

## **Crown Pastoral Land Tenure Review**

**Lease name : GODLEY PEAKS**

**Lease number : PT 017**

### **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.

**SUMMARY OF  
TENURE REVIEW  
PRELIMINARY PROPOSAL**

**GODLEY PEAKS  
PASTORAL LEASE**

**OCTOBER 2015**



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

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1. **Details of land under consideration**
2. **Summary of Proposal and description of proposed designations**

**1. Details of land under consideration:**

<b>Lease Name:</b>	Godley Peaks
<b>Lessee:</b>	Verity Farms NZ
<b>Location:</b>	15 km north of Lake Tekapo township, between the Cass and Godley valleys.
<b>Land Registry Folio ref:</b>	CB30B/914
<b>Legal Description:</b>	Part Run 80 situated in Blocks VIII, XII & XVI Cook, Blocks V, IX & XIII Godley, Blocks IV & XIX Cass, Blocks I, II, V, VI, IX, X, XIII & XIV Tekapo North and Blocks I & II Tekapo Survey Districts.
<b>Area:</b>	14493.0582 hectares more or less (subject to survey)
<b>Term of lease:</b>	33 years from 1 July 1984

**2. Summary of proposal and description of proposed designations:**

The designations plans, and all covenant, easement, and concession instruments can be found in the proposal document.

**2.1 Area to be restored to Crown control as conservation area (CA1)**

*Approximately 10629 hectares is proposed to be designated as land to be restored to or retained in Crown control as conservation area under section 35(2)(b)(i) Crown Pastoral Land Act 1998 (CPLA), shown shaded in pink and labelled as CA1 on the designations plan included in the proposal document, subject to qualified designations.*

This is the majority of the high country above 1100m asl covering the eastern side of the Hall Range from Mistake Peak to the northern boundary of the lease, and the Mistake Valley in the southern part of CA1 (Photo 1). It is mountainous country rising to 2400m with substantial areas of scree and alpine vegetation. The area contains a large assemblage of landscape, vegetation, wildlife and recreation values attributes assessed as being significant inherent values, and therefore warranting protection.

These values include:

Landscape – Intact, coherent, natural and legible characteristics, which form a landscape with high aesthetic values and dramatic natural character.

Vegetation – A wide range of plant communities, including montane, alpine, tall and short tussockland, wetland, and shrublands. There are also scattered forest trees including Hall's totara (*Podocarpus cunninghamii*), kowhai (*Sophora microphylla*), mountain toatoa (*Phyllocladus alpinus*), broadleaf (*Griselinia littoralis*) and mountain ribbonwood. These species are much reduced in distribution throughout the high country.

There are a number of threatened plant species identified within the area. These are listed below with their threat classification in brackets:

- *Hebe cupressoides* (Nationally vulnerable), slopes of Mistake Peak
- *Carmichaelia crassicaule* (Gradual Decline), scattered in Mistake Valley

- *Carmichaelia vexillata* (Gradual Decline), scattered in tussockland
- *Raoulia petriensis* (Range Restricted), common on Mistake Peak ridge

Wildlife – The area covers a vast tract of intact high-altitude habitat that contains a number of native bird species. These include: pipit, grey duck, grey teal, harrier, South Island pied oystercatcher, paradise shelduck, grey warbler and silvereye. The following threatened species have been identified:

- Black-fronted tern *Sterna albostrata* (Serious decline)
- Black shag *Phalacrocorax carbo novaehollandiae* (sparse)
- Eastern falcon *Falco novaeseelandie* (Gradual decline)

Two threatened invertebrates have been identified, amongst diverse populations of native species. These are:

- Grasshopper *Sigaus minutus* (Gradual decline)
- Grasshopper *Brachaspis* “Hunter” (Range restricted)

Abundant lizards comprising four different species have been identified in the Mistake valley. The species identified are McCann’s skink (*Oligosoma maccanni*), common skink (*Oligosoma nigriplantare polychrome*), spotted skink (*Oligosoma lineocellatum*) and common gecko (*Hoplodactylus* aff. *Maculatus* “Southern Alps”).

Recreation –Potential activities in CA1 include: hunting, tramping, climbing, skiing, scenic viewing and nature study.



Photo 1: Mistake valley within proposed CA1, showing short and scattered tall tussockland (foreground) with scree and alpine vegetation on the slopes of the mountain peaks in the background.

CA1 is not to be fenced due to the complex nature of the topography (Photo 2), with the exception of a section on the front faces above Lake Tekapo (marked as “X-Y” on the designations plan).

