

Crown Pastoral Land Tenure Review

Lease name: SIMONS HILL

Lease number: PT 046

Public submissions – Part 2

These submissions were received as a result of the public advertising of the preliminary proposal for tenure review.

October 04



12 July, 2004

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Attention: Mr Barry Dench



Dear Barry

**SUBMISSION ON PRELIMINARY PROPOSAL FOR TENURE REVIEW
– SIMONS HILL PASTORAL LEASE PT 046**

Thank you for advising Environment Canterbury of the release of the Preliminary Proposal for Simon Hill pastoral lease tenure review. We appreciate the opportunity to review the proposal and to make a submission in relation to the future management of this land.

Environment Canterbury has statutory responsibilities under the Resource Management Act 1991 (s.30) for the sustainable management of natural and physical resources of the region, including soil conservation, water quality and quantity, and ecosystems in water bodies and for maintenance of biodiversity. Environment Canterbury has recently notified its Natural Resources Regional Plan to address significant resource management issues in the region. The Plan contains a number of provisions for managing soil and water resources, including the effects of land use activities on soil erosion and water quality. In addition, Environment Canterbury has statutory responsibilities under the Biosecurity Act 1993 for the management or eradication of animal and plant pests in accordance with regional pest management strategies.

In line with our statutory responsibilities, technical and planning staff have reviewed the preliminary proposal to assess the impacts, if any, of this proposal on pest management, soil conservation and the integrity of the water bodies.

Soil Conservation

Environment Canterbury has a Rabbit and Land Management Property Plan (LIA no. 022469/1) registered on the Pastoral Lease title. The agreement expires on 1 April 2010.

The works completed under the Property Plan do not appear to be affected by the proposed designation. However, as it is proposed to retain the area CA1 in full, Crown ownership and control adjustments will need to be made to the stocking rates and grazing use of areas to be disposed of by freehold. These changes will need to be negotiated in the Property Plan where they impact on blocks where grazing conditions apply.

Our Ref: PL5C- 103; cc. AG5T/36
Your Ref:
Contact: Cathie Brumley

The proposed designations are broadly compatible with the Land Use Capability assessment for the property. There are some sunny faces in the Sunny Face and Bottom Hill blocks which are mapped as LUC Class VII which will require careful ongoing management to ensure sustainable use. Many of the flats proposed to be freeholded are mapped as LUC Class VI, but are in a degraded state. These areas generally have been assessed as having a high rabbit proneness. Irrigation is likely to be the most practical option to improve the ground cover on these flats, protect the soil and ensure sustainable use.

Groundwater fed streams

Environment Canterbury supports the establishment of a marginal strip adjacent to the Mary Burn. This is consistent with s.24C of the Conservation Act 1987 which states that the purpose of marginal strips (among other things) is to protect water courses, maintain water quality and aquatic life, and to enable public access. Chapter 4 of the Proposed Canterbury Natural Resources Regional Plan also seeks to maintain groundwater fed streams in a natural state where they are largely unaffected by human activities. Groundwater fed streams in this area have very high water quality and the cobble bed substrate is largely unaffected by sedimentation. The marginal strip and associated riparian vegetation will contribute to the protection of the water quality and aquatic ecosystems as well as acting as a buffer for land use activities.

For the area of proposed freehold land bordering the marginal strip along the Mary Burn, Environment Canterbury would support fencing of the marginal strip to prevent heavy livestock, e.g. cattle and deer, accessing the water way. The exclusion of livestock offers the only effective long-term sustainable method of protecting the water way and its values. Environment Canterbury is devoting considerable resources through its "Living Streams" programme to restoring water ways, mostly groundwater fed streams, which have degraded as a result of land use activities. It is generally more cost effective to protect a waterway and to prevent a decline in water quality and habitat values, rather than trying to restore a degraded water body.

Wetland

The area of wetland proposed for inclusion within the conservation area (CA1) appears, from examination of the topographic map, as well as other maps detailing Sites of Natural Significance and Sites of Special Wildlife Interest, to be only a part of a larger wetland area. The Preliminary Proposal Summary refers to the (page 6, paragraph 2) "*retention of.....part of the wetland...*".

There appears to be, however, no provision in the Preliminary Proposal for a marginal strip and fencing to protect the wetland and associated spring fed stream draining into the Mary Burn (Conservation resources report page 10). Groundwater fed streams, with their single thread channels and stable flows, are particularly susceptible to land use intensification. Where this has occurred, e.g. Amuri Basin, monitoring by Environment Canterbury has found a marked decline in the water quality.

Environment Canterbury has statutory responsibilities to protect wetlands. These are given effect in the Canterbury Regional Policy Statement and in the Proposed Canterbury Natural Resources Regional Plan Chapter 7 Wetlands. Chapter 7 has an objective of no overall loss of moderate or high significant wetlands in the region. Environment Canterbury has its own process for determining wetland significance, and also any wetland identified in the relevant district plan is automatically significant, e.g. Pukaki RAP 11, Mackenzie District Plan site 41c.

Environment Canterbury considers that the tenure review provides an opportunity to secure effective formal protection of the whole of significant wetland areas, and that this opportunity

should be taken in full. We submit that conservation area CA1 be extended to include the whole of the wetland area described in the conservation resources report, as well as a buffer zone of adjoining dry land vegetation. The wetland should be fenced in a way that connects it to the proposed Mary Burn marginal strip.

Management of Pest Plant Species

The Conservation report notes the presence of *Pinus contorta* and *Pinus radiata*. The former poses a considerable threat to low-stature ecosystems, especially where there is minimal animal grazing. It is included as a pest in terms of Environment Canterbury's Regional Pest Management Strategy Biodiversity Pests (20 April 2002). The Strategy encourages landowners to remove *P. contorta*, but does not contain rules that require their removal. *Pinus radiata* is not included in the Strategy.

Recommendations

Environment Canterbury generally supports the proposed designations set out under the Simon Hill Preliminary Proposal, but with the following amendments:

1. The stocking rates and grazing uses in the Rabbit and Land Management Property Plan for the proposed freehold area are adjusted by negotiation to take into account the exclusion of block CA1 from the property.
2. That a marginal strip and fencing are in place to protect the wetland and associated spring fed stream.
3. That the marginal strip adjacent to the proposed freehold area is fenced to prevent heavy livestock from accessing the Mary Burn.
4. That provision is made to remove *Pinus contorta* from the property.

Thank you for the opportunity to contribute to this process.

Yours sincerely



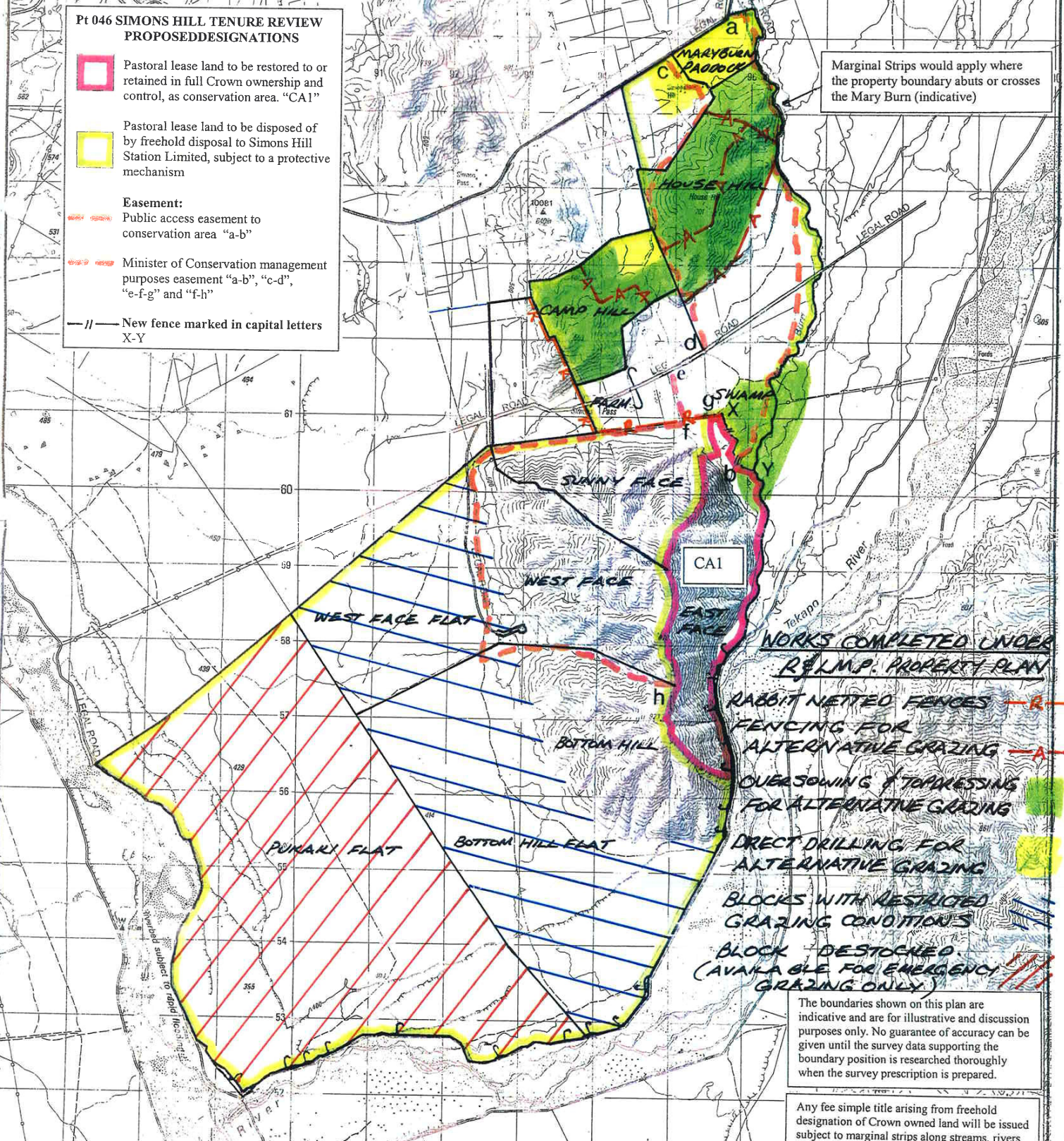
John D Talbot
DIRECTOR OF POLICY AND PLANNING



Pt 046 SIMONS HILL TENURE REVIEW PROPOSED DESIGNATIONS

- Pastoral lease land to be restored to or retained in full Crown ownership and control, as conservation area. "CA1"
- Pastoral lease land to be disposed of by freehold disposal to Simons Hill Station Limited, subject to a protective mechanism
- Easement:**
- Public access easement to conservation area "a-b"
- Minister of Conservation management purposes easement "a-b", "c-d", "e-f-g" and "f-h"
- New fence marked in capital letters X-Y

Marginal Strips would apply where the property boundary abuts or crosses the Mary Burn (indicative)



WORKS COMPLETED UNDER R/LM.P. PROPERTY PLAN

- RABBIT NETTED FENCES — R
- FENCING FOR ALTERNATIVE GRAZING — A
- OVERSOWING & TOPDRESSING FOR ALTERNATIVE GRAZING
- DRECT DRILLING FOR ALTERNATIVE GRAZING
- BLOCKS WITH RESTRICTED GRAZING CONDITIONS
- BLOCK DETACHED (AVAILABLE FOR EMERGENCY GRAZING ONLY)

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

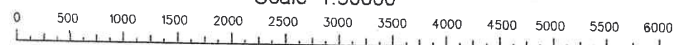
Any fee simple title arising from freehold designation of Crown owned land will be issued subject to marginal strips along streams, rivers and lakes (that meet the criteria set out in Section 24 Conservation Act 1987) if the creation of marginal strips has not already been triggered by the issue or renewal of a lease.

