

Tenure Review of Hukarere Pastoral Lease Summary of Substantive Proposal



September 2021

Background

The Hukarere pastoral lease is a 7,177-hectare property located in West Otago 23 kilometres northwest of Heriot. It comprises of hill country rising from approximately 230 metres above sea level at the lowest point on the Pomahaka River boundary to 1,156 metres above sea level on the crest of the Black Umbrella. A location map can be found in **Appendix One**.

The Hukarere pastoral lease is held by Quintin and Rebecca Hazlett (the Holders) and run as an organic cattle and sheep operation in conjunction with 664 hectares of freehold land.

Hukarere entered tenure review in 1998. Advice on the inherent values of the lease was provided by the Department of Conservation (DOC) in the form of a [Conservation Resources Report](#) (CRR) in 2011. The CRR has been supplemented by information gathered during field visits by DOC and LINZ throughout the consultation phases of the review.

Following public notification of the preliminary proposal, a substantive proposal has been put to and accepted by the Holder. The Proposal provides for the protection of 610 hectares as conservation area and the protection of an additional 1,038 hectares as scenic reserve. The remaining 5,529 hectares are designated to be freehold, with 394 hectares subject to conservation covenants.

A plan showing the substantive proposal designations for Hukarere (the **Plan**) together with a copy of the substantive proposal can be found [here](#) (the **Proposal**).

Consultation & public submissions

The Hukarere preliminary proposal was advertised for public submissions in August 2014 with 14 submissions received. A report analysing the submissions together with full copies of individual submissions can be found [here](#).

The submissions expressed concerns about the proposed public access provisions, citing the need for vehicle access and additional walking access. Some submitters sought reclassification of part of the proposed conservation land to scenic reserve to enable its amalgamation with the adjoining Leithen Bush Reserve. There was general support for the proposed covenants with some submitters seeking the inclusion of additional land.

Consultation was undertaken with the Director-General of Conservation (DGC) and Holders to seek their views on accepted points from the public submissions and changes to the preliminary proposal.

In response to submissions, part of the conservation area identified in the preliminary proposal now has a scenic reserve designation. Changes have also been made to the boundaries of some covenant areas.

The main points arising from the public submissions and how they have been addressed in the Proposal are summarised in **Appendix Two**.

Summary of the Substantive Proposal Designations

The Hukarere substantive proposal designations are discussed below.

SR1 – 1,038 hectares to be restored to or retained in Crown control as scenic reserve

This area includes parts of the summit ridge of the Black Umbrella Range, the headwaters of Leithen Burn and Parasol Creek and tributaries of the Pomahaka River. It is dominated by narrow leaved snow tussock at higher altitudes, with regenerating beech forest in gullies and at lower altitudes and provides habitat for the Pipit and South Island rifleman. The native fish Koura and Galaxias sp.D are present in large numbers in Parasol Creek.

SR1 covers indigenous vegetation that spans an altitudinal sequence from the valley floor at approximately 300 m asl, to the highest point on the lease at 1096 m asl on the crest of the Umbrella Range. The area adjoins the Leithen Bush Reserve and will improve the resilience of the existing reserve to weed and pest invasion by reducing boundary effects.

SR1 is subject to two farm management easements (shown as dashed blue lines on the Plan) The easements secure continued use of farm tracks providing the only practical access to adjoining freehold areas. SR1 will also be subject to a tourism concession for guiding. The concession replaces the Holders' existing recreation permit.



SR1 looking up from point A

CA1 – 610 hectares to be restored to or retained in Crown control as conservation area

CA1 adjoins SR1 and encompasses ridges of the Black Umbrella Range lowering in altitude to approximately 800 metres. This area is dominated by narrow leaved snow tussock at higher altitudes, with forest remnants in gullies and at lower altitudes. Of particular importance is the areas link with the SR1. It includes the headwaters of Parasol Creek and Sandy Creek both tributaries of the Pomahaka River. CA1 is subject to a guiding concession in favour of the Holders.



Looking up towards CA1

CC1-CC8 – freehold land of 394 hectares subject to conservation covenants

Conservation covenants will be created over eight areas of land shaded yellow on the Plan. They comprise of gullies containing remnant beech forest and regenerating native shrublands. The covenant secures the permanent retirement of the areas from grazing and related pastoral activities and requires the landowner to undertake pest and weed control. The location and size of the areas lend themselves to covenanting rather than protection as conservation areas. Each of the covenant areas are discussed in more detail below.