Concessions:

CA1 is to be subject to some concessions as qualified designations under section 36(1)(a) CPLA. Four non pastoral concessions for various activities are proposed to be issued to the leaseholder. The leaseholder currently uses the land for commercial

recreation under a recreation permit under the Land Act 1948, but this permit will cease to exist on completion of tenure review. These proposed concessions will apply for a period of 10 years, and do not restrict the public's right to access the land. These commercial recreation concessions are for guiding, commercial filming and photography, and helicopter landings in association with these activities and in association with heli-skiing and heli-snowboarding. Concessions over conservation land are generally non exclusive, although DOC may restrict the number of operators where there are public safety issues.

A concession is also proposed to be granted to the leaseholder for the erection, use, and maintenance of a telecommunications facility to be located on Mistake Peak, labelled 'TA' on the designations plan. This facility is to provide for farm communications and health and safety management in the local area. This concession applies for a period of 30 years, and does not restrict the public's right to access the land.

The concession documents are included as Appendices 4 to 8 of the proposal document.

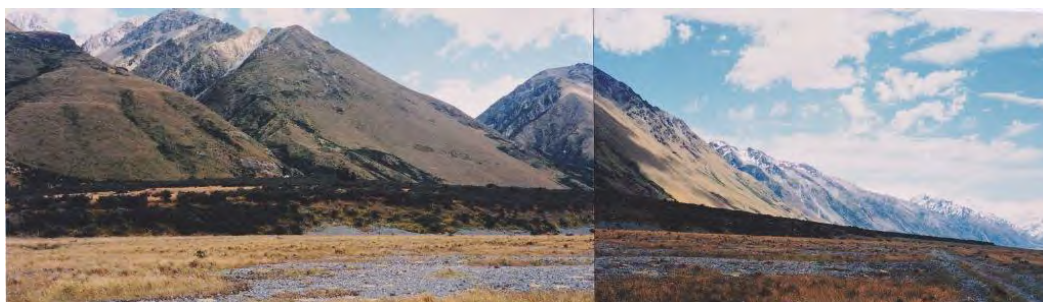


Photo 2: Topography in Godley River valley showing the impracticality of fencing CA1. The unfenced boundary is approximately midway up the slopes running across the steep faces.

## 2.2 Area to be restored to full Crown ownership and control as conservation area (CA2)

*Approximately 172 hectares is to be designated as land to be restored to or retained in full Crown ownership and control as conservation area under section 35(2)(a)(i) Crown Pastoral Land Act 1998, shown edged in pink and labelled as CA2 on the designations plan.*

This area covers the Cass River and adjoining land downstream from the Godley Peaks road bridge. The northern boundary of CA2 corresponds with the fenceline between the Godley Peaks farming operation and the Cass riverbed. The area includes gravel riverbed, old river terraces, and wetlands. The purpose of retaining this land is to protect the natural environment and to provide public access.

Most of this land was not identified as being part of Godley Peaks pastoral lease in the early stages of this tenure review. The area contains the following significant inherent values:

Landscape – The lower Cass River is immediately adjacent to Lake Tekapo and greatly contributes to the landscape of the western side of this Lake, and is an essential part of the natural character of Lake Tekapo.

Vegetation – The braided riverbed is recognised as a naturally rare ecosystem, giving it a high priority for protection<sup>1</sup>. The old outwash terraces carry indigenous stonefield and

<sup>1</sup> "Protecting our Places", published by Department of Conservation

herbfield vegetation, and is classified as a “chronically threatened” Land Environment<sup>2</sup>. This area provides habitat for a number of “at risk” plant species<sup>3</sup> including *Convolvulus verecundus* (declining), *Muehlenbeckia ephedroides* (declining) and *Raoulia monroi* (declining).

Wildlife – The braided riverbed of the Cass River provides feeding and breeding habitat for six threatened bird species: black stilt/kaki (*Himantopus novaeseelandiae*, nationally critical), black-fronted tern (*Sterna albostrata*, nationally endangered), black-billed gull (*Larus bulleri*, nationally endangered), banded dotterel (*Charadrius bicinctus*, national vulnerable), Caspian tern (*Sterna caspia*, nationally vulnerable) and wrybill (*Anarhynchus frontalis*, nationally vulnerable).

The gravel riverbed and surrounding lands provide habitat for two threatened grasshoppers: *Sigaus* “blue” (nationally vulnerable) and *Sigaus* “green” (nationally vulnerable).

