

Crown Pastoral Land Tenure Review

Lease name: MT ASPIRING STATION

Lease number: PO 231

Public Submissions - Part 2

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

October 09

Submission 11

Simon de Lautour

(11)

From: Dave Payton [Dave.Payton@opus.co.nz]
Sent: Tuesday, 21 April 2009 16:24
To: 'Simon de Lautour'
Subject: FW: SUBMISSION ON MT ASPIRING TENURE REVIEW
Attachments: DOCDM-421043 bd tenure review submission - opus - Mt Aspiring.doc

From: Mark Clark [mailto:mclark@doc.govt.nz]
Sent: Tuesday, 21 April 2009 3:47 p.m.
To: dave.payton@opus.co.nz
Subject: SUBMISSION ON MT ASPIRING TENURE REVIEW

<<DOCDM-421043 bd tenure review submission - opus - Mt Aspiring.doc>>

Attention: Dave Payton

Attached is the Otago Conservation Board's submission on the Mt Aspiring tenure review, sent electronically to ensure that it meets the deadline. A hard copy has been posted.

Yours sincerely

Mark A Clark
Community Relations Officer
(Otago Cons. Board Support / Concessions)
Department of Conservation
Box 5244 VPN 5636
Dunedin 9058 mclark@doc.govt.nz
Phone (03) 474 6936 Fax (03) 477 8626

Attention:
This e-mail (and attachments) is confidential and may be legally privileged.



OTAGO CONSERVATION BOARD

Our ref: SBC-08-34

21 April 2009

Commissioner of Crown Lands
c/- Opus International Consultants Ltd
Private Bag 1913
DUNEDIN 9016



Dear Sir

SUBMISSION ON TENURE REVIEW OF MOUNT ASPIRING PASTORAL LEASE (Po 231)

The Otago Conservation Board appreciates this opportunity to comment on the preliminary proposal for the tenure review of the Mount Aspiring pastoral lease .

The Otago Conservation Board is appointed by the Minister of Conservation to represent the wider Otago community in advocating for the protection of biodiversity and the conservation of natural and historic resources throughout Otago. The Board takes a strong interest in tenure review and makes submissions on all of the preliminary proposals within its jurisdiction.

GENERAL COMMENTS

It should be stated at the outset that in terms of public use - by local people and by international tourists - the Mount Aspiring pastoral lease almost certainly has the highest profile of any leasehold area in Otago. On any given day, hundreds of people journey to the end of the road, absorb the scenery, and enjoy the mountains.

For generations, the Aspinall family has had a reputation for being very generous and helpful to the thousands of travellers and climbers who have, from time to time, needed their help or cooperation. For this, the people of Otago are very grateful. Both leasehold and freehold properties occasionally change hands however, and the circumstances associated with the use of such properties can change too.

For this reason, it is crucial that this tenure review is future-proofed to ensure that conservation values and public rights of access are preserved - not just for the next 10 years or so, but for all future generations. When Crown land is privatized, the public has the right and expectation that its needs will be met. The Board notes the important conservation and recreation values which are present on this property, and it seeks a tenure review outcome that will prevent future developments inconsistent with the protection of these values.

In general, the proposed creation of conservation areas and the provision of public access as an outcome of this review will protect large areas of natural communities in the Mount Aspiring region, allow public enjoyment of the area, and open up further recreational

opportunities. The Board broadly supports the proposal and the proposed tenure designations, as they will produce tangible conservation and access benefits. We do however have concerns about the potential for developments on the proposed freehold land and we would like the proposal to be modified in some ways.

THE PRELIMINARY PROPOSAL

Specific comments on this preliminary proposal are as follows:-

Land to be Restored to full Crown ownership and control

2.1.1 Proposed Conservation Area CA2

The proposal consists of three discrete blocks totalling approximately 572 hectares which back onto Mount Aspiring National Park and which have been largely ungrazed.

The Board fully supports this proposal as these areas of forest are an integral part of the Mount Aspiring visual massif, and most people would already believe they are part of the national park. This would also legitimize public access on the Homestead Creek and Glacier Burn walks.

2.1.2 Proposed Conservation Area CA4

Approximately 1.5 hectares, consisting of the existing Raspberry Creek Car Park and an additional area for expansion.

The Board also supports this proposal, but wonders if the total area is sufficient to accommodate future growth, given that on an average weekend, the existing car park is often full already.

2.1.3 Proposed Conservation Area CA5

An area of grassy flats of approximately 40 hectares, situated between the Cascade and Aspiring Huts. This area is essentially a visual buffer between grazed farmland and the national park. Although it has no direct conservation value, **the Board supports this proposal because of the landscape value.**

2.2 Land to be Restored to Crown control

(In fact, it would appear the intention is not to restore this land to Crown Control.)

2.2.1 Proposed Conservation Area CA1

One large block of approximately 5,000 hectares almost entirely above the bush-line, located on the eastern side of the East Matukituki River. This area is centred around the spectacular Dragonfly-Eostre ridge and holds huge potential for walks and excursions. Already a popular destination for locals 'in the know' and who have contact with the leaseholder, this area will be a very welcome addition for public access when it is eventually opened up. **The Board supports this proposal, but has reservations about the nature of the proposed granting of grazing concessions (GC1 & GC2).**

GC1 proposes 10 years grazing by cattle on 650 hectares, and GC2 for 15 years grazing by cattle over 180 hectares. Neither of these areas are fenced, so it is reasonable to assume that the cattle will wander further afield. The periods of 10 and 15 years are also considerably longer than the customary five year terms used in connection with most other tenure review agreements. The Board questions the need for longer terms in this case. It is important to note that the Conservation Resources Report records that the area is one of particularly high diversity.

Recreation Concession – Trilane Industries Ltd

A concession for 15 years is proposed. The Board has previously objected to the construction of the private lodge near the Albert Burn Saddle. We believe that at the very least, the proposed concession for the hut should require the concessionaire to provide a public shelter attached to the existing building.

2.2.2 Proposed Conservation Area CA3

Approximately 1,970 hectares of steep and largely unfarmed mountain slopes on the south side of the Matukituki River. This includes access to Shotover Saddle.

The Board supports this proposal and accepts the grazing concessions labelled GC3, as these are highly modified areas not required for biodiversity conservation. The requirements of not opening these to merinos and instigating a monitoring programme are essential parts of this agreement. The impracticality of contour fencing is also recognised, and provided the concession conditions are followed, it should not be a major problem.

The Board does have one major reservation about this proposal, however. The boundary should be modified to include the Proposed Conservation Covenant CC2 centred on the *Olearia hectorii* population. This area is one of the most significant habitats in the valley. It should be a fully fenced and protected conservation area (see below).

2.3 Land to be disposed of by freehold.

This area of approximately 2091 hectares includes all the valley flats and slopes of both branches of the Matukituki River. The Board has no views on the desirability of free holding this area apart from general concerns about public access, landscape protection and the conservation of biodiversity.

The Board supports the proposed covenant that allows grazing of sheep and cattle only, but prohibits any construction of fences and structures unless they are solely for farm-related purposes.

