in the present POL was not the VII e land targeted by the Land Settlement Policy changes of the mid 1980's. Clearly this area was made into POL as a caution against future possible changes in Land Settlement Policies effectively to have a bet both ways. The vegetation of this area has recovered exceptionally well from the changes in farming practices over the last 35 years to the point where one has to ponder and question the “restricted grazing categorization” of 20 years ago

In a report, dated 3/06/1980, Renewal of POL (Appendix 15), the Senior Field Officer placed emphasis on Permanent when he said the 575ha “...will remain within the property under permanent Crown Leasehold tenure...” He then remarked on the background and Crown confusion and reiterated that the 575ha should remain on

permanent tenure and gave three reasons being its classification, suitability and being fenced separately from the retirement area *“and is adjacent to the DPL area”*. He then made his remark about how surprised he was that it was not included in the freehold. The DFO, DJ Sawyer, *endorsed the report: “Whilst not an entirely satisfactory solution the proposed 21 year POL over the 575 ha seems to be the only logical and practical step to take in the circumstances. The only alternatives, excluding an uneconomic and isolated PL, would be to either freehold or surrender the 575 hectares, neither of which the area is suited to”*.

In the report dated 13/03/1981 to the LSB Pastoral Land Renewal and Issue of a POL (Appendix 12), It quoted the remarks made by the SFO set out above from Appendix 15 and also that; *“It was further stated in the WCC Run Plan (SWCP No5) that “the area between the retirement fence and the conservation fence (ie the 575 hectares) will remain within the property under permanent Crown Leasehold tenure, and available for grazing as agreed between the Lessee, Department of Lands and Survey and the Commission”. The plan provided for OSTD and recuperative spelling of some of this area – and for which an LDE loan has since been granted.”*

I draw your attention to the terse letter from the Director General to the CCL Dunedin (Appendix 20). *“The Head Office Committee has asked that more care be taken in preparing the submissions... The runs in this area were mainly renewable leases and in 1971 there was concern that they were incorrectly classified which lead to a proposal to surrender the whole lease, retire part, reclassify part and preferentially allocate the reclassified areas on pastoral lease and pastoral occupation licence...the paragraph commencing “in some respects” is superfluous.”* That was the paragraph where the SFO said it should be freehold. He was the officer on the land and made a clear statement on use and tenure as a matter of fact but that did not sit well with the view of the hierarchy who had set the confused tenure tinkering in motion.

It is clear to me that from the above that the 575 hectares should have been allowed freehold in terms of the renewable lease or at the least permanent tenure as a *pastoral* lease. In addition to all of the pastoral occupation licences that have become pastoral leases mentioned in other submissions to you, I will add one more for your benefit, due to the many similarities, especially the timing, area, altitude and land condition. “Gorge farm”, Po 338 (272 hectares, Rock and Pillar – Waipiata, Run 805) was a POL until 1981 when it became a pastoral lease. Prior to that the tenure was POL No. 066 and before that No 23. Rental (PL ) \$607.50 first 11 years. Stock Limitation – 400 hoggets between 1 September to 1 November, or 800 ewes between 1 February to 1 May, or 300 ewes between 1 May to 1 June in each and every year of the said term. (stock units per annum (per hectare) 46.7 (0.172), 267 (0.980) and 50 (.184) respectively.

Rent review valuation 1991 (new rent \$320) – *“a small uneconomic grazing block used in conjunction with other flat to rolling land”*. Altitude 580 – 1070 m asl, rainfall 500 mm per annum. *“Fertilizer inputs have been limited over the years”*. No buildings, but 4 Km of fencing of subdivisional fencing, but no mention of the number of blocks. *“The block has carried for a number of years 1300 ewes end of January to end of April (433 stock units) and 350 – 400 hoggets September – end of January (375 for 5 months (109 stock units)”*. This gives a total of 484 stock units, which equates to 2.0 stock units per hectare per annum.

In a letter, dated 20/11/2002, from Neil MacDonald of Environment Canterbury (Appendix 14), I make the following quote. “... I can confirm that sustainable grazing was to continue to be made available on the Lone Hill *Pastoral Occupation Licence as an integral and ongoing part of the offsite grazing package*”.

### **Crown Policies on Pastoral Land**

If the Land Settlement Board Policies of the day had been flexible, forward looking and practical the Lone Hill Pastoral Occupation Licence would have been freeholded when the area was reduced in 1982 to 575 hectares with the retirement of 1061 hectares. Clearly the issue of the POL was not intended as phase out grazing, as it was issued for a 21year term from December 1982. The normal practice by the Waitaki Catchment Commission for phase out grazing under POL's was 5 to 7 years. Logically a subsidy for the erection of two internal subdivision fences, making 3 blocks would not have been made available by the Waitaki Catchment Commission for phase out grazing.

1. If the Pastoral Run Licence had been economic in it's own right it would in the normal course of events become a Pastoral Lease, as was the case for other properties in this area (refer to appendix 11).
2. The Primary Production Committee in its report on the Crown Pastoral Land Bill made an important statement as to the review of a POL and its effect on the whole farm when it said:  
“Conservation and recreation groups want POLs omitted from the definition of “reviewable instrument” and for POLs to be reviewed under existing procedures rather than the tenure review process. We proposed in our issues paper to redefine “reviewable instruments by omitting POLs. Farming groups stated there should be provision to renew POLs where appropriate, that lessees should be able to trigger a review at any time, and the effect on the whole farm, rather than just POLs, should be considered. We agree and have reinstated POLs in the definition of “reviewable instruments”.”
3. **Sustainability**  
I believe that the POL is being farmed in a sustainable manner and is in harmony with the “Metherell”, and “Boswell” reports. In addition all of the various reports prepared for the CCL, obtained under the OIA, are complimentary towards the sustainable farming of the land and to the Licensee (Appendix 17).

A report was prepared by AK Metherell, dated April 1997, for the Canterbury Regional Council on “*Soil Nutrient Budgets – Nutrient Management Undeveloped High Country*”. *Metherell's report concluded that in unimproved tussock grassland stocked with sheep at low stocking rates (<1 su/ha/annum) where burning was infrequent, the rate of depletion of nutrients from the overall ecosystem would be slow with only a small impact on soil nutrient status. That is the ecosystem was likely to be virtually sustainable. This presumes continued rabbit population control.* Metherell's report was reviewed by CC Boswell, in a report dated May 2000 to the Canterbury Regional Council. Who stated that – “*I believe that the assumption of sustainable management grassland of unimproved tussock at low stocking rates and in the absence of burning is accurate. Because*



*of this the report remains a useful document which Environment Canterbury personnel can use to base their management decisions of land use in the high country.” (bold is from the report)*

4. The POL is an integral part of Brian’s farming operation. Approximately 1,000 wethers summer (mid December to early April) on the POL area. The wethers winter on the OS&TD freehold next to the POL where all of the 1900 corriedale and 300 merino ewes are run post weaning from mid January until early April. There is no capacity to winter any ewes on this area as the wethers are “cleaning up the rougher remaining feed” and it is too cold for wintering ewes anyway. So the net effect on the profitability of Brian’s farming operation, is the loss of the wool income from the 1,000 wethers at \$30 to \$50 per head, less a running cost of \$6 per head including rent and rates. This equates to \$24,000 to \$44,000 per annum. Brian buys in 200 replacement wether lambs each year, at around \$40 per head and sells 150 older wethers for \$20 to \$25. This equates to \$5,000 per year in replacements. So the effect on Brian’s bottom line is \$19,000 to \$39,000 which is very important to him. Merino wool also helps to diversify Brian’s income stream, which is otherwise reliant on prime lambs, mid micron wool and prime beef cattle (70 cows and 100 calves and rising 2-year steers and heifers).
5. **I believe that in light of the above arguments that the Lone Hill (Domet Downs) Pastoral Occupation Licence should be freeholded in its entirety at no cost to the Licensee.**
6. Brian notes that he has the right of a rehearing when you have made the decision on the preliminary proposal. Can you please confirm this right?

At the meeting in Kurow on the 24<sup>th</sup> of September 2002, concerning the Lone Hill Pastoral Occupation Licence, called by LINZ, I expressed my concerns about the interpretation and accuracy of the DoC Conservation Resources Report. LINZ requested that I put my concerns in writing (Appendix 19), and DoC’s reply is in (Appendix 18).

#### CONCLUSION

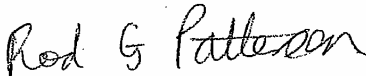
Just like the SFO on 3 June 1980 inspecting the land and taking into consideration the capabilities of the land and its economic use, Brian believes it is time for the Commissioner to take into account his economic use of the land, how he has managed it and maintained it in good heart and condition and to have the DOC’s report peer reviewed by an independent expert or experts (once he can identify what type of experts were used by DOC). It is common for consent authorities before consenting to a non-notified land use application to have the technical papers, presented by the applicant in support, reviewed by an independent person. The Commissioner is acting in a similar way and needs to thoroughly scrutinise the DOC reports to bring some accountability to those reports. Brian says there are no significant inherent values but if you want more from him then he will need the same time to produce a report as DOC had, two years. However I attach a brief report from Associate Professor David A Norton on the review of the POL in Appendix 21.

It is clear that by stealth of the Crown what was legally available to freehold on application by the lessee in 1975 was taken away for no legitimate reason. The reason

why 575ha was dealt with on POL was a matter of flawed policy and the men on the ground wondered why (the SFO at the bottom of Appendix 20 simply said, "*I shall not bother.*" Brian still wonders why and cannot find one single shred of meaningful comment in the DOC report to support there being significant inherent values on the land. Once again we have the man on the land indicating in his report of 5 June 2002, and supported by the Commissioner's delegate on 20 June 2002, that most of the land should be freeholded. After receiving a conservation report the Commissioner is asked to approve all the land returning to the Crown for DOC control. The report does not show how the land will be managed by the Crown in a way that is ecologically sustainable. The reports through the 1990's all say that the land has been managed "*in very good condition.*" It is capable of economic use and is a vital part of the economic viability of Brian's whole farm.

**The 575ha should be available for freehold disposal to Brian McCone.**

Yours faithfully



Rod G Patterson MAgSc, MNZIPIM, CPAg

File: Lone Hill 5  
C.T. File.

Appendix 2

The Secretary,  
Waitaki Catchment Commission,  
P.O. Box 110,  
KUROW.

EXISTING PROGRAMME  
APPLICATION MR. L. A. SMITH OF OTIAKE  
SUPPLEMENTARY INFORMATION, SUPPLIED BY NOMINATED SOLICITOR, TO APPLICATION FOR SOIL CONSERVATION RUN PLAN/WINDBREAK TREEPLANTING PROGRAMME.

1. Status of Farming Operation:  
Individual, Husband and Wife,  
Partnership, Trust, or other  
Trading Entity. Please  
specify:

INDIVIDUAL - LYNDSEY

ALEXANDER SMITH

(LONG HILL)

2. If Farming Operation specified  
in (1) above is any other than  
individual please list full  
names of all people comprising  
the Partnership, Trust or  
Trading Entity.

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

3. Where possible a legal  
description of all parcels of  
land owned, leased, or used by  
the applicant/s in his/their  
farming operation, please  
specify status e.g. freehold/  
lease etc.

The existing Run 28A is to be split  
three ways: Rested Land, Pastoral  
Lease, Deferred Payment Licence.  
The survey (land survey) is  
nearing completion and licences  
will be issued then. The  
"current" lease ran out 1974.

4. List any other names, partner-  
ships, trading entities etc.  
under which land farmed by the  
applicant may be held.

Mr. McBride will advise the Commission  
when the licences are issued.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

"RELEASED UNDER THE  
OFFICIAL INFORMATION ACT"

M. J. Boll

Signed

MM:KI  
L. & S.—F.2

Appendix 6

Oct 75

# Department of Lands & Survey

TELEGRAPHIC ADDRESS: 'LANDS'

FOR VERBAL INQUIRIES  
PLEASE ASK FOR MR Mackenzie

TELEPHONE No. 70.650



OUR REFERENCE: DPF.819, 0.84

YOUR REFERENCE:

DISTRICT OFFICE,  
P.O. BOX 896,  
DUNEDIN.

28 October 1975

The Chief Soil Conservator,  
Waitaki Catchment Commission,  
P.O. Box 110,  
KUROW.

Attention: Mr. Maxwell.

Dear Sir,

- "LONE HILL" 1. DEFERRED PAYMENT LICENCE 819
- 2. PASTORAL OCCUPATION LICENCE 82

I refer to your recent telephone discussion with the writer and District Field Officer Marshall.

For your information I advise that the Land Settlement Board has approved the following proposals as regards L.A. Smith's "Lone Hill" :-

1. Freeholding of 1467 hectares
2. Surrender of the balance area (1636 hectares)
3. Reclassification of the surrendered area and preferential allocation of same to L.A. Smith on Pastoral Occupation Licence for a term of 5 years from 1.7.75 at an annual rent of \$250.
4. The basic stock limitation of the surrendered area be set at 500 S.Us but with the numbers, classes, times and area of grazing to be agreed upon annually by the Department of Lands and Survey, staff of the Waitaki Catchment Commission and L. A. Smith.

Mr. Smith has elected to purchase the area to be freeholded on Deferred Payment Licence and has paid fees in respect of this and the Pastoral Occupation Licence area.

Title for the areas cannot issue until the retirement fence has been completed as the line is required to be fixed by survey and I would, therefore, appreciate your advice when the fence has been completed.

Yours faithfully,

E. J. Davies  
Commissioner of Crown Lands

per: *[Signature]*

"RELEASED UNDER THE  
OFFICIAL INFORMATION ACT"

*29/10*

*25/10*

*Mr. Maxwell*

Appendix 7

1/6/2/4  
2/2/5

WAITAKI CATCHMENT COMMISSION AND REGIONAL WATER BOARD

3.4

COMMISSION

1.

NOTICE OF EMERGENCY GRAZING PROVISION

Soil and Water Conservation Plan No. 5

Mr L.A. Smith, "Lone Hill", Otiake

In accordance with Section 9 of the Soil and Water Conservation Plan approved for Lone Hill on 9 September 1975, the Chief Soil Conservator for the Waitaki Catchment Commission and Field Staff for the Department of Lands and Survey jointly agreed with provision of emergency grazing for 520 ewes behind the retirement fence between 14 March 1985 and 10 April 1985.

W.B. COOMBRIDGE  
CHIEF SOIL CONSERVATOR

3 April 1985

WAITAKI CATCHMENT COMMISSION

Appendix 8

Soil and Water Conservation Plan No.5

Council

Mr L.A. Smith "Lone Hill", Otiake.

Revision of Soil and Water Conservation Plan.

SUMMARY.

"RELEASED UNDER THE  
OFFICIAL INFORMATION ACT"

1. General

Mr Smith has applied to freehold his renewable lease property. The objective of this plan is to integrate the freeholding of the lower stable lands with the retirement of the Class VIII lands and continuing Crown leasehold tenure over Class VII lands suited to restricted grazing.

2. Physical Description:

2.1 Location: In the Otiake Catchment, the run is 8 km from the farm area. The homestead is 14 km south of Kurow and 60 km from Oamaru.

2.2 Area-Tenure: (Subject to resurvey).

|      |                |                |                               |
|------|----------------|----------------|-------------------------------|
| Run  | 2893 ha        | 7150 ac        | Run 28A Domet S.D.            |
| Farm | 210 ha         | 519 ac         | Sec. 27A Otekaieke Settlement |
|      | <u>3103 ha</u> | <u>7669 ac</u> |                               |

2.31 Climate: Rainfall 500 mm homestead, 750 mm (est.) on Run unevenly distributed. Run subjected to frequent fogs. Whole area exposed to desiccating North-west winds and periodic droughts. Snow lies above 1060 m in winter.

2.32 Geology/Soils. Run - Chlorite II schist. The farm is loess over lying quartz gravels.

|                                 |                                      |
|---------------------------------|--------------------------------------|
| 5% Alpine Soils                 | 62% High Country Yellow Brown Earths |
| 16% Lowland Yellow Brown Earths | 17% Yellow Grey Earths.              |

Big Ben Soils (High Country Yellow Brown Earths) the most potentially erodable, while the lowland Yellow Brown Earths and Yellow Grey Earths offer the best response to O.S.T.D.

2.33 Topography: Run 400-1947 m (Mt Domet) with an equal balance of sunny and shady facings. Farm, flats and easy rolling downlands, 200-300 m lie into the northwest.

2.34 Snowgrass dominant above 900 m and on dark facings above 500 m. Fescue tussock on warm facings, with some silver tussock. O.S.T.D. has introduced clovers and cocksfoot. Lucerne, both dryland and irrigated, is used for hay and grazing on the farm.

2.4 Erosion: Wind and sheet erosion on exposed facings, especially at high altitudes. Scree erosion on the slopes of Mt Domet. Slip and gully erosion on Dunstan and Big Ben Steepland Soils.

|                   |                |               |
|-------------------|----------------|---------------|
| Slightly eroded   | 2063 ha        | 66.5%         |
| Moderately eroded | 510 ha         | 16.5%         |
| Severely eroded   | 530 ha         | 17.0%         |
|                   | <u>3103 ha</u> | <u>100.0%</u> |

2.

P.5 "Lone Hill"  
Summary

2.5 Land Use Capability Classes:

|           |         |        |
|-----------|---------|--------|
| Class III | 45 ha   | 1.5%   |
| IV        | 149 "   | 5.0    |
| VI        | 1048 "  | 34.0   |
| VII       | 1278 "  | 41.0   |
| VIIe      | 162 "   | 5.0    |
| VIII      | 429 "   | 13.5   |
|           | <hr/>   |        |
|           | 3103 ha | 100.0% |
|           | <hr/>   |        |

3. Soil and Water Conservation Problems:

Extensive scree sheet and gully erosion at high altitudes. Moderate to severe sheet and wind erosion at intermediate altitudes, particularly on exposed facings. Control of roughage a continued problem on dark faces. Wind erosion on cultivated soils and gullying in loessial terraces on the farm.

4. Conservation Objectives:

- 4.1 To integrate retirement of severely eroded high altitude areas with the freeholding of stable lower country and the reverting of Class VII lands at intermediate altitude to Crown leasehold tenure with restricted grazing.
- 4.2 Provision of equivalent grazing for stock displaced.
- 4.3 Control roughage and reduce fire hazard by cattleproofing, extension of firebreaks and appropriate grazing of roughage.
- 4.4 Improve cover and stability on depleted sunny facings by O.S.T.D. and controlled grazing.
- 4.5 Protect cultivated lands from wind erosion and stabilize gullying in deep loessial soils by appropriate treeplanting.

5. First Soil and Water Conservation Plan 1964-71.

5.1 Apart from some cattleproofing and stability planting, this programme was completed in 1971. The aim was to improve vegetative cover and stability through controlled stocking by conservation fencing, cattleproofing, O.S.T.D. and the introduction of cattle to control rank growth and reduce burning.

5.2 Works Carried Out and Subsidies Paid

|                            |               | <u>Total Cost</u> | <u>Subsidy</u> |
|----------------------------|---------------|-------------------|----------------|
| Conservation fencing       | 7 m 43 ch     | \$5851            | \$2574         |
| Cattleproofing             | 4 m 68 ch     | 1552              | 659            |
| A.T.D. & O.S.T.D.          | 1820 ac       | 6668              | 2265           |
| Stock and irrigation ponds | 2             | 924               | 489            |
|                            |               | <hr/>             | <hr/>          |
|                            | <u>Totals</u> | \$14 995          | \$5987         |
|                            |               | <hr/>             | <hr/>          |

3.

P.5 "Lone Hill"  
Summary

5.3 Grazing records have shown changes in grazing intensity as follows:

|                       | <u>Before</u> | <u>Present</u> |
|-----------------------|---------------|----------------|
| High altitude         | .24 su/ac/yr  | .13            |
| Stable low altitude   | .17           | .74            |
| Depleted low altitude | .34           | 1.33           |

5.4 Stock

1964 Sheep 3400 including 1530 ewes and 1070 wethers  
Cattle 95 including 45 cows and 36 steers

1975 Sheep 3950 including 2390 ewes and 584 wethers  
Cattle 241 including 207 cows.

Lambing has increased to 106%, Calving 75-80%,  
Wool 3.8 kg/ head av.

5.5 Summary. This first programme has resulted in complete vegetative cover over formerly depleted sunny facings. Also improved grazing control over areas previously unattractive to stock. These works will assist towards this revised programme.

6. Proposed Programme

6.1 Off site grazing is being provided for stock permanently displaced on the Domet Blocks and the Front Lone Hill which is being temporarily destocked. Details in Appendix 1. of main report.

6.2 5.9 km retirement fence and 2.2 km of existing fence upgraded to retirement standard, enabling 987 ha Class VII and VIII lands to be retired from grazing.

6.3 2.3 km conservation fence (Subsidy rate 2:1) to separate the Class VII lands including the depleted facing of Sunny Lone Hill. The area between this fence and the retirement fence will be on Crown leasehold tenure with restricted grazing. The Sunny Lone Hill block will be O.S.T.D. and spelled for 2 years for improvement of vegetative cover and stability.

6.4 2 km of firebreak access track on Dark Lone Hill.

6.5 Cattleproofing of internal and boundary fences, 8 km.

6.6 Oversowing and topdressing and sod seeding for improvement of vegetative cover and stability, and to assist the provision of off site grazing.

6.7 Management fencing in Front and Dark Ewe blocks to assist provision of off site grazing.

6.8 Windbreak treeplanting with trickle irrigation.

6.9 Stability planting 1.5 ha of eroded loessial terrace.



4.

P.5 "Lone Hill"  
Summary

7. Estimated Cost (Includes 10% Contingencies and Scale Fees)

7.1 Summary

|                                  |              | <u>Total<br/>Cost</u> | <u>Subsidy<br/>Rate</u> | <u>Subsidy</u>  | <u>Local<br/>Share</u> |
|----------------------------------|--------------|-----------------------|-------------------------|-----------------|------------------------|
| Retirement fencing               | 5.9 km       | \$9897                | Grant                   | \$9897          | -                      |
| Upgrading to Retirement Standard | 2.2 km       | 2731                  | Grant                   | 2731            | -                      |
| Conservation fencing             | 2.3 km       | 3858                  | 2:1                     | 2572            | 1286                   |
| Mangement fencing                | 4.1 km       | 6877                  | 1:1                     | 3438            | 3439                   |
| Cattleproofing                   | 8.0 km       | 5583                  | 1:1                     | 2791            | 2792                   |
| O.S.T.D.                         | 465 ha       | 14103                 | 1:1                     | 7051            | 7052                   |
| Sod Seeding                      | 35 ha        | 1062                  | 1:1                     | 531             | 531                    |
| Windbreak Tree-planting          | 0.4 km       | 998                   | 2:1                     | 666             | 332                    |
| Stability Planting               | 1.5 ha       | 322                   | 2:1                     | 215             | 107                    |
| Strategi Fire-break              | 2.0 km       | 805                   | 1:1                     | 402             | 403                    |
|                                  | <u>Total</u> | <u>\$46 236</u>       |                         | <u>\$30 294</u> | <u>\$15 942</u>        |

7.2 First Year

| <u>Job<br/>No.</u> |  | <u>Total<br/>Cost</u> | <u>Subsidy<br/>Rate</u> | <u>Subsidy</u>  | <u>Local<br/>Share</u> |
|--------------------|--|-----------------------|-------------------------|-----------------|------------------------|
| 1                  | Retirement Fence<br>Front Domet 2.5 km               | \$4194                | Grant                   | \$4194          | -                      |
| 2                  | Upgrade to Retirement Standard<br>Front Domet 1.2 km | 1490                  | Grant                   | 1490            | -                      |
| 3                  | Conservation Fence<br>Lone Hill 2.3 km               | 3858                  | 2:1                     | 2572            | 1286                   |
| 4                  | Strategiv Firebreak<br>Lone Hill 2.0 km              | 805                   | 1:1                     | 402             | 403                    |
| 5                  | Cattleproofing Glen-<br>mac Boundary 4.6 km          | 3210                  | 1:1                     | 1605            | 1605                   |
|                    |  | <u>\$13 557</u>       |                         | <u>\$10 263</u> | <u>\$3294</u>          |

8. Specifications

Within district limits.

5.

P.5 "Lone Hill"  
Summary

9. Future Tenure Retired Lands

Following the erection of the grant fencing and consolidation of offsite grazing, the area above the retirement fence will be surrendered from the lease, and revert to such tenure as the Lands Settlement Board may direct. It is anticipated that this area will form an integral part of a future catchment management area for the St. Mary's Range.

10. Management Patterns

The initial S.W.C.P. has assisted development on the property, particularly through improvement of overgrazed sunny facings and improved grazing of dark facings unattractive to stock which were regularly burnt in the past. Cattle numbers are at present sufficient to maintain roughage control, especially if every effort is made to graze cattle and sheep on dark facings through late summer and autumn. Sunny facings will continue to be summer and autumn spelled for improvement of cover for winter and spring grazing. The farm is providing lucerne and oaten or tama hay (some irrigated).

The wether flock is being phased out over the next two years and will be replaced by ewes. Stock numbers will increase, but not significantly over the next five years. Wool weights and calving performances are anticipated to improve. Sheep numbers are expected to rise to 3000 ewes, total 4200.

11. Finance and Economics. Satisfactory.

12. Legal Agreement: Operative if plan approved, subject to the owner's acceptance of any terms of approval.

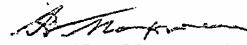
13. Plan Prepared By:

Planning: P.A. Hurst, August 1975.

Acknowledgements: Messrs A. Aitken, B. Marshall,  
D. Stevenson, P. Everest, Lands & Survey  
Department.

Mr S. Leckie, M.A.F.

Certified for Approval:

  
R.V. Maxwell  
Chief Soil Conservator

27 August 1975

*Appendix 9*  
PLEASE QUOTE

75/25/18/5



NATIONAL WATER AND SOIL CONSERVATION ORGANISATION  
WELLINGTON, NEW ZEALAND

TELEPHONE 59 989  
Address replies to  
THE DIRECTOR  
OF  
WATER AND SOIL CONSERVATION

MINISTRY OF WORKS  
P.O. BOX 12041  
WELLINGTON NORTH, N.Z.



23 April 1975

Secretary  
Waitaki Catchment Commission  
P O Box 110  
KUROU

Dear Sir

PROPOSAL TO FREEHOLD PASTORAL LAND  
L A SMITH "LONE HILL" OTIAKE

At its meeting on 15 April Soil Conservation and Rivers Control Council gave approval in principle for the SWCP involving retirement of high altitude lands and for the freeholding of all appropriate lands on the property subject to the conditions

a that the specific approval for a retirement fence and a full subsidy grant may not necessarily conform with the proposed fence line for the freehold boundary ABCE; and

b the final retirement fence line and subsidy be decided when the SWCP is submitted later this year for specific approval.

... With respect to the enclosed map and the decision of the Council, would your staff please comment on the following proposal which may be considered as one alternative for the SWCP to be submitted

a that the retirement fence line follow the green line ABC, the existing blue line CX, and the red line XF. (sections AC and XF be eligible for grant assistance)

b section CDE serve as a protection fence and be eligible for a 2:1 subsidy rate

c this will facilitate the definition of areas for the different land tenures

*copy to CSC  
Soil Con Mtg*

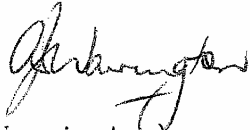
- below ABCDE would be freehold
- above ABXF would be retired and surrendered to the Crown to such tenure as may be required by the Lands Settlement Board
- the area FXCDE could be held as P.O.C. which would contain adequate provisions for grazing control in this region
- further 'grazing rights' within the retirement area would be as agreed to by the Land and Surveys Department and the Commission as to type, numbers and duration of stocking.

The Soil Conservation and Rivers Control Council have indicated that they are prepared to consider reasonable flexibility in the retirement fence proposals in light of the joint involvement of your Commission and the Lands and Surveys Department with the lessee over future tenure and grazing use of this property.

Yours faithfully

A W Gibson  
Director of Water and Soil Conservation

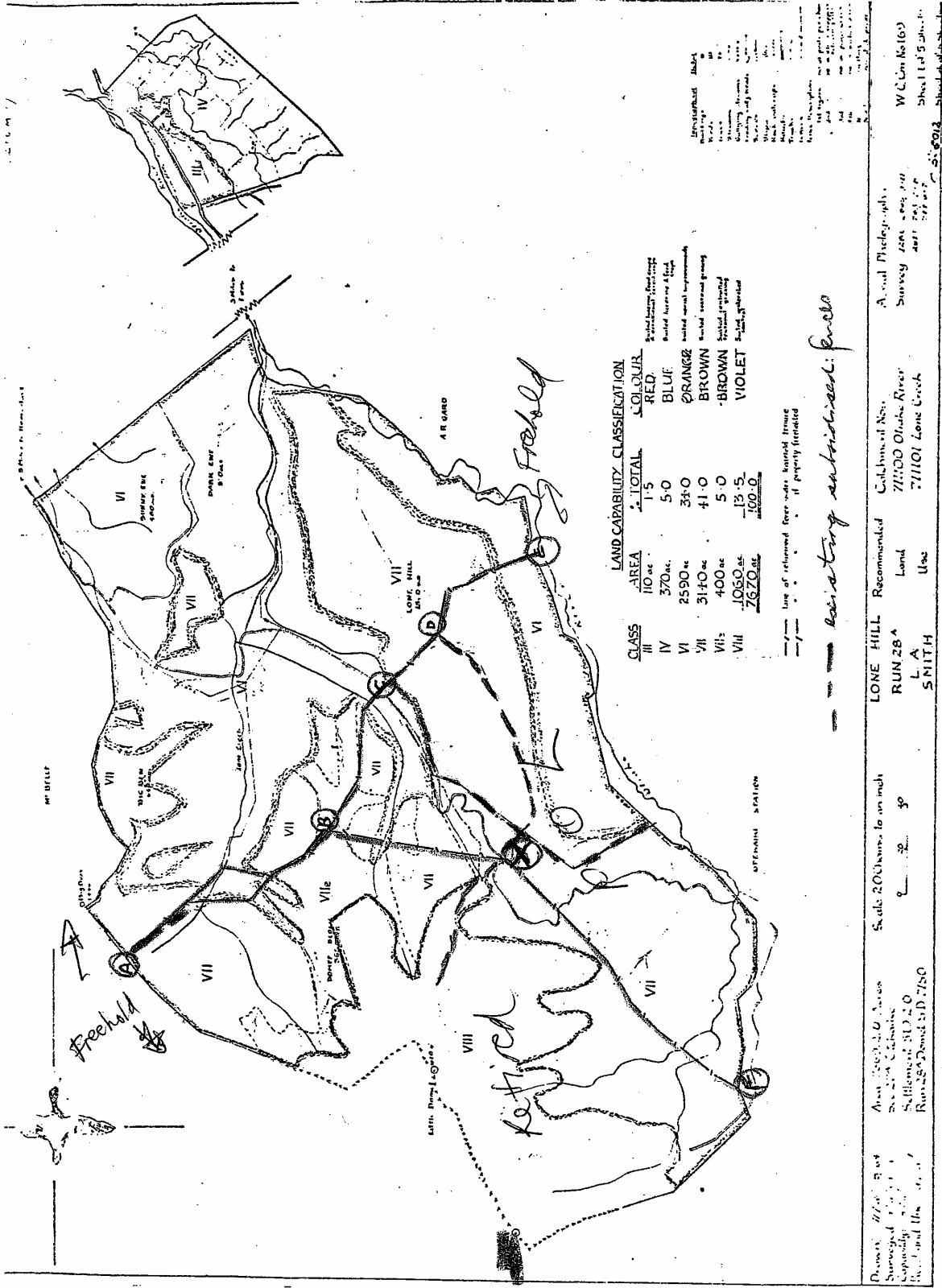
Per



(A J Warrington)

Encl

*Ads*



WAITAKI CATCHMENT COMMISSION

Appendix 10

Soil and Water Conservation Plan No. 5.

Council

Mr L.A. Smith, "Lone Hill", Otiake.

Revision of Soil and Water Conservation Plan.

1. General

This 3103 ha property is held under Renewable Lease tenure, and Mr Smith has applied to the Commissioner of Crown Lands, Dunedin, for freehold title. The Soil Conservation Council has advised approval in principle for the preparation of a Soil and Water Conservation Plan integrating freeholding of lower stable lands with retirement of Class VIII and retention of Class VII in Crown leasehold tenure. Implementation of this approval is the principal objective of this plan which is a second stage programme of a plan which commenced operating in 1964.

2. Physical Description

2.1 Location

The run, in the headwaters of the Otiake catchment with access on Domet Road or the Otiake Gorge, is 8 km from the farm area. The homestead is on Gard's Road to the south of Otiake Stream, 14 km from Kurow, and 60 km from Oamaru.

2.2 Area and Tenure (subject to a resurvey)

|      |                |                  |          |                      |
|------|----------------|------------------|----------|----------------------|
| Run  | 2893 ha        | 7150.0 ac        | Run 28A  | Domet S.D.           |
| Farm | 210 ha         | 519.2 ac         | Sec. 27A | Otekaieke Settlement |
|      | <u>3103 ha</u> | <u>7669.2 ac</u> |          |                      |

2.31 Climate

Rainfall 500 mm at homestead, increasing with altitude to an estimated 750 mm on the higher slopes of the property. Rainfall unevenly distributed with frequent droughts, especially on the homestead block. The run area subjected to frequent fogs and also high intensity rain storms. Snow lies above 1060 m in winter on the higher slopes of Mt Domet. The area is subject to desiccating north-west winds.

2.32 Geology/Soils:

The run area is Chlorite II schist. The farm is loess overlying quartz gravels, with the lower terrace of recent outwash gravels.

2.

P.5 "Lone Hill"  
Summary

2.5 Land Use Capability Classes:

|           |         |        |
|-----------|---------|--------|
| Class III | 45 ha   | 1.5%   |
| IV        | 149 "   | 5.0    |
| VI        | 1048 "  | 34.0   |
| VII       | 1278 "  | 41.0   |
| VIIe      | 162 "   | 5.0    |
| VIII      | 429 "   | 13.5   |
|           | <hr/>   |        |
|           | 3103 ha | 100.0% |
|           | <hr/>   |        |

3. Soil and Water Conservation Problems:

Extensive scree sheet and gully erosion at high altitudes. Moderate to severe sheet and wind erosion at intermediate altitudes, particularly on exposed facings. Control of roughage a continued problem on dark faces. Wind erosion on cultivated soils and gullying in loessial terraces on the farm.

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OFFICIAL INFORMATION ACT"

4. Conservation Objectives:

- 4.1 To integrate retirement of severely eroded high altitude areas with the freeholding of stable lower country and the reverting of Class VII lands at intermediate altitude to Crown leasehold tenure with restricted grazing.
- 4.2 Provision of equivalent grazing for stock displaced.
- 4.3 Control roughage and reduce fire hazard by cattleproofing, extension of firebreaks and appropriate grazing of roughage.
- 4.4 Improve cover and stability on depleted sunny facings by O.S.T.D. and controlled grazing.
- 4.5 Protect cultivated lands from wind erosion and stabilize gullying in deep loessial soils by appropriate treeplanting.

5. First Soil and Water Conservation Plan 1964-71.

5.1 Apart from some cattleproofing and stability planting, this programme was completed in 1971. The aim was to improve vegetative cover and stability through controlled stocking by conservation fencing, cattleproofing, O.S.T.D. and the introduction of cattle to control rank growth and reduce burning.

5.2 Works Carried Out and Subsidies Paid

|                            |               | <u>Total Cost</u> | <u>Subsidy</u> |
|----------------------------|---------------|-------------------|----------------|
| Conservation fencing       | 7 m 43 ch     | \$5851            | \$2574         |
| Cattleproofing             | 4 m 68 ch     | 1552              | 659            |
| A.T.D. & O.S.T.D.          | 1820 ac       | 6668              | 2265           |
| Stock and irrigation ponds | 2             | 924               | 489            |
|                            |               | <hr/>             | <hr/>          |
|                            | <u>Totals</u> | \$14 995          | \$5987         |
|                            |               | <hr/>             | <hr/>          |

3.

P.5 - "Lone Hill"

|                   |                |               |
|-------------------|----------------|---------------|
| Slightly eroded   | 2063 ha        | 66.5%         |
| Moderately eroded | 510 ha         | 16.5%         |
| Severely eroded   | 530 ha         | 17.0%         |
|                   | <u>3103 ha</u> | <u>100.0%</u> |

2.5 Land Use Capability Classes

|           |                |               |
|-----------|----------------|---------------|
| Class III | 45 ha          | 1.5%          |
| IV        | 149 "          | 5.0           |
| VI        | 1048 "         | 34.0          |
| VII       | 1278 "         | 41.0          |
| VIIe      | 162 "          | 5.0           |
| VIII      | 429 "          | 13.5          |
|           | <u>3103 ha</u> | <u>100.0%</u> |

2.61 Subdivision

The Run is at present subdivided into eight blocks.

2.62 Water Supply is satisfactory on the run, although may have to be augmented by ponds with further subdivision. The farm area is supplied by races from the Otiake stream and dams are used for storage.

2.63 Weeds and Pests

There are few problem areas of weeds on the run, apart from some broom in Lone Creek and Tutu on dark faces. Gorse in the Otiake River bed and barley grass, needle grass and horehound are problems on the farm area. Rabbits are under control, although continued vigilance is required to prevent resurgence of numbers.

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3. Soil and Water Conservation Problems

3.1 Extensive scree sheet and gully erosion at high altitudes.

3.2 Moderate to severe depletion with extensive sheet and wind erosion on exposed sunny faces, particularly on the Sunny Lone Hill and Front Comet Blocks.

3.3 Control of roughage, particularly snowgrass tussock continues to be a problem on dark lying areas. Burning, although considerably reduced, is still required occasionally to assist roughage control.

3.4 Wind erosion on cultivated soils on the farm.

3.5 Gullying in deep loessial terraces.

4. Soil and Water Conservation Objectives

4.1 To integrate retirement of severely eroded high altitude lands with freeholding stable lower country, and reverting Class VII lands at intermediate altitude to permanent Crown leasehold tenure subject to controlled grazing.

4.2 Provision of equivalent grazing for stock displaced from high altitude areas.



4.

P.5 - "Lone Hill"

- 4.3 To assist continued control of roughage and reduction of fire hazard by cattleproofing, extension of firebreaks and appropriate grazing of snowgrass tussock areas by cattle and sheep.
- 4.4 To improve the cover and stability of depleted sunny facings on Sunny Lone Hill and Front Domet Blocks by controlled grazing and O.S.T.D.
- 4.5 To provide protection for cultivated lands from wind erosion by windbreak tree planting.
- 4.6 To stabilize active gully erosion in steep loessial soils by close planting with pines.
- 5. First Soil and Water Conservation Plan. 1964-1971.

5.1 This programme has been completed except for some cattle-proofing and stability treeplanting.

Objectives were the improvement of cover and better control of stocking and erosion through conservation fencing, cattle-proof fencing, O.S.T.D. and the introduction of cattle to control rank growth and reduce burning.

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5.2 Works Carried Out and Subsidies Paid

|                            |          | <u>Total Cost</u> | <u>Subsidy</u> |
|----------------------------|----------|-------------------|----------------|
| Conservation fencing       | 7 m 43ch | \$5851            | \$2574         |
| Cattleproofing             | 4 m 68ch | 1552              | 659            |
| A.T.D. & O.S.T.D.          | 1820 ac  | 6668              | 2265           |
| Stock and irrigation ponds | 2        | 924               | 489            |
| <u>Totals</u>              |          | <u>\$14 995</u>   | <u>\$5987</u>  |

5.3 Grazing records have shown changes in grazing intensity as follows:

|                       | <u>Before</u> | <u>Present</u> |
|-----------------------|---------------|----------------|
| High altitude         | .24 su/ac/yr  | .13            |
| Stable low altitude   | .17           | .74            |
| Depleted low altitude | .34           | 1.33           |

5.4 Stock

|              | <u>1964</u> | <u>1975</u> |                  |
|--------------|-------------|-------------|------------------|
| Sheep: Ewes  | 1530        | 2390        |                  |
| Hoggets      | 770         | 905         |                  |
| Wethers      | 1070        | 584         |                  |
| Rams         | 44          | 63          |                  |
|              | <u>3414</u> | <u>3943</u> | 3163 s.u.        |
| Cattle: Cows | 45          | 207         |                  |
| Yearlings    | 13          | 20          |                  |
| Steers       | 36          | 8           |                  |
| Bulls        | 1           | 6           |                  |
|              | <u>95</u>   | <u>241</u>  | 1384 s.u.        |
|              |             |             | <u>4547 s.u.</u> |

5.

P.5 - "Lone Hill"

Lambing percentages have increased to 106% last year.

Calving percentages 75 - 80%.

Wool weights average 3.8 kg/head.

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5.5 Summary

This first 5 year programme has resulted in complete cover over formerly depleted sunny facings, particularly on Front Ewe Block and Front Lone Hill. Also improved grazing control of areas previously unattractive to stock because of unpalatable roughage. Works carried out will facilitate and provide a base for the current proposal aimed at retirement of high altitude lands.

6. Proposed Soil and Water Conservation Programme

6.1 Equivalent Grazing: Offsite grazing is required for the destocking of the retirement areas in Front and Back Domet Block and temporary destocking on the Sunny Lone Hill Block. Details of present grazing and requirements for alternative grazing are set out in Appendix 1.

