

Crown Pastoral Land Tenure Review

Lease name: MANAHUNE

Lease number: PT 091

Public Submissions - Part 3

These submissions were received as a result of the public advertising of the Preliminary Proposal for Tenure Review.

May

10

Submission 8

Mike Todd

From: Hunter Donaldson [Hunter.Donaldson@maf.govt.nz]
Sent: Thursday, 27 August 2009 16:42
To: mike.todd@opus.co.nz
Cc: Mark Neeson; secretary@fmc.org.nz
Subject: Manahune Preliminary Proposal

Dear Mike

This is in response to your letter of 28 July with which you provided details of the preliminary proposal for tenure review of the Manahune Crown pastoral lease.

We have perused the proposal and consider that in its present form it does not present any major walking access concerns. There appears to be adequate access both around the property and to the proposed conservation areas from existing unformed legal roads.

We have noted from the Federated Mountain Clubs' submission that there are two practical concerns about the use of the unformed legal road. Their proposal that there should be a benched track to provide practical access along a steep bank between points D and B on the map seems reasonable, but must be made legally secure if it diverts from the unformed legal road either by means of a realignment of the legal road or by an easement in gross.

The other concern is with the effect of pugging on the unformed legal road along the Tengawai river. FMC has asked that cattle be excluded from this area. We agree that the right of the public to pass and repass on an unformed legal road should not be obstructed by an adjoining land holder by, for example, allowing cattle to damage the surface in a way that makes walking access impractical. Unformed legal roads are vested in the relevant territorial authority, and this issue should be resolved in consultation with that authority.

Yours sincerely

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31/08/2009

Submission 9

Submission 9

South Canterbury Branch
29a Nile St
Timaru 7910



**FOREST
& BIRD**

Royal Forest and Bird
Protection Society
of New Zealand Inc

26.08.09

Mike Todd
Opus International Consultants Ltd
P.O.Box 1482
Christchurch 8140

Dear Mike

Please find enclosed the submission from the South Canterbury Branch on the Preliminary Proposal; for the Manahune Lease Tenure review.

We trust that there will be an outcome acceptable to all the interested parties.

Yours sincerely

A handwritten signature in purple ink that reads "Fraser Ross".

Fraser Ross
Field Officer
SC Branch.

Royal Forest and Bird Protection Society of NZ Inc.
South Canterbury Branch

Submission on the Preliminary Proposal
for the Tenure Review of
Manahune Pastoral Lease
Under the Crown Pastoral Land act 1998

To: Opus International Consultants
P.O.Box 1482
Christchurch 8140

The South Canterbury Branch, Royal Forest and Bird Protection Society of NZ Inc; (the Branch) would like to make the following comments and requests on the Preliminary Proposal for the review of tenure to the holders of Manahune Pastoral Lease.

The Manahune Pastoral Lease comes within the area of interest for the Branch, and contains significant ecological and visual values, which we would like to see maintained. This review of the Pastoral Lease provides an unique opportunity to consider how these significant values will be managed and protected for the long term.

Those values, which the Branch considers to be significant, include shrublands, regenerating forests that contain important elements of the earlier woody plant communities, visual values and the supply of water for streams and rivers lower down.

Public access, to the natural areas that have been identified as being significant, is seen by the Branch to be important and will allow our members and the recreational public to visit and enjoy this rugged and less well known part of South Canterbury.

With reference to the actual Proposal Document:

P2 2.1 Land to be restored to Crown Control;
The area of approximately 81ha 'CA1' is to be restored to Crown control as a conservation land - is fully supported by the Branch. As it will protect and allow the regeneration of shrublands and native forests and at the same time provide valuable access up on to the Albury range. This area 'CA1' contains native plant communities which are of sufficient extent to provide adequate habitat for several native bird species and is another reason why the Branch supports this area being restored to Crown control as a Conservation Area.

P3 2.1.1a Qualified designation; the granting of an easement, marked 'l-m' on the designation plan in the Proposal, is not opposed by the Branch.

P4 2.1.1b Qualified designation; the granting of an easement, marked 'n-o' on the designations plan in the Proposal, for farm management water supply, is not opposed by

the Branch.

P4 2.1.2 Regarding an area of approximately 205.4318ha - 'CA2' to be restored to Crown control as a conservation area, this is fully supported by the Branch. Because the area supports native plant communities such as tall tussock grasslands, shrublands and rock outcrop vegetation. And it protects the upper catchment of the Duck Stream, which is a small tributary of the Tengawai River. The rock outcrops found in this area provide important habitats for native lizard species and the area is also likely to provide habitat for the native falcon, a species in gradual decline.

The tall tussock grasslands and the rock outcrop communities on the ridge crest will be of some considerable interest to our members. And generally the area will most likely be of interest to a wide range of recreational outdoor groups. It is noted that public access will be available from CA1 and the adjacent legal road, which is pleasing to know.