CC1 - 94 hectares

CC1 is centred on the Little Parasol Creek and comprises a mix of sunny and shady faces with bush clad gullies. *Olearia fimbriata* (tree daisy) has been found in the area and it supports a rich distinctive insect fauna, many of which are host specific. Also present is *Olearia lineata* (tree daisy). This area is an example of the original vegetation of this location. Part of the covenant area is fenced and the balance will be fenced as part of the Proposal.



CC1 looking northwest up the valley

CC2 - 37 hectares

This area encompasses shrublands and forest remnants in the mid to upper reaches of Doakes Stream. Included in the shrublands and forest remnants are *Olearia fimbriata* (tree daisy) and *Uncinia strictissima* (sedge grass). Also present are the tree daisy *Olearia liniata* and the willow herb *Epilobium insulare*. The presence of these gullied bush areas forms an integral part of the landscape in association with the surrounding pasture and higher tussock areas. The landowner is responsible for fencing the covenant area to exclude stock.



Looking northwest in CC2

CC3 - 6 hectares

CC3 is located between the track and the Pomahaka River at Horseshoe Bend being the confluence of Doakes Stream and the Pomahaka River. The area comprises steep shrublands and forest on the west bank of the Pomahaka River. Included in the shrublands is the tree daisy *Olearia lineata*.



CC3 an area known as Horseshoe Bend

CC4 - 84 hectares

This area is located in the Rough Creek Catchment and contains beech forest remnants and associated shrublands. The covenant covers the area of woody vegetation. The boundary will not be fenced as it is not practical to do so because of its difficult size and shape. The covenant requires that the area not be intentionally grazed but acknowledges that stock may wander into this area.



CC4, Rough Creek catchment of Parasol Creek

CC5 - 148 hectares

CC5 is adjacent to Parasol Creek and situated mid-way up the southern boundary of the lease. Of significance in this area is the low altitude shrublands that comprise *Olearia fimbriata* (tree daisy). Also present is *Olearia lineata* (tree daisy) and manuka shrublands. The native fish Koura and Galaxias sp. D are present in large numbers in Parasol Creek. An area in the southeast corner has been added as in response to public submission on this covenant area. This covenant will be fenced as part of the Proposal.



Looking north into CC5

CC6 (14 hectares), CC7 (8 hectares) & CC8 (2.4 hectares)

These areas are located between the farm track and the Pomahaka River to the north and south of the confluence of the Little Parasol Creek and the Pomahaka River. Part of this area is currently protected by an existing conservation covenant. The existing covenant will be removed and replaced with a new covenant that covers a larger area. The areas contain *Olearia fimbriata* (tree daisy), the shrub species *Teucrium parvifolium* and *Olearia lineata* (tree daisy). CC7 will be fenced as part of the Proposal. CC6 and CC8 will not be fenced but are not to be intentionally grazed.



CC6 is in the foreground, CC8 in the midground & CC7 in the background.

Freehold land of 5,135 hectares

The land shaded green on the Plan is designated for freehold disposal. It mainly comprises of lower altitude areas developed and cultivated for pastoral uses over many years. No significant inherent values have been identified within these areas. Altitude ranges from 300 metres above sea level on the flats near the Pomahaka River to over 1,000 metres above sea level on the proposed western boundary. The majority of the country lies within altitude 610m-850m above sea level.

The Holders have been allocated funds under the Government's One Billion Trees Programme for an indigenous forest revegetation project on up to 500 hectares of the freehold land situated below SR1. While this land has been historically grazed it is considered suitable for the proposed forest regeneration project and will enhance the lands inherent values.

The Proposal provides for public access by foot and mountain bike over two main routes:

- Along a farm track adjoining the Pomahaka River and marked "a-j-l-n-p-r-t" on the Plan. Access from the track to the Pomahaka River will be available at Devils Gorge between CC7 and CC8 (n-o) and at three additional points – "j-k", "p-q" and "r-s". There are also a number of places where the track is on the marginal strip where foot access can be gained to the river. This easement will also provide access to CC1 from Devils Gorge (marked "l-m"). This part of the access is walking only. Use of these routes is limited to weekends and public holidays between 1 December and 15 May.