6.2 The erection of 5.9 km (Jobs 1 and 6) of retirement fencing and the upgrading of 2.2 km of existing fence (Jobs 2 and 7) to retirement standard. This will enable 987 ha of Class VII and VIII lands to be completely retired and incorporated into a future catchment management area for the St. Marys Range.

6.3 The erection of 2.3 km of conservation fence (Job 3) on Lone Hill, separating the lower altitude stable lands which will be freeholded from the higher altitude areas, which are steep and subject to active sheet and wind erosion, particularly on the sunny facing. Subsidy rate of 2:1 is sought. The sunny Lone Hill block will be O.S.T.D. (Job 13) and destocked for two years for improvement of cover and stability. The area between the conservation fence (Job 3) and the retirement fence (Job 6) will remain within the property under permanent Crown leasehold tenure, and available for grazing as agreed between the lessee, Department of Lands and Survey and the Commission.

6.4 A firebreak access track (Job 4) will assist control of accidental fire on Dark Lone Hill and facilitate the erection of the conservation fence (Job 3).

6.5 Cattleproofing of internal and boundary fences (Jobs 5, 9, 18 and 19, to assist control of rank tussock growth by cattle.

6.6 Oversowing and topdressing (Jobs 10, 13 and 15) and sod seeding (Job 16) for improvement of vegetative cover and stability and to assist in the provision of equivalent off site grazing.

6.7 Management fencing on the Front and Dark Ewe blocks to assist in better utilization of these blocks and also to provide equivalent offsite grazing.

6. P.5 - "Lone Hill"

- 6.8 Windbreak treeplanting with trickle irrigation on the farm (Job 17).
- 6.9 Stability planting of 1.5 ha of eroding loessial terrace (Job 20).
- 7. Estimated Cost of Soil and Water Conservation Plan. (Includes 10% contingencies and Scale Fees)

| 7.1 | <u>SUMMARY</u>                   |        | <u>Total Cost</u> | <u>Subsidy Rate</u> | <u>Subsidy</u>  | <u>Local Share</u> |
|-----|----------------------------------|--------|-------------------|---------------------|-----------------|--------------------|
|     | Retirement fencing               | 5.9 km | \$9897            | Grant               | \$9897          | -                  |
|     | Upgrading to Retirement Standard | 2.2 km | 2731              | Grant               | 2731            | -                  |
|     | Conservation fencing.            | 2.3 km | 3858              | 2:1                 | 2572            | 1286               |
|     | Management fencing               | 4.1 km | 6877              | 1:1                 | 3438            | 3439               |
|     | Cattleproofing                   | 8.0 km | 5583              | 1:1                 | 2791            | 2792               |
|     | O.S.T.D.                         | 465 ha | 14103             | 1:1                 | 7051            | 7052               |
|     | Sod Seeding                      | 35 ha  | 1062              | 1:1                 | 531             | 531                |
|     | Windbreak Tree-planting          | 0.4 km | 998               | 2:1                 | 666             | 332                |
|     | Stability Planting               | 1.5 ha | 322               | 2:1                 | 215             | 107                |
|     | Strategic Fire-break             | 2.0 km | 805               | 1:1                 | 402             | 403                |
|     | <u>Total</u>                     |        | <u>\$46 236</u>   |                     | <u>\$30 294</u> | <u>\$15 942</u>    |

7.2 Annual Programmes

| <u>Year 1</u>  |  | <u>Total Cost</u> | <u>Subsidy Rate</u> | <u>Subsidy</u>  | <u>Local Share</u> |
|----------------|--|-------------------|---------------------|-----------------|--------------------|
| <u>Job No.</u> |  |                   |                     |                 |                    |
| 1              | Retirement Fence<br>Front Domet 2.5 km               | \$4194            | Grant               | \$4194          | -                  |
| 2              | Upgrade to Retirement Standard<br>Front Domet 1.2 km | 1490              | Grant               | 1490            | -                  |
| 3              | Conservation Fence<br>Lone Hill 2.3 km               | 3858              | 2:1                 | 2572            | 1286               |
| 4              | Strategic Firebreak<br>Lone Hill 2.0 km              | 805               | 1:1                 | 402             | 403                |
| 5              | Cattleproofing Glen-<br>mac Boundary 4.6 km          | 3210              | 1:1                 | 1605            | 1605               |
|                |  | <u>\$13 557</u>   |                     | <u>\$10 263</u> | <u>\$3294</u>      |

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7.

P.5 - "Lone Hill"

Year 2

| <u>Job No.</u> |  | <u>Total Cost</u> | <u>Subsidy Rate</u> | <u>Subsidy</u> | <u>Loal Share</u> |
|----------------|--|-------------------|---------------------|----------------|-------------------|
| 6              | Retirement Fence<br>Back Domet 3.4 km              | \$5703            | Grant               | \$5703         | -                 |
| 7              | Upgrade to Retirement Standard<br>Lone Hill 1.0 km | 1241              | Grant               | 1241           | -                 |
| 8              | Management Fence<br>Ewe Block 1.0 km               | 1677              | 1:1                 | 838            | 839               |
| 9              | Cattleproofing<br>Front Domet 0.2 km               | 140               | 1:1                 | 70             | 70                |
| 10             | O.S.T.D. Dark<br>Lone Hill 140 ha                  | 4246              | 1:1                 | 2123           | 2123              |
|                |  | <u>\$13 007</u>   |                     | <u>\$9975</u>  | <u>\$3032</u>     |

Year 3

|    |                                      |               |     |               |               |
|----|--------------------------------------|---------------|-----|---------------|---------------|
| 11 | Management Fence<br>Ewe Block 0.9 km | \$1510        | 1:1 | \$755         | \$755         |
| 12 | Management Fence<br>Ewe Block 1.0 km | 1677          | 1:1 | 839           | 838           |
| 13 | Sunny Lone Hill<br>115 ha            | 3488          | 1:1 | 1744          | 1744          |
|    |                                      | <u>\$6675</u> |     | <u>\$3338</u> | <u>\$3337</u> |

Year 4

|    |  |                 |     |               |               |
|----|--|-----------------|-----|---------------|---------------|
| 14 | Management Fence<br>Ewe Block 1.2 km     | \$2013          | 1:1 | \$1006        | \$1007        |
| 15 | O.S.T.D. Front<br>Domet 210 ha           | 6369            | 1:1 | 3184          | 3185          |
| 16 | Sod Seeding<br>Front Domet Flat<br>35 ha | 1062            | 1:1 | 531           | 531           |
| 17 | Windbreak Tree-<br>planting 0.4 km       | 998             | 2:1 | 666           | 332           |
|    |  | <u>\$10 442</u> |     | <u>\$5387</u> | <u>\$5055</u> |

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Year 5

|    |  |               |     |               |               |
|----|--|---------------|-----|---------------|---------------|
| 18 | Cattleproofing<br>Back Domet 1.6 km            | 1117          | 1:1 | 558           | 559           |
| 19 | Cattleproofing<br>Otekaieke Boundary<br>1.6 km | 1116          | 1:1 | 558           | 558           |
| 20 | Stability Planting<br>1.5 ha                   | 322           | 2:1 | 215           | 107           |
|    |  | <u>\$2555</u> |     | <u>\$1331</u> | <u>\$1224</u> |

8. SPECIFICATIONS

8.1 Retirement and Conservation Fencing

|                                |                         |                   |
|--------------------------------|-------------------------|-------------------|
| <u>Materials:</u>              | 1/10 strainer, 1 post   |                   |
|                                | 6 waratahs, 5 12½ H.T., |                   |
|                                | 1 No.8 & 1 barb wire    | \$14.50/20 m      |
| <u>Freight and Laying Line</u> |                         | 3.00              |
| <u>Labour</u>                  |                         | 8.50              |
|                                |                         | <u>26.00/20 m</u> |
|                                |                         | <u>\$1250/km</u>  |

8.2 Upgrading Fences to Retirement Standard

|                                |                       |                   |
|--------------------------------|-----------------------|-------------------|
| <u>Materials:</u>              | 1 post, 3 waratahs,   |                   |
|                                | 5 12½ g wires, 1 barb |                   |
|                                | wire                  | 9.50/20 m         |
| <u>Freight and Laying Line</u> |                       | 2.00              |
| <u>Labour</u>                  |                       | 7.00              |
|                                |                       | <u>18.50/20 m</u> |
|                                |                       | <u>\$925/km</u>   |

8.3 Cattleproofing

|                   |                     |                 |
|-------------------|---------------------|-----------------|
| <u>Materials:</u> | 1 post, 3 waratahs, |                 |
|                   | 1 barb wire         | \$5.90/20 m     |
| <u>Freight</u>    |                     | 1.00            |
| <u>Labour</u>     |                     | 3.50            |
|                   |                     | <u>10.40</u>    |
|                   |                     | <u>\$520/km</u> |

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8.4 Firebreak Access Track:

To Waitaki Catchment Commission Specifications \$300/km

8.5 Oversowing and Topdressing:

|              |                                   |                       |
|--------------|-----------------------------------|-----------------------|
|              | 190 kg/ha 400 Super with freight, |                       |
|              | flying less subsidies             | \$55/tonne \$10.45/ha |
| <u>Seed:</u> | 3 kg cocksfoot 1.05/m             | \$3.15                |
|              | 2 kg whiteclover                  | 2.00 4.00             |
|              | 2 kg alsike 1.50                  | 3.00                  |
|              |                                   | <u>10.15</u>          |
|              | Flying seed                       | 2.00 12.15/ha         |
|              | <u>Total:</u>                     | <u>\$22.60/ha</u>     |

8.6 Windbreak Treeplanting

Fence: 1250/km (as for 8.1) \$1250/km

Trees: 2 rows: 1 row C. arizonica or  
C. deodara  
1 row P. nigra or muricata  
planted \$1.50/20 m

Spraying and Ripping: 0.70

Trickle Irrigation: 10.00

12.20/20 m 610/

8.7 1.5 ha Stability Planting

3000 P. nigra or other hardy pine  
\$80/1000 planted \$240

9. Future Tenure Retired Lands

It has been agreed with field staff of Department of Lands and Survey that, following the erection of grant fencing, establishment and consolidation of equivalent grazing and erection of subsidized protection fencing subdividing the freehold land from the area proposed for restricted grazing, the area above the retirement fence will be surrendered from the lease and will revert to such tenure as the Lands Settlement Board may direct. It is anticipated that, following surrender, this area will become an integral part of a future catchment management area for the high altitude lands of the St. Mary's Range, with provision for emergency grazing as agreed between Department of Lands and Survey and the Commission.

10. Management Patterns

The initial Soil and Water Conservation Plan has assisted in the development of the property. In the past sunny facings were being overgrazed while the dark lying areas became rank and unpalatable to stock. Burning was regularly used often with fires spreading onto depleted sunny and high altitude areas.

The introduction of cattle, together with O.S.T.D. and conservation and cattleproof fencing have considerably improved roughage control on dark facings. Cover and production on depleted sunny faces have also improved, particularly on areas O.S.T.D. Cattle numbers at present are sufficient to maintain roughage control, especially if confined to dark lying areas through the summer and autumn. This applies in particular to the Dark Lone Hill and Back Domet Blocks where weaned cows can play a valuable role in roughage control.

Sunny facing blocks will be spelled in the late summer and autumn periods for improvement of cover and for winter and spring grazing. The farm is providing lucerne, both irrigated and dryland, also oaten or tama hay, and greenfeed. Between 4000 and 6000 bales are made each year.

The retirement of the high altitude areas will eliminate the requirement for a wether flock. Numbers have reduced from 1250 to 584 over the last 5 years and it is proposed to phase wethers out completely and replace with an equivalent number of ewes.

Proposed stocking at the completion of this programme.

Sheep: 4200 including 3000 ewes. Present 3943 total.

Cattle: 250 including 210 cows. Present 241 total.

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11. Finance and Economics.

11.1 Financial Analysis:

The programme can be financed from the resources of the property so long as returns for pastoral products are at a satisfactory level and development costs do not increase markedly. Stock performances, particularly calving and wool production, are anticipated to improve.

11.2 Economic Analysis: For the expenditure of \$46,000, including the runholder's contribution of \$16,000, benefits are anticipated as follows:

- (a) Improvement of cover and stability on 987 ha high altitude land retired from grazing and on 600 ha, on which grazing will be controlled, will assist better regulation of stream flow and improvement of water supplies, especially for irrigation, in the lower Otiake catchment. (Farmers in the lower catchment have applied for a communal irrigation scheme to be investigated and this application has received a high priority).
- (b) Retirement of high altitude lands will integrate with retirement on adjoining properties and so assist towards future implementation of a catchment management area for the St. Mary's Range.
- (c) On site works for improvement of cover through O.S.T.D. and to assist better grazing control will assist catchment stability.
- (d) Reduction of fire hazard on tussock grassland areas of intermediate altitude.

12. Legal Agreement

A legal agreement will be operative if plan is approved and subject to the owner's acceptance of any terms of approval.

13. Plan Prepared By:

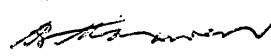
Planning: P.A. Hurst

Acknowledgements: Messrs A.R. Aitken, B. Marshall, D. Stevenson, P. Everest, Lands and Survey Department.

Mr S. Leckie, Ministry of Agriculture and Fisheries.

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Certified for approval.



R.V. Maxwell  
Chief Soil Conservator

27 August 1975

WAITAKI CATCHMENT COMMISSION

Sod and Water Conservation Plan No.5 - "Lone Hill"

APPENDIX 1.

Assessment of Equivalent Off Site Grazing

1. Present Grazing Patterns

| <u>Block</u>    | <u>Area</u>        | <u>Total Stock</u><br><u>Units</u> | <u>su./ac</u> |
|-----------------|--------------------|------------------------------------|---------------|
| Back Domet      | 1930 ac (1000 veg) | 165                                | .16           |
| Front Domet     | 1750 ac (1250 veg) | 312                                | .25           |
| Dark Lone Hill  | 910 ac             | 387                                | .42           |
| Sunny Lone Hill | 480 ac             | 207                                | .46           |
| Big Ben         | 640 ac             | 247                                | .38           |
| Dark Ewe        | 550 ac             | 550                                | 1.00          |
| Front Ewe       | 480 ac             | 636                                | 1.33          |
| Farm            | 540 ac             | 1032                               | 1.98          |

2. Area To Be Retired

|                   |                     |                   |                 |
|-------------------|---------------------|-------------------|-----------------|
| Back Domet Block  | 1295 ac.            | 365 ac. vegetated |                 |
|                   | Carrying .13 s.u/ac |                   | 47 s.u.         |
| Front Domet Block | 1145 ac             | 645 ac. vegetated |                 |
|                   | Carrying .22 s.u/ac |                   | 142 s.u.        |
|                   |                     | <u>Total</u>      | <u>189 s.u.</u> |

3. Area for Recuperative Spelling

|                 |                           |          |
|-----------------|---------------------------|----------|
| Sunny Lone Hill | 285 ac., Carrying .4 s.u. | 114 s.u. |
|-----------------|---------------------------|----------|

4. Equivalent Off Site Grazing to be Found:

|                 |              |              |
|-----------------|--------------|--------------|
| Retired areas:  | 189 s.u. x 2 | 378 s.u.     |
| Sunny Lone Hill |              | 114 s.u.     |
|                 |              | <u>Total</u> |
|                 |              | 492 s.u.     |

5. Provision of Equivalent Off Site Grazing

5.1 Subsidized Works

|                      |   |
|----------------------|---|
| Job 10               | O.S.T.D. 140 ha Lower Dark Lone Hill.   |
| Jobs 8,11,<br>12, 14 | Management Fencing 4.1 km in Dark and Front Ewe Block.  |
| Job 15               | O.S.T.D. 210 ha Front Domet. (Part of this area and the Sod Seeding, Job 16, is for on site improvement of vegetative cover. 80 ha is estimated for provision of off site grazing). |

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2.

| 5.2 | <u>Estimated Cost</u>                      |              | <u>Total Cost</u> | <u>Subsidy</u> |
|-----|--|--------------|-------------------|----------------|
|     | O.S.T.D. Job 10                            | 140 ha       | \$4246            | \$2125         |
|     | Job 15 (Part)                              | 80 ha        | 2426              | 1213           |
|     | Management Fencing, Jobs<br>8, 11, 12, 14. | 4.1 km       | 6877              | 3438           |
|     |  | <u>Total</u> | \$13 549          | \$6774         |

5.3 Increases in Carrying Capacity

| <u>Block</u>                              | <u>Present</u> | <u>Proposed</u> | <u>Increase in<br/>s.u.</u> |
|---|----------------|-----------------|-----------------------------|
| Lower Dark Lone Hill.. 350 ac<br>(145 ha) | 0.45 157 s.u.  | .9 315 s.u.     | 158                         |
| Dark Ewe<br>550 ac (223 ha)               | 1.0 550 s.u.   | 1.3 715 s.u.    | 165                         |
| Front Ewe<br>480 ac (194 ha)              | 1.33 638 s.u.  | 1.5 720 s.u.    | 82                          |
| Front Domet (Part)<br>200 ac (80 ha)      | 0.4 80 s.u.    | .9 180 s.u.     | 100                         |
|   |                | <u>Total</u>    | 505 s.u.                    |

Appendix 11

4 March 1975

The Director,  
Water & Soil Conservation,  
Ministry of Works & Development,  
P.O. Box 12041,  
WELLINGTON NORTH.

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Dear Sir,

Application to Freehold Renewable Lease. L.A. Smith, "Lone Hill",  
Otiake.

1. General

The Commissioner of Crown Lands, Dunedin, has advised that Mr L.A. Smith, Otiake, has applied to freehold his Renewable Lease property, in terms of the conditions of his lease. The 3103 ha property (7670 acres) extends to the top of the St Mary's Range at Mt Domet, 1947 m (6390 ') and includes 429 ha Class VIII land (1060 acres), and 1432 ha Class VII (4600 acres). The Commissioner considers that freeholding should be restricted to stable lands only, and has requested the Commission's collaboration to secure retirement of the high altitude lands, and their exclusion from freehold title, through the operation of a Soil and Water Conservation Plan.

A proposal has been discussed with the runholder, who has indicated his agreement. Approval in principle is required from the Soil Conservation Council for the preparation of a Soil and Water Conservation Plan to implement the proposal, to enable the Department to complete negotiations for granting freehold title to the stable lands within the present lease.

2. The Proposal

2.1 If the property were held under Pastoral Lease, the line for a retirement fence would run as shown in red on the attached Land Capability map. Land above this line falls into Land Capability Classes as follows:

|              |               |
|--------------|---------------|
| Class VI     | 10 ha         |
| Class VII    | 415 ha        |
| Class VIIe   | 123 ha        |
| Class VIII   | 429 ha        |
| <u>Total</u> | <u>978 ha</u> |

2.2 The retirement line satisfactory for a leasehold property is not acceptable as the upper limit of freehold land, owing to the large area of Class VII at a lower altitude, especially the steep and actively eroding sunny facing in Lone Hill Block, where continued control through appropriate leasehold tenure is necessary. It has therefore been agreed

2.

with the District Field Officer, Dunedin, that, if a retirement fence is to be provided, it should be erected along the line shown on the map in green, and that the area between this line and the line shown in red should revert to Pastoral Occupation Licence, with provision for limited grazing as agreed annually between Department of Lands and Survey and the Commission. At some time in the future, following retirement of high altitude lands on all properties extending to the summit of the St Mary's Range, it is envisaged that such grazing would take place within the context of the Catchment Management Plan for the Range.

Land Capability Classes of the proposed Pastoral Occupation License area are:

|              |               |
|--------------|---------------|
| Class VI     | 173 ha        |
| Class VII    | 473 ha        |
| Class VIIe   | 12 ha         |
| <u>Total</u> | <u>658 ha</u> |

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2.3 Length and estimated cost of the above fence lines are:

|                                |                  |        |
|--------------------------------|------------------|--------|
| Under leasehold tenure (red)   | 6.2 km at \$1500 | \$9300 |
| If property freeholded (green) | 5.2 " " "        | \$7800 |

2.4 Land Capability Classes of the respective areas to be freeholded, reverted to P.O.L., and surrendered under the proposal are:

|               | <u>Freehold M</u> | <u>P.O.L.</u> | <u>Surrendered</u> | <u>Total</u>  |
|---------------|-------------------|---------------|--------------------|---------------|
| Class III     | 45 ha             |               |                    | 45 ha         |
| " IV          | 149 "             |               |                    | 149 "         |
| " VI          | 865 "             | 173 ha        | 10 ha              | 1048 "        |
| " VII         | 381 "             | 473 "         | 416 "              | 1278 "        |
| " VIIe        | 27 "              | 12 "          | 123 "              | 162 "         |
| " VIII        | 0 "               | 0 "           | 429 "              | 429 "         |
| <u>Totals</u> | <u>1467 "</u>     | <u>658 "</u>  | <u>978 "</u>       | <u>3103 "</u> |

2.5 The area of 27 ha of Class VIIe included in the area proposed to be freeholded consists of steep rocky portions of the dominantly sunny aspect of the area lying below the line of the proposed retirement fence in the present Front Domet Block. Careful consideration has been given to the proposed fence line in this area, and the proposed line is the most practical and feasible. If the fence were erected along this line, the area below would have considerable value for winter sheep grazing. On account of the sunny aspect and proportion of Class VII, freehold title to this block could be subject to an appropriate clause in the S.W.C.P. agreement, restricting sheep grazing to winter use only, with provision for summer cattle grazing for roughage control in gullies and on shady aspects.

