

Crown Pastoral Land Tenure Review

Lease name : SIMONS PASS

Lease number : PT 019

Summary of Preliminary Proposal

A Preliminary Proposal is advertised for public submissions as per Section 43 of the Crown Pastoral Land Act 1998.

The report attached is released under the Official Information Act 1982.

April

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TENURE REVIEW

SIMONS PASS

SUMMARY OF PRELIMINARY PROPOSAL

May 2017



**SUMMARY OF THE PRELIMINARY PROPOSAL FOR TENURE REVIEW
OF SIMONS PASS PASTORAL LEASE
UNDER THE CROWN PASTORAL LAND ACT 1998**

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1. Details of land under consideration:

Pastoral lease:

File Ref: 12680 (Pt019)

Lease Name: Simons Pass

Lessee: Murray Graham Valentine

Location: State Highway 8 Tekapo-Twizel Road

Land Registry Folio Ref: CB529/5

Legal Description: Part Run 86

Area: 5575.2867 hectares more or less

Local Authorities: Mackenzie District Council

Term of Lease: 33 years from 1 July 1984



2 Description of potential designations:

2.1. An area of approximately 1,265 hectares to be restored to or retained in Crown control as conservation area, under Section 35(2)(b)(i) Crown Pastoral Land Act 1998 (shaded pink and labelled "CA1" on the proposed designations plan) subject to a qualified designation.

This area is part of the Pukaki Moraine the bulk of which is within the Lake Pukaki Terminal Moraine Geopreservation Site. The topography is a complex of moraine loops, meltwater channel and outwash plain with ephemeral tarns, kettleholes and rock outcrops relatively common. Altitude ranges from 480 to 627 metres above sea level. Rainfall ranges from 400mm in the south to 500mm near Lake Pukaki. Northwest winds predominate and snowfalls are not uncommon during winter and can lie for some weeks. Summers tend to be hot and dry and winters cold giving a wide seasonal variation.

The soils are predominantly Tekapo upland and high country yellow brown earths. The land capability classification is Class IV and VI with some Class VII on the Pukaki faces.

Vegetation noted includes native shrubland on the north faces above Lake Pukaki supporting prostrate kowhai (*Sophora prostrate*), porcupine scrub (*Melicactus alpinus*), mingimingi (*Coprosma propinqua*), pohuehue (*Muehlenbeckia spp*), and coprosma (*Coprosma intertexta*) (**declining**) as the most common shrubs with fescue tussock, blue tussock, patotara (*Leucopogon fraseri*), mat daisies (*Raoulia spp*), bidibid (*Acaena buchananii*) (**declining**), orchids, hawkweeds, browntop and sweet vernal as the main form of cover on the more open areas.

Ephemeral wetlands are found in the hummocks and are dominated by exotic species such as browntop, hawkweed, Yorkshire fog, mouse-eared hawkweed, jointed rushes, creeping bent, and clovers. Native species found in these areas include: Dwarf bedstraw (*Galium perpusillum*), Gaudichaud's sedge (*Carex gaudichaudiana*), willow herb (*Epilobium angustum*), dwarf black cranesbill (*Geranium sessiliflorum*), dwarf woodrush (*Luzula celata*) (**declining**), the herb (*Euchiton traversii*) and the rush (*Schoenus concinnus*).

Bird species noted include black stilt (**nationally critical**), grey duck (**nationally critical**), and black fronted terns (**nationally endangered**). Other common species present include Australasian harrier, spur winged plover, Australasian pied stilt and paradise shelduck.

Lizards including the common skink (**declining**) and the spotted skink (**nationally vulnerable**) were found in this area.

Aquatic species identified in the ephemeral tarns were two Crustacea, the tadpole shrimp and Copepods, and diving beetle larvae.

Invertebrates of note identified include the "stealthy spider" (*Taieria erebus*) (**threatened**), native wolf spider, sheet-web spider and vagrant hunting spider. One species of *Sigaus* grasshopper (**declining**) and a number of butterflies and beetles were also found.