However, we ask that all access to the proposed Conservation Areas be by reasonable and practical routes, which will enable access by foot, mountain bike, and possibly by horses. If the most practical routes are by way of farm tracks such routes should be considered if any of the proposed routes are impractical for all the three activities mentioned above. The Branch asks that any proposed easement route for the public be retained in full crown control so as to avoid the possibility of a shift of access route as has unfortunately happened to the access to the North Opuha Conservation Area.

P5 2.1.2a Regarding *Qualified designation* the granting of an easement p-q, r-s, t-u, is not opposed provided it allows access for only farm management purposes. We would point out there are some proposed easements to cross the land to be retained by the Crown so it would seem only fair and reasonable that all easements for the public follow the most practical routes, even along existing farm tracks.

P6 2.1.3 An area of approximately 121ha 'CA3' is to be restored to Crown control as a conservation area - this is fully supported by the Branch. As a conservation area it will protect significant natural values, such as tall tussock grasslands, shrublands and rock outcrop vegetation. And, the Branch notes that public access will be available from 'CA2' which will enable members and members of the recreational community to visit this little known but potentially interesting area. Providing access to and from both 'CA2' and 'CA3' should be by the most practical routes for all the permitted means of travel.

P7 2.1.3a *Qualified designation* - re the grazing concession, the Branch generally opposes such grazing concessions because of possible adverse impacts on the native vegetation and habitats caused by grazing animals. However, in this instance a grazing concession will enable the lessee to continue to graze a set number of cattle, which we will not oppose. But we ask that the period of the concession be for no more than ten years initially with a provision that it could be renewed for another ten years if there are no significant adverse impacts. The Branch also asks that the grazing area be monitored

from time to time to determine if adverse impacts are occurring, or not, to the natural values.

P7 re Land to be disposed of by freehold disposal - an area of approximately 839ha, while we have not made a site visit, from the information provided in the document the intention to dispose of this area by freehold disposal would not be opposed. However, we do have some concerns about the need to maintain and protect stream gullies and the small areas of indigenous shrublands, from development and hard grazing by animals. As these small stream valleys are sources of water flows for rivers and natural waterways lower down. The quality of the water arising from these up-land gullies, and the indigenous shrub-land cover, needs to be managed in a way so that they are not subjected to mob stocking of grazing animals. While this may be a management issue and not directly related to the disposal of land, the maintenance of high water quality and environmental flows in our waterways, is a concern that ranks highly for our members and also for many people in the wider community. And Land Management issues are indeed provided for as detailed in the Schedules of the document.

P8 2.1a Protective Mechanism - proposed conservation covenant; an area of approximately 22ha 'CC1' to be subject to a Conservation Covenant. This area which contains rock outcrop features and values which we consider to be visually and ecologically important, includes special plants such as *Olearia bullata* and *Olearia lineata*, and *Muehlenbeckia ephedroides*. Because of the visual significance of the site and the biological values that exist there, the Branch would like to see this area retained under Crown control as a Conservation Area.

However, while the terms of the covenant aim at retaining the indigenous vegetation over the covenanted area it does allow grazing by sheep and cattle as well as topdressing and chemical spraying. All of which could have adverse impacts on the values, which exist on the site, and the covenant seeks to protect.

The area is rated moderate to high against the PNAP criteria for rarity and special features, and ranks moderate against the PNAP criteria for representative-ness and naturalness. So, the Branch considers that this area should be restored to full Crown control as a Conservation Area.

Regarding the Special Conditions relating to this area 'CC1', if covenanted, the covenant provides for sheep and cattle grazing as well as over-sowing, topdressing and chemical spraying. Hard grazing and chemical spraying, in particular, could put the values, which the Covenant seeks to protect, at some considerable risk. While The Owners Obligations - page 3-4 of This Deed of Covenant is appropriate and necessary the obligations do not appear to include the need for selective spraying only of pest weeds and the prevention of hard grazing on the sites where special plants and wildlife exist.

And, there appears to be no provision made for public access to the proposed covenant 'CC1' which would be an interesting area for our members, at least, to visit. The Branch

asks that limited access for members of the public be made available to this area.

P9 2.21b Qualified Designation - proposed easement for the public, "b-c", 'd-e", "f-g", "h-i" and "j-k", is fully supported by the Branch provided these access ways follow reasonable and practical routes, and allow for the passage of mountain bikes, foot traffic and possibly horses.

P15 2.1 Grazing Concession CA3; this area contains plant communities and plant species which are significant such as *Carmichaelia crassicaule* and *Helichrysum plumeum*. Monitoring by a suitably qualified person should, we ask, be undertaken on a regular basis. **2.1.3 c) P16**, does allow for monitoring and a review every three years, with the right of the Minister of Conservation to adjust the stock numbers in order to meet conservation objectives, is supported. However, we ask that the area not be hard grazed at all times because of the likely environmental impacts.

P16 2.1.5 regarding the proposed duration of concession of thirty years from settlement date, this is considered by the Branch to be too long. We would recommend a term of 10 years with a provision for a further renewal, provided the environmental impacts are less than minor and this is confirmed by the regular monitoring of the area

P3 9 Protection of the Environment; conditions as stated (a) to (h); *Easement Concession*, are generally appropriate and supported by the Branch. As well as the provisions of 9.2 (a) and (b) which relates to pests and compliance with the Biosecurity Act 1993.