3. First Five Year Programme

A 5-year programme commenced operating in 1964, and has been completed except for stability tree planting and a length of boundary cattle proofing.

Objects were improvement of cover and better control of stocking and erosion through conservation and cattleproof fencing, O.S.T.D., and the introduction of cattle to control rank growth and reduce burning.

Completed works and subsidies paid are as follows:

|  | <u>Total Cost</u> | <u>Subsidy</u> |
|--|-------------------|----------------|
| 7 miles 45 chs. conservation fencing   | \$3195            | \$1302         |
| 8 miles 25 chs. cattleproofing         | 5190              | 1959           |
| 1580 acres A.O.S. or O.S.T.D.          | 3858              | 1437           |
| 2 storage ponds (stock and irrigation) | 924               | 403            |
| <u>Total</u>                           | <u>\$13,167</u>   | <u>\$5101</u>  |

Present stock numbers, with previous numbers in brackets, are:

Total Sheep: 3800 (3400)  
 " Cattle 227 (20)

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The programme has resulted in complete cover over formerly depleted sunny facings, and improved grazing control of areas previously unattractive to stock because of unpalatable roughage. Grazing records have shown changes in grazing intensity as follows:

| <u>Grazing Intensity</u> | <u>Before</u>  | <u>After</u> |
|--------------------------|----------------|--------------|
| High altitude            | .24 su/ac year | .15          |
| Stable low altitude      | .17 "          | .51          |
| Depleted low altitude    | .34 "          | 1.42         |

Works carried out will facilitate and provide a base for the implementation of a second programme aimed at retirement of high altitude lands.

4. Comments

The proposal should be supported, for reasons as follows:

- (i) The importance to Water and Soil Conservation of retaining actively eroding Class VII lands in leasehold tenure, providing better control.
- (ii) The importance of retirement of high altitude lands on this property to:
  - (a) A future catchment management plan for all the high altitude lands on the St. Mary's Range;
  - (b) improvement of stability and water yield for irrigation in the lower reaches of the Otiake catchment, through the operation of an appropriate future catchment scheme. (Farmers in the lower catchment have applied to the Officials Committee for a communal irrigation scheme to be investigated, to be supplied from the Otiake stream. The application has been given a high priority.)

- (iii) Implementation of the proposal will create a precedent to assist likely future similar negotiations in respect of four neighbouring Renewable Lease properties, which also include high altitude lands extending to the summit of the St. Mary's Range. Retirement of high altitude lands on all properties is necessary to ensure that a Catchment Management Area for the Range can be set up at some time in the future.
- (iv) On-site works in a second 5-year programme will also assist catchment stability and provide downstream benefit.
- (v) Erection of retirement fencing along the division between the proposed P.O.L. and freehold lands results in a saving estimated at \$1500, compared with the cost of fencing at a higher altitude.

5. Attached Maps

Maps are attached as follows:

- 5.1 A Land Use Capability Map showing the approximate lines of retirement fencing under leasehold tenure and freehold title.
- 5.2 A Programme Map showing subsidised works completed and a tentative works programme for a Soil and Water Conservation Plan integrating retirement of high altitude lands with freeholding stable lower country, as proposed by Dept. of Lands and Survey.

6. Recommendation

That the Soil Conservation and Rivers Control Council approve the Commission's preparation of a Soil and Water Conservation Plan for retirement of high altitude lands on "Lone Hill", as outlined above, to assist the Dept. of Lands and Survey to ensure that, in processing the runholder's application, the granting of freehold title is restricted to lands with low erosion hazard, so that high altitude lands remain in leasehold tenure.

Yours faithfully,

(D.J. Sutherland)  
Secretary

RVM:SM

Enc.

Copies to:

District Soil Conservator, Dunedin.  
C.S.C.

Appendix 12 13/03/1981

LAND SETTLEMENT BOARD

HEAD OFFICE COMMITTEE

PASTORAL LAND

ISSUE OF A PASTORAL OCCUPATION LICENCE

FILES: HO 1928 26/18139. CASE NO 81/72 OTAGO LAND DISTRICT

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PROPOSAL

To consider the future utilisation of an area of 1535 ha held on Pastoral Occupation Licence, with a view to:

- (a) issuing a Pastoral Occupation Licence over 575 ha to the present licensee for a term of 21 years and
- (b) incorporating 960 ha into the proposed St Mary's Range Management Plan.

DETAILS OF LICENCE

Licensee: Lindsay Alexander Smith  
 Land: (a) Section 2 Block V Domet Survey District - Area 575 ha  
 (b) Section 1 Block V Domet Survey District - Area 960 ha

Term: 5 years from 1 July 1975  
 Expires: 30 June 1980  
 Run Name: Lone Hill  
 Annual Rent: \$250.00  
 Stock Limitation in Lease: 500 stock units  
 Current Limitation: as above  
 Locality: St Mary's Range. Part of "Lone Hill" Station, off Domet and Cards Roads, 13 km south of Kurow. Access to POL is via 5 km 4WD dirt track through DPL land held by licensee.

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Amenities: (to Homestead) RMD, telephone and electricity, area school and Post Office at Kurow, Freezing works at Pukeuri 55 km; Saleyards at Duntroon 17 km; Railyard at Otiake 5 km.

CLASSIFICATION

|          | Section 1<br>(Retirement) | Section 2<br>(POL)  | Total                |
|----------|---------------------------|---------------------|----------------------|
| Class VI | 10 hectares               | 150 hectares        | 160 hectares         |
| VII      | 410 "                     | 413 "               | 823 "                |
| VIIe     | 117 "                     | 12 "                | 129 "                |
| VIII     | 423 "                     | -                   | 423 "                |
|          | <u>960 hectares</u>       | <u>575 hectares</u> | <u>1535 hectares</u> |

DESCRIPTION OF PROPOSED POL (ie Section 2 Domet SD)

The area is bounded by the Otiake River and Otekaike Station to the south, the retirement area (Section 1 Domet SD) to the northwest and the DPL land (Section 5) to the northeast). It is well subdivided into three blocks, enabling good grazing control of the various classes and aspects of country. There are no buildings. Altitude rises from 600 metres at the Otiake River to 1090 metres (3600 feet). Contour: 70% steep, 30% strongly rolling. Cover: 115 ha OS & TD tussock, balance native (snow and fescue tussock). Access to and through each block by 4WD track. There appears to be little evidence of any active erosion although intertussock cover reduced significantly above 900 metres even though the tussocks themselves remain reasonably dense. Weeds and pests are not considered to be a problem.

X

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Soils are Tengawai steepland and respond to OS & TD but are prone to sheet erosion if overgrazed or burnt.

PROPOSED STOCKING

As indicated earlier the basic limitation will be set at 300 stock units. This is assessed as follows:

| <u>Block Name</u>         | <u>Stock</u>   | <u>SU</u> |
|---------------------------|--|-----------|
| Black Domet               | 200 wethers, 12 wks, mid Feb mid May or 1500 ewes 2-3 weeks mid summer | 90        |
| Dark Lone Hill            | 1300 ewes 5 wks, March-mid April                                       | 125       |
| Sunny Lone Hill           | 500 E for 2 fortnightly spells during summer                           | 50        |
|                           |  | <hr/>     |
| plus Tolerance margin     |  | 265       |
|                           |  | 35        |
|                           |  | <hr/>     |
| Total                     |  | *300 SU   |
| Stocking Rate per hectare |  | 0.52 SU   |

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\* On an annual basis

This stocking rate is relatively conservative but allows for the continued recuperation where the ground cover is sparse. It is proposed to review the limitation annually for the first three years, while this recuperation is taking place. The entire area can potentially be OS & TD and eventually there could be a significant increase in stock numbers.

PROPOSED RENTAL

The expiring POL has an annual rental of \$250 for a basic stock limitation of 500 SU over the full 1535 hectare area. It is recommended that the rental not be reduced since although the area for the new POL will be only 575 hectares and the stock limit 300 SU, this is offset by the benefit of a longer term tenure and a significant increase in LEI. A rental assessed on LEI is not recommended at this stage because of the interim block grazing restrictions. (Incidentally the recommended rent represents approximately 1.1% of current LEI). It is recommended that the rent be reviewed every seven years.

RETIREMENT AREA

In accordance with the Run Plan, off site grazing has now been fully provided and at the expiry of the current POL, the 960 ha area will revert to the Crown for future management and control. Lessees on both adjoining properties (Otekaieke Station and Mt Belle Station, both held on Deferred Payment Licence) have not at this stage agreed to retire and surrender any eroded country and it is unlikely that they will in the short term. For this reason it is anticipated that stock trespass may be a problem, although not to the extent of that on the Kyeburn retirement area on the other side of the range.

There is still good native grazing available on the valley floors at the bottom of the retirement area and this will be permit grazed by Lone Hill stock at the discretion of this Department and the Waitaki Catchment Commission. The grazing will probably be done with a mob of up to 100 cows for a 2-3 week period end April-Early May and will have a twofold benefit of utilising good feed at no harm to the country, and reducing the fire hazard.

No immediate on site works are envisaged for the surrendered area although future management will be covered in more detail in the St Mary's Range Management Plan

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OFFICIAL INFORMATION ACT"

currently being drafted.

SFO LAMING'S REPORT AND BACKGROUND

Prior to 1975, L A Smith held a renewable lease over approx 3100 hectares, but when electing to freehold agreed to the surrender of the 1535 hectare area referred to above and accepted a five year POL. It was originally intended that the retirement and surrender proposals be confined to the 960 hectare area of eroded land but this was subsequently extended to include the 575 hectare area which although not suited to permanent retirement did require pastoral restrictions and not be freeholded. By Case 8902 on 8.7.75 the Land Settlement Board agreed to the proposal and it was stated in the submission that this latter area required continued control through the appropriate leasehold tenure owing to the large area of Class VII at the lower altitude especially the steep and actively eroding sunny faces in the Lone Hill Block.

The submission was somewhat confusing in that under the DFO's comments it was stated that "Retention of the full 1636 hectares (now surveyed at 1535) is essential because of the tender nature of cover in relation to climate and slope factor and that the area will form part of a proposed management area which is essential for high altitude depleted lands in the district".

It was further stated in the Waitaki Catchment Commission Run Plan (SWCP No 5) that "The area between the retirement fence and the conservation fence (ie the 575 hectares) will remain within the property under permanent Crown Leasehold tenure, and available for grazing as agreed between the lessee, Department of Lands and Survey and the Commission". - The plan provided for the oversowing, topdressing and recuperative spelling of some of this area - and for which an LDE loan has since been granted.

Remarks on Background

There appears to have been some confusion in the past over the intended future use of the full 1535 hectare area, but there is no doubt that the lessee has been led to believe that he would retain permanent grazing rights over the 575 ha, and a permit for any grazing which became available on the 960 ha retirement area.

I consider that this step would have been logical for the following reasons:

- 1 Except for 12 ha Class VIIe, the 575 ha area is all Class VI or Class VII w, s or c.
- 2 This area is definitely suitable for sustained controlled grazing.
- 3 It is fenced separately from the permanent retirement area and is adjacent to the DPL area.

In some respects I am surprised that it was not freeholded in the first place together with the balance area of lower country, because this Department and the lessee are now landed with an uneconomic area of pastoral land which can only be farmed in conjunction with "Lone Hill". I was of the impression that both the old and new Pastoral Lands Policies were against such an occurrence.

The only satisfactory alternative now therefore is to issue a long term Pastoral Occupational Licence.



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SFO LAMING'S RECOMMENDATIONS

1 That L A Smith be offered a Pastoral Occupational Licence over Section 2 Domet SD for a term of 21 years commencing 1 July 1980 and the basic limitation set at 300 SU, but with numbers, classes, times and area of grazing to be agreed upon annually for the first three years by the Department of Lands and Survey and staff of the Waitaki Catchment Commission and thereafter periodically at the discretion of both organisations. Rental to be set at \$250 per annum and reviewed every seven years.

2 To incorporate the balance area of 960 ha in the proposed St Mary's Range Management Area, but that any grazing which may become available would be offered first to the lessee of land held under Deferred Payment Licence No 819.

DFO SAWYER'S COMMENTS

Whilst not an entirely satisfactory solution the proposed 21 years POL over the 575 ha seems to be the only logical and practical step to take in the circumstances. The only alternatives, excluding creating an uneconomic and isolated Pastoral Lease, would be to either freehold or surrender the 575 ha neither of which the area is suited to.

Endorses SFO's recommendations.

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CCL'S COMMENTS

Endorses recommendations.

RECOMMENDATION

1 That the Board determine pursuant to Section 109(1) of the Land Act 1948 that Section 2 Block V Domet SD, 575 ha, be re-let on Pastoral Occupation Licence.

2 That pursuant to Sections 54(1)(f) and 66(5) of the Land Act 1948 a Pastoral Occupation Licence be granted over the 575 ha to L A Smith for a term of 21 years from 1 July 1980 at an annual rental of \$250.00 (reviewable every seven years) and *basis to be clearly stated.*

3 Pursuant to Section 66(2) of the Land Act 1948 the stock limitation on the new Pastoral Occupation Licence be 300 stock units, but with numbers, classes, times and area of grazing to be agreed upon annually for the first three years by the Department of Lands and Survey and staff of the Waitaki Catchment Commission and thereafter periodically at the discretion of both organisations *and on review of the rental*

4 That Section 1 Block V Domet SD, 960 ha - be incorporated into the proposed St Mary's Management Plan. *Area.*

DECISION

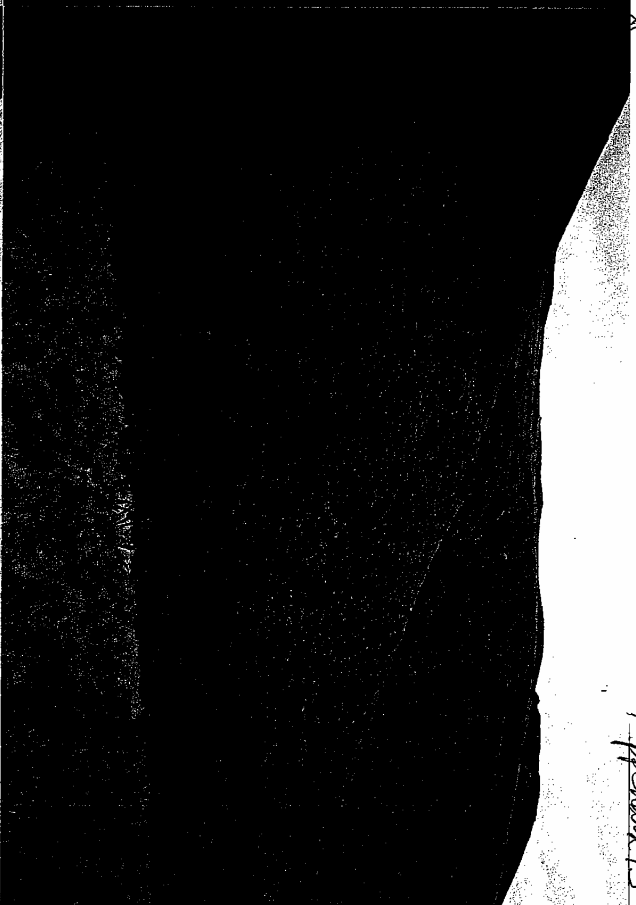
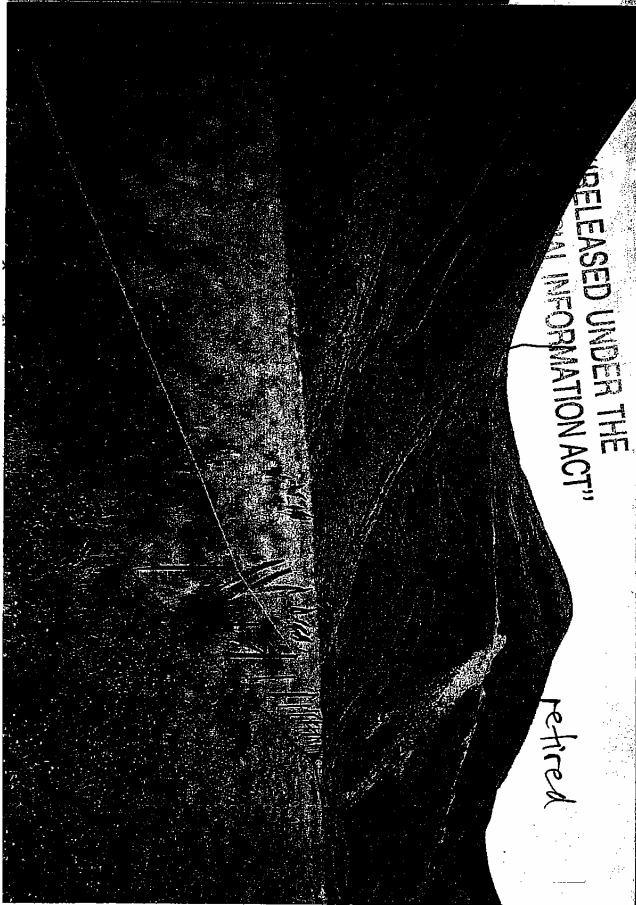
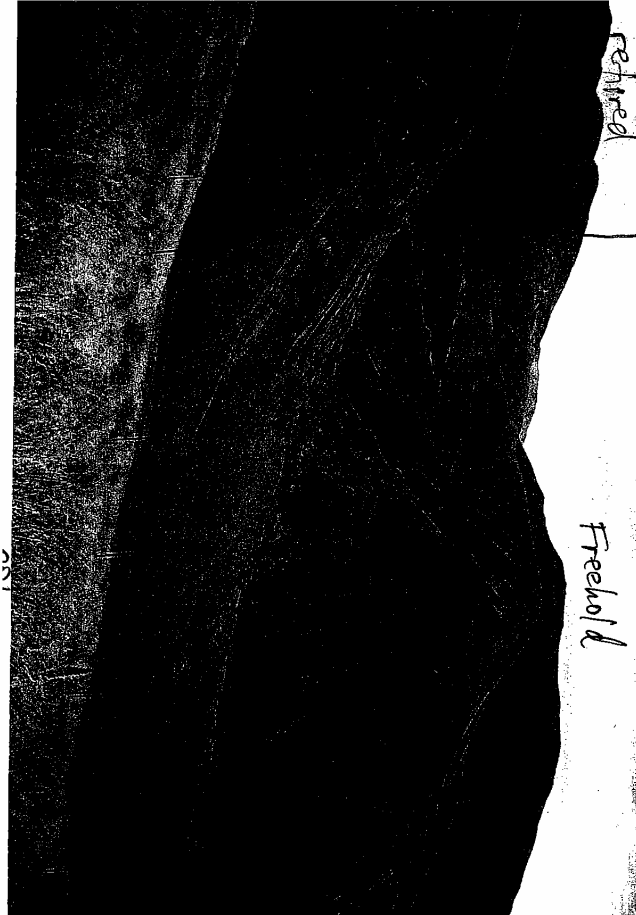
The Head Office Committee resolved on

|                          |
|--------------------------|
| HEAD OFFICE<br>COMMITTEE |
| 13 MAR '81               |
| APPROVED                 |

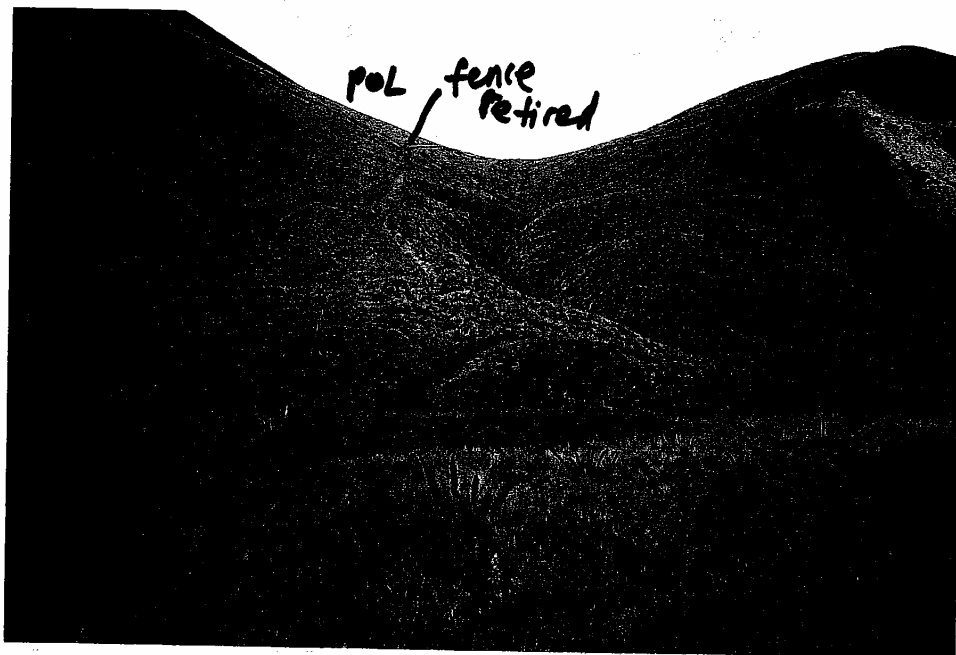
*Rent to be reviewed on the basis  
of the current stock limitation.*

*R  
SFO*

X



Close up of bottom right photograph from page 1  
- Shows 'healthier' tussock on grazed (P.O.L.) and good emergency grazing in foreground of retired area



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Otekahe Stn Freehold

southern boundary of P.O.L.