The braided river channels and adjacent wetland margins supports populations of one threatened fish species: upland longjaw galaxias (*Galaxias* aff. *Prognathus* “Waitaki”) (nationally vulnerable) and one ‘at risk’ fish species: koaro (*Galaxias brevipinnis*, declining).

The Cass River and adjacent land provides habitat for one ‘at risk’ bird species: South Island pied oystercatcher (*Haematopus ostralegus*, declining).

Recreation – The lower Cass River is often used for recreational access by anglers and other users wanting to get down to Lake Tekapo from the Cass River bridge.

Ecosystem service - The lower Cass River contributes to the water yield and water quality for Lake Tekapo. The Cass River catchment above this area is generally only lightly grazed and provides good water quality and water yield into Lake Tekapo, and protection of this downstream part will enhance these attributes.

DOC intends to develop a car park and picnic area in CA2, just to the north of the road bridge. This is an area of approximately 100m x 100m at the entrance to the lease. It provides the commencement point for public access up the Cass River valley via the easement ‘c-d’ and also through CA2 down to Lake Tekapo, and up valley via the proposed recreation reserve, as discussed below. The boundary between CA2 and the proposed freehold is already fenced.

### **2.3 Area to be restored to full Crown ownership and control as recreation reserve (RR)**

*Approximately 27 hectares is proposed to be designated as land to be restored to or retained in full Crown ownership and control as recreation reserve under section 35(2)(a)(ii) Crown Pastoral Land Act 1998, shown edged in pink and labelled as RR on the plan.*

This reserve will provide public access and enjoyment of the land beside Lake Tekapo. It is approximately 50m wide on average. It will add to the operating easement in favour of Genesis Energy over the lake shore and an unformed legal road adjoining Lake Tekapo in forming a buffer to the Godley Peaks farming operation, and will enable a track to be formed along an optimal route, linking the Cass River and CA2 with the track that runs along the lakeshore and up the Godley valley about 7km to the north. Having a reserve

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<sup>2</sup> An environment classified on Land Environments of New Zealand Level IV with less than 20% nationally remaining of indigenous cover.

<sup>3</sup> NZ Threat Classification System (2007).

of this width is needed to enable a track to be created that avoids areas of shrubland and other vegetation, particularly in the northern sections.

Recreation reserve RR will be fenced to ensure that the reserve boundaries are clear and to separate people from stock as they access the land around the lakeshore, as well as preventing stock from accessing the lake (fence sections R-S, T-U, and V-W.)

Public access will be provided across the gap between U and V by unformed legal road and the lakeshore operating easement.

#### **2.4 Area to be disposed of as freehold**

*Approximately 3665.0582 hectares is proposed to be designated as land to be disposed of as freehold to Verity Farms NZ under section 35(3) Crown Pastoral Land Act 1998, shown shaded green and yellow on the designations plan, and subject to qualified designations and protective mechanisms.*

The proposed freehold comprises the developed pasture and over-sown and top-dressed areas on the front country (photo 3); and the over-sown and top-dressed flats and slopes of the Godley valley (Photos 4 and 5). This land is assessed as capable of ongoing ecologically sustainable economic pastoral farming use, on the basis of the well developed cover of permanent pasture, and regular and extensive over-sowing and top-dressing.



Photo 3: Farming areas on front country showing permanent pasture and mature shelterbelts.



Photos 4 & 5: Over-sown and top-dressed country in the Godley valley.

#### **Public and conservation management access easements**

The freehold land will be subject to public and conservation management access easements under section 36(3)(b) CPLA. These easements are presented in Appendix 9 of the proposal document attached to this submission. These easements provide public



and conservation management access into the Godley valley and the Cass valley, as well as conservation management access into the Mistake River valley. Details are as follows:

*(a) An easement in gross under section 36(3)(b) Crown Pastoral Land Act 1998 to provide public access on foot, or by non-motorised vehicles over the land marked with orange lines and labelled 'a-b-n', 'o-p', 'q-r' and 'c-d' on the plan.*

The easement 'a-b' continues on from the northern end of the recreation reserve RR and traverses the vehicle track above the lake (Photo 6) up to the head of the lake at 'b'. The easement is to be 14 metres wide. The easement will be created where the existing vehicle track does not coincide with legal road or lakeshore land outside the lease boundary.



Photo 6: Vehicle track around lake. Note the narrowness of the track and drop down to the lake, which means that the easement has conditions to manage safety issues.

This easement section above the lakeshore has conditions to manage public safety and stock movements and rockfalls. The freehold owner will be able to temporarily close the easement for farm management purposes and dangerous track conditions. This will be done by signage at the end of the recreation reserve RR and notification to the local DOC office. DOC also has the ability to temporarily close the track to manage potential danger from rocks coming from above the easement on CA1.