Marginal Strip Subject to Sec 24(9) Conservation Act 1987

Preliminary Proposal V1 171203

Simons Hill

Scale 1:50000



Version	1	2	3	4	5
Canterbury Land District					Sheet 1 of 6
Topographic Map 260 - H38, I38					Date 13/3/01

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& BIRD

ROYAL FOREST AND
BIRD PROTECTION
SOCIETY OF
NEW ZEALAND INC

South Canterbury Branch
29a Nile St
Timaru

25.06.04

Commissioner of Crown Lands
C/- Quotable Value Ltd
P.O.Box 13-443
Christchurch



Dear Sir,

Simons Hill Tenure Review - Preliminary Proposal

The South Canterbury Branch would like to make the following comments on the Preliminary Proposal for Simons Hill Tenure Review. The Branch feels that there are important inherent natural values, and landscapes, to be found on this property.

The Branch is pleased that 407ha will be retained in Crown ownership and designated as conservation lands. But at the same time we note that 6,029.5083ha will be disposed of by freehold disposal and question if all the significant ecological habitats and landscapes have been included in the areas to retained by the Crown.

Simons Hill Pastoral Lease forms part of the outstanding landscapes of the Mackenzie Basin which is itself one of this country's most outstanding landscapes. Much of the property is clearly visible from SH 8 in particular, but also from other roads such as the road which runs down the side of the Tekapo River. And, the property contains distinctive land forms including Simon's Hill and House Hill. So overall, Simons Hill has high visual qualities and the inherent landforms that are still largely in an unmodified condition. The Branch maintains that the landscapes and visual qualities of Simons Hill are highly significant and that special significance has not been fully bought out in this Preliminary Proposal, as there appears to be not a particularly high regard for the maintenance and protection of these outstanding features and overall landscapes.

So, the Branch asks that the importance of these landscapes be reassessed for potential protection, either by being restored or retained in full Crown ownership and control, or by protective landscape covenants.

The Pukaki River Flats are also an important natural feature with high landscape values. And, an area had been identified in the *New Zealand Protected Natural Area Programme - Mackenzie Ecological Region* as being a significant fescue tussock grassland. While the situation may have changed since the study was carried out if this grassland still remains then it should not be freeholded but retained to protect its inherent natural values.

The reported tussock flats between Simons and House Hills, to the Branch would seem worthy of being retained in Crown ownership as the area between these two features contains tussock grasslands of good visual quality

The wetland area is an important habitat for native wildlife including the endangered black stilt and other vulnerable species. So, retention of all the wetlands in Crown ownership is considered to be important by the Branch.

Regarding the Simons Hill itself, it contains significant stands of the prostrate kowhai along with other interesting species. All the areas where the stands of kowhai and other significant native vegetation exist should remain in Crown ownership.

With regards to the Maryburn Stream, this is an important feature in the Mackenzie Basin, not only for the quality of its fishing but for the quality and quantity of its free flowing waters in an otherwise dry landscape. Here, we ask that access be provided along the whole length of this important waterway, by retaining a strip of Crown land along its margins. There appears to be uncertainty about an official marginal strip being put in place along the Maryburn so, to give certainty of access, a strip of land must be retained in Crown ownership, along this waterway. Other, access routes are generally supported.