*Appendix 14*  
75 Church Street  
PO Box 550  
Timaru  
Telephone: (03) 688-9069  
Fax: (03) 688-9067  
Website: www.ecan.govt.nz

20 November 2002

Rod Patterson Consulting Ltd  
142 Glenstrae Road  
Redcliffs  
**CHRISTCHURCH 8008**

Dear Rod

**LONE HILL LAND IMPROVEMENT AGREEMENTS (EX WAITAKI CATCHMENT BOARD)**

Further to my letter of 24 October 2002 where I said I would communicate with you further once preliminary investigations were completed.

The status check revealed that both Land Improvement Agreements mentioned in your letter have expired and were never registered on the land titles. Therefore Environment Canterbury has no legal interest in the property and cannot provide you with a report that can be referred to the Commissioner of Crown Lands.

However, after reading through the Soil and Water Conservation Plan files I can confirm that sustainable grazing was to continue to be made available on the Lone Hill Pastoral Occupational Licence as an integral and ongoing part of the offsite grazing package.

I wish you well in your negotiations with the Commissioner.

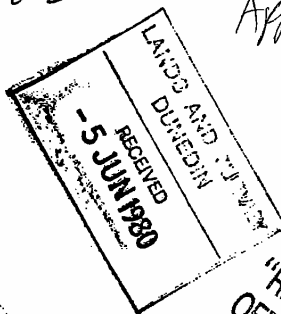
Yours sincerely

Neil MacDonal for  
**Team Leader Compliance Monitoring Timaru**

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OFFICIAL INFORMATION ACT"

cc: Ian Cumming  
Mike Freeman  
Evan Walker  
Roger Gould

**Our Ref:** AG5T/57L  
**Your Ref:**  
**Contact:** N MacDonal



Appendix 15

File: O 82  
Job: 1979/562

DUNEDIN

3 June 1980

CCL  
OFFICE

RENEWAL OF POL : L A SMITH : "LONE HILL"

Please refer to plan attached.

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Details of Licence

Licensee: Lyndsay Alexander Smith  
Land: (1) Section 1 Blks II, IV, V Domet SD & Blk VIII Kurow SD.  
Area: 960 hectares.  
(2) Section 2 Blks I, II, IV, V Domet SD.  
Area: 575 hectares.  
Combined Areas: 1535 hectares.

Location: St Mary's Range. Part of "Lone Hill" Station, off Domet & Gards Roads, 13 km south of Kurow. Access to POL is via 5 km 4wd dirt track through DPL land held by the licensee.

Amenities: (to homestead) RMD, telephone and electricity, area school and Post Office at Kurow, Freezing works at Pukeuri 55 km, saleyards at Duntroon 17 km, Railyard at Otiake 5 km.

Particulars of Licence:

Tenure: Pastoral Occupational Licence (1535 hectares surveyed area - originally estimated at 1636 hectares).  
Term: 5 years from 1 July 1975.  
Expires 30 June 1980.

Classification:

|            | Section 1 (Retirement) | Section 2 (POL) | Total   |
|------------|------------------------|-----------------|---------|
| Class VI   | 10 ha                  | 150             | 160     |
| Class VII  | 410                    | 413             | 823     |
| Class VIIe | 117                    | 12              | 129     |
| Class VIII | 423                    | -               | 423     |
|            | 960 ha                 | 575 ha          | 1535 ha |

(Original total estimated area was 1636 hectares, being 978 and 658 ha respectively - the figures in this report are based on actual areas subsequently surveyed).

Proposal:

1 To issue a new Pastoral Occupation Licence over 575 hectares for a term of 21 years commencing 1 July 1980 and that the basic limitation be set at 300 Stock Units, but with the numbers, classes times and area of grazing to be agreed upon annually for the first three years by the Department of Lands and Survey and staff of the Waitaki Catchment Commission and thereafter periodically at the discretion of both organisations. Rental to be set at \$250 per annum and reviewed every 7 years.

Handwritten initials or signature in the bottom right corner.

2 To incorporate the balance area of 960 hectares in the proposed St Mary's Range Management Area.

Background

Prior to 1975, L A Smith held a renewable lease over approx 3100 hectares, but when electing to freehold agreed to the surrender of the 1535 hectare area referred to above and accepted a five year POL. It was originally intended that the retirement and surrender proposals be confined to the 960 hectare area of eroded land but this was subsequently extended to include the 575 hectare area which although not suited to permanent retirement did require pastoral restrictions and not be freeholded. By Case 8902 on 8.7.75 the Land Settlement Board agreed to the proposal and it was stated in the submission that this latter area required continued control through the appropriate leasehold tenure owing to the large area of Class VII at the lower altitude especially the steep and actively eroding sunny faces in the Lone Hill Block.

The submission was somewhat confusing in that under the DFO's comments it was stated that "Retention of the full 1636 hectares (now surveyed at 1535) is essential because of the tender nature of cover in relation to climate and slope factor and that the area will form part of a proposed management area which is essential for high altitude depleted lands in the district."

It was further stated in the Waitaki Catchment Commission Run Plan (SWCP No 5) that "The area between the retirement fence and the conservation fence (ie the 575 hectares) will remain within the property under permanent Crown Leasehold tenure, and available for grazing as agreed between the lessee, Department of Lands and Survey and the Commission." - The plan provided for the oversowing, topdressing and recuperative spelling of some of this area - and for which an LDE loan has since been granted.

Remarks on Background

There appears to have been some confusion in the past over the intended future use of the full 1535 hectare area, but there is no doubt that the lessee had been led to believe that he would retain permanent grazing rights over the 575 ha, and a permit for any grazing which became available on the 960 ha retirement area.

I consider that this step would have been logical for the following reasons:

- 1 Except for 12 ha Class VIIe, the 575 ha area is all Class VI or Class VII w, s or c.
- 2 This area is definitely suitable for sustained controlled grazing.
- 3 It is fenced separately from the permanent retirement area. 4 is adjacent to the SWCP area.

In some respects I am surprised that it was not freeholded in the first place together with the balance area of lower country, because this Department and the lessee are now landed with an uneconomic area of pastoral land which can only be farmed in conjunction with "Lone Hill". I was of the impression that both the old and new Pastoral Lands Policies were against such an occurrence.

The only satisfactory alternative now therefore is to issue a long term Pastoral Occupational Licence.

Description of Proposed POL (ie Section 2 Domet SD)

The area is bounded by the Otiake River and Otekaieke Station to the south

retirement area (section 1 Domet SD) to the northwest and the DPL land (section 5) to the northeast). It is well subdivided into three blocks, enabling good grazing control of the various classes and aspects of country. There are no buildings. Altitude rises from 600 metres at the Otiake River to 1090 metres (3600 feet). Contour: 70% steep, 30% strongly rolling. Cover: 115 ha OS & TD tussock, balance native (snow and fescue tussock). Access to and through each block by 4wd track. There appears to be little evidence of any active erosion although intertussock cover reduced significantly above 900 metres even though the tussocks themselves remain reasonably dense. Weeds and pests are not considered to be a problem. Soils are Tengawai steep land and respond to OS & TD but are prone to sheet erosion if overgrazed or burnt.

Proposed Stocking

As indicated earlier the basic limitation will be set at 300 stock units. This is assessed as follows:

| <u>Block Name</u>         | <u>Stock</u>  | <u>SU</u>  |
|---------------------------|---|------------|
| Back Domet                | 200 wethers, 12 wks, mid Feb mid May or<br>1500 ewes 2-3 weeks mid summer | 90         |
| Dark LoneHill             | 1300 ewes 5 wks, March-mid April  | 125        |
| Sunny LoneHill            | 500 E for 2 fortnightly spells during<br>summer                           | 50         |
|                           |   | <u>265</u> |
| plus Tolerance margin     |   | 35         |
| Total                     |   | *300 SU    |
| Stocking Rate per hectare |   | 0.52 SU    |
| *On an annual basis.      |   |            |

This stocking rate is relatively conservative but allows for the continued recuperation where the ground cover is sparse. It is proposed to review the limitation annually for the first three years, while this recuperation is taking place. The entire area can potentially be OS & TD and eventually there could be a significant increase in stock numbers.

Proposed Rental

The expiring POL has an annual rental of \$250 for a basic stock limitation of 500 SU over the full 1535 hectare area. It is recommended that the rental not be reduced since although the area for the new POL will be only 575 hectares and the stock limit 300 SU, this is offset by the benefit of a longer term tenure and a significant increase in LEI. A rental assessed on LEI is not recommended at this state because of the interim block grazing restrictions. (Incidentally the recommended rent represents approximately 1.1% of current LEI). It is recommended that the rent be reviewed every seven years.

Retirement Area

In accordance with the Run Plan, off site grazing has now been fully provided and at the expiry of the current POL, the 960 ha area will revert to the Crown for future management and control. Lessees on both adjoining properties (Otekaieke Stn and Mt Belle Stn, both held on Deferred Payment Licence) have not at this stage agreed to retire and surrender any erod country and it is unlikely that they will in the short term. For this it is anticipated that stock trespass may be a problem, although not to extent of that on the Kyeburn retirement area on the other side of the

There is still good native grazing available on the valley floors at bottom of the retirement area and this will be permit grazed by Lone

stock at the discretion of this Department and the Waitaki Catchment Commission. The grazing will probably be done with a mob of up to 100 cows for a 2-3 week period end April-early May and will have a twofold benefit of utilising good feed at no harm to the country, and reducing the fire hazard.

No immediate on site works are envisaged for the surrendered area although future management will be covered in more detail in the St Mary's Range Management Plan currently being drafted.

Recommendations

1 That LA Smith be offered a Pastoral Occupational Licence over Section 2 Domet SD for a term of 21 years commencing 1 July 1980 and the basic limitation set at 300 SU, but with numbers, classes, times and area of grazing to be agreed upon annually for the first three years by the Department of Lands and Survey and staff of the Waitaki Catchment Commission and thereafter periodically at the discretion of both organisations. Rental to be set at \$250 per annum and reviewed every seven years.

2 To incorporate the balance area of 960 ha in the proposed St Mary's Range Management Area, but that any grazing which may become available would be offered first to the lessee of land held under Deferred Payment Licence No 819.

*M J Laming*  
M J Laming  
SFO

*Whilst not an entirely satisfactory solution the proposed 21 year POA over the 575 ha seems to be the only logical and practical step to take in the circumstances. The only alternative, excluding creating an uneconomic and isolated PO, would be to either purchase or surrender the 575 ha neither of which the area is suited to. I endorse the recommendations.*

*D. Sauer*  
DFO  
2/6/80



WAITAKI CATCHMENT COMMISSION

*Appendix 9*

Application to Freehold Renewable Lease. L.A. Smith, "Lone Hill" Otiake.

1. General

The Commissioner of Crown Lands, Dunedin, has advised that Mr L.A. Smith, Otiake, has applied to freehold his Renewable Lease property, in terms of the conditions of his lease. The 3103 ha property (7670 acres) extends to the top of the St Mary's Range at Mt Domet, 1947 m (6390') and includes 429 ha Class VIII land (1060 acres), and 1432 ha Class VII (4600 acres). The Commissioner considers that freeholding should be restricted to stable lands only, and has requested the Commission's collaboration to secure retirement of the high altitude lands, and their exclusion from freehold title, through the operation of a Soil and Water Conservation Plan.

A proposal has been discussed with the runholder, who has indicated his agreement. Approval in principle is required from the Soil Conservation Council for the preparation of a Soil and Water Conservation Plan to implement the proposal, to enable the Department to complete negotiations for granting freehold title to the stable lands within the present lease.

2. The Proposal.

2.1 If the property were held under Pastoral Lease, the line for a retirement fence would run as shown in red on the attached Land Capability map. Land above this line falls into Land Capability Classes as follows:

|              |            |           |
|--------------|------------|-----------|
| Class VI     | 10         | ha        |
| " VII,       | 416        | "         |
| " VIIe       | 123        | "         |
| " VIII       | 429        | "         |
| <u>Total</u> | <u>978</u> | <u>ha</u> |

2.2 The retirement line satisfactory for a leasehold property is not acceptable as the upper limit of freehold land, owing to the large area of Class VII at a lower altitude, especially the steep and actively eroding sunny facing in Lone Hill Block, where continued control through appropriate leasehold tenure is necessary. It has therefore been agreed with the District Field Officer, Dunedin, that, if a retirement fence is to be provided, it should be erected along the line shown on the map in green, and that the area between this line and the line shown in red should revert to Pastoral Occupation Licence, with provision for limited grazing as agreed annually between Department of Lands and Survey and the Commission. At some time in the future, following retirement of high altitude lands on all properties extending to the summit of the St Mary's Range, it is envisaged that such grazing would take place within the context of the Catchment Management Plan for the Range.

2.

Application to Freehold Renewable Lease. "Lone Hill".

Land Capability Classes of the proposed Pastoral Occupation Lease area are:

|   |               |               |
|---|---------------|---------------|
| "RELEASED UNDER THE OFFICIAL INFORMATION ACT" | Class VI      | 173 ha        |
|   | VII           | 473 "         |
|   | VIIe          | 12            |
|   | <b>Total:</b> | <b>658 ha</b> |

2.3 Length and estimated cost of the above fence lines are:

|                                |                  |        |
|--------------------------------|------------------|--------|
| Under leasehold tenure (red)   | 6.2 km at \$1500 | \$9300 |
| If property freeholded (green) | 5.2 " " "        | \$7800 |

2.4 Land Capability Classes of the respective areas to be freeholded, reverted to P.O.L., and surrendered under the proposal are:

|               | <u>Freehold</u> | <u>P.O.L.</u> | <u>Surrendered</u> | <u>Total</u>  |
|---------------|-----------------|---------------|--------------------|---------------|
| Class III     | 45 ha           |               |                    | 45 ha         |
| " IV          | 149 "           |               |                    | 149 "         |
| " VI          | 865 "           | 173 ha        | 10 ha              | 1048 "        |
| " VII         | 381 "           | 473 "         | 416 "              | 1278 "        |
| " VIIe        | 27 "            | 12 "          | 123 "              | 162 "         |
| " VIII        | 0 "             | 0 "           | 429 "              | 429 "         |
| <b>Totals</b> | <b>1467 "</b>   | <b>658 "</b>  | <b>978 "</b>       | <b>3103 "</b> |

2.5 The area of 27 ha of Class VIIe included in the area proposed to be freeholded consists of steep rocky portions of the dominantly sunny aspect of the area lying below the line of the proposed retirement fence in the present Front Domet Block. Careful consideration has been given to the proposed fence line in this area, and the proposed line is the most practical and feasible. If the fence were erected along this line, the area below would have considerable value for winter sheep grazing. On account of the sunny aspect and proportion of Class VII, freehold title to this block could be subject to a clause registered against the title, restricting sheep grazing to winter use only, with provision for summer cattle grazing for roughage control in gullies and on shady aspects.

2.6 Assessment of Grazing on Areas Retired:

|                   |                           |                 |
|-------------------|---------------------------|-----------------|
| Back Domet Block  | 550 ac carrying .18 su/ac | 100 s.u.        |
| Front Domet Block | 482 ac carrying .20 su/ac | 96 s.u.         |
|                   |                           | <u>196 s.u.</u> |

Assessment on Grazing on Areas Proposed for P.O.L.

|                   |                           |                 |
|-------------------|---------------------------|-----------------|
| Back Domet Block  | 635 ac carrying .25 su/ac | 135 s.u.        |
| Front Domet Block | 325 ac carrying .30 su/ac | 27 s.u.         |
|                   |                           | <u>282 s.u.</u> |
| Lone Hill Sunny   | 285 ac carrying .40 su/ac | 114 s.u.        |
| Lone Hill Dark    | 560 ac carrying .30 su/ac | 168 s.u.        |
|                   |                           | <u>282 s.u.</u> |

Total for P.O.L. 514 s.u.

Application to Greenoid Renewable Lease. "Lone Hill".

| Off-site Grazing Required           | A <u>Including Dark L.H.</u> | B <u>Excluding Dark L.H.</u> |
|-------------------------------------|------------------------------|------------------------------|
| Retired Area (x 2)                  | 392 s.u.                     | 392 s.u.                     |
| P.O.L.                              | 514 s.u.                     | 346 s.u.                     |
| 3. <u>First Five Year Programme</u> | <u>906 s.u.</u>              | <u>738 s.u.</u>              |

A 5-year programme commenced operating in 1964, and has been completed except for stability tree planting and a length of boundary cattle proofing.

Objects were improvement of cover and better control of stocking and erosion through conservation and cattle-proof fencing, O.S.T.D., and the introduction of cattle to control rank growth and reduce burning.

Completed works and subsidies paid are as follows:

|  | <u>Total Cost</u> | <u>Subsidy</u> |
|--|-------------------|----------------|
| 7 miles 45 chs. conservation fencing   | \$3195            | \$1302         |
| 8 miles 25 chs. cattleproofing         | 5190              | 1959           |
| 1580 acres A.O.S. or O.S.T.D.          | 3858              | 1437           |
| 2 storage ponds (stock and irrigation) | 924               | 403            |
| <u>Total</u>                           | <u>\$13,167</u>   | <u>\$5101</u>  |

Present stock numbers, with previous numbers in brackets, are:

Total sheep: 3800 (3400)  
 " cattle 227 (20)

The programme has resulted in complete cover over formerly depleted sunny facings; and improved grazing control of areas previously unattractive to stock because of unpalatable roughage. Grazing records have shown changes in grazing intensity as follows:

| <u>Grazing Intensity</u> | <u>Before</u>  | <u>After</u> |
|--------------------------|----------------|--------------|
| High altitude            | .24 su/ac year | .15          |
| Stable low altitude      | .17 "          | .51          |
| Depleted low altitude    | .34            | 1.42         |

Works carried out will facilitate and provide a base for the implementation of a second programme aimed at retirement of high altitude lands.

4. Comments.

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The proposal should be supported, for reasons as follows:

- (i) The importance to Water and Soil Conservation of retaining actively eroding Class VII lands in leasehold tenure, providing better control.
- (ii) The importance of retirement of high altitude lands on this property to:

4.

Application to Freehold Renewable Lease. "Lone Hill".

- (a) A future catchment management plan for all the high altitude lands on the St. Mary's Range;
- (b) improvement of stability and water yield for irrigation in the lower reaches of the Otiake catchment, through the operation of an appropriate future catchment scheme. (Farmers in the lower catchment have applied to the Officials' Committee for a communal irrigation scheme to be investigated, to be supplied from the Otiake stream. The application has been given a high priority.)
- (iii) Implementation of the proposal will create a precedent to assist likely future similar negotiations in respect of ~~four neighbouring Renewable Lease properties, which~~ also include high altitude lands extending to the summit of the St. Mary's Range. Retirement of high altitude lands on all properties is necessary to ensure that a Catchment Management Area for the Range can be set up at some time in the future.
- (iv) On-site works in a second 5-year programme will also assist catchment stability and provide downstream benefit.
- (v) Erection of retirement fencing along the division between the proposed P.O.L. and freehold lands results in a saving estimated at \$1500, compared with the cost of fencing at a higher altitude.

5. Recommendation.

That approval be sought from the Soil Conservation and Rivers Control Council for the Commission's preparation of a Soil and Water Conservation Plan for retirement of high altitude lands on "Lone Hill", as outlined above, to assist the Department of Lands and Survey to ensure that, in processing the runholder's application, the granting of freehold title is restricted to lands with low erosion hazard.

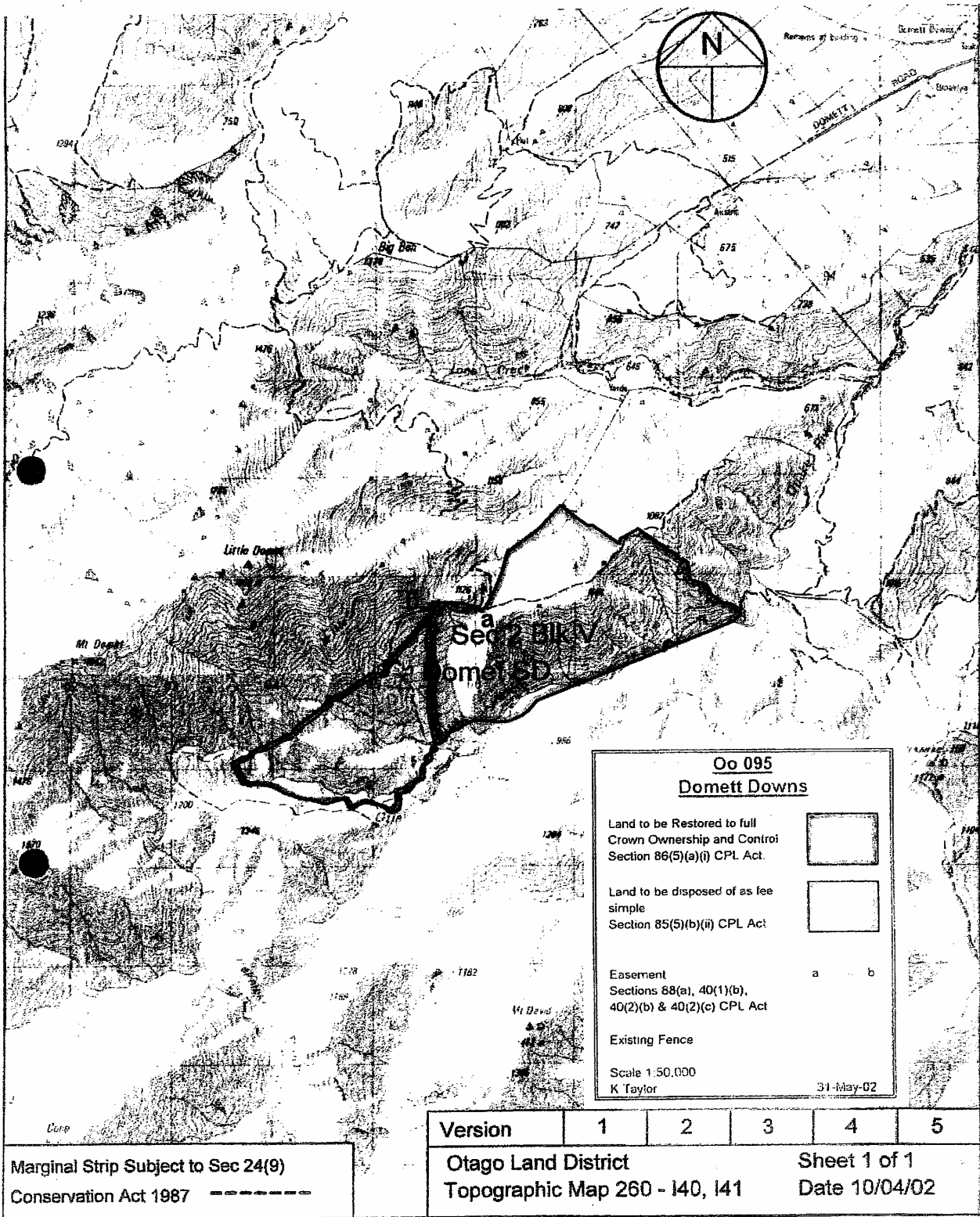
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R.V. Maxwell  
Chief Soil Conservator

8 February 1975

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ANDERSEN & ASSOCIATES  
REGISTERED SURVEYORS

PO Box 13-343

**Domett Downs**

Scale 1:50000

0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000

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Appendix 2 20/06/2002  
Oo095 Domett Downs POL  
Scoping Report

**SCOPING REPORT  
REVIEW OF OTHER CROWN LAND  
DOMETT DOWNS (LONE HILL)**

|                  |                          |               |         |                    |             |
|------------------|--------------------------|---------------|---------|--------------------|-------------|
| File Ref:        | Oo095                    | Report No:    | A2037   | Report Date:       | 5 June 2002 |
| LINZ Ref:        | CON/50213/09/12427/A-ZNO |               |         |                    |             |
| Office of Agent: | Alexandra                | LINZ Case No: | TROZ/40 |                    |             |
|                  |                          |               |         | Date sent to LINZ: |             |

**RECOMMENDATIONS:**

- (1) That the Commissioner of Crown Lands or his delegate note the contents of this Scoping Report which has been prepared in manner similar to the Pre Tenure Review Assessment Standard on the instructions from the Commissioner of Crown Lands.

Signed by DTZ New Zealand Limited:

*Kenneth R Taylor*  
K R Taylor:

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Approved/Declined (pursuant to a delegation from the Commissioner of Crown Lands) by:

*R. W. Lyall*  
Name:  
Date of decision: 20.6.2002

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(1) **Details of licence:**

**Licence name:** Domett Downs (also known as Lone Hill)

**Location:** Kurow

**Licensee:** Brian Henry McCone

(2) **The property:**

**Property summary:**

The Lone Hill POL was established in 1975 as a result of a Run Plan and freeholding of a renewable lease, comprised 1535 ha. Following completion of the Run Plan approximately 960 ha were retired and subsequently became a conservation area. The remaining 575 ha was granted as a Pastoral Occupation Licence for a term of 21 years from 1980. The licence was initially granted to Mr L A Smith who sub-leased the land to Mr B H McCone in 1982. Mr McCone subsequently purchased the licensee's interest in the licence in 1991.

The licence ranges from an altitude of 580 metres in the Otiake River to approximately 1144 metres on the crest of the range. The property adjoins conservation land (formerly part of the licence) to the northwest and freehold farmland on the other boundaries. The property generally lies to the southeast, thus providing valuable summer grazing to associated land. The cover is essentially native tussock grasslands in quite reasonable condition and it is understood that approximately 100 ha has previously been oversown and topdressed without any recent maintenance.

**Land Use Capability:**

|              |               |             |
|--------------|---------------|-------------|
| Class VI     | 150 ha        | 26%         |
| Class VIIc   | 413 ha        | 72%         |
| Class VIIe   | <u>12 ha</u>  | <u>2%</u>   |
| <b>Total</b> | <b>575 ha</b> | <b>100%</b> |

Improvements on the block are minimal with reasonable boundary fencing and subdivision into three blocks. Access to the block is via a farm track part of which is contained within the adjoining conservation land. Within the block itself there is reasonable access on the eastern ridge and a track to the Otiake River.

(3) **Economic uses:**

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**Existing pastoral use:**

This Pastoral Occupation Licence provides essential summer grazing to the associated Domett Downs freehold held by Mr McCone. The licence contains a stock limitation of 300 su on an annual basis and it is understood that the current utilisation is generally 600 wethers from early January to late April, with small numbers of cows grazed on the lower margins in winter. Current utilisation is probably less than 200 su, but contributes an estimated 500 su to the associated property. The light utilisation almost certainly contributes to the very healthy condition of the vegetation on the block.

*Other uses:*

Contour, aspect and altitude would generally preclude production forestry. The difficult access and location of the block and lack of significant features would generally minimise the potential for any form of commercial recreation. There are no sufficiently prominent points within the block to make it suited to use for communication facilities.

(4) **Crown interests:**

*Nature conservation interests:*

The licence was reviewed by the Department of Conservation in late 2001. The report prepared as a result of that inspection suggests that there are significant inherent values found throughout the block. A summary of the significant features is identified below:

*Areas which alone or collectively sustain the special natural quality and integrity of the high country landscape, especially the indigenous component.*

The POL contains an assortment of natural landscape features that are worthy of protection as conservation land managed by the Department of Conservation. The diversity of landforms is derived from the complexity of the local geology with a transition occurring between schist and greywacke bedrock. The legibility of natural landscape features that include a colluvial flat, steep dip slopes, solifluction processes and scree faces culminate in a diverse back country landscape.

Generally the vegetation is intact, with a full altitudinal sequence still remaining.

*Areas which would currently meet the Protected Natural Area Programme (PNAP) criteria for selection as priority natural areas (eg RAP's).*

The entire POL area (*with small exceptions on the periphery*) has a predominantly indigenous vegetation cover over a range of landforms. It exhibits vegetation sequences reflecting the range in altitude from river gorge (600 m.a.s.l.) to ridge crest (1144 m.a.s.l.), variation in aspects, and management history. Vegetation includes seral shrublands, sub-alpine shrublands, short tussock grasslands, tall tussock grasslands, sub-alpine cushionfield and wetlands.

The area has a high degree of representativeness and naturalness with good long term ecological viability.

*Habitats of threatened species (including those which are regionally threatened).*

Two species of native broom, regarded as nationally threatened (*de Lange et al 1999*) are present on the property. Coral broom (*Carmichaelia crassicaule*) was recorded from a number of sites but was especially abundant on the steep north facing slopes of the eastern block. It has a status of "declining".

A dwarf broom (*Carmichaelia vexillata*) was recorded from two sites along the ridge crest of the eastern block. This species is ranked as "vulnerable".



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The presence of New Zealand falcon, a Category B threatened species is noteworthy.

*Type localities and habitats of species and communities which are at their distributional limits and/or endemic or which have specialised habitat requirements in the high country, and species, communities, habitats or ecosystems which are uncommon and/or endemic in the ecological district.*

Good examples of *Ozothamnus vauvilliersii* dominated shrubland on wet substrate, such as that observed in the western block, are uncommon in the ecological district.

**Historic:**

There are no sites of known historic interest located on the property.

**Recreation:**

There is currently no legal access to either the POL or the adjoining conservation area. I am not aware of any informal use of the block for public recreation purposes nor a significant potential for this. There may be limited interest in access to the creek but this is difficult and unlikely to be significant. Limited pig hunting is likely.

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**Fish and Game Interest:**

The property adjoins the Otiake River and a tributary of Lone Creek. I am not aware of any current use of either of these creeks for recreational fishing. There are small populations of native fish in the creeks but these are not considered significant. There are known populations of a upland game birds.

**(5) Associated land held by the holders:**

Mr McCone holds Deferred Payment Licence registered as 8A/1147 (*Otago Registry*) of 1545.9820 ha. This licence will be completed in 2006 when freehold title will issue. It is understood that Mr McCone also has an interest in other blocks in the vicinity but no details are known.

**(6) Neighbouring land:**

This licence adjoins the Mount Domett conservation area to the northwest and joins freehold lands on the other boundaries. There is no reason to include any of these lands in a joint review with the licence.

**(7) Potential outcomes from the review:**

The designations available for the review of an un-renewable occupation licence are set out in Section 86 (4) (5) and (6) of the CPL Act:

- (4) *After conducting any review, the Commissioner must devise a preliminary proposal to designate the land concerned in accordance with subsection (5).*

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- (5) *The land (or various areas of it) must be designated as –*
- (a) *Land to be retained in full Crown ownership and control –*
    - (i) *As conservation area; or*
    - (ii) *As a reserve, to be held for a purpose specified in the proposal; or*
    - (iii) *For some specified Crown purposes; or*
  - (b) *Either or both of the following:*
    - (i) *Land suitable for disposal by special lease (on terms specified in the proposal);*
    - (ii) *Land suitable for disposal in fee simple under the Land Act 1948.*
- (6) *If a preliminary proposal designates any land as land suitable for disposal by special lease, land suitable for disposal in fee simple, or both, it may designate it subject to either or both of the following things:*
- (a) *The creation of a sustainable management covenant.*
  - (b) *The continuation in force of an existing easement.*
- (7) *If a preliminary proposal designates any land held under an occupation licence as land to be retained in Crown ownership, it may also specify any holder's improvements that are to remain on the land.*

In applying these designations the Commissioner must comply with the objects of Part 3 of the CPL Act as follows:

83. *Objects of Part 3 - The objects of this part are –*
- (a) *To promote the management of Crown land in a way that is ecologically sustainable; and*
  - (b) *To enable the protection of significant inherent values of Crown land; and*
  - (c) *Subject to paragraphs (a) and (b), to make easier –*
    - (i) *The securing of public access to and enjoyment of crown land; and*
    - (ii) *The freehold disposal of Crown land capable of economic use.*

It is anticipated that an outcome from this review would be as follows:

- 7.1 *Land to be restored to full Crown ownership and control as a conservation area (Section 85 (5) (a) (i) CPL Act):*

*Area:*

Approximately 240 ha, shown edged pink on the attached plan.

*Description:*

This land is the south-western block of the POL and adjoins the current conservation area. This block contains the most intact natural tussock grassland ecosystem.

**7.2 Land to be disposed of on freehold title to the current occupiers (Section 85 (5) (b) (ii) CPL Act):**

*Area:*

Approximately 335 ha, shown edged green on the attached plan.

*Description:*

The land identified for freehold disposal lies in the eastern end of the POL and straddles the ridge crest. While this block includes the highest point of the licence the grasslands here contain less significant inherent values and part of the area has previously been oversown and topdressed. The remainder of this area has potential for similar enhancement through oversowing and topdressing, but its primary feature is its usefulness as native vegetation for summer grazing.

**7.3 Protective mechanisms:**

It is anticipated that an easement would be required over those portions of the vehicle track which lie within the proposed freehold thus providing access to the conservation land. This easement would hopefully be connected to legal access to both the proposed freehold and conservation lands to be negotiated outside the review. The easement to be established under Sections 88 (a), 40 (1) (b), 40 (2) (b) and 40 (2) (c) CPL Act. The proposed line is shown as a - b on the attached plan.

**(8) Assessment of ability to achieve an outcome, likely time frame and potential problems:**

This is a review of a non-renewable pastoral licence. In terms of the Crown Pastoral Land Act an outcome is required. The provisions of the Act suggest that at least the area identified on the attached plan will be restored to full Crown ownership and control. The extent of the conservation proposal may be regarded with some reluctance by the holder and the review may well become subject to political processes outside the scope of the review.

**(9) Valuation assessment:**

A summary of valuation assessments are attached.

**(10) Financial outcomes:**

Financial outcomes financial report attached.

**ATTACHED:**

- (1) Map of potential outcomes.
- (2) Pre-tenure review financial report.
- (3) Desktop assessment.

Appendix 18



Department of Conservation  
*Te Papa Atawhai*

File: O 95

28 November 2002

Rod Patterson Consultancy Limited  
142 Glenstrae Road  
Redcliffs  
CHRISTCHURCH 8008

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OFFICIAL INFORMATION ACT"

Dear Rod

**DOC Conservation Resources Report Lone Hill Pastoral Occupation Licence**

Thank you for your comments contained in the letter dated 16<sup>th</sup> October 2002, regarding the interpretation and accuracy of the Department's Conservation Resources Report for the Lone Hill Pastoral Occupation Licence tenure review.

The department's response to your concerns is below. Please note that firstly the department has not additionally commented on your concerns that have all ready been dealt with at the communications meeting at Kurow and secondly, your concerns have been referred to by their paragraph number.

Paragraph 3: *Native brooms are an opportunistic leguminous plant (which responds well to fertilizer) and is reliant on periodic disturbance for its very survival.*

- The two brooms in question, *Carmichaelia crassicaule* and *C. vexillata* are not opportunistic but are stress tolerant plants of stable landforms. Like most plants they will respond well to fertiliser.

*Removing grazing will lead to a build up of dead tussock litter, making the environment less favourable for inter-tussock species.*

- Inter-tussock species abundance is expected to decline with improving tall tussock cover. In the longer term tall tussock cover abundance may also decline as, in the absence of fire and grazing, the woody component of the vegetation will likely increase. This is a desirable conservation outcome which may also offer some protection from the further spread of *Hieracium* species.

*To argue that the POL area should become conservation land, because of the finding of dwarf broom plants at two sites in the POL, is pushing the point.*

- The habitat of threatened species is but one of five criteria that were used to justify inherent values.

*I also believe that the status given by de Lange, for this species as threatened (page 7 in the 8<sup>th</sup> paragraph is incorrect as this is not the latest list), may not be justified as DoC finds a lot more broom in the many areas that it has not already surveyed for one reason or another.*

otaco-28103 - response to rod patterson re comments on lone hill crr

Otago Conservancy  
P.O. Box 5244, 77 Stuart Street, Dunedin, New Zealand  
Telephone 03-477 0677, Fax 03-477 8626, www.doc.govt.nz

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- At the time the botanical report was written (July 2002) the list prepared by de Lange et al (1999) was the latest relevant list. Since then the Department has produced a list (New Zealand Threat Classification Systems lists 2002) published in November 2002, which supersedes the previous list.

Both *Carmichaelia crassicaule* and *C. vexillata* are ranked as "Gradual Decline" in the 2002 list. Taxa listed in either of the two categories in the "Chronically Threatened" grouping (Serious Decline and Gradual Decline) face extinction, but are buffered slightly by either a large total population, or a slow decline rate. In the case of these two brooms there is evidence for significant recruitment failure. The specialist group which ranked these species determined that they met the trend criterion for Gradual Decline, namely there is a predicted decline of >30% in the total population in the next 10 years due to existing threats.

*Also a lot of native and even introduced species are recorded in the gradual decline mode.*

- 84 vascular plant species are listed in Gradual Decline. None of these are introduced species.

Paragraph 5: *The comment on page 6 in the 5<sup>th</sup> paragraph under climate- "Summer droughts are common". This is a misleading statement at this altitude in general and in particular with much of the area lying towards the south and east clearly demonstrates a lack of understanding on behalf of the writer, whom ever that may be!*

- This is a brief general statement as no detailed reliable data on climate is available.

Paragraph 6: *On page 8 in the 2<sup>nd</sup> paragraph, it is stated that "there are a small scattering of wild pines present". This is a vague statement, what is it intended to mean?*

- Several small wilding pines were observed by the team which carried out the inspection. Their locations were not recorded.

Paragraph 8: *On page 10 in the 2<sup>nd</sup> paragraph- Herptofauna, what does this riddle mean to lay people? Are the theories and observations recorded good or bad or neither?*

- It's a fair and reasonable statement given the observations made by staff.

Paragraph 9: *The only mentioning of the Otago Conservation CMS is on page 11 in the 4<sup>th</sup> paragraph and page 12 in the 3<sup>rd</sup> paragraph, which in effect could mean what ever the reader wants it to mean.*

- The first reference is to an NGO comment. We have merely repeated it as the department is required to. The second reference is limited to the relevance of the CMS which in this case is non-specific. The intent of the CMS in the department's view is still clear.

I hope these explanations have helped to some what alleviate your concerns about the interpretation and accuracy of the Lone Hill Conservation Resources Report

Yours sincerely



Tony Perret  
High Country Tenure Review Manager

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Appendix 19

Rod Patterson Consultancy Limited  
142 Glenstrae Road  
Redcliffs  
CHRISTCHURCH 8008

Phone 03 3846002  
Fax 03 3846009  
Cell Phone 025 794297  
email longslip@xtra.co.nz

16/10/02

Murray Mckenzie  
LINZ  
Christchurch

"RELEASED UNDER THE  
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Dear Murray

**Re: DoC Conservation Resources Report Lone Hill Pastoral Occupation Licence.**

At the meeting in Kurow on the 24<sup>th</sup> of September, concerning the Lone Hill Pastoral Occupation Licence, called by LINZ, I expressed my concerns about the interpretation and accuracy of the DoC Conservation Resources Report. You requested that I put my concerns in writing, so here they are.

1. In a "report by experts" (CCL words), one would reasonably expect them to be named.
2. Without doubt, the map which is referred to in the text, should have been attached. Since then I have received one in the mail, thanks.
3. Native brooms are an opportunistic leguminous plant (which responds well to fertilizer) and is reliant on periodic disturbance for its very survival. Also removing grazing will lead to a build up of dead tussock litter, making the environment less favourable for inter-tussock species. According to Brian Molloy, dwarf broom tends to favour ridge crests. To argue that the POL area should become conservation land, because of the finding of dwarf broom plants at two sites, in the POL is pushing the point. There are several long ridge crests favourable for dwarf broom, which were removed from the POL when the MT Domet Conservation Area was established. I also believe that the status given by De Lange, for this species as threatened (page 7 in the 8<sup>th</sup> paragraph is incorrect as this is not the latest list), may not be justified as DoC finds a lot more dwarf broom in the many areas that it has not already surveyed for one reason or another. My contention is supported by the fact that both dwarf and coral broom, are mentioned in the CRR for Birdwood, Dunstan Peaks and Twinburn which are all located near Omarama. According to Brian Molloy, coral broom is quite common in the high country, confer this with what is stated on page 7 in the 9<sup>th</sup> paragraph. Also a lot of native and even introduced species are recorded in the gradual decline mode.
4. On page 2, in the 4<sup>th</sup> paragraph (Also page 2 in the 5<sup>th</sup> paragraph and also page 5 in the 8<sup>th</sup> paragraph) mention is made of the fact that the "area has been subdivided into several grazing blocks that has resulted in some localised hard edges being created in the vegetation due to different grazing pressures" (Also referred to on page 5 in the 6<sup>th</sup> paragraph). For a start there are only 3 blocks in total, which should have been easy for anyone to establish. Secondly the comment concerning "... some localised hard edges..." probably refers to the

boundary between the Freehold and the POL (north eastern corner), which was created by the inappropriate siting of the original boundary between the two blocks by the Crown.

5. The comment page 6 in the 5<sup>th</sup> paragraph under climate – "*Summer droughts are common*". This is a misleading statement at this altitude in general and in particular with much of the area lying towards the south and east clearly demonstrates a lack of understanding on behalf of the writer, whom ever that may be!
6. On page 8 in the 2<sup>nd</sup> paragraph, it is stated that – "*there are a small scattering of wild pines present*". This is a vague statement, what is it intended to mean? Brian McCone is not aware of any wilding pines present on the POL. If there are any he would like their location drawn on a map, so that he can eradicate them asap.
7. On page 9 in the 7<sup>th</sup> paragraph it is stated – "*The only site able to be fished on the property was an unnamed tributary of the Otiake River*". His was a mystery to Brian McCone, until Tony Peret pointed out that it was electric fishing and not angling for fisherman as a lay person putting in a submission would read it. Also fishing is referred to on page 9 in the 9<sup>th</sup> paragraph.
8. On page 10 in the 2<sup>nd</sup> paragraph – Herptofauna, what does this riddle mean to lay people? Are the theories and observations recorded good or bad or neither?
9. The only mentioning of the Otago Conservancy CMS is on page 11 in the 4<sup>th</sup> paragraph and page 12 in the 3<sup>rd</sup> paragraph, which in effect could mean what ever the reader wants it to mean.

Yours faithfully

Rod G Patterson MAgSc, MNZIPIM, CPAg

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Appendix 20  
5A  
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L. & S.—F. 14A

DEPARTMENT OF LANDS AND SURVEY

OUR FILE: 26/18139, 19368

OUR FILE: 082

From HEAD OFFICE

Date: 25 March 1981

To CCL DUNEDIN

31 MAR 1981

Ref.: Ours/Yours of

Person to consult: Mrs C Smith

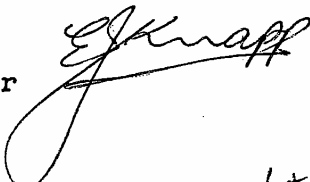
SUBJECT: ISSUE OF PASTORAL OCCUPATION LICENCE - LONE HILL

The attached submission was approved, <sup>as amended</sup> by the Head Office Committee under Case No.81/72 of 13 March 1981. I note that the plans attached to your submission do not show any adjoining owners etc, i.e. the existing run, Otekaieke Station and Mount Belle. Would you please ensure that your plans show these in future. It should be noted that the actions which ultimately led to this DPF and POL being granted commenced before any formalised pastoral policies were adopted - in fact in 1971. The runs in this area were mainly renewable leases and in 1971 there was concern that they were incorrectly classified which led to a proposal to surrender the whole lease, retire part, reclassify part and preferentially allocate the reclassified areas on pastoral lease and pastoral occupation licence. Thus the background to this commenced much earlier than Case No.8902 approved in July 1975.

The Head Office Committee has asked that more care be taken in preparing the submissions. The material included must flow through to your conclusions and recommendations and not be clouded by irrelevant comments. e.g. As your conclusion was that a pastoral occupation licence be issued then the paragraph commencing "In some respects" page 3 is superfluous.

N S Coad  
Director-General

per



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*SAO*  
*- your delayed info -*  
Noted - in my future reports I shall only make a recommendation and not bother to include anything else.

*KRB*  
*DA 0 3/8/81*  
*HCB*

Appendix 21

## Lone Hand Pastoral Occupation Licence

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### Background

This report has been prepared to assist Rod Patterson Consultancy Ltd. in making a submission on the proposal to designate the 575 ha Lone Hill Pastoral Occupation Licence (POL) as land to be retained in full Crown ownership and control as a conservation area. In preparing this report I have read both the Department of Conservation (DOC) Conservation Resources Report and the Land Information New Zealand (LINZ) Notice of Preliminary Proposal. I also briefly visited the property on 18 September 2003, including a flyover and a walk from the saddle under point 1126 to the northernmost part of the POL on the gentle slopes leading down to Lone Creek. I have not commented on the historical or public recreation aspects of the reports.

### Comments on DOC and LINZ reports

General comments: The DOC report is in general comprehensive in terms of the factual information provided (e.g., on geology and plant and animal species present). However, as with most DOC Conservation Resources reports, it lacks any objective evaluation of the different attributes of the property in terms of the criteria listed in the DOC 'Manual of Standard Operating Procedures for Tenure Review' (for example in terms of Appendix 5 of Section 2A which lists the standards to be applied as guidelines for identification and assessment of significant inherent values). As such, it is difficult to objectively review the DOC recommendations with respect to the values that are present on the property.

A number of comments in the LINZ report are unsubstantiated by quantitative information, which makes assessment of their objectivity and value difficult. For example, in Section 3.2 comments on the special value of the vegetation cover because of its diversity and the presence of particular species in the block being considered significant are unsubstantiated by the information presented in the DOC report as there is no actual data on species diversity or population sizes and distribution of threatened species either for this POL or for other comparable areas within the St Mary Ecological District (or any other geographical area). Later (Section 4) it is commented that the vegetation and geographic features in this POL are not well represented within protected areas of New Zealand, but again this has not been substantiated anywhere. Finally, there is a comment at the end of Section 4 that "the survey for the Conservation Resources Report clearly identified that grazing animals were having a negative effect on the inherent values". However, this comment is made nowhere in the DOC report, so the basis for this assertion is again unclear.

It is also a concern to see that no authorship is given to the DOC report. While I do not directly question the likely technical competence of the person(s) preparing the report, it is not possible to assess the validity of the assessments made (e.g., the basis for the knowledge of the threatened plants) without knowing who made these comments or where they sourced their information from (e.g., another botanist).

Landscape: The recognition of three landscape zones seems valid and the suggestion that landscape unit 1 (the lower slopes of Little Domet) forms part of a continuum that extends down slope from the public conservation land on Little Domet and thus has high landscape values is logical. However, the rationale for ascribing value to landscape unit 2 is questionable as the "dramatic" values associated with the "long reaches of broken white water" along the Otiake River are influenced by both sides of the river, yet this assessment

only focuses on the northern side. I agree that there are no single outstanding features of landscape unit 3 (the north facing slopes below the ridge linking points 1126 and 1144).

The comment under landscape unit 1 with reference to the possibility of the spread of wilding pines into the “clean” tussocklands is not substantiated in the report. Does the unnamed author(s) of this report mean that this could happen under current pastoral management or under future conservation management?

Geology, landforms and climate: No specific comments.

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Vegetation: The overall description of the vegetation appears accurate, although it seems unusual that while the landscape assessment was based on three landscape units, the vegetation assessment was based on only two units. The justification for this difference is not given in the report. The conclusion of the vegetation section provides no assessment on significant inherent values, except with regard to the presence of two native broom species (see below). It is therefore difficult to see how the LINZ report can suggest that significant inherent values are present in the block with respect to the vegetation. Certainly, no assessment is presented with respect to the DOC standards contained in their standard operating procedures manual.

The comments in the DOC report on the status of the two native brooms, *Carmichaelia crassicaule* (Declining) and *Carmichaelia vexillata* (Vulnerable), are incorrect, possibly because the assessment was completed prior to the latest DOC rankings (Hitchmough 2002). Both are presently ranked as Gradual Decline, the lowest threat level included within this ranking system. Notwithstanding this comment, I am concerned with the suggestion in the LINZ report that the presence of these two species on this block “is considered significant”. As noted above, this is a totally subjective assessment and no supporting information is provided to explain why their presence at this particular site is significant. Both species occur as far north as Marlborough, and have their strong holds in South Canterbury and Otago, extending well south of the Lone Hill POL. Furthermore, it appears that additional populations of both species are being found throughout this area as a result of ongoing tenure review surveys. The conservation of these species is obviously important as they are less common now than they were historically, but this report provides no justification for why the removal of pastoral management will enhance their status in the Lone Hill POL.

I do, however, agree with the assessment that intact vegetation sequences are present in the property, especially when considered with the adjacent areas of public conservation land under Little Domet (collectively this represents an altitudinal sequence of 1100 m).

Fauna: The information presented suggests that apart from New Zealand Falcon (Gradual Decline), no threatened species are present. The comment in the DOC report that the invertebrate community present “has all the features of an intact functioning ecosystem” and in the LINZ report that “The complexity and interaction of this fauna indicates a relatively intact ecosystem” is meaningless. Almost any ecosystem in New Zealand includes invertebrate species from a range of trophic levels, including plantation forests and urban gardens, so the importance of this observation at this site is trivial.

#### **Conclusions and recommendations**

1. It is very difficult to assess the significance of the landscape and ecological values present on the Lone Hill POL because of the lack of any quantitative or even semi-formal assessment

of values within the DOC Conservation Resources Report or the LINZ Notice of Preliminary Proposal against those outlined in the DOC 'Manual of Standard Operating Procedures for Tenure Review'. Because of this, it is difficult to find any justification for the suggestion that the whole of this POL has significant inherent values.

2. Furthermore, even if there are significant inherent values present in the Lone Hill POL, there is no justification presented as to why these would be best protected by managing this area as a conservation area. This is particularly so given that the LINZ report quite clearly states that the most important significant inherent value relates to the overall landscape.

3. Notwithstanding these comments, it is my opinion that there are significant landscape and ecological values on that part of the POL that lies under Little Domet reflecting the fact that this site represents a substantial altitudinal sequence from valley floor to mountain top. However, I do not believe that there is sufficient information provided in the DOC or LINZ reports to clearly identify the most appropriate management for this area, and it may well be that an appropriate protective mechanism (e.g., banning fire and restricting grazing levels) might be sufficient to maintain these values. I believe that the balance of the block does not have significant inherent values and that with appropriate protective mechanisms (e.g., a restriction on the use of fire on the southeast facing slopes above the Otiake River and perhaps some form of protection of the two *C. vexillata* plants), that this area should be freeholded.

Assoc. Prof. David A. Norton  
University of Canterbury  
3 October 2003

Due to unexpected mail delays, I will post  
a signed copy as soon as I receive it.  
Rod.

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(1) Does not include  
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Witness whereof the Commissioner of Crown Lands for the Land District of  
 Lessor, hath hereunto set his hand, and these presents have been also executed by us on behalf of the Lessee.

Ctogo

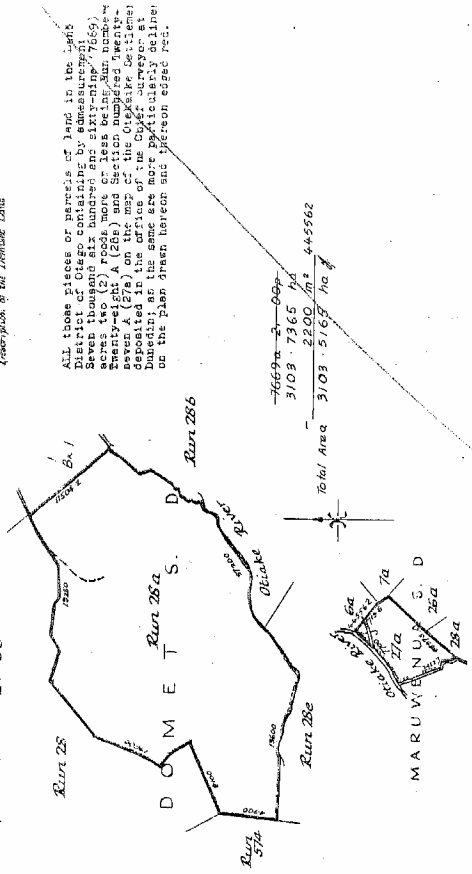
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Okecheke Settlement  
7669-2-00

THE FIRST SCHEDULE HEREBEFORE REFERRED TO: 27/18  
Description of the Demanded Land



All these effects or interests of land in the lands District of Okecheke containing by some means Seven thousand six hundred and sixty-nine (7669) acres less (2) roads more or less being the same as shown on the map of the Okecheke Survey deposited in the office of the Commissioner of Lands and Survey on the 1st day of August 1960 and the plan drawn thereon and particularly delineated on the plan drawn hereon and hereon edged red.

Scale: 1 mile to an inch  
THE SECOND SCHEDULE HEREBEFORE REFERRED TO:  
Improvements now existing on the Demanded Land and their Value.

| Improvements.   | Value. |           |
|---|--------|-----------|
|   | £      | s. d.     |
| (a) Owned by the Lessor and included in the capital value:-<br>Section 27B1<br>Half value of 16 chains posts standards and wire fence,<br>north boundary of Section 27B1<br>Whole value of 75 chains posts, standards and wire fence,<br>Run 25b<br>Half value of 16 chains posts, standards and wire fence,<br>subdivisions, at 5/- per chain<br>Run 25c<br>Half value of 16 chains posts, standards and wire fence,<br>on north east boundary with Section 1<br>Block I Kuraw Survey District, and<br>Half value of 16 chains posts, standards and wire fence,<br>on south east boundary with Run 26B | 8      | 8 0       |
| (b) Owned by the Lessee:-<br>Fencing; double garage; out-houses; hut; 60 houses;<br>shed; cottage; charthouse; woolshed and yards;<br>old house; sheep-dip; fencing;  | 3054   | 4 6       |
| Total value   | £      | 3130 15 0 |

Signed by the Commissioner, on behalf of the Lessor, in the presence of:-  
Witness: John Parks  
Commissioner: John Parks  
Address: Perth

John Parks  
Commissioner of Okecheke Lands

Signed by the above-named  
RAYMOND GEORGE SMITH,  
as Lessee, in the presence of:-  
Witness: John Parks  
Occupation: Commissioner  
Address: Perth

Raymond George Smith  
Lessee





Appendix 3

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SEARCHED 10/1/68

L. & S. E. 5

NEW ZEALAND

Entered in the Register-book, the

Former Ref. Vol. 327 fol. 12

30/1/68  
**REGISTERED**

L. & S. Ref. No. 0 62



REGISTERED IN THE LAND REGISTRY OFFICE, BUT NOT UNDER THE LAND TRANSFER ACT.

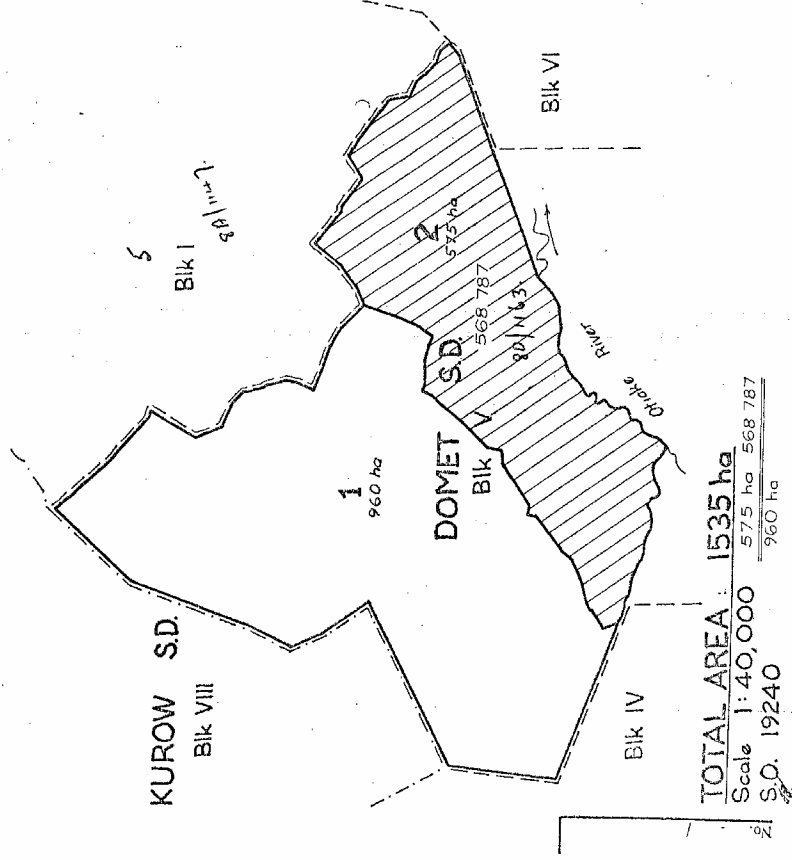
**Pastoral Occupation Licence under the Land Act 1948**

The Land Settlement Board (hereinafter referred to as "the Licensor") doth hereby licence and authorise Lyndsey Alexander Smith of Otaiake, Sheepfarmer

that parcel of land containing by estimation 1535 hectares more or less, situated in the Land District of Block V Domet Survey District

and being Sections 1 and 2

as the same is more particularly delineated with bold black lines on the plan hereon; together with the right



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leases, and appurtenances thereto belonging for a term of 54 years commencing on the 1st day of July 1972 together with the period between the date of this licence and the date of the Survey at Tamedin the annual rent of \$250.00 payable without set-off equal half-yearly payments in advance on the 1st day of January and the 1st day of July in every year of the said term. AND also paying in respect of the improvements specified in the Schedule hereto the sum of \$1000.00 by deposit of \$500.00 on the 1st day of January and the 1st day of July in each and every year.

AND subject also to the following terms and conditions:

1. THAT without derogating from or restricting the covenants contained and implied in this licence on the part of the Licensee to be performed or complied with the Licensee will not at any time during said term depasture on the land hereby demised more than \* sheep which shall include in their breeding ewes no more than 2000 head. \* cattle which shall not include more than 200 head. \* PROVIDED HOWEVER that the Licensee may with the prior written consent of the Licensor such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Licensor to revoke or vary such consent at any time.

2. THAT the Licensee will at all times farm the land hereby demised in a manner to promote soil servation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

3. THAT pursuant to section 58 of the Land Act 1948 a strip of land not less than 20 metres in width along the banks of all rivers and streams which have an average width of not less than 3 metres is excluded from the within licence.

\* 500 stock units AND FURTHER that the numbers and classes of stock and the times and areas of grazing are to be those agreed upon annually by the Commissioner of Crown Lands and the Chief Soil Conservator of the Waitaki Catchment Commission.

AND it is hereby agreed and declared by and between the Licensor and the Licensee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress and regress over the land comprised in this licence for the purpose of determining whether such land or adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animal provided that such officers, employees and other authorised persons in the performance of the said duty shall at all times avoid undue disturbance of the Licensee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Occupation Licence of pastoral land under section 66 of the Land Act 1948, and the provisions of the said and of the regulations made thereunder applicable to such licences shall be binding in all respects upon parties hereto in the same manner as if such provisions had been fully set out herein.

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

NIL

Assistant

IN WITNESS whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Licensor, has hereunto set his hand, this 23rd day of October 1971, in the presence of-

Witness:

Occupation:

Address:

*[Signature]*  
Commissioner of Crown Lands  
*[Signature]*  
Assistant

I, the within named Licensee, hereby accept this Licence on the terms and conditions specified herein and in witness in have hereunto set my hand in the presence of-

Witness:

Occupation:

Address:

*[Signature]*  
Licensee  
812280-290/170

"RELEASED UNDER THE  
OFFICIAL INFORMATION ACT"

C.T. 6A/1169

Interests at date of issue

18132 Mortgage to The State Advances Corporation of New Zealand - 6.8.1959 at 2.35 pm (varied once subsequently)

181275 Mortgage to Raymond George Smith - 18.8.1959 at 11.12 am

*R.G. Smith*

A.L.R.

533121/1 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 17.4.1980 at 2.26 pm

*[Signature]*

A.L.R.

533121/2 Mortgage to The Rural Banking and Finance Corporation of New Zealand -

17.4.1980 at 2.26 pm

*[Signature]*

A.L.R.

533121/3 Memorandum of Priority ranking Mortgage 533121/1 as a second mortgage, mortgage 533121/2 as a third mortgage and mortgage 181275 as a fourth mortgage - 17.4.1980 at 2.26 pm

*[Signature]*

A.L.R.

568787 ) Pastoral Occupation Licence 80/1163  
24.12.1981 ) issued for the within land.

*[Signature]*

A.L.R.

*done*  
*✓*

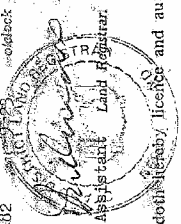
Appendix 4.

"RELEASED UNDER THE  
OFFICIAL INFORMATION ACT"

Not Registered under Land Transfer  
Act - SEARCH COPY So Date (Vol. 3) 1982  
Land Act, 1948

REGISTER

L. & S.-B. S NEW ZEALAND Entered in the Register-book, the  
Former Ref. Vol. 8A fol. 1169 (part) 24th day of December  
L. & S. Ref. No. 0.95 1982

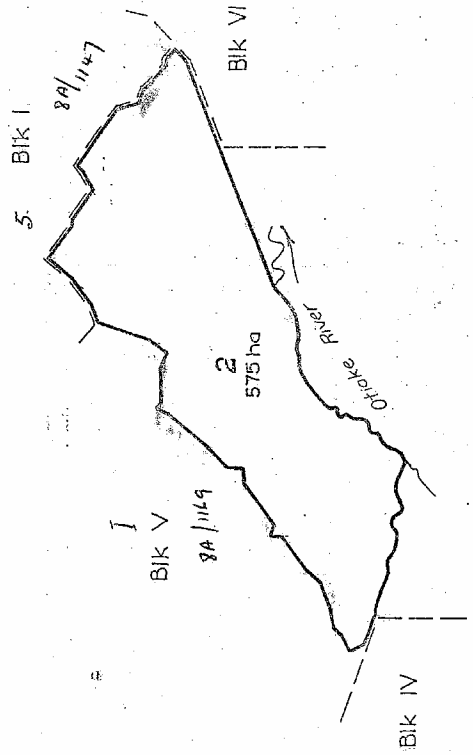


Pastoral Occupation Licence under the Land Act 1948

The Land Settlement Board (hereinafter referred to as "the Licensor") doth hereby licence and authorise  
LINDSAY ALEXANDER SMITH of Otago Sheepfarmer

that parcel of land containing by estimation 575 hectares (hereinafter referred to as "the Licensee") to occupy  
more or less, situated in the Land District of Otago, and being Section 2, Block  
Demet Survey District

as the same is more particularly delineated with bold black lines on the plan hereon; together with the ri-



Scale 1:40 000  
S.O. 19240

80 / 1163

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

86/1163

esements, and appurtanances thereto belonging for a term of 21 years commencing on the 1st day of 1980 together with the period between the date of this licence and the aforesaid 1st day of July 1980. ~~SEARCH COPY NO. 1016~~ ~~being therefor into the Department of Lands and Survey at Duneedin the annual rent of \$ 0.00, payable without demand by equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year of the said term. ANY also paying in respect of the improvements specified in the Schedule hereto the sum of \$ by deposit of \$ on the 1st day of January and the 1st day of July after by half-yearly instalments of \$ on each day already been paid) and there ~~after by half-yearly instalments of \$~~~~

AND subject also to the following terms and conditions:  
1. THAT without derogating from or restricting the covenants contained and implied in this licence and on the part of the Licensee to be performed or complied with the Licensee will not at any time during the said term depature on the land hereby demised more than 200\* ~~sheep which cannot be included in the~~ ~~breeding ewes nor more than~~ ~~cattle which number shall not include more than~~ ~~breeding cows PROVIDED HOWEVER that the Licensee may with the prior written consent of the Licor~~ ~~carry such additional stock or other animals, and conditions as may therein be specified subject neverth~~ ~~to the right of the Licensor to revoke or vary and consent at any time.~~  
2. THAT the Licensee will at all times farm the land hereby demised in a manner to promote soil co servation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Contr Act 1941.

3. THAT pursuant to section 58 of the Land Act 1948 a strip of land not less than 20 metres in width along the banks of all rivers and streams which have an average width of not less than 3 metres is exclude from the within licence.

4. \*\*  
\*stock units with the numbers, classes, times and area of grazing to be agreed upon annu during the first 5 years of the said term between the Licensee and the Department of Lan and Survey and the Waitaki Catchment Commission and thereafter by agreement periodically AND it is hereby agreed and declared by and between the Licensor and the Licensee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the Ne Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress ar access over the land comprised in this licence for the purpose of determining whether such land or a adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Servi is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animal Provided that such officers, employees and other authorised persons in the performance of the said duti shall at all times avoid undue disturbance of the Licor's stock.

AND it is hereby declared and agreed that these presen.s are intended to take effect as a Pastoral Occup tion Licence of pastoral land under section 66 of the Land Act 1948, and the provisions of the said and of the regulations made thereunder applicable to such licences shall be binding in all respects upon t parties hereto in the same manner as if such provision: had been fully set out herein.

SCHEDULE OF IMPROVEMENTS TO BE MADE TO THE CROWN

\*\*4. The rent herein reserved may be reviewed on or after the 30th day of June 1987 and again at a date not less than seven years from the date of the first such review.

IN WITNESS whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Licensor, has hereu set his hand, this 20th day of November 1987, in the presence of-

Witness: *[Signature]*  
Assistant Commissioner of Crown Lands.  
Occupation: *Clerk Dept. of Lands & Survey*  
Address: *Dunedin*

I, the within named Licensee, hereby accept this Licence on th terms and conditions specified herein and in witness th of have hereunto set my hand in the presence of-

Witness: *[Signature]*  
SUPERVISOR, C.P.M., OFFICE, GAMBURU  
(AN OFFICER AUTHORIZED TO TAKE AND  
RECEIVE STATUTORY DEPOSITIONS)  
Lic. No. 81280-3507/6

8 7 8 7  
9 23 AM '87

"RELEASED UNDER THE  
OFFICIAL INFORMATION ACT"

SEARCHED

80/1163

~~SECRET~~

Interests at date of Issue:

181132 Mortgage to The State Advances Corporation of New Zealand - 6.8.1959 at 2.35 pm (varied once subsequently)

181275 Mortgage to Raymond George Smith - 18.8.1959 at 11.22 am

533121/1 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 17.4.1980 at 2.26 pm

533121/2 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 17.4.1980 at 2.26 pm

533121/3 Memorandum of Priority ranking mortgage 533121/1 as a second mortgage, mortgage 533121/2 as a third mortgage and mortgage 181275 as a fourth mortgage - 17.4.1980 at 2.26 pm




A.L.R.

Appendix 5

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

SECOND COPY FILE

NEW ZEALAND REGISTER 13 00  
 Entered in the Register-book, the day of October 1979, at Auckland, O'clock. 11147



Registrar-General of Land  
 NEW ZEALAND

L. & S.—E. &  
 Former Ref. Vol. 307 fol. 18  
 L. & S. Ref. No. DFF 819

**Deferred Payment Licence under the Land Act 1948**

**W. J. BIRD**, made the 3rd day of October 1975, between **HER MAJESTY THE QUEEN** (hereinafter referred to as "the Licensor"), of the one part, and **LYNDAL ALEXANDER SHUTE** of Otiatake, Shon farmer

(hereinafter referred to as "the Licensee"), of the other part: WHEREAS the Licensor has agreed to sell and the Licensee has agreed to purchase the land hereinafter described, including the improvements set out in the schedule hereto for a sum of \$73953.28 pursuant to sections 65 & 122 of the Land Act 1948 by way of deferred payment licence AND whereas on the 3rd day of October 1975 the Licensee paid a deposit of \$11123.58 to the Licensor NOW THIS DEED WITNESSETH that the Licensor, in consideration of the premises and of the covenants, conditions, and agreements herein contained and implied, and on the part of the Licensee to be paid, observed and performed hereby grant to the Licensee an exclusive licence to occupy all that parcel of land, containing by admeasurement 1545.9820 hectares more or less situated in the Land District of Otago, and being Sections 1244 and 1254, Otago Settlement, situated in Blocks XII and XIII, Maerewhenua Survey District and Section 5 Block I Domet Survey District

as the same is more particularly delineated by bold black lines on the plan hereon: TO HAVE effect from the 1st day of January 1976 together with the period between the 1st day of this licence and the aforesaid list day of January 1976; or until said land is sooner granted in fee-simple to the Licensee. AND the Licensee doth hereby cove with the Licensor as follows: THAT the Licensee will pay to the Department of Lands and Survey at Dunedin said purchase price, by a deposit of \$11123 (which has already been paid), together with interest thereon at the rate of 6 per centum per annum and thereafter by half-yearly instalments of \$2269.15 on the 30th day of June and the 31st day of December in each and every year subject to variation of rate of interest and the amount of the half-yearly instalments in the manner hereinafter provided. The first such instalment shall be payable on the 30th day of June 1976 and the second such instalment shall be payable on the 31st day of October 1976; and the third such instalment shall be payable on the 31st day of December 1976.

FOR DIAGRAM SEE SEPERATE SHEET

AND it is hereby declared and agreed: (1) That these presents are intended to take effect as a licence to occupy land pending the completion of purchase by deferred payments under the Land Act 1948 and of any amendments passed in amendment or substitution thereof and the provisions of the said Act, applicable to such licence shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set herein.

(2) That the Land Settlement Board, pursuant to its powers under section 170a of the Land Act 1948, reserves the right to review the rate of interest payable by the Licensee hereunder for the second and each ensuing period of 5 years from the term hereof, and the provisions of that section shall apply to any such review, and any necessary adjustments in instalments payable hereunder.

SCHEDULE  
 Fencing \$153.05

"RELEASED UNDER THE  
OFFICIAL INFORMATION ACT"

STATE OF NEW ZEALAND

In witness whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Licensor, has hereunto set his hand, and these presents have also been signed by the said Licensee.

1767  
No 08 A

Signed by the said Commissioner, on behalf of the Licensor, in the presence of \_\_\_\_\_  
 Witness: \_\_\_\_\_  
 Occupation: \_\_\_\_\_  
 Address: \_\_\_\_\_

Signed by the above-named Licensee, in the presence of \_\_\_\_\_  
 Witness: \_\_\_\_\_  
 Occupation: \_\_\_\_\_  
 Address: \_\_\_\_\_

*[Signature]*  
 Commissioner of Crown Lands

*[Signature]*  
 Licensee

Interests at date of issue:

181132 Mortgage to The State Advances Corporation of New Zealand - 6.8.1959 at 2.35 pm (varied once subsequently)

181275 Mortgage to Raymond George Smith - 18.6.1959 at 11.12 am

*[Signature]*

A.L.R.

533121/1 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 17.4.1980 at 2.26 pm

*[Signature]*

A.L.R.

533121/2 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 17.4.1980 at 2.26 pm

*[Signature]*

A.L.R.

533131/3 Memorandum of Priority ranking Mortgage 533121/1 as a second mortgage, Mortgage 533121/2 as a third mortgage and mortgage 181275 as a fourth mortgage - 17.4.1980 at 2.26 pm

*[Signature]*

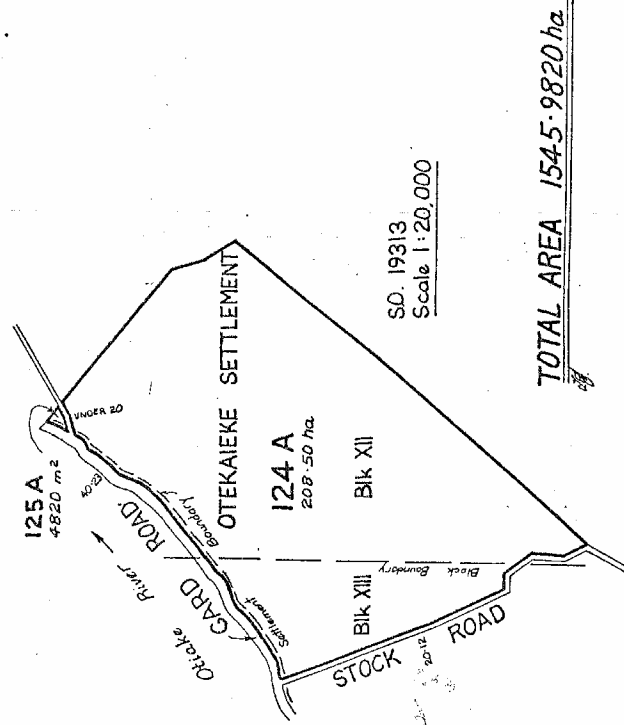
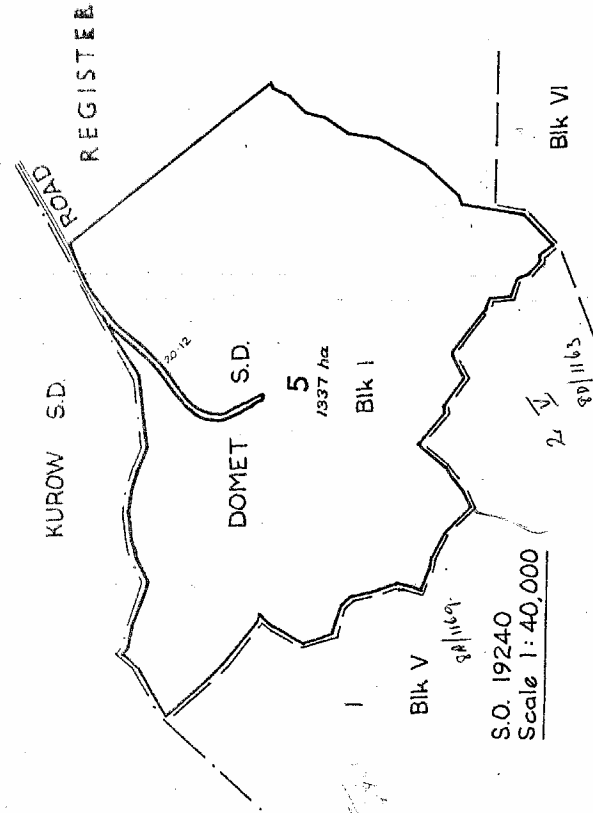
A.L.R.

5 2 5 2 2 1  
DISTRICT COUNCIL OF  
DUNEDIN  
Oct 30 9 77 AM 1980

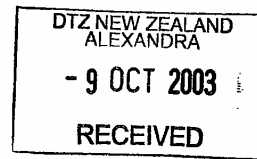


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## Lone Hill Pastoral Occupation Licence

### Background

This report has been prepared to assist Rod Patterson Consultancy Ltd. in making a submission on the proposal to designate the 575 ha Lone Hill Pastoral Occupation Licence (POL) as land to be retained in full Crown ownership and control as a conservation area. In preparing this report I have read both the Department of Conservation (DOC) Conservation Resources Report and the Land Information New Zealand (LINZ) Notice of Preliminary Proposal. I also briefly visited the property on 18 September 2003, including a flyover and a walk from the saddle under point 1126 to the northernmost part of the POL on the gentle slopes leading down to Lone Creek. I have not commented on the historical or public recreation aspects of the reports.

### Comments on DOC and LINZ reports

General comments: The DOC report is in general comprehensive in terms of the factual information provided (e.g., on geology and plant and animal species present). However, as with most DOC Conservation Resources reports, it lacks any objective evaluation of the different attributes of the property in terms of the criteria listed in the DOC 'Manual of Standard Operating Procedures for Tenure Review' (for example in terms of Appendix 5 of Section 2A which lists the standards to be applied as guidelines for identification and assessment of significant inherent values). As such, it is difficult to objectively review the DOC recommendations with respect to the values that are present on the property.

A number of comments in the LINZ report are unsubstantiated by quantitative information, which makes assessment of their objectivity and value difficult. For example, in Section 3.2 comments on the special value of the vegetation cover because of its diversity and the presence of particular species in the block being considered significant are unsubstantiated by the information presented in the DOC report as there is no actual data on species diversity or population sizes and distribution of threatened species either for this POL or for other comparable areas within the St Mary Ecological District (or any other geographical area). Later (Section 4) it is commented that the vegetation and geographic features in this POL are not well represented within protected areas of New Zealand, but again this has not been substantiated anywhere. Finally, there is a comment at the end of Section 4 that "the survey for the Conservation Resources Report clearly identified that grazing animals were having a negative effect on the inherent values". However, this comment is made nowhere in the DOC report, so the basis for this assertion is again unclear.

It is also a concern to see that no authorship is given to the DOC report. While I do not directly question the likely technical competence of the person(s) preparing the report, it is not possible to assess the validity of the assessments made (e.g., the basis for the knowledge of the threatened plants) without knowing who made these comments or where they sourced their information from (e.g., another botanist).

Landscape: The recognition of three landscape zones seems valid and the suggestion that landscape unit 1 (the lower slopes of Little Domet) forms part of a continuum that extends down slope from the public conservation land on Little Domet and thus has high landscape values is logical. However, the rationale for ascribing value to landscape unit 2 is questionable as the "dramatic" values associated with the "long reaches of broken white water" along the Otiake River are influenced by both sides of the river, yet this assessment

only focuses on the northern side. I agree that there are no single outstanding features of landscape unit 3 (the north facing slopes below the ridge linking points 1126 and 1144).

The comment under landscape unit 1 with reference to the possibility of the spread of wilding pines into the “clean” tussocklands is not substantiated in the report. Does the unnamed author(s) of this report mean that this could happen under current pastoral management or under future conservation management?

Geology, landforms and climate: No specific comments.

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Vegetation: The overall description of the vegetation appears accurate, although it seems unusual that while the landscape assessment was based on three landscape units, the vegetation assessment was based on only two units. The justification for this difference is not given in the report. The conclusion of the vegetation section provides no assessment on significant inherent values, except with regard to the presence of two native broom species (see below). It is therefore difficult to see how the LINZ report can suggest that significant inherent values are present in the block with respect to the vegetation. Certainly, no assessment is presented with respect to the DOC standards contained in their standard operating procedures manual.

The comments in the DOC report on the status of the two native brooms, *Carmichaelia crassicaule* (Declining) and *Carmichaelia vexillata* (Vulnerable), are incorrect, possibly because the assessment was completed prior to the latest DOC rankings (Hitchmough 2002). Both are presently ranked as Gradual Decline, the lowest threat level included within this ranking system. Notwithstanding this comment, I am concerned with the suggestion in the LINZ report that the presence of these two species on this block “is considered significant”. As noted above, this is a totally subjective assessment and no supporting information is provided to explain why their presence at this particular site is significant. Both species occur as far north as Marlborough, and have their strong holds in South Canterbury and Otago, extending well south of the Lone Hill POL. Furthermore, it appears that additional populations of both species are being found throughout this area as a result of ongoing tenure review surveys. The conservation of these species is obviously important as they are less common now than they were historically, but this report provides no justification for why the removal of pastoral management will enhance their status in the Lone Hill POL.

I do, however, agree with the assessment that intact vegetation sequences are present in the property, especially when considered with the adjacent areas of public conservation land under Little Domet (collectively this represents an altitudinal sequence of 1100 m).

Fauna: The information presented suggests that apart from New Zealand Falcon (Gradual Decline), no threatened species are present. The comment in the DOC report that the invertebrate community present “has all the features of an intact functioning ecosystem” and in the LINZ report that “The complexity and interaction of this fauna indicates a relatively intact ecosystem” is meaningless. Almost any ecosystem in New Zealand includes invertebrate species from a range of trophic levels, including plantation forests and urban gardens, so the importance of this observation at this site is trivial.

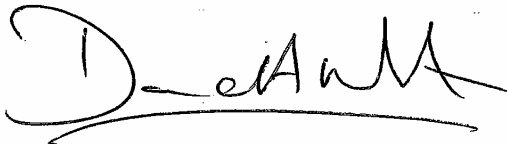
**Conclusions and recommendations**

1. It is very difficult to assess the significance of the landscape and ecological values present on the Lone Hill POL because of the lack of any quantitative or even semi-formal assessment of values within the DOC Conservation Resources Report or the LINZ Notice of Preliminary Proposal against those outlined in the DOC 'Manual of Standard Operating Procedures for Tenure Review'. Because of this, it is difficult to find any justification for the suggestion that the whole of this POL has significant inherent values.

2. Furthermore, even if there are significant inherent values present in the Lone Hill POL, there is no justification presented as to why these would be best protected by managing this area as a conservation area. This is particularly so given that the LINZ report quite clearly states that the most important significant inherent value relates to the overall landscape.

3. Notwithstanding these comments, it is my opinion that there are significant landscape and ecological values on that part of the POL that lies under Little Domet reflecting the fact that this site represents a substantial altitudinal sequence from valley floor to mountain top. However, I do not believe that there is sufficient information provided in the DOC or LINZ reports to clearly identify the most appropriate management for this area, and it may well be that an appropriate protective mechanism (e.g., banning fire and restricting grazing levels) might be sufficient to maintain these values. I believe that the balance of the block does not have significant inherent values and that with appropriate protective mechanisms (e.g., a restriction on the use of fire on the southeast facing slopes above the Otiake River and perhaps some form of protection of the two *C. vexillata* plants), that this area should be freeholded.

Assoc. Prof. David A. Norton  
University of Canterbury  
3 October 2003



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OFFICIAL INFORMATION ACT"