Photos 7 & 8: Vehicle track around Lake Tekapo at northern end of the lake (left hand photo), and in the upper Godley Valley (right hand photo).

From point 'b', public access and conservation management access will continue up the Godley valley on an existing track up to point 'r' near Manning Stream. Where this track

is outside the lease it is on Crown riverbed or legal road. This will provide access to the Godley River riverbed Crown land and to CA1. (Photos 7 & 8).

The easement 'c-d' provides access up the Cass River valley, which is a destination in itself, and to the south-west corner of CA1 (photo 9). This easement will be created where the logical route runs across the proposed freehold, rather than the legal road or Crown riverbed. The easement will enable a track to be formed along the most favourable route.



Photo 9: Cass River Valley – note the new fence to the right of the picture. The easement follows along the fence, which drops down to the terrace beside the river and continues north to point 'd'.

(b) *An easement in gross under section 36(3)(b) Crown Pastoral Land Act 1998 to provide access on foot, on or accompanied by horses, by non-motorised vehicles, or by motor vehicles with or without machinery or implements for conservation management purposes, over the land marked with orange lines and labelled 'a-b-n', 'o-p', 'q-r', 'c-d', and also marked with red lines and labelled 'e-f', 'g-h', 'g-i', 'j-k', and 'l-m', on the designations plan.*

The conservation management purposes easements enable DOC to reach CA1 in the Cass and Godley valleys routes as well as to maintain the public access easements.

Conservation management access is also enabled to the Mistake valley. To get to point 'e' from the Cass River bridge there is access over a legal road on a farm track through the lease and through the existing freehold around the Godley Peaks Station homestead.

The additional easement 'l-m' provides conservation management access to the existing DOC black stilt reserve 'Mick's Lagoon'.

The conservation management access easements have a prior notification clause, such that DOC has to make every endeavour to contact the freehold owner before accessing the property. This is to enable the freehold owner to avoid stock movement conflicts, and also to enable warning of track conditions, which may be slippery and dangerous; particularly 'g-h' which climbs the front faces to the Mistake valley.

In summary, from the entrance to the property at the Cass River bridge on the Godley Peaks Road, the proposal enables public access up the Cass via easement 'c-d', and

public access up into the Godley valley from the Cass River bridge via CA2 on the Cass riverbed, then via the recreation reserve RR along lake Tekapo foreshore, and then via a 4 wheel drive track up into the Godley valley from 'a' through to 'r'. While conservation management access has been achieved into the Godley via the formed farm track from the Cass River bridge across the working part of the property ('e-f-g-i-j-k'), public access has not been enabled on this more direct route, which passes through the middle of their farm buildings area and their most intensive farm paddocks.

#### Conservation covenant

*A conservation covenant is proposed under section 40(1)(b) and section 40(2)(a) Crown Pastoral Land Act 1998 covering 1269 hectares (approximately) over part of the proposed freehold land, shaded yellow and labelled as 'CC1' on the designations plan.*

Covenant CC1 is presented in Appendix 10 of the proposal document attached to this submission. This covenant covers the lower slopes of the Godley valley and primarily protects significant inherent vegetation values and landscape. The covenant encompasses a large tract of red tussock (*Chionochloa rubra*) wetland (Photo 10). The covenant allows livestock grazing, and allows up to 30 hectares of matagouri clearance per year, where the average canopy height is less than 1.5 metres. The covenant also allows oversowing and top dressing except to a 20 metre margin along the edge of rivers. Apart from these provisions, the covenant prohibits the removal or damage of any vegetation, and prohibits tree planting apart from shelterbelts where agreed with DOC. The covenant also prohibits cultivation or earthworks, and also prohibits any action which would cause a deterioration in the natural flow or quality of water in any stream, pond, marsh, or other water resource. DOC may undertake monitoring of the values in the covenant area and may take any necessary further steps to further protect values if conditions are determined to be deteriorating, including fencing and adjustments to stock rates.

The covenant also allows for DOC to construct a hut or upgrade an existing hut for public use in the Godley valley, by agreement with the landowner



Photo 10: Red tussock panorama in Godley river valley, looking across at Lilybank and Mt Gerald pastoral leases in the distance.

The boundary between CC1 and CA1 is not to be fenced. This is because the steep topography makes it impractical and prohibitive (photo 2). Regular over-sowing and top-dressing will help to keep stock below the boundary. The Holder is also changing stock classes away from running wethers, which should also reduce the incursion of stock into CA1.