

CROWN PASTORAL LAND ACT 1998

STONEHURST TENURE REVIEW

NOTICE OF PRELIMINARY PROPOSAL

Notice is given under Section 43 of the Crown Pastoral Land Act 1998 by the Commissioner of Crown Lands that he has put a preliminary proposal for tenure review to John Charles Frederick James the lessee of Stonehurst Pastoral Lease.

Legal description of land concerned:

Pastoral lease land:

Part Run 599 Loganburn and Sutton Survey Districts contained in Land Registry Folio Reference OTA2/1198 comprising 2844.6233 hectares.

General description of proposal:

- (1) 2070 ha (*approximately*) to be designated as land to be restored to full Crown ownership and control as a conservation area under Section 35 (2) (a) (i) of the Crown Pastoral Land Act 1998.
- (2) 775 ha (*approximately*) to be disposed of by freehold disposal to J C F James under Section 35 (3) of the Crown Pastoral Land Act 1998 subject to protective mechanisms.

Protective mechanisms:

- (a) An easement under Section 40 (2) (c) Crown Pastoral Land Act 1998 to provide for public access by foot, non-motorised vehicle powered by a person, and horse to the proposed conservation area.
- (b) An easement under Section 40 (2) (b) Crown Pastoral Land Act 1998 to provide for conservation management access to the proposed conservation area.
- (c) A conservation covenant under Section 40 (2) (b) Crown Pastoral Land Act 1998 over approximately 230 ha of the proposed freehold land.

Further information including a copy of the designations plan, easement and covenant documents is available on request from the Commissioner's agent at the following address:

The Manager
DTZ New Zealand Limited
Land Resources Division
P O Box 27
ALEXANDRA

Phone (03) 448-6935
Fax (03) 448-9099
E-mail: ken.taylor@dtz.co.nz

Submissions:

Any person or organisation may send a written submission on the above proposal to the Commissioner of Crown Lands, C/- DTZ New Zealand Limited at the above address.

Closing date of submissions:

Written submissions must be received no later than 30 August 2002.

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

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- (1) Details of land under consideration.
- (2) Proposal.
- (3) Description of proposed designations.
- (4) The proposal in relation to the objects of Part 2 of the Crown Pastoral Land Act 1998.

Appendices:

Appendix 1: Designations plan.

Appendix 2: Draft easement document for public access to the conservation area.

Appendix 3: Draft easement document for conservation management access to the conservation area.

Appendix 4: Draft conservation covenant document.

(1) Details of land under consideration:

1.1 Pastoral lease:

<i>Lease Name:</i>	Stonchurst
<i>Lessee:</i>	John Charles Frederick James
<i>Location:</i>	Gladbrook Road, Middlemarch
<i>Land Registry Folio Ref:</i>	OTA2/1198
<i>Legal Description:</i>	Part Run 599 Loganburn and Sutton Survey Districts.
<i>Area:</i>	2844.6233 hectares
<i>Local Authority:</i>	Dunedin City Council and Central Otago District Council
<i>Term of Lease:</i>	33 years from 1 July 1995

(2) Proposal:

2.1 Land to be designated as land to be restored to full Crown ownership and control as a conservation area (under Section 35 (2) (a) (i) Crown Pastoral Land Act 1998).

Area: 2070 ha (approximately) (shown edged pink on the plan in Appendix 1).

2.2 To be designated as land to be disposed of by freehold disposal to J C F James (under Section 35 (3) Crown Pastoral Land Act 1998) subject to protective mechanisms.

Area: 775 ha (approximately) (shown edged green on the Plan attached in Appendix 1).

Protective mechanisms:

- (a) An easement under Section 40 (2) (c) Crown Pastoral Land Act 1998 over the route marked "a-b-c" on the Plan attached in Appendix 1 to provide for public foot, non-motorised vehicle powered by a person, and horse access to the proposed conservation area. The terms and conditions of this easement are contained in the draft easement document attached in Appendix 2.
- (b) An easement under Section 40 (2) (b) Crown Pastoral Land Act 1998 to allow access for conservation management purposes over the route marked "d-b-c" on the Plan attached in Appendix 1. The terms and conditions of this easement are contained in the draft easement document attached in Appendix 3.

- (c) A covenant under Section 40 (2) (b) Crown Pastoral Land Act 1998 over an area of approximately 230 ha shaded yellow on the Plan attached in Appendix 1. The terms and conditions of this covenant are contained in the draft covenant document attached in Appendix 4.