2.3.2 Proposed Conservation Covenant CC2

The Board strongly opposes this proposal. A pocket of mature *Olearia hectorii* (approx 2.3 ha) located near the road opposite the Otago Boys High School lodge, mentioned above, and proposed as CC2. This pocket, although small and highly modified, contains one of the best two or three stands of mature *Olearia hectorii* (approx 55 trees) in the entire Matukituki Valley, which is itself one of the two or three remaining strongholds of this tree nationally. **This location is far too important to be given up to freehold. It needs to be separated out, fenced and protected as a full conservation area.**

Considering the facts that the germination requirements for *Olearia hectorii* are unknown, that attempts to date at getting the trees to regenerate have been entirely unsuccessful, and that it is known that the species is highly palatable to sheep and cattle, it is very difficult to see the logic in managing this important site by a covenant that permits ongoing grazing.

Farm management would not be compromised by a conservation area here, as there is plenty of room between the bottom of the trees and the road to allow for freehold and continued stock passage.

It is also important that any planting/restoration programme undertaken in this area is under the supervision of the Department of Conservation and utilises only local genetic stock.

2.3.3 Proposed easements for public and conservation management access

The Board supports the proposed easements, which appear to cater for most of the main routes and points of interest. They highlight a unique aspect of this pastoral lease - the

fact that it incorporates the most popular gateway into Mount Aspiring National Park. Easements or not, the large number of people accessing the park here brings about a degree of wandering-at-will from time to time, mainly by tourists. This probably presents no greater problem to farm management than the legitimate access up the legal road. In view of this, and the fact that there are a large number of easements that would all need to be surveyed and signposted, it may be a better solution to have a **blanket 'wander-at-will' provision for the valley above the Otago Boys High School bridge**. While it would be an unusual approach, it would be compatible with the nationally-important nature of the existing pastoral lease.

Easement j-k (Raspberry Flat to Mount Aspiring Hut)

This easement is designed to provide access along the existing farm track, negating the need to follow the legal road, which in places differs from the actual formed farm track.

This would appear to be a rather back-handed way of excluding public vehicular access to Aspiring Hut and the national park boundary. However, an informal straw poll in the community has found agreement with the restriction of vehicle access beyond the Raspberry Flat car park. In the past, the leaseholders have been very accommodating in allowing vehicular access beyond that point when the occasion called for it, and it is to be hoped that this arrangement will continue (e.g. for elderly or disabled visitors). It is questionable, however, whether this should be at the discretion of the new freehold owner or the Department of Conservation.

A resurveyed public road in alignment with the existing actual access would future-proof access for coming generations of needy visitors, regardless of any future ownership of the freehold land.


DISCUSSION OF PROPOSED DESIGNATIONS AND FREEHOLD AREAS

The **Mount Aspiring pastoral lease** contains a mosaic of habitats with varying degrees of modification and potential for continued farming. Overall, the proposed tenure review has made a good attempt at balancing the requirements to set aside areas of biological significance as well as a representative sample of habitats; with the desirability of maintaining an economically-viable farm unit. In addition, the provision of extensive access arrangements will be of immense benefit to the general public. It is important to remind ourselves, however, that these various easements and covenants are not just with the existing leaseholder, but with future owners several generations down the line. For that reason, it is essential that any agreements are clear, reasonable, secure and binding.

The Board supports most of the preliminary proposal, with the exception of the modifications discussed.

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

Yours faithfully



Hoani Langsbury
Chairperson

Submission 12

Simon de Lautour

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From: Dave Payton [Dave.Payton@opus.co.nz]
Sent: Wednesday, 22 April 2009 12:25
To: 'Simon de Lautour'
Subject: FW: NZ Deerstalkers' Assn Mt Aspiring PP Submission
Attachments: NZDA Submn Mt Aspiring 23Apr09.doc

From: Hugh Barr [mailto:hugh@infosmart.co.nz]
Sent: Tuesday, 21 April 2009 9:50 p.m.
To: David Payton Opus Dn
Cc: Dianne Brown
Subject: NZ Deerstalkers' Assn Mt Aspiring PP Submission

Attached Regards
Hugh Barr, NZ Deerstalkers' Assn National Advocate
Tel 64 4 934 2244 Fx 64 4 934 2244 Mob: 027 686 0063
hugh@infosmart.co.nz

Information from ESET NOD32 Antivirus, version of virus signature database 4024 (20090421)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>



New Zealand Deerstalkers' Association Incorporated

Level 1 45 – 51 Rugby Street P O Box 6514 Wellington
Phone: 04 801 7367 Fax: 04 801 7368
Email: deerstalkers.org.nz
Website: <http://www.deerstalkers.org.nz>

19 April 2009

Commissioner of Crown Lands
C/o David Payton
Tenure Review Contract Manager
Opus International Consultants Ltd
Private Bag 1913, Dunedin 9016

dave.payton@opus.co.nz Ph 03 471 5500

NZDA Submission: Mt Aspiring PL Preliminary Proposal

Greetings. The New Zealand Deerstalkers' Association (NZDA) makes the following submission on the Mt Aspiring Pastoral Lease Preliminary Proposal.

NZDA is the national association of deerstalkers and other big game hunters, with 50 branches and hunting member clubs throughout New Zealand. NZDA has 7500 members, and has been actively advocating for recreational deerstalking and hunting, running hunter training courses, trips, conferences etc since 1937. Our membership continues to grow. NZDA sets and maintains ethical standards for hunting.

A number of NZDA Branches have an interest in hunting in this iconic part of West Otago, east of and adjacent to the Mt Aspiring National Park, at the junction of the East and West Matukituki Valleys. They include Otago (Dunedin), North Otago (Oamaru), Southern Lakes (Queenstown & Alexandra), South Otago (Balclutha) and Southland (Invercargill). Other branch members and independent recreational hunters will also be interested. There are an estimated 60,000 big game recreational hunters in New Zealand.

1 Summary of the Submission:

The Mt Aspiring lease is 9,674 Ha. The proposal is to surrender the mountainous and native forest parts of the lease and freehold the East and West Matukituki floors. 7,583 Ha is proposed for surrender and 2,091 Ha for freeholding. Some, but not all native forest was surrendered from the former lease in the 1919 when the NZ Forest Service was set up. This includes the former Matukituki SF 71, now the West Wanaka Conservation Area, separating the Mill Creek upper basin in the lease from the rest of the lease. Annual rental \$9,000, lease unimproved value \$400,000 (1 July 2001).

Five separate areas for surrender are proposed:

CA1 6,970 Ha – Isolated alpine block east of East Matukituki Valley: – above bushline land including Mill Creek and its two tributaries above the West Wanaka Conservation Area native forest, and as well the western slopes of Mt Eostre (1996 m) to the bushline. Small areas of the Albert Burn and Minaret Burn are included by the straight-line boundaries of this isolated portion of the lease. It includes Dragonfly Peak (2165 m).

Two phase-out grazing concessions are proposed **GC1, 650 Ha** – floor of Mill Creek including its 2 tributaries to over 1200 m, and

GC2, 200 Ha - a much smaller area, south of Hester Penney Creek, below the 1100 m contour, and stretching 2 km south, for winter grazing.

Access for both is via cattle tracks through the conservation area forest. The grazing permits are non-renewable, and terminate 15 years from agreement on the Tenure Review.

CA2 572 ha in 3 discrete blocks (570 Ha) – areas above the valley floor, primarily forest, adjacent to Mt Aspiring NP on the true left of the West Matukituki, south of Rob Roy Stream, and on the true right of the East Matukituki below Glacier Burn.

CA3 (1970 Ha) – On the true right of the West Matukituki and Matukituki Rivers from the summit of Mt Tyndall and Red Rocks Stream eastwards. Includes Shotover Saddle, and the very top part of the Shotover catchment that is in the lease. Also Shark's Tooth (2096), Fog Peak (2249), Glenfinnan Peak (1890 m). Cragroyston Peak(2211 m) is just outside the lease.

The lower boundary generally follows the 1000 m contour (the upper limit of over-sowing and topdressing), until east of Raspberry Flat, where it follows the lower boundary of bluffs eg near Hells Gate, before rising again south of Cameron Flat. The proposed surrendered land is highly scenic alpine peaks saddles etc especially Shark's Tooth.

There are a number of narrow grazing areas (GC3 – 200 Ha) as a buffer zone, to avoid fencing the lower boundary. Merino grazing is excluded. There is no restriction on the time of year. The areas are north-facing. It has a 30 year term.

CA4 (1.5 Ha) – parking area at the end of the Raspberry Flat Road.

CA% (40 Ha) – Valley floor between Cascade Hut to below Mt Aspiring Hut.

Area to be freeholded with public access easements (2,091 Ha): The remainder of the lease after CA1-5 are removed. A covenant CC1 (1,160 Ha), in four areas, three on the West Matuki Flats, the fourth at the top of the East Matukituki property at Glacier Burn.

Public access easements:

a-b: From the public road to the Cameron Flat car-park (motorised, non-motorised, foot)

c-d, e-f – access from the ford across the West Matukituki at the Forks to the Glacier Burn, and through the freehold on the north bank of Glacier Burn

c-g, h-i – up the true right of the West Matukituki River to the Otago Boys High School footbridge (h).

j-k – From Raspberry Flat car-park up the true right of the West Matukituki to the surrendered CA5 and Cascade Hut. Primarily along a legal road.

l-m – access from the Wanaka –Mt Aspiring Road from near the new homestead beside Niger Stream to near Glenfinnan Peak

n-o – from the road near Wishbone Ck to CA3 (access to below Fog Peak)

p-q – access to the surrendered CA3 alongside Raspberry Creek (access to below Shark's Tooth)

r-s – access from the West Matukituki river bed across the freeholded valley to the National park

t-u – from access j-k up the side of the West Matukituki Valley to the surrendered land and Shotover Saddle, etc.

NZDA Concerns:

1 Vehicular access (j-k) up the West Matukituki Valley from the gate at Raspberry Flat should be only for conservation purposes eg hut or track maintenance eg NZ Alpine Club, and not available generally to the public, even though the alignment is a legal road. The reason for this is to stop public mechanised vehicles moving the road-end to Cascade Hut. This is seen as removing the present scenic easy walk, and replacing it by a busy road. This would be a negative outcome for public enjoyment.

Otherwise NZDA supports the Proposal. It will add outstanding wildlands to the public conservation estate, including lands with very high recreational deerstalking values for Red deer and chamois.

Dr Hugh Barr, National Advocate

Submission 13

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20th April 2009

Central Otago - Lakes Branch
Denise Bruns - Secretary
4 Stonebrook Drive
WANAKA 9305

**FOREST
& BIRD**

Royal Forest and Bird
Protection Society
of New Zealand Inc

The Commissioner of Crown Lands
C/o Opus International Consultants Ltd
Private Bag 1913
DUNEDIN 9016



Dear Sir

Mt Aspiring Po 231 - Preliminary Proposal - Tenure Review

We thank you for supplying us with a copy of this preliminary proposal, and for arranging for us to inspect the property. We would also like to take the opportunity of thanking Mr and Mrs Aspinall for allowing us to make an inspection, on foot to Mill Creek, and to take a vehicle up as far as the Mt Aspiring hut - this was much appreciated.

We and many members of our branch have over the years become very familiar with this property from the valley floor as trampers and visitors to the various points of interest. A visit was made prior to making an early report on it on 8th June 2005. It is pleasing to note that some credence has been given to that earlier report by including some of our suggestions in this preliminary proposal.

Our branch is conversant with the CPL Act 1998, and supports the process of tenure review.

1.0 Some general comments:

- This property has for its northern boundary the Mt Aspiring National Park .
- The land on the true left of the west branch of the Matukituki river from the Cascade hut to the junction of the east and west branches is mostly dark lying, and therefore will be cold in the winter.
- The bush edge on the true left of the west branch bordering the national park in so far as we could see is mostly un-fenced .
- The land on the true right of the west branch lies well to the sun and will therefore be the warmest country in the winter.
- The property relies heavily on natural boundaries to hold stock on the southern side of the west branch.
- The river is not fenced, therefore it is possible that in places cattle may be able
-

to cross from one side of the valley to the other (see below)



- The river while it appears to be stable at the moment has the ability to shift to wherever it likes. There is some erosion of river banks going on all the time..

1.1 We would be pleased if you would accept these comments on the various designations, covenants and concessions in the proposal, which we discuss in the same order as written in the document.

2.0 Proposal 1 and description of proposed designations:

2.1 Land to be returned to full Crown ownership and control

An area of approximately 613.5 hectares (shown edged in pink and labelled CA2, CA4 and CA5 on the designation plan) to be returned to full Crown ownership and control as a conservation area as pursuant to section 35 (2) (a) (i) Crown Pastoral Land Act 1998.

2.2 Proposed Conservation Area (CA2)

We approve of these three small areas being returned to full Crown ownership and control although we do have some reservations in that they are not fenced off from the areas CC1, nor are they fenced off from the bush in the National Park above. We believe the bush edge should be monitored..

2.3 Proposed Conservation Area (CA4)

We agree with this and are pleased to see that provision is to be made for extending the car park in future.

2.4 Proposed Conservation Area (CA5)

As stated this area will act as a buffer between that land to become freehold and the Mt Aspiring National Park. The enclosure round the Mt Aspiring hut contains much ragwort, whereas outside the enclosure there is not much as at present. No doubt when de-stocked the amount of ragwort will increase for a time in this area. We agree the fence to separate the freehold from this area will have to be so constructed to keep cattle from entering, as it will in effect be part of the national park.

3.0 Land to be returned to Crown control

An area of approximately 6,970 hectares (shown edged in pink and labelled CA1 and CA3 on the designation plan) to be restored to Crown control as a conservation area pursuant to section 35 (2)(b)(i) Crown Pastoral Land Act 1998 subject to a qualified designation.

3.1 Proposed Conservation Area CA1

This area containing approximately 5,000 hectares is known as the Mill Creek block. It is separate from the rest of the lease; and is, scenic wise, an outstanding mountainous block containing a hanging valley mostly above tree line, and is mostly surrounded by native beech forest and will compliment the land to the north on the other side of the east branch of the Matukituki river. It contains many significant inherent values and we fully approve of it being returned to full Crown ownership and control.

3.2 (a) Qualified designation - a grazing concession in favour of the proposed freehold

That the proposed conservation area CA1 will be subject to a grazing concession (shown shaded in pink and labelled GC1 on the proposed designation plan) in favour of the proposed freehold land pursuant to section 36 (1) (a) of the Crown Pastoral Land Act 1998.

While we agree with this phase out period to allow the present holder to adjust, we do believe as it is such a long period there should be some form of monitoring. We note that on page 8 of the covenant document, 16.0 ENVIRONMENTAL MONITORING, "...the grantor may require a plan to be drawn up to manage the area. if required..." in our opinion monitoring should be an automatic requirement..

3.3. (b) Qualified designation - a grazing concession in favour of the holder of the proposed freehold

That the proposed conservation area CA1 will be subject to a grazing concession (shown labelled CG2 on the proposed designation plan) in favour of the holder of the proposed freehold land pursuant to section 33 (1)(a) of the CPL Act 1998.

We note that it is intended to run a monitoring programme for the duration of concession on the Cattle Face block; we see this as a positive move.

SCHEDULE 3, Page 13, 3. of the covenant document describes the landscape and vegetation of the area: As the landscape is described as outstanding and the exotic grasses, including tussock hawkweed, as extensive, the sooner stock are removed the better in order for the native shrubs to gradually take over.

As the average useful life of a sheep is regarded as five years and the life of a cattle beast as ten years we do not see any justification or necessity for a period of up to 15 years for this particular block.

To us it will not be in the best interests of the public to allow grazing for more than ten years.

3.4 (c) Qualified designation - granting of a recreation concession in favour of Trilane Industries Ltd

That the proposed conservation area CA1 will be subject to a recreation concession (shown as RC on the designation plan) for a term of 15 years in favour of Trilane Industries pursuant to 36(1)(a) of the CPL Act 1998.

As we understand it any recreation permit of this type previously granted by LINZ must cease when the land is returned to the Crown after tenure review. When the land is returned to the Crown it will then come under the jurisdiction of the Department of Conservation, and anyone wishing a recreational concession would have to apply to that department and any concession granted would have to be under the Conservation Act . We submit that this process should be open to public submission.

In our opinion the hut should be removed on the completion of tenure review, or if the Department of Conservation see a need for such a hut in that location they could perhaps purchase it.

4.0 Proposed Conservation Area CA3

We fully approve of this area of approximately 1970 hectares being returned to full Crown ownership and control for protection as it contains many significant inherent values. It will also add to the recreational opportunities available to the public at some distance from the wetter main divide. Being closer to Wanaka will be an advantage also for those with limited time available to them.

This area is most visible to those coming down the valley. It appears to us that as the land has been over sown and top dressed up to the lower edge of the tall tussock country there is a definite visual line separating the pastoral land from the tall tussock above. If topdressing is able to be continued (and this is subject to finance being available) it will give a more natural line than what a fence would give. We therefore support this designation.

4.1 (a) Qualified designation - granting of a grazing concession in favour of the holder of the proposed freehold. (shown as CG3 on the map)

These small areas of land are mainly under bluffs and rocky outcrops and we would agree they could be difficult to fence off close to these natural barriers. We do believe however that 30 years is far too long a period for a grazing concession. If monitoring is carried out as prescribed in the proposed covenant document, and merinos are not permitted, there should be some definite indication inside 10 years as to how the system will work. If it is not successful fencing should be considered at a lower level in these particular areas.

5.0 Land to be disposed of by freehold disposal to Mt Aspiring Company Ltd subject to protective mechanisms.

An area of approximately 2091 hectares (shown CC1 on the plan)

We have no problem with this as the river flats have been considerably modified over the years but if farmed as in the past, and supplied with sufficient fertiliser should prove ecologically sustainable.

5.1 Protective Mechanism - proposed conservation covenant.

An area of approximately 1160 hectares (shown shaded yellow and marked CC1 on the plan)

There is considerable and significant value in the landscape and also the remnant patches of bush as identified on the photos attached to the document.

We are concerned that the northern boundary, on the true left of the West Matukituki river of this area CC1, has a boundary with the Mt Aspiring National park, the lower edge of which is mostly native beech forest and could be subject to damage from stock, especially cattle.

There is no provision in the covenant to monitor any of this bush edge or the identified remnants and we suggest that there should be. If monitoring shows that damage is being then steps could be taken to either fence certain areas or endeavour to graze sheep only on the area.

The covenant should also state that there be no cultivation on these fans.

5.2 Protective Mechanism - proposed conservation covenant.

An area of approximately 2.3 hectares (shown shaded yellow and marked CC2 on the plan)

We fully approve of the present small area fenced off to protect the *Olearia hectorii* being enlarged to take in other *Olearia* plants and associated woody vegetation.

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The area can only improve in time and situated where it is this stand can be viewed by many people.

6.0 Protective Mechanism - proposed easement for public and conservation management

Being easements in gross under Section 40(2)(b)&(c) CPL Act 1998 for public and management access (shown as dashed orange lines on the plan)

We see these as being adequate.

6.1 Protective Mechanism - proposed easement to convey water and management purposes.

An easement to convey water to the car park and heli-pad (shown blue for water and CA4 on the plan)

We see this as being very necessary.

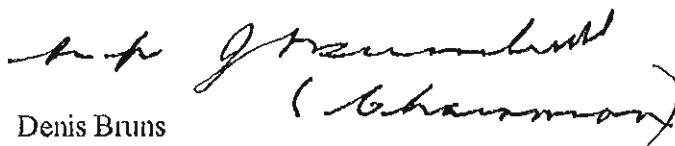
7.0 Summary

It is our opinion that some changes will have to be made in the proposal to faithfully conform to the CPL Act 1998 and so protect the various landscape and other values identified on the property.

- We see a need to include monitoring in the covenant to better protect the values in CC1.
- The phase out period for cattle on the Cattle Faces block should be reduced from 15 to 10 years,
- There should be no recreational concession granted for a lodge on the Albert Burn saddle. Any application for a recreational concession should be considered under the Conservation Act after the land has been returned to the Crown, and should be open to a public submission process..

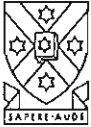
We thank you for the opportunity to comment on this proposal and we await the outcome with interest.

Yours faithfully



Denis Bruns
Secretary
Central Otago-Lakes Branch

Submission 14



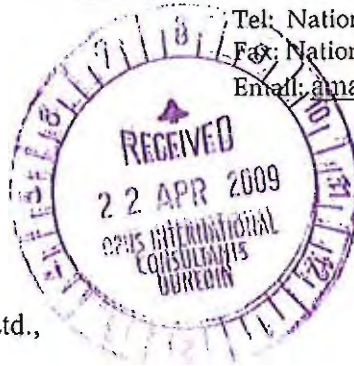
Department of Botany

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April 20, 2009.

Commissioner of Crown lands,
C/o Manager,
OPUS International Consultants Ltd.,
Private Bag 1913,
DUNEDIN.

SUBMISSION ON PROPOSED TENURE REVIEW: MT ASPIRING PASTORAL LEASE

Dear Sir,

Thank you for sending me a copy of this proposal and I appreciate the opportunity to comment on it based on my good knowledge of this area, based on my involvement with the vegetation survey of Mt Aspiring National Park in the late 1960s and periodic monitoring of the 89 permanent photographic points established there following this survey.

The general thrust of this proposal, involving a total area of ~9674 ha, to create five Conservation Areas totaling 7583 ha and disposing of the remaining 2091 ha by freehold to Mt Aspiring Coy Ltd, subject to several protective mechanisms, is commendable, particularly the detailed planning which has obviously been associated with assuring the continued protection of the many unique heritage features of this property.

As to the details, The proposed Conservation Area CA 1, comprising some 5000 ha, known as the Mill Creek Block, is fully enclosed by existing public conservation land. The Block, which is mostly above the natural treeline, ranges from ~600 m in the west to 2165 m on Dragonfly Peak, has generally steep and precipitous western faces down to the bush edge on the Cattle face, while the eastern slopes include both branches of Mill Creek as well as the headwaters of the Albert Burn and Minaret Creek. This eastern section contains a rich diversity of plant communities and forms valuable altitudinal sequences, ranging from various tussock grasslands, interrupted by shrublands and flaxlands, to herbfields, cushionfields, fellfields and snowbank communities in the top basins and upper slopes. The pasturelands and seasonal wetlands on the valley floors also have some inherent values, adding to the magnificent landscape vista of the whole altitudinal gradient of various indigenous ecosystems which complement then adjoining areas of Mt Aspiring National Park.

The Qualified Designation in this proposed CA 1, being a grazing concession on the valley floor and lower slopes of both branches of Mill Creek, totalling ~650 ha, for a 10-year period, to provide for phase-out of grazing of 250 mixed-aged steers for the Jan-April period, is reluctantly accepted, although a 5-year period should be adequate.

A second Qualified Designation over ~180 ha on the Cattle Face (the 'Cattle Face Grazing Concession'), from bushline to about 1100 m to provide winter (May-October) grazing for 180 steers over 10 years is accepted, with some reduction in stocking, after 8 years, BUT the proposal to extend this to 15 years with 100 steers grazing for the same period in the last 5 years is rejected, as being unnecessary for the adjustment of farming operations. The justification provided for this extended period of grazing, being the higher exotic component of the vegetation, is rejected, as the recovery period will inevitably be longer than otherwise.

A third Qualified Designation, the granting of a recreation concession in favour of Trilane Industries Ltd for a term of 15 years to allow continuation of an existing recreation permit, involving accommodation at a lodge (at 1750 m), provision to land helicopters and provision to undertake guided tramps for a term of 15 years, is not endorsed. Its location in the high-alpine zone adjacent to Mt Aspiring National Park is a major planning anomaly which was strongly and widely opposed when the initial consent was sought. A continuation of this concession cannot be justified once the Conservation Area is formalised but, if it is approved, it should be for a maximum period of 8 years.

Similarly, the proposed Conservation Area CA 2, of 572 ha, in three sections, all adjoining the National Park, is also endorsed. These areas have been essentially free of stock grazing, the largest section of generally steep rocky slopes beneath Homestead Peak and the other two impressive toe slopes-outwash fans which merge on to the valley flats, all have ecologically valuable features. The mostly forest cover of mixed red, silver and mountain beech and occasional Hall's totara has been partly disturbed along the lower margins but is currently regenerating, and should continue to do so. Scattered old plants of the threatened *Olearia hectorii* in the section beneath Homestead Peak, will also benefit from increased protection here. Again, these additions to conservation lands, and hopefully, eventually the National Park, will complete a landscape and ecological sequence of great value in the Matukituki catchment.

The proposed Conservation Area CA 3 of 170 ha on the southern side of the West Matukituki catchment, extends from Mt Tyndall (where it adjoins the National Park) to Glenfinnan Peak, and comprises alpine and subalpine plant communities (snow tussock grasslands and grass-shrublands, flushes, herbfields, snowbanks and cushionfields), plus localised relic beech stands, all mostly ungrazed by domestic stock. This block adjoins conservation lands along its upper (and western) boundaries and contains incised gullies with remnant beech forest stands. It has a somewhat irregular lower boundary at ~1000 m but extends lower locally, to embrace riparian shrublands and generally abuts proposed freehold land containing conservation covenants. Again, the area has impressive landscape values which merge up-slope into existing conservation lands and represents a much more logical boundary between conservation and freehold lands than previously existed.

A Qualified Designation: granting of a grazing concession to the current holder of ~200 ha in seven discrete parcels of land over the lower portion of CA 3, adjacent to the proposed freehold land, is justified as being a buffer zone between the freehold and conservation lands, so as to avoid breaches of stock drift across the unfenced boundary. This proposal is rejected as it would merely formalise any breaches in the conditions of the formalised agreement not to graze the Conservation Area. Stock management so as to minimise the likelihood of breaches through the choice of relevant stock (e.g., no merinos) and management, should be the decision of the owner while monitoring of the Conservation Area to ensure compliance should be the responsibility of the Department of Conservation.

The proposed Conservation Area CA 4 of ~1.5 ha is located at the end of the normal vehicle access road on the West Matukituki valley floor and encompasses the existing Raspberry Creek Car Park with its day shelter, toilet and information panels. The proposal would provide for an extension to the vehicle park westward, planned by the Department of Conservation and the whole area to be fenced to exclude stock. This proposal is also endorsed.

The proposed Conservation Area CA 5 of ~40 ha of grassy flats adjacent to the West Branch Matukituki River (mostly the true right bank), extends from the Cascade Hut area up-valley for about 1.3 km to the property-Park boundary near Aspiring Hut. The generally natural character of these flats and their still undeveloped state, should be retained and, although containing exotic grasses there are also pockets of native plant cover adjacent to the waterways and adjoining beech forests of the National Park. Landscape values of this area alone, would justify this proposal with its eventual addition to the Park adjacent to one of its major entrances. Moreover, the proposed fence across the

down-valley boundary would hopefully provide a much-needed stock-proof boundary to the Park in this valley.

Regarding the proposed freeholding of 2091 ha, being all of the valley flats and lower slopes in both the East Branch and West Branch of the Matukituki Valley, as shown on the maps accompanying the proposal, is approved, subject to the Protective Mechanisms included.

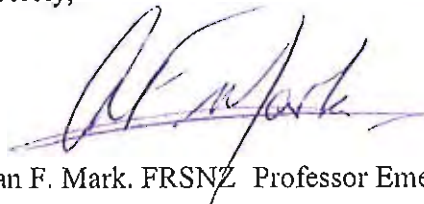
The several parcels of Conservation Covenant CC1 covering more than half of the proposed area for freeholding, are designed to protect the existing landscape values and several isolated pockets of indigenous vegetation, as described in the proposal, without impinging on the existing farming operations. The isolated pockets of indigenous woody vegetation, including groves of silver beech and Hall's totara, are to be formally protected with a prohibition on any clearing. Grazing by sheep and cattle is to be permitted but the construction of fences and any other structure is to be prohibited unless they are to be solely for farming purposes.

A separate Conservation Covenant CC2 covers a small area on the true right of the West Matukituki River opposite the OBHS bridge, which contains fenced and unfenced stands of the threatened tree daisy *Olearia hectorii*. These stands are to be both protected with fencing and restored through the recruitment of new trees and associated species, plus public access, and I strongly recommend, interpretation panels "to encourage the public to learn about the species." These proposals are endorsed, given the relatively detailed specifications presented in the relevant Schedules.

Further Protective Mechanisms, being several easements for the general public and also for conservation management access ("a-b", "c-d", "e-f", "c-g", "h-i", "j-k", "l-m", "n-o", "p-q", "r-s", and "t-u"), as detailed in S 2.3.3 of the proposal, plus the Protective Mechanism: proposed easement to convey water and for conservation management purposes ("v-w", and "Z"), are all endorsed.

I trust that this response and recommendations will be given serious consideration and I thank you again for the opportunity to assess and comment on these proposals for tenure review.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'A. F. Mark', with a horizontal line underneath.

Alan F. Mark. FRSNZ Professor Emeritus

Submission 15

(15)

22 April 2009

Commissioner of Crown Lands
 C/- Opus International Consultants Ltd
 Private Bag 1913
 DUNEDIN 9016

Fax 03 474 8995

Dear Sir,

**MT ASPIRING TENURE REVIEW - NOTICE OF
 PRELIMINARY PROPOSAL - SUBMISSION**

The New Zealand Alpine Club has a long association with Mt Aspiring Station and the lessees, through the activities of the Club's Otago Section (OSONZAC) and the establishment of the two Club huts on the flats of the West Matukituki valley.

The Club is generally supportive of the Preliminary Proposal as notified, subject to the following points:

1) Cascade Hut

It is understood that Cascade Hut in the West Matukituki valley is sited outside of the boundary of the pastoral lease, and therefore it is outside of the area that is proposed to become freehold title.

However, it is possible that formal survey of the title boundary may determine that Cascade Hut is to be within the area to be freeholded. We recommend that the status of the hut site is clarified prior to a final proposal being completed, so that boundary alterations can be made, or other provisions made so that this Club can secure a right of occupation for the site if necessary.

2) Grazing of river flats between Cascade Hut and Aspiring Hut.

We note that the proposal intends to exclude grazing from the West Matukituki river flats up-river from the stream near Cascade Hut. While acknowledging that there needs to be a clear practical boundary for the proposed freehold title, we are not opposed to continued grazing on the flats between Cascade Hut and Aspiring Huts.



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3) Continued Grazing in Mill Creek Block.

We support the provisions for continued grazing in the Qualified Designation areas GC1 and GC2 as specified within the Preliminary Proposal.

4) Proposed Recreation Concession near Albert Burn Saddle - Whare Kea Lodge.

We understand that this commercial activity currently authorised by a Recreation Permit has no continuing use rights if this tenure review proposal for Mt Aspiring Station proceeds to completion and the land converts to Conservation Area.

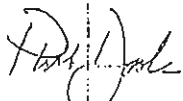
On that basis, we oppose the proposed term of 15 + 15 years (total 30 years) for the proposed Recreation Concession (RC). Such a long term will potentially compromise consideration of future management options for this new area of conservation land and adjoining areas of the conservation estate.

We would support a limited term of 5 years for a temporary recreation concession.

5) Access Provisions

We support the proposed provisions for foot access and non-motorised vehicle access across the proposed freehold areas, as specified in the preliminary proposal.

Yours faithfully



Phil Doole
President

Submission 16

Simon de Lautour

16

From: Dave Payton [Dave.Payton@opus.co.nz]
Sent: Thursday, 23 April 2009 08:19
To: 'Simon de Lautour'
Subject: FW: mt aspiring correct sub
Attachments: Sub to Mt Aspiring final.doc

From: Sue Maturin [mailto:s.maturin@forestandbird.org.nz]
Sent: Wednesday, 22 April 2009 7:04 p.m.
To: dave.payton@opus.co.nz
Subject: mt aspiring correct sub

Sorry Dave I attached the wrong version, could you please accept this final corrected version.

Sue Maturin
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David Payton
Tenure Review Contract Manager
Opus International Consultants Limited
Private Bag 1913
Dunedin, 9016

21 April 2009

Submission to Mt Aspiring Preliminary Proposal

Introduction

This submission is on behalf of the Central Office of Forest and Bird.

The Royal Forest and Bird Protection Society Inc. (Forest and Bird) has campaigned for more than 80 years for the protection of New Zealand's native species and the habitats on which they depend. Around 38,000 New Zealanders in 55 branches nationwide belong to Forest and Bird, supporting the Society's objectives of secure protection for native species, ecosystems, and landforms.

Forest and Bird's constitution requires it to:

"Take all reasonable steps within the power of the Society for the preservation and protection of indigenous flora and fauna and natural features of New Zealand for the benefit of the public including future generations."

"Protection of natural heritage includes indigenous forests, mountains, lakes, tussock lands, wetlands, coastline, marine areas, offshore islands and the plants and wildlife found in those areas."

The proposal:

Land to be restored to Crown Control

Conservation Area CA 1 - @5000ha

The Society strongly endorses the return to crown control of this block for conservation purposes.

This area has important significant inherent values (siv) including altitudinal sequence from valley floors, an under protected environment, to the high alpine zone, a number of threatened and at risk species, high biodiversity and ephemeral wetlands. Landscape and recreational sivs are particularly high and opening this area for unrestricted public access will be an important outcome of this review.

Qualified Designations:

The proposed conservation area CA 1 will be subject to a grazing concession (GC 1 Mill Creek) in favour of Mt Aspiring Company Limited pursuant to Section 36(1)(a) Crown Pastoral Land Act 1998.

This concession covers about 650ha in the lower reaches of both branches of Mill Creek and is stated to provide for phase-out summer grazing for 250 steers for 4 months over a 10 year period.

Summer grazing for 10 years will not ensure the protection of the sivs in CA1. The Conservation Resource Report and observations by Upper Clutha Forest and Bird members show that cattle damage is resulting in damage to forest margins where there is insufficient regeneration to ensure a healthy forest margin, which is likely to retreat over time with continued grazing. Grazing will adversely affect and retard the restoration of shrubs to this landscape.

The Society submits that a 5 year phase out period would better ensure the sustainable management and protection of the sivs in CA1.

The concession document does not include a description of the values to be protected.

The concession document fails to specifically preclude spraying or other means of clearing vegetation. This needs to be added to clause f p5 of the concession document. Spraying shrublands and bracken has similar adverse effects to burning and should similarly be precluded.

Decisions sought

1. Provide for a non renewable grazing concession for 5 years
2. Add schedule 3 to describe the values to be protected to include providing for recovery and expansion of indigenous shrublands.

3. Add spraying or any other vegetation clearance activities to clause f page 5.

Qualified Designations:

(b) The proposed conservation area CA 1 will be subject to a grazing concession (GC 2 Cattle Face) in favour of Mt Aspiring Company Limited pursuant to Section 36(1)(a) Crown Pastoral Land Act 1998.

This concession covers about 180ha on the Cattle Face between bush line and about 1,100m on the western face of the Mill Creek Block. This is to provide phase out grazing.

As the upper boundary appears to be un-fenced, it is likely that grazing will extend to the tussock grasslands. Consequently monitoring of the tussock grasslands will be required.

The concession document fails to specifically preclude spraying or other means of clearing vegetation. Spraying shrublands and bracken has similar adverse effects to burning and should similarly be precluded. We note that the covenant CC1 specifically mentions both chemically spraying and burning, which illustrates the importance of specifically excluding spraying in this concession.

Decisions sought

4. Provide for a non renewable grazing concession for 10 years. This should be ample time for a phase out period.
5. Add to the description of values to be protected to include providing for recovery and expansion of indigenous shrublands.
6. Add spraying or any other vegetation clearance activities to clause f page 5 and to a Vegetation in schedule 3.

The proposed conservation area CA 1 will be subject to a recreation concession (RC) in favour of Trilane Industries Limited pursuant to Section 36(1)(a) Crown Pastoral Land Act 1998.

The Society opposes granting of a recreation concession under the Conservation Act for the mountain lodge. This concession is contrary to the objects of the CPLA as it fails to provide for public access and enjoyment of the site and the general public enjoyment of the wider area.

The Preliminary Proposal does not meet the requirements of S39 CPLA as it does not adequately describe the potential effects of the activity, nor does it adequately describe any actions the proposed grantee proposes to take to avoid, remedy or mitigate any adverse effects.

The adverse effects include, but are not restricted to;

- Increased helicopter activity which will adversely affect the natural quiet, and remote experience of this area and the adjacent National Park lands.
- Degradation of the remote experience for users of the National park and surrounding lands, due to the visibility of the lodge and associated activities.

S51 of the CPLA requires that the Minister of Conservation must not grant a concession if the concession does not comply with the Conservation Act or any relevant management strategy or management plan. The Conservation Act provides that all conservation areas are to be managed in accordance with statements of general policy.

This concession is inconsistent with the Conservation General Policy 10(a), (c), (d), (e) and (h).

- The lodge is not for public recreation, educational or community services.
- The lodge does not comply with the remote experience provided for in the CMS.
- The Lodge could be constructed outside of public conservation lands.
- The lodge is inconsistent with current management of the adjacent National Park Land. The east Matukituki is managed as a 'Low Impact Zone' in the Mt Aspiring National Park Management Plan.
- The lodge impacts on the recreational enjoyment of the public, particularly those using the tracks in the east Matukituki valley and for those who climb Dragonfly Peak.
- The lodge does not complement existing accommodation as the adjacent national park land is managed to ensure facilities are kept to a minimum.
- The lodge is a private commercial lodge not available for use by the public. The concession in schedule 2 states that the facility is not for private use. Since the public do not have access to the lodge it is a private lodge, according to the common dictionary interpretation of private.
- The concession document does not require the lodge to be phased out.

The concession is inconsistent with the CMS objectives for Private Buildings. The lodge is not available for public access, use or enjoyment, there are no management benefits for the department, and natural values are adversely affected. The CMS objective and implementation (c) creates the public expectation that the Minister will take every opportunity to remove inappropriate buildings.

The concession is inconsistent with CMS objectives and Implementations for Matukituki Special Place where helicopter concessions in the valley are considered inappropriate, and section 28.9.3 where irregular landings for helicopters in the Albertburn are considered inappropriate.

A tenure review does not offer the same consultation process and opportunity for public hearing as a concession does. The public would not expect a concession of this nature to be granted through a tenure review, and so most would be unaware of this controversial matter.

Decision sought

1. Do not issue a recreation concession to Trilane Industries limited.

Conservation Areas, CA 2, CA 4 and CA 5. An area of approximately 613.5 hectares in all to be restored to full Crown ownership and control as conservation area pursuant to Section 35(2)(a)(i) Crown Pastoral Land Act 1998.

Conservation Area CA 2

CA2 consists of 3 discrete blocks totalling about 572ha backing onto Mt Aspiring National Park on the true left of the Matukituki River.

The Society strongly endorses the return to crown ownership and control of these areas for conservation purposes. The northern block includes some under protected environment with sivs. The sivs include; high degree of naturalness, adjacent to the National Park, threatened species and regenerating shrublands, and are well described in the Conservation Resource Report.

Conservation Area CA 3

The Society strongly endorses the return to Crown ownership of CA3 for its outstanding landscape, recreation and biodiversity sivs. It includes some under-protected land environments.

That the proposed Conservation Area CA 3 will be subject to a grazing concession (GC 3) in favour of the holder of the proposed freehold pursuant to Section 36(1)(a) of the Crown Pastoral Land Act 1998.

The Society considers a 30 year term, with inadequate provisions for monitoring is not consistent with protection of the sivs, particularly since there is also an option of extending this concession. The Society believes a more appropriate concession would be for 10 years with provision for a further 10 years should monitoring show that the sivs are being maintained and enhanced and not being degraded.

The concession document fails to specifically preclude spraying or other means of clearing vegetation. This needs to be added to clause f p5 of the concession document, and in (a) vegetation in schedule 3. We note that the covenant CC1 specifically mentions both chemically spraying and burning, which illustrates the importance of specifically excluding spraying in this concession.

The Preliminary proposal states that merino's will be excluded. This needs to be stated in the concession document, schedule 2 clause 2.

Provision for a new concession in Clause 10 schedule 2 needs to be also dependent upon monitoring showing no degradation of sivs and ensure that the sivs are sustainable, natural regeneration is adequate and that shrublands are naturally expanding.

Decisions sought

1. Provide for a non renewable grazing concession for 10 years. This should be ample time for a phase out period.
2. Add to the description of values to be protected to include providing for recovery and expansion of indigenous shrublands.
3. Add spraying or any other vegetation clearance activities to clause f page 5 and to a Vegetation in schedule 3.
4. Amend Clause 2 Schedule 2 to exclude merinos.
5. Amend Clause 10 Schedule 2 so that any new concession is dependent upon monitoring showing no degradation of sivs and ensure that the sivs are sustainable, natural regeneration is adequate and that shrublands are naturally expanding.

Conservation Area CA 4

CA4 covers the Raspberry Flat road-end parking and facility area. The Society strongly endorses the return to crown ownership and control.