P5 Protection of the Environment; the conditions (a) to (h) - *Grazing Concession*, are generally supported by the Branch.

P4 The Owner's Obligation; 3.2.3, among other requirements, to keep the Land free from exotic tree species, is supported. However, if spraying with herbicides is required, then that must be carried out with regard for the indigenous vegetation and special plants that may be present in the area and which the Covenant aims to protect.

Conclusion: the Branch asks that the comments and requests made in our submission will be given your fullest consideration.

Yours sincerely



Fraser Ross
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Submission 10

Submission to



Mike Todd
Work Group Manager, Property Consultancy
Opus International
20 Moorhouse Avenue
Christchurch

Received via Email
28/8/2009.
PT.

28 August 2009

Dear Mr Todd

Tenure Review – Manahune Pastoral Lease

Thank you for the opportunity to comment on the values of Manahune Pastoral Lease for conservation and recreation.

The Canterbury/Aoraki Conservation Board has a long standing interest in Tenure Review.

CACB supports high value areas to be returned to Crown control as conservation areas. The proposed conservation areas on Manahune Station are valuable acquisitions. Few pastoral leases have such relatively diverse shrubland and forest communities at such low altitudes.

Importantly, the designated conservation areas represent an altitudinal gradient sufficient to represent several contrasting plant communities and well-defined zones of integration between them (ecotones).

The plant communities are already recovering and regenerating from extensive past burning and grazing. Protection will greatly enhance biodiversity values.

In the future of the farm management any drift from herbicide applications, topdressing or oversowing onto conservation land has to be avoided.

Regeneration of forest and shrubland will enhance vegetation cover adjacent to the streams that feed the Te Ngawai River, improving aquatic habitat, riparian habitat and water quality.

Stock needs to be excluded from all areas designated for conservation ie, CA1, CA2 and CA3 and CC1.

A concession to allow cattle grazing for 30 years of an area, which is to become conservation land after that time is proposed.

CACB believes that CA3 (121 ha) should not be given a grazing concession. It is not essential to future farm management and cannot be declared so in the context of future farm management, which with freeholding, will not have the constraints present under pastoral lease. New and improved technologies for pasture development, management and winter feeding options will change the status of CA3 from "essential" to merely "convenient". This will simplify fencing requirements and the need for an easement concession.

However if the proposed concession is to go ahead, strict conditions need to be imposed and appropriate monitoring needs to take place to avoid adverse impacts on the current conservation and landscape values.

The shrubland communities have high biodiversity value. They contain several threatened species including the shrub daisies, *Olearia bullata* and *O. lineata*. Also, *Muehlenbeckia ephedroides* and a hybrid between this species and *M. complexa* (shrub pohuehue).

These species are of particular significance in the proposed limestone scarp covenant area (CC1), as are creepers such as bush lawyer.

CC1 will require significant 'rehabilitation' including removal of pine trees, willows and poplars.

The increased growth and spread of shrub and forest species will tend to shade out exotic plants such as gorse, broom, clovers and exotic grasses. This will greatly reduce weed control requirements.

Conversely, species such as wilding pines, willows, poplars, elderberry and male fern (*Dryopteris filix-mas*) will require immediate intervention.

Several other species in the shrublands are of significance: such as *Hebe salicifolia* (koromiko), *Melicytus alpinus* (porcupine shrub), *Carmichaelia crassicaule* (coral broom), *Corokia cotoneaster* (korokia), *Coprosma propinqua* (mingi mingi), *C. linariifolia* (yellow wood) and *Gaultheria* spp. (snowberry). Valuable areas of *Dracophyllum* shrubs occur near the ridgeline where they merge with the narrow-leaved snowgrass.

Matagouri has a significant presence and it is representative of this species in its original habitat. The small area of *Halocarpus bidwillii* (bog pine) at the south end of the summit ridge has a high status for protection.

Area CA1 contains a considerable range of forest species, all of which will respond favourably to the removal of livestock: *Hoheria lyallii* (mountain ribbonwood/lacebark), *Griselinia littoralis* (Broadleaf), *Pseudopanax crassifolius* (lancewood), *P. colensoi* (mountain five-finger), *Carpodetus serratus* (putaputaweta) and *Myrsine australis* (mapou).

Four native tussock species are present: *Festuca novae zealandiae* (hard tussock), *Poa cita* (silver tussock), *P. colensoi* (blue tussock) and *Chionochoa* spp. (narrow-leaved snowgrass). Each will respond to the removal of grazing, especially the *P. colensoi* which has the highest level of palatability among the four tussock species.

The upper slopes and ridgeline snowgrass is contiguous with snowgrass on neighbouring properties. Tenure review for the neighbouring Silver Hill lease provides the opportunity for a much more extensive area of protected snowgrass.

Within the conservation area, spraying weeