



Department of Conservation  
Te Papa Atawhai

- 8 APR 1999

RECEIVED

FILE: PAS 021

Thursday, 1 April, 1999

Mr R. Ward-Smith  
Knight Frank Ltd.  
P O Box 564  
Timaru

Dear Ray

**RE: APPLICATION TO CULTIVATE, APPLY FERTILISER, SOW SEED AND PLANT TREES,  
BALMORAL PASTORAL LEASE.**

This response to your request is made under delegated authority from the Director General of Conservation 21 August 1998.

There are no inherent values that are desirable to protect for conservation reasons which will be affected by consent to the above application. Resource Consent 960016 has already been approved for the tree planting and values addressed.

Please convey these views to the Commissioner so that they may be taken into account in the decision making process.

Yours faithfully,

Richard McNamara  
Acting Area Manager  
TWIZEL

*See R9087 R.  
a doc both 20 June  
This letter is to include  
addition. R/S.*

Released under the Official Information Act 1982

File Ref: Pt 021

1st Floor, Public Trust Building  
Cnr Church & Sophia Streets  
PO Box 564  
TIMARU  
Telephone (03) 684-8340  
Facsimile (03) 688-0407

31 March 1999

Mr and Mrs A W Simpson  
Balmoral Station  
PO Box 91  
LAKE TEKAPO

Dear Mr and Mrs Simpson

**BALMORAL STATION:  
REQUEST TO CULTIVATE, SOW SEED, TOPDRESS AND PLANT TREES**

I wish to advise that the Commissioner of Crown Lands has approved your request received 24 November 1998 to cultivate, sow seed, topdress and to plant trees under the following conditions:

Cultivation

- 1 That all prudent measures are taken to minimise the risk of wind blow during cultivation.
- 2 That the Commissioner of Crown Lands reserves the right to require the lessee to establish tree shelter belts at sometime in the future.
- 3 The consent is granted under the Crown Pastoral Land Act 1998 and does not imply consent under any other legislation.
- 4 The consent may be modified, suspended or cancelled should the Commissioner deem it to appropriate to do so.
- 6 The consent does not abrogate conditions of previous consent/s except in the case of conflict in which case the conditions of this consent will take precedence.

Sow with Seed

- 1 That only certified permanent pasture seed free from weed impurities be sown.
- 2 The consent is granted under the Crown Pastoral Land Act 1998 and does not imply consent under any other legislation.

.../2

Corporate Offices

Auckland  
Wellington  
Christchurch  
16 Offices Nationwide

International

Australia  
Belgium  
Botswana  
China  
France

Germany  
Hong Kong  
India  
Italy  
Japan

Malawi  
Nigeria  
Singapore  
Spain  
Sweden

Tanzania  
United Kingdom  
United States  
of America  
Zimbabwe

Mr & Mrs Simpson  
Balmoral  
Consent to Requests to Cultivate etc  
31 March 1999

Topdressing

- 1 That fertiliser continue to be adequately applied to the area to maintain a good sward.
- 2 The consent is granted under the Crown Pastoral Land Act 1998 and does not imply consent under any other legislation.
- 3 The consent may be modified, suspended or cancelled should the Commissioner deem it to appropriate to do so.

Planting Trees

- 1 That wilding tree spread be strictly controlled over the remainder of the pastoral lease outside of authorised planting areas by the elimination of such trees prior to cone bearing.
- 2 That the lessor be advised prior to logging commencing and that consent be obtained to any soil disturbance which would occur outside the designated forest area as approved under this consent.
- 3 That one year prior to clear felling of the area that consent in principle is obtained from the lessor for future use. This will require the lessee to produce an interim plan for future use.
- 4 That if a joint venture is entered into with another party, that the formal consent of the Commissioner of Crown Lands is obtained.
- 5 The consent is granted under the Crown Pastoral Land Act 1998 and does not imply consent under any other legislation.
- 6 The consent does not abrogate conditions of previous consent/s except in the case of conflict in which case the conditions of this consent will take precedence.

Please contact me if you require further information or wish to vary this approval in any way.

Note that this consent is issued under the Crown Pastoral Land Act 1998 and does not imply consent under any other legislation. It is your responsibility to obtain any other necessary consents.

Please note that under the provisions of Section 17, Land Act 1948 you have the right to apply for a rehearing of the Commissioner's decision. Section S17(1) states:

Mr & Mrs Simpson  
Balmoral  
Consent to Requests to Cultivate etc  
31 March 1999

*17. Application for rehearing - (1) Any person aggrieved by any decision of the Commissioner or any determination of an administrative nature by the Commissioner may, within 21 days after being notified of that decision or determination, apply to the Commissioner for a rehearing, and the Commissioner may, at any time within one month after receiving the application, grant a rehearing of the case if he/she thinks that justice requires it, and on the rehearing may reverse, alter, modify, or confirm the previous decision or determination in the same case:*

*Provided that the Commissioner shall not grant a rehearing where the decision or determination relates to the allotment of land to any person other than the person aggrieved unless that land has been allotted by the Commissioner pursuant to the powers conferred on him/her by section 54 of this Act.*

If you wish to apply for a rehearing, please notify this office within 21 days of the date of this letter. Your application should clearly state the grounds on which you wish to apply for a rehearing.

KNIGHT FRANK (NZ) LIMITED



R A WARD-SMITH  
MANAGER - TIMARU

s:\g-lrd-wp\wardsmir\R9087A

# Facsimile

To: Ray Ward-Smith  
Company: Knight Frank (NZ) Limited  
Timaru  
Fax No: (03) 688-0407  
From: Mike Todd  
Crown Property Contracts  
Date: 26 February 1999  
Page 1 of: 1  
Our Ref: \_\_\_\_\_  
Your Ref: \_\_\_\_\_

**Toitu te  
Land whenua  
Information**  
New Zealand



Christchurch Regional  
Office  
Torrans House  
195 Hereford Street  
Private Bag 4721  
DX WP20033  
Christchurch  
New Zealand  
Tel 64-3-379 9793  
Fax 64-3-366 6422  
DDI 64-3-364 59#  
E-mail  
#@linz.govt.nz  
Internet  
<http://www.linz.govt.nz>

29 MAR 1999

RECEIVED

**Confidential**

This facsimile message contains information which is confidential and may be subject to legal privilege. If you are not the intended recipient, you must not peruse, use, disseminate, distribute or copy this message. If you have received this message in error, please notify us immediately by facsimile or telephone and destroy the original message. Thank you.

**Subject: PASTORAL SUBMISSIONS**

The recommendations in the following submissions have been approved.

<u>Property or Applicant</u>	<u>Subm'n No.</u>	<u>Approved</u>	<u>Case No.</u>	<u>Subject</u>
Balmoral	R9087A	26/03/99	99/476	Cultivation
Balmoral	R9087B	26/03/99	99/477	Sowing Seed
Balmoral	R9087C	26/03/99	99/478	Top-Dressing
Balmoral	R9087D	26/03/99	99/479	Plant Trees
West Hills	R9018E	26/03/99	99/465	Personal Stock Limitation Exemption
BA & BR Patterson		26/03/99	99/464	Cancellation of Recreation Permit
Mt Gerald	R9079A	26/03/99	99/499	Cultivation
Mt Gerald	R9079B	26/03/99	99/500	Top-Dressing
Mt Gerald	R9079C	26/03/99	99/501	Sowing Seed
Mt Gerald	R9079D	26/03/99	99/502	Tracking
Mt Gerald	R9079E	26/03/99	99/503	Burning
Mt Gerald	R9079F	26/03/99	99/504	Clear Vegetation
Mt Gerald	R9108	26/03/99	99/505	Amendment of Stock Limit

Mike Todd



LAND RESOURCES DIVISION

1st Floor, Public Trust Building  
Cnr Church & Sophia Streets  
PO Box 564  
TIMARU  
Telephone (03) 684-8340  
Facsimile (03) 688-0407

File Ref: Pt 021

03 March 1999

Manager Regional Crown Property Services  
Land Information New Zealand  
Private Bag 4721  
CHRISTCHURCH

Attention : Mr R W Lysaght

Dear Sir

**REQUEST TO CULTIVATE, SOW SEED, TOPDRESS AND PLANT TREES :  
BALMORAL PASTORAL LEASE**

Enclosed please find submission for the above.

Yours faithfully  
KNIGHT FRANK (NZ) LIMITED

R A WARD-SMITH  
MANAGER - TIMARU

Enc: Submission to CCL - R9087A, R9087B, R9087C, R9087D

s:\g-lrd\wp\warsmir\R9087A

Corporate Offices

Auckland  
Wellington  
Christchurch  
  
16 Offices Nationwide

International

Australia  
Belgium  
Botswana  
China  
France  
  
Germany  
Hong Kong  
India  
Italy  
Japan  
  
Malawi  
Nigeria  
Singapore  
Spain  
Sweden

Tanzania  
United Kingdom  
United States  
of America  
Zimbabwe

Knight Frank (NZ) Limited  
(An LPL Group Company)  
INTERNATIONAL PROPERTY CONSULTANTS

Released under the Official Information Act 1982

**SUBMISSION TO  
THE COMMISSIONER OF CROWN LANDS**

**Request for consent under Section 16, Crown Pastoral Land Act 1998**

**PLANT TREES**

KNIGHT FRANK (NZ) LIMITED P O BOX 564 TIMARU

R9087D

---

<b>KF REF:</b>	Pt 021	<b>CCL Ref:</b>	<b>Case No: 99/479</b>
<b>Property Name:</b>	Balmoral		
<b>Lessee:</b>	A W & K F Simpson		
<b>Location:</b>	Tekapo, South Canterbury		
<b>Date of Request:</b>	24 November 1998		

**Nature of Request:**

- 1 To maintain and blank up forested areas for which approval has already been granted under section 108 Land Act 1948, comprising 1,341.7 hectares of afforestation, and approximately 10 kilometres of existing six- and eight-row shelter belts.T
- 2 To establish approximately 8 kilometres of new one row to six row shelter belts, as shown on the attached plan.

**Consultation with DoC:**

Advised by letter on 4 December 1998 requesting consultation in terms of the Crown Pastoral Land Act 1998.

**DoC Response:**

Response received 25 January 1999 in which the Area Manager advised; *"In my view there are no inherent values, which it is desirable to protect for conservation reasons, that will be affected by the proposal. Resource Consent 960016 has already been approved for the tree planting and values addressed."*

**Further Consultation :**

No further consultation is recommended.

**Affected Parties:** We consider there are no affected parties who should be consulted.

**Available information:** A schedule of available information which has been assessed is appended, along with copies of the information.

**Inherent Values and desirability of protecting them:** Knight Frank is not aware of any inherent values that it is considered specifically require protection.

**Farming considerations and the desirability of making it easier to use the land for farming:**

The lessee is an avid proponent of trees and has gone through extensive planning procedures to obtain consent for the establishment of some 900 hectares as a commercial forestry block. In addition to that he has smaller woodlots established in conjunction with FRI on a trial basis as well as additional plantings in the trial area of his own. These were all rigorously assessed at the time. Copy of Case 97/1 is appended for your information. The conditions set would appear to cover all needs however to remove all doubt regarding maintenance of the plantation, this submission is being forwarded to you.

In addition, consents granted under the Land Act for cultivation included the following condition: *"That the Commissioner reserves the right to require you to establish additional shelter belt planting and maintain the same at any time in the future"*. The lessee has drawn up a tentative proposal for future shelter belt planting in the areas under cultivation. They have included in the list of trees proposed to be planted many amenity species which it is expected will largely be planted, or have been planted and require to be maintained within the steading area.

In view of previous conditions, it is desirable to make it easier to use the land for farming purposes by granting the request to establish shelter belts, particularly adjacent to arable areas. In doing so, there is no intention to rescind previous conditions imposed. In particular, this relates to the control of wilding pines, which the lessees have been faithfully been carrying out.

**Conclusions:**

All necessary actions have been taken to comply with the instructions to your agent Knight Frank Ltd in compliance with the Crown Pastoral Lands Act. Wilding tree spread is a concern and has been for some time throughout the pastoral high country. This matter is addressed by requiring the lessee to keep parts of the property not approved for planting, free from wilding trees. After consideration of all matters it is reasonable to grant consent to the request.

The conditions set out in the recommendation are those accepted and/or required in precedent cases for afforestation and are consistent with prudent land management by the lessor.

**Recommendation:**

That you grant written consent to the request to plant trees pursuant to the Crown Pastoral Land Act 1998 subject to the following conditions :

- 1 That wilding tree spread be strictly controlled over the remainder of the pastoral lease outside of authorised planting areas by the elimination of such trees prior to cone bearing.
- 2 That the lessor be advised prior to logging commencing and that consent be obtained to any soil disturbance which would occur outside the designated forest area as approved under this consent.



- 3 That one year prior to clear felling of the area that consent in principle is obtained from the lessor for future use. This will require the lessee to produce an interim plan for future use.
- 4 That if a joint venture is entered into with another party, that the formal consent of the Commissioner of Crown Lands is obtained.
- 5 The consent is granted under the Crown Pastoral Land Act 1998 and does not imply consent under any other legislation.
- 6 The consent does not abrogate conditions of previous consent/s except in the case of conflict in which case the conditions of this consent will take precedence.

**Signed for Knight Frank (NZ) Limited**

Signed R A Ward-Smith 5 March 1999

\_\_\_\_\_  
R A Ward-Smith,  
Manager - Timaru / /1999

\_\_\_\_\_  
G L Holgate / / 1999

**Approved/~~Declined~~**

Fax signed Mike Todd 26 November 1999 (received 29 March 1999)

\_\_\_\_\_  
Commissioner of Crown Lands / /

**Appended:** Available information assessed.

**APPENDIX: Available information assessed.**

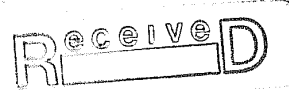
1. Request from the lessee received 25 November 1998.
2. Letter asking to consult with Department of Conservation dated 4 December 1998.
3. Initial response from DOC dated 25 January 1999.
4. Plan of the property indicating the consent area requested.
5. Copy of submission 97/1 approved 9 August 1996.



Department of Conservation  
*Te Papa Atawhai*

FILE: PAS 021

Wednesday, 20 January, 1999



25 JAN 1999

Mr R. Ward-Smith  
Knight Frank Ltd.  
P O Box 564  
Timaru

Dear Ray

**RE: APPLICATION TO APPLY FERTILISER SOW SEED AND PLANT TREES, BALMORAL PASTORAL LEASE.**

This response to your request is made under delegated authority from the Director General of Conservation 21 August 1998.

There are no inherent values that are desirable to protect for conservation reasons which will be affected by consent to the above application. Resource Consent 960016 has already been approved for the tree planting and values addressed.

Please convey these views to the Commissioner so that they may be taken into account in the decision making process.

Yours faithfully,

Rob Young  
Area Manager  
TWIZEL

File Ref: Pt 021

LAND RESOURCES DIVISION

04 December 1998

1st Floor, Public Trust Building  
Cnr Church & Sophia Streets  
PO Box 564  
TIMARU  
Telephone (03) 684-8340  
Facsimile (03) 688-0407

The Regional Manager  
Department of Conservation  
Private Bag 4721  
CHRISTCHURCH

Attention : Mike Clare

Dear Sir

**RE : REQUEST FOR COMMISSIONER OF CROWN LAND'S CONSENT TO APPLY FERTILISER, SOW SEED AND PLANT TREES- BALMORAL PASTORAL LEASE**

We advise that we act as agent for the Commissioner of Crown Lands with respect to the above matter.

The Commissioner's consent to apply fertiliser, sow seed and plant trees on Balmoral pastoral lease has been sought, and the Commissioner is required to consider this request, and determine his response to the request.

The Commissioner's action in considering this request is a discretionary action subject to the provisions of Section 18 of the Crown Pastoral Land Act 1998 (CPLA 1998).

In terms of Section 18(1) the Commissioner is required to consult with the Director-General of Conservation before taking any action described in Section 18(3).

In taking the action the Commissioner, to comply with Section 18(2) CPLA 1998, is required to take into account the following-

- a) The desirability of protecting the inherent values of the land concerned (other than attributes and characteristics of a recreational value only), and in particular the inherent values of indigenous plants and animals, and natural ecosystems and landscapes; and
- b) The desirability of making it easier to use the land concerned for farming purposes.

The Commissioner of Crown Lands is also required to take into account the views expressed by any person or body who is consulted.

Corporate Offices

International

Auckland  
Wellington  
Christchurch  
  
16 Offices Nationwide

Australia  
Belgium  
Botswana  
China  
France

Germany  
Hong Kong  
India  
Italy  
Japan

Malawi  
Nigeria  
Singapore  
Spain  
Sweden

Tanzania  
United Kingdom  
United States  
of America  
Zimbabwe

Knight Frank (NZ) Limited  
(An LPL Group Company)

INTERNATIONAL PROPERTY CONSULTANTS

Department of Conservation  
Request to Fertilise, Sow Seed and Plant Trees  
Balmoral Pastoral Lease  
4 November 1998

The Commissioner has delegated us to act on his behalf to initiate certain elements of the consultation process.