(3) Description of Proposed Designations:

3.1 Proposed conservation area:

Area: 2070 ha (approximately) (edged pink on the Plan attached in Appendix 1).

The proposed conservation area includes all the land west of the crest of the Rock and Pillar Range contained within this lease and extends to the Loganburn reservoir in the west. Included in this area is the upper catchment of the Burgan Stream and a portion of the McHardies Creek catchment. The significant inherent values contained within the area are described as follows:

The landscape is dominated by an extensive rolling plateau which is distinctively dissected by the Burgan Stream, having its main access running parallel with the plateau crest. Tributaries of the Burgan Stream form a distinctive characteristic topographic drainage pattern, having the origins in bog lands and wet flushes. Visible from the Old Dunstan Road, this expansive tussock landscape presents one of the few opportunities in Otago for the public to have such a view at close proximity. This landscape therefore has significant inherent value because it sustains the special natural quality and integrity of the high country with particular regard to the indigenous component. Particular emphasis is also placed on the protection of the integrity of the historic road (*Old Dunstan Road*) within the natural landscape. The extensive intact tussockland on the summit plateau is ranked as an outstanding natural landscape. This summit plateau, forming part of an extensive peneplain is a distinctive Otago landform feature having regional significance.

In terms of significant inherent value of the vegetation, this area supports species which are individually and/or collectively ranked high in terms of representativeness, diversity and pattern, rarity and special features, naturalness, long term ecological viability, size and shape, buffering, landscape and boundaries.

More specifically, significant inherent values associated with certain vegetation types include:

Comparatively intact narrow leaved snowtussock, homogenous wide spread snowtussock on rolling interflues broken by fingers of wetland vegetation, sharply delineated from the interflues tussock grassland. Interflues areas have numerous shrubs sorted edaphically along soil moisture and disturbance gradients. The existing woody vegetation existing within the interflues provides a link to an 800 year old past, when these species dominated above the regional tree-line. The intact vegetation communities and inter-connectedness of the altitudinal sequence also has significant inherent value along with the diversity provided by wide ranging topographical and bio-climatic factors within the area.

Lying within the great moss swamp area, the invertebrate fauna of this region are of great scientific interest being at a bio-geographic cross roads. There is both a high species diversity in terms of insect genera and a distribution limit for many taxa from the north, south, east and west. These factors all contribute to the significant inherent value of the invertebrate fauna.

Components of the ecological system within the proposed conservation area, which provide a habitat for the invertebrate species include:

Snowtussock grasslands, riparian grassland, and shrubland. Also included are freshwater systems such as tarns, wetlands and seepage. The summit crest low shrubland along with tors on the plateau crest and mid-slopes is also of significance. In particular, the *Leonohebe propinqua* shrubland along with other diminutive shrubs are rich in a wide range of native insects.

In terms of birdlife, a schist rock bluff in a tributary of the Loganburn is used for roosting by the New Zealand falcon which is a Category 3 threatened species. Likewise the aquatic fauna includes a native flathead galaxiid present in a small tributary of the Loganburn which is identified as a Category 1 threatened species.

3.2 Land to be disposed of by freehold disposal to J C F James subject to protective mechanisms:

Area: 775 ha (approximately) (shown edged green on the Plan attached as Appendix 1).

This area contains the flats at the eastern end of the property together with the eastern flank of the Rock and Pillar Range. Within this area approximately 180 ha has been cultivated into permanent pasture, a further 400 ha has been oversown and topdressed with the balance being unimproved tussock grasslands and cushionfield. The upper portion of the eastern face of the Rock and Pillar Range is to be protected by a conservation covenant as described subsequently.

3.2.1 Protective mechanisms:

- (a) An easement to provide for public access by foot, non-motorised vehicle powered by a person, or horse over the route marked "a-b-c" to provide access to the conservation area. This access route provides easy access from Gladbrook Road to the upper level of the cultivated land and then via an existing farm track to the crest of the Rock and Pillar Range.
- (b) An easement to provide for conservation management access over the route marked "d-b-c" for conservation management purposes. This route provides for vehicle access across the farm paddocks and then links to the vehicle track in common with the public access up the face of the Rock and Pillar Range.