- The second route provides public access by foot and mountain bike initially along the marginal strip past the old Hukarere homestead, around to the confluence of the Parasol Creek and the Pomahaka River. The easement follows an old farm track west along Parasol Creek to point "b" on the south eastern corner of CC5. From "b" there is access into CC5 that concludes at a point south of the airstrip at "i". From point "d" the easement splits, with part following the existing track to point "e" where the track hits the proposed Scenic Reserve SR1. The easement also follows the southern boundary from point "d" to point "g" on the boundary of SR1.

Horses are permitted on all easements except CC1(l-m) and CC5(b-i) with the prior approval of the landowner. Members of the public holding hunting permits, issued by the DGC for public conservation land to which the easement provides access, may carry hunting weapons and may also be accompanied by dogs with the prior permission of the landowner.

Objects of Part 2 of the Crown Pastoral Land Act 1998

Section 25 of the CPLA requires the Commissioner of Crown Lands (Commissioner) to take into account the objects of tenure review as set out in section 24 of the Crown Pastoral Land Act 1998 when developing a tenure review proposal:

- (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 the significant inherent values of reviewable land –
 - (i) by the creation of protective mechanisms; or (preferably)
 - (ii) by the restoration of the land concerned 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 Proposal is considered to meet these objects as it:

- Promotes the management of reviewable land in a way that is ecologically sustainable (section 24(a)(i)) through the retirement of land from grazing by domestic stock (SR1, CA1, CC1-8), and limiting economic uses to those parts of the lease that have demonstrated an ability to support such uses while promoting ecological sustainability.
- Subject to section 24(a)(i), enables reviewable land capable of economic use to be freed from the management constraints of pastoral lease tenure (section 24(a)(ii)). It provides for the freeholding of key areas of the lease utilised for pastoral grazing and will allow for these uses to continue without the constraints of a pastoral lease. As noted above parts of the freehold land have been identified for an indigenous forestry project which will provide environmental and economic benefits. The freeholding of the relevant land will enable this project to proceed. In addition, the property has some potential for tourism such as guided hunting and fishing.

Due to its relative remoteness and absence of outstanding lake and mountain views it is considered to have limited subdivision potential.

- Provides for the protection of 610 hectares as conservation area and 1,038 hectares as scenic reserve (section 24(b)(i)), protecting significant inherent values including forest remnants and habitats for native birds and fish.
- Enables the protection by conservation covenant (section 24(b)(ii)) of eight areas containing significant landscape and botanical values and threatened species.
- Secures public access to and enjoyment of reviewable land (section 24(c)(i)). Access to SR1 and CA1 is available from Leithen Bush Reserve and over farm tracks along the southern boundary of the lease. Access to CC1 and CC5 is also provided for as well as improved access along the Pomahaka River.
- Provides for 5,529 hectares of freehold land (section 24(c)(ii)), 394 hectares of which will be subject to conservation covenants.

Other matters taken into account

Section 25 of the CPLA also requires the Commissioner to take into account:

- The principles of the Treaty of Waitangi. A Cultural Values Report was obtained from Te Rūnanga o Ngāi Tahu, which has informed the development of the Proposal. Te Rūnanga o Ngāi Tahu was also consulted on the preliminary proposal as required under section 44 of the CPLA and provided further advice that informed development of the Proposal.
- Whether the land or any part of it is used or intended to be used by the Crown for any particular purpose. No other Crown purposes have been identified for this land.



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Appendix Two – Summary of main public submissions and how they have been considered in the Proposal

Submission Points	Response
Reclassification of part of the proposed conservation land to scenic reserve to enable it to be amalgamated with Leithen Bush Reserve.	With the support of DOC part of CA1 has been reclassified as scenic reserve.
Expansion of CC1 to encompass a small kowhai grove and creek.	The boundary of CC1 has been changed to include the creek but the kowhai grove has not been added as it was not considered practical to fence this area into CC1.
An additional covenant around Parasol Hut to protect aesthetic and ecological values associated with a stand of beech trees.	This area was re-inspected during consultation to determine whether significant inherent values requiring protection were present. No values were identified and as such a covenant has not been proposed over this area.
The protection of a ribbon of beech trees along Parasol Creek between CC4 and CC5.	The ribbon of trees is located within the marginal strip and therefore does not need to be dealt with as part of the review.
Concern around the freeholding of areas above the snow line.	The area proposed for freeholding is considered to be below the snow line.
Public vehicle access and access to a fishery located within the property.	These matters were considered during consultation on a substantive proposal but did not result to any changes to the proposed public access rights detailed in the Preliminary Proposal.