Conservation Area CA 5

CA5 consists of 40ha on the grassy flats beside the Matukituki River between Cascade Hut and Aspiring Hut. It includes an area classified as an 'At Risk' environment. It is the natural entrance to the National Park.

The Society strongly endorses the return to crown ownership and control.

Land to be disposed of by freehold disposal to Mt Aspiring Company Ltd. Subject to Protective mechanisms

An area of approximately 2091 hectares to be disposed of by freehold disposal to Mt Aspiring Company Limited pursuant to Section 35(3) Crown Pastoral Land Act 1998 subject to Part IVA Conservation Act 1987, Section 11 Crown Minerals Act 1991 and protective mechanisms.

The area proposed for freehold includes the Valley flats and lower slopes from the Homestead up the West Branch of the Matukituki River to Cascade Hut, flats in the East Branch of the Matukituki River up to and including Glacier Burn.

The Society is aware of the unrestricted access that cattle have to the Matukituki River and the inevitable degradation of the river banks and water quality. We question the ecological sustainability of this continued land use and note that the Commissioner of Crown lands must have adequate information to be convinced and that this practise is ecologically sustainable. There is no discussion of this issue in the Preliminary Proposal,

nor is there any information presented on the impact of stock on the water quality of the Matukituki River.



Cow in the Matukituki River below Raspberry Flat

Decision sought

1 Investigate the current impact of stock on the water quality of the Matukituki River and ensure that this area is freeholded subject to provisions that provide for the ecological sustainability of the Matukituki River.

Protective Mechanisms:

The proposed freehold is subject to protective mechanisms being conservation covenants pursuant to Sections 40(1)(b) and 40(2)(a) Crown Pastoral Land Act 1998.

An area of approximately 1,160ha (CC 1) is to be subject to a Conservation Covenant pursuant to Section 40(1)(b) and 40(2)(a) Crown Pastoral Land Act 1998.

The Preliminary Proposal notes that this area contains extensive significant landscape values. The isolated pockets of native woody vegetation and regenerating forests contribute to this landscape. The woody vegetation is described as a value to be protected in Schedule 1.

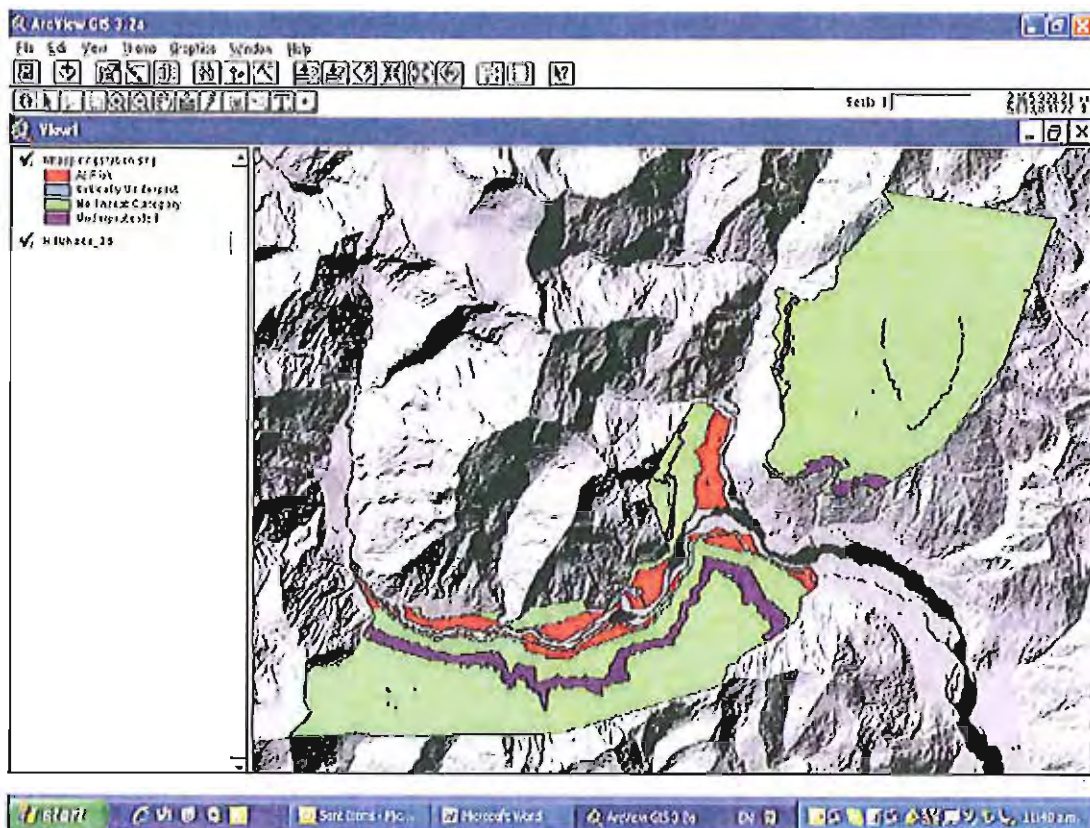
The proposed covenant fails to protect these sites and does not meet the CPLA objectives.

Schedule 2 clause 3 specifically deletes clause 3.1.2 so enabling the felling, removal and damage of any tree shrub or other plant, and clause 7 deletes clause 3.15 so enabling

burning and chemical spraying. Clause 9 Schedule 2 prohibits clearance in the areas marked on the aerial photographs. Clearance is not defined in the covenant. It is unfortunate that the covenant boundaries are not marked on the aerial photographs as it is not possible for the public to determine if all or most of the remaining woody shrublands are protected by this clause. It appears that some significant areas are not circled.

Many of the remnant shrublands and forests in this area are likely to be on an 'At Risk' environment. This appears not to have been considered.

Mt Aspiring LENZ Threat Map



Decision sought

1. Amend the covenant document to:
 - Define clearance to include spraying or mechanical means, and mob stocking.
 - Amend clause 9 schedule 2 to ensure that all patches of shrublands and forests are circled and burning, and spraying and mob stocking is prohibited.

An area of approximately 2.3ha is to be subject to a Conservation Covenant (CC 2) pursuant to Sections 40(1)(b) and 40(2)(c) Crown Pastoral Land Act 1998.

This enclosed covenant covers a small area on the true right of the Matukituki River will protect the threatened *Olearia hectorii* and will also enhance the *Olearia* community by recruiting new trees and associated species.

The Society particularly commends the provision of public access for the purpose of education about this species.

Protective Mechanism: Proposed easement for public and conservation management access.

The proposed freehold is subject to a protective mechanism being easements pursuant to Sections 40(2)(b) and (c) Crown Pastoral Land Act 1998 for public and conservation management access over the following routes:- "a-b", "c-d", "e-f", "c-g", "h-i", "j-k", "l-m", "n-o", "p-q", "r-s" and "t-u" on the plan.

The Society supports these access provisions.

Yours sincerely

Sue Maturin
Otago Southland Field Officer
Royal Forest and Bird Protection Society