The following significant inherent values ranked highest significance and high significance were identified in the Conservation Resources Report:

Highest significance is given to:

- (a) Ephemeral wetlands and short tussock grasslands as a feeding habitat for black stilt (**nationally critical**), black fronted tern (**nationally endangered**) and grey duck (**nationally critical**).
- (b) Outwash plain as a feeding habitat for the black fronted tern (**nationally endangered**).
- (c) Habitat for dwarf broom and dwarf woodrush (**chronically threatened**), bidibid (**gradual decline**), Coral broom (**gradual decline**), button daisy (**gradual decline**), spotted skink (**nationally vulnerable**), minute grasshopper (**gradual decline**), and banded dotterel (**gradual decline**).
- (d) Remnants of woody indigenous vegetation found on the terminal moraines and toe slopes of low terrace risers and ridge slopes dominated by small leaf coprosmas, tree daisy, matagouri, native broom, prostrate kowhai, bush lawyer and pohuehue.
- (e) Remnants of distinctive and/or rare ecosystems as a whole sequence of alluvial terrace shrubland, dryland shrubland, stony fans and terraces associated with fluvio-glacial outwash plain, kettleholes and turf communities of ephemeral tarns.
- (f) Remnants of distinctive and/or rare ecosystems as a whole sequence of alluvial terrace shrubland, dryland shrubland, stony fans and terraces associated with fluvio-glacial outwash plain, kettleholes and turf communities of ephemeral tarns.
- (g) Securing recreational opportunities beside State Highway 8 on the land retained by the Crown adjacent to Lake Pukaki and the gravel road beside the Pukaki River (Note the formed road along the Pukaki River does not coincide with the line of the legal road).

High significance is given to:

- (a) Species listed as range restricted or sparse and their habitats, *Elymus falcis*, *Coprosma intertexta*, Mueller's sedge (*Carex muelleri*), orchids, *Neopaxia erythrophylla*, and tadpole shrimp.
- (b) The historic Rabbit Fence from Lake Pukaki to Hakataramea Valley constructed in 1888 part of which runs through the property from the western boundary to the eastern boundary on the Pukaki Flats.
- (c) High significance is accorded to continuous altitudinal sequences of indigenous vegetation through a range of 480 to 627 metres above sea level.
- (d) Examples of Level IV "at risk environs" in the vicinity of the old Mt Cook lookout.
- (e) Examples of landscapes that characterised New Zealand before humans arrived, the property containing landscapes that are relatively unmodified.
- (f) Recognised iconic high country landscapes, the Mackenzie Basin as a whole being generally recognised as iconic.
- (g) High significance is accorded to the Lake Pukaki Terminal Moraine geopreservation site for scientific and educational purposes.



CA1 Rabbit fence



CA1 Melt channel

Qualified Designation:

2.1.1 Continuation in force of an existing easement granted by the Commissioner of Crown Lands to Pukaki Irrigation Infrastructure Limited, pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998.

The Commissioner of Crown Lands as granted an easement to convey water over part of the land in CA1. The operation of this easement will not adversely affect the significant inherent values or public enjoyment of the conservation area.

2.2 An area of approximately 4310 hectares to be designated as land to be disposed of by freehold disposal to Murray Graham Valentine, (under Section 35(3) Crown Pastoral Land Act 1998) shaded green and labelled "FH1" and "FH2" on the designations plan in Appendix 2.

FH1 falls into two parts, a small area north of State Highway 8 comprising the lower southern end of the Mary Range with some limited downs and flats and a much larger area south of State Highway 8 extending down to the Pukaki River and to a common boundary with Simons Hill Station. The bulk of this latter area is an open semi-arid outwash plain bordered by an area of undulation moraine known as The Farm Block which in turn borders onto part of the Lake Pukaki terminal moraine near Lake Pukaki. Along the southwest boundary are scarps and terraces associated with the incised Pukaki River.

The land north of State Highway 8 is highly visible from the road with limited flats giving way to the steeper faces on the south end of the Mary Range. From that part of State Highway 8 adjoining Lake Pukaki, views of the property are very limited, being confined to the moraine faces running uphill from the road formation. South of State Highway 8 views are more extensive, with views extending some distance over flats along the eastern boundary of the property then closing down to mid distance as the topography changes to terraces on the moraines. There is one higher point on the road where views extend some considerable distance and this part of the property has a designation as Scenic View 16 under the District Plan.

Altitudes range from 420 metres above sea level by the Pukaki River to 675 metres above sea level on the Mary Range. Rainfall ranges from 400 – 650mm, winters are cold and snow can be common and lay for some weeks. Predominant wind is from the northwest and can have a severe drying effect on the lighter country during summer.

Soils range from Meyer yellow grey earths of medium fertility on the Mary Range to a small area of Grampians yellow grey earths of medium to high fertility below the Mary Range. The moraine areas to the north are a mixture of Tekapo and Pukaki yellow brown earths of medium fertility giving way to Acheron and Mackenzie yellow brown earths of low fertility on the outwash plains to the south.

The Meyer soils of the Mary Range have a land capability classification of Class VI which is suitable for forestry and pastoral use with moderate restrictions, while the lower Grampian soils are Class IV which are suitable for arable use with moderate restrictions. The Tekapo and Pukaki soils are a mixture of Class VI and VII which are suitable for forestry and pastoral use with moderate limitations. Scattered amongst these two are pockets of Class IV land. The Acheron and Mackenzie soils are Class VIIe with limitations for pastoral use.

Hares, rabbits and possums are present but the rabbits are by far the worst animal pests and along with dry seasons have severely depleted the Class VI and VII land and allowed hawkweed ingress to take place. Wilding trees are present and a control programme is being implemented.

The moraines generally support a good fescue tussock base with browntop and a range of both native and introduced species present and a good range of introduced pasture species where over drilling or oversowing has taken place.

Within this area, 32 hectares are in cultivated paddocks, 1535 hectares have been direct drilled and 189 hectares have been over sown and topdressed. The developed areas have a maintenance of 100 kg/ha of super phosphate ever third year while hay paddocks receive 200 kg/ha annually. The balance of the land is in a predominantly native state with varying degrees of ground cover. The flats of the outwash plains have been severely depleted by rabbits and fescue tussock tends to be sparse on these areas and the incidence of hawkweeds and bare ground is high. Soil erosion has been and is taking place particularly on the Acheron soils which make up most of these plains. This has been caused by a combination of rabbit infestation and dry seasons leading to bare ground which is susceptible to frost heave and wind erosion.

The pastoral lease is run in conjunction with an extensive area of existing freehold. All buildings are located on the freehold.

The property as a whole is usually self-sufficient for supplementary feed, but occasionally some grain is bought in.

Internal access is by a series of well maintained tracks. Stock water is provided by a reticulation system off the area known as The Farm Block, plus a Meridian maintained trough line from the stilling pond on the canal services this plus four other properties.

The pastoral lessee holds discretionary consents to maintain and develop the lease.

FH2 is a small area on the western boundary that falls in the orbit of an irrigation pivot. No SIVs were identified in this area.



FH1 Established OSTD



FH1 OSTD sheltered paddock

3. Discussion of potential designations in relation to the objects of Part 2 CPL Act:

The objects of Part 2 of the CPL Act are set out in section 24 Crown Pastoral Land Act 1998:

24. Objects of Part 2 - *The objects of this part are:*

(a) *To-*

- (i) *Promote the management of reviewable land in a way that is ecologically sustainable;*
- (ii) *Subject to subparagraph (i), enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument; and*

(b) *To enable the protection of significant inherent values of reviewable land:*

- (i) *By the creation of protective mechanisms; or (preferably)*
- (ii) *By the restoration of land to full Crown ownership and control; and*