In conclusion, while the Branch is pleased that 407ha will be retained by the Crown, it feels that there could be more areas that have significant conservation values, which must be retained. And, further consideration should be given to the visual importance of the landscape features found on the property. Especially with regards to Simons Hill being a significance part of the overall outstanding landscapes of the Mackenzie Basin and is highly visible to many people who pass through this area. The opportunity to protect natural values and landscapes on Simons Hill, will only occur this once and so every effort must be made to ensure these important values are retained in the long term for the greater good.

Yours



Fraser Ross
Field Officer SC Branch
RF&BP Society NZ Inc



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10 July 2004



Barry Dench
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Tēnā koe Barry

Preliminary Proposal for Simons Hill Pastoral Lease

Te Rūnanga o Ngāi Tahu and the relevant Papatipu Rūnanga: Te Rūnanga o Arowhenua and Te Rūnanga o Waihao have considered the information provided in the Simons Hill Preliminary Proposal and have the following comments.

Mary Burn Riparian Vegetation and Wetlands

The following extract is from the Cultural Value Report for Simons Hill prepared in 2003:

"Ngā awa (rivers) were valued as a source of food and as huarahi (trails). Ngā awa provided the habitat for freshwater native fish; these provided valuable foods source. The fish found in these streams would be Tuna (eel), Kanakana, Upland Bully (gobiomorphus breviceps), Common Bully (Gobiomorphus cotidianus), Alpine Galaxid (Galaxias paucispondylus). Water birds captured, while nesting and moulting in these areas also provided a source of protein and feathers for clothing. Revegetation of these areas is a priority for Ngāi Tahu, to encourage the fish and bird numbers to increase again.

Wai repo (Wetlands) were once abundant throughout the Manahuna area. Most have now been drained and converted to pasture resulting in the loss of many species and the depletion of others. My people relied heavily on the plant; bird and fish life these areas provided and have as a result lost the basis of a traditional way of life through drainage, pastures and grazing by stock.

Raupō is the construction material for mokihi; it was also used for the walls of the whata, medicinally and as a food source. Raupō root (Koareare) was beaten and baked, and a type of cake made from the raupo pollen (pukapuka). Raupo taken from this awa would have built the mokihi to float preserved kai down the Waitaki River for the wintertime.

Raupō also provides an important habitat for juvenile fish, birds and invertebrates, within the waterways, ponds and wetlands, while holding the moisture during dry times."

Ngāi Tahu supports proposed Conservation Area 1 from the Preliminary Proposal which assist in the protection of the wetland habitat associated with the Mary Burn stream.

The Preliminary Proposal also states that *"marginal strips would apply where the property boundary abuts or crosses the Mary Burn (indicative)*. It is essential that a marginal strip is provided to protect the instream / mahinga kai values associated with the Mary Burn stream, while also provided a mechanism for accessing the Mary Burn River.

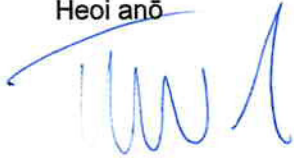
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"A large number of trails transect and intersect this region. Over the pakihi (plains) from Manahuna (Mackenzie Pass) down into Te Pakihi o Manahuna. Simon's Hill pass was accessed by crossing Maryburn Pastoral lease, Te Kohai awa (Maryburn stream) and Te Wai a Kohe (Irishman Creek) would have had preferred mahika kai sites with ara (trails) linking these sites. Ara (trails) would have led down into the Waitaki river and on up to Aoraki and Takapo".

During the research for this submission it became apparent that there is a possibility of archaeological / cultural sites located on the pastoral lease. Te Rūnanga would like the opportunity to discuss with LINZ the possibility of organising an archaeological survey of the pastoral lease, which I believe has yet to implemented for Simons Hill.

If you have any queries please do not hesitate to contact me directly on (03) 371 0194.

Heoi anō



Takerei Norton
Kairuruku Pūrero Ngā Rawa Taiao
Natural Resources Unit Project Co-ordinator

cc Mandy Waaka Homes
John Wilkie
Te Rūnaka o Arowhenua
Te Rūnaka o Waihao