We advise that we wish to consult with you, relating to this matter.

Enclosed please find a copy of the request which has been received.

We wish to meet with you or receive from you your views and thoughts relating to the Commissioner's action. In particular we wish to identify any inherent values on the property concerned as set out in Section 18(2)(a) and the likely effect of the activities applied for on such inherent values. You may wish to comment on any other matters you think appropriate.

Would you please provide your views and advice to Ray Ward-Smith in our Timaru office as soon as possible, and within the agreed 20 working days time frame. Upon receipt of your advice, we will convey such advice to the Commissioner of Crown Land for his consideration.

We thank you for your assistance.

Yours faithfully  
**KNIGHT FRANK (NZ) LIMITED**



**R A WARD-SMITH  
MANAGER - TIMARU**

Enc: Copy of request from lessee received 24 November 1998

Copy to *Rob Young, Department of Conservation, Private Bag, TWIZEL*

s:\g-lrd-wp\wardsmir\R8493

**REQUEST TO COMMISSIONER OF CROWN LANDS  
FOR CONSENT TO PLANT TREES ON PASTORAL LAND**

**Your name** ~~BALMORAL~~ ANDREW SIMPSON

**Name of Property** BALMORAL

**Pastoral Lease no** P 21 PT RUN 344

**Address**  
P.O. BOX 91  
LAKE TEKAPO

**Phone no**  
036806834

**Fax no**  
036806834

**E-mail address**

**Completion**

Please complete the form fully to enable full consideration of your request. Use additional pages or forms for multiple requests. Where the trees are ultimately intended for harvest, indicate this clearly.

**Map**

Please mark on a map (not greater than 1:50,000 scale) the area/s for which this request applies. Use different colours for differing applications or species.

**Purpose of tree planting** (e.g. commercial forest, shelter belt, conservation, amenity)

COMMERCIAL FOREST ; SHELTER BELTS  
AND AMENITY PLANTING.

**Species to be planted**

PINES ; DOUGLASS FIR ; ~~SOFT~~ BIRCHES  
OAKS. ALL FIR SPECIES. POPLARS. WILLOWS  
MAPLES CYPRESSES. ABIES.

**Area to be planted** (if in a block)

APPROX 900 Ha

**Length and number of rows** (for shelter belts, etc.)

APPROX 10 Km OF 6 & 8 ROW SHELTER BELTS OLD. NEW SHELTER BELTS APPROX 8 Km FROM 1 ROW TO 6 ROWS

**Siting and layout of trees** (for amenity or conservation planting)

GROUP PLANTINGS FOR AMENITY PLANTINGS. ROWS FOR SHELTER PLANTING

**Do you require consent for ongoing maintenance planting** (blanking)

YES

**Potential for the proposed trees to spread naturally**

WINDING PLAN IS IN PLACE AND HAS BEEN APPROVED

**Management plans to prevent spread**

IS ALREADY IN PLACE

---

---

---

---

---

---

---

**Expected benefits**

Please outline the expected benefits of the proposed plantings (e.g. financial; stock health, and production; soil stability; water quality; landscape) and how it will make it easier to use the land concerned for farming purposes.

FINANCIAL SHELTER SOIL ENHANCEMENT  
AND AESTHETIC ENHANCEMENT

---

---

---

---

**Inherent Values**

Is the proposed planting likely to have a significant effect on inherent values e.g:

- a) Cultural, ecological, historical, recreational, or scientific attributes or characteristics of a natural resource in, on, or forming part of, or existing by virtue of the conformation of, the land; or
- b) cultural, historical, recreational, or scientific attributes or characteristics of a historic place on or forming part of the land.

~~NO~~ - NO ADVERSE EFFECTS. BUT WILL  
ENHANCE AREA FOR RECREATIONAL VALUES

---



If so, what is the effect likely to be?

---

---

What do you plan to do to reduce any adverse effects?

---

---

---

---

If you have a management plan for the proposed plantings please enclose a copy with your application.

~~100%~~ ALREADY HAVE A COPY.

Signature of applicant

*ASD*

Date 17.11.92

Released under the Official Information Act 1982