(c) *Subject to paragraphs (a) and (b), to make easier:*

- (i) *The securing of public access to and enjoyment of reviewable land; and*
- (ii) *The freehold disposal of reviewable land.*

The review overall meets the objects of Part 2 as specifically relating to the objects as follows:

3.1 Promote the management of reviewable land in a way that is ecologically sustainable:

Ecological sustainability in the context of tenure review means making decisions that safeguard the life supporting capacity of the land's ecosystems, including the ability of those ecosystems to support life outside the reviewable land. For the purposes of this definition, the land's ecosystems include indigenous and exotic components and life forms. Decisions in each tenure review are considered as a whole to see whether, overall, they promote ecologically sustainable management.

Ecological sustainability needs to be considered in the context of previous land development and use of the property. This is because management of reviewable land in a way that is ecological sustainability is dependent on the degree of change that has already taken place. All ecosystems within the pastoral lease have been subject to the influence of pastoral farming to some degree with this area by grazing management and physical development.

In this proposal 4,310 hectares are recommended for freehold disposal. Of this the majority is of a Land Use Classification suited to pastoral uses with moderate restrictions. This land has been used for such purposes for many years and has a good vegetative cover that is not prone to erosion. It is capable of ecologically sustainable management under a pastoral regime in its present state. The balance is also of a Land Use Classification suited to pastoral use with moderate to severe restrictions. This area is currently in a depleted and eroding state with hawkweed invasion. Freehold disposal of this area will encourage investment in this area thus promoting the management of the land in a manner that is ecologically sustainable.

1,265 hectares is recommended for retention as conservation area. This land has attributes which sustain the special natural quality and integrity of high country landscape and its ecological diversity. It is well covered with largely intact native vegetation and is considered ecologically sustainable. The retention of this area in Crown ownership meets this object.

3.2 Enable land that is capable of economic use to be freed from the management constraints as directly or indirectly resulting from its tenure under reviewable instrument:

The current condition of the property shows that it can sustain a pastoral operation and is capable of further development which would, lead to greater productivity.

The more depleted land recommended for freehold disposal is currently being lightly grazed at the time of hawkweed flowering to restrict the hawkweed spread. Development to improve this land will require significant investment, which is proposed with existing consents in place.

3.3 To enable the protection of significant inherent values of reviewable land:

This protection can be by way of a protective mechanism or restoration to the Crown. Both are proposed to be applied to this review.

The significant inherent values identified on the property will be protected by restoring the land to the Crown. The restoration of 1,265 hectares to full Crown ownership and control provides for protection of significant inherent values on the reviewable land. These include landscape, botanical, and wildlife values.

3.4 The securing of public access and enjoyment of reviewable land:

"CA1" is accessed by the public directly off State Highway 8 along the northern boundary and the Pukaki River Road on the southern boundary. The provision of 1,265 hectares comprising "CA1" gives access and enjoyment to reviewable land and therefore meets this object of the CPLA. It is also noted that "CA1" will link to existing conservation areas adjacent to SH1 and across the Pukaki River.

3.5 The freehold disposal of reviewable land:

This proposal has designated approximately 4,310 hectares as land to be available for freehold disposal. The proposal therefore meets this object of the CPLA.

3.6 Section 25 Crown Pastoral Lands Act 1998 (Matters to be taken account of by the Commissioner of Crown Lands):

The matters to be taken into account by the Commissioner of Crown Lands include:

- (a) The objects of Part 2 CPLA as discussed above from points 3.1 to 3.6.
- (b) The principles of the Treaty of Waitangi. Te Runanga O Ngai Tahu will be consulted on the preliminary proposal pursuant to Section 44 Crown Pastoral Land Act 1998.
- (c) We have not identified any other Crown purpose associated with this property therefore it is not proposed that any land be retained pursuant to Section 25 of the Crown Pastoral Land Act 1998.

APPENDIX 1:

Copy of public notice

APPENDIX 2:

Preliminary Proposal - including proposed designations plan and easement document