- (c) A conservation covenant to protect significant inherent values on the upper levels of the Rock and Pillar Range from approximately 700 metres to the crest of the range at 1100 m.a.s.l. The vegetation within this area comprises narrow leaved snowtussock leading to cushionfield at the higher altitudes with mixed shrublands in some of the gully systems. The area up to approximately 900 m.a.s.l. has previously been oversown and topdressed and is managed as an integral part of the farming system. Consideration was given to separating this area at approximately 900 m.a.s.l. but this was considered impractical for both fencing and also due to landscape impact. A conservation covenant provided the opportunity for conservation management of this transition area between the farmland and the conservation land beyond the crest of the range.

(4) Discussion of proposed 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:

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

(a) To:

- (i) Promote the management of reviewable land in a way is 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 current pastoral use is ecologically sustainable over much of this property. The designations arising out of this review are more in recognition of the significant inherent values that exist within the property and the preference expressed in the Crown Pastoral Land Act for these to be restored to full Crown ownership and control. The removal of grazing livestock from the proposed conservation area is likely to lead to some vegetative change, but this is expected to be ecologically sustainable in this landscape. The majority of this area proposed for freehold disposal comprises developed farmland. There is a transition zone within the proposed conservation covenant between oversown and topdressed pastures to native grasslands. It is anticipated that the majority of the livestock grazing will be focussed on the lower developed portion of this covenant. It is expected that the overall pattern of use will be ecologically sustainable.

All areas identified as having significant inherent values are proposed for protection in this proposal. The majority of these are to be restored to Crown ownership and control as a conservation area, with a transition area proposed for protection by way of a conservation covenant.

The majority of this run is capable of economic use. The lower portions proposed for freehold disposal are the more suited to economic use but will be reduced in this regard through the changed balance of land types. The significance of inherent values on this property has led to a large portion of the property being restored to the Crown.

Excellent public access is available via the Old Dunstan Road which passes through the proposed conservation area. Additional access is provided for from Gladbrook Road across the proposed freehold by way of an easement. This access provides a range of opportunities including mountain biking and horse access.

APPENDIX 1:

Designations plan.

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STONEHURST

Land to be Restored to Full Crown
Ownership and Control



Land to be disposed of to the
holders



Proposed Conservation Covenant



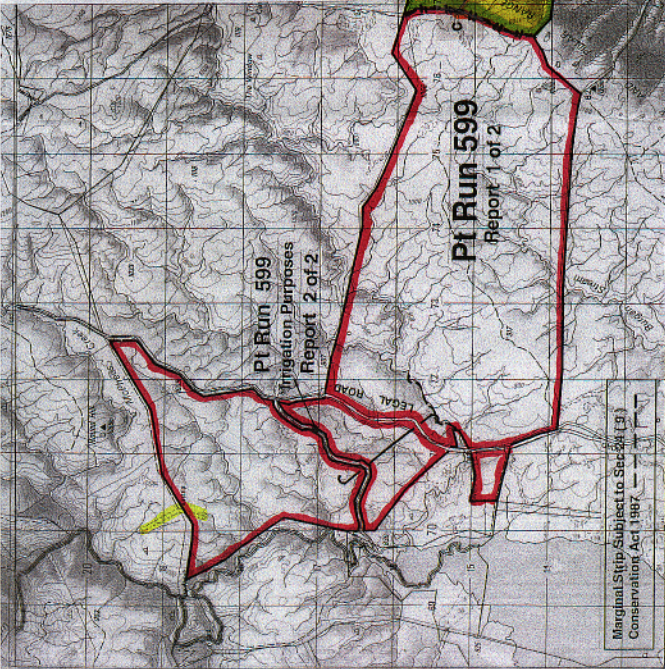
Easement for public access
a-b-c

Easement for conservation
management purposes d-b-c

Existing Fences



Scale 1:50,000
K Taylor
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Marginal Strip Subject to Sec 24 (3)
Conservation Act 1987



Stonehurst

Scale 1:50,000



Version	1	2	3	4	5
Olago Land District					
NZMS 260 H 43					
Sheet 1 of 1					
Date 30/9/1999					

TERRALINK NZ LTD/Commission's CO2E Data as at 1-09-1997Title & Valuation data as at 1-09-1999Geospatial data as at 11-10-97.
Detailed information from 1:50,000 NZ Topographic Database (Crown Copyright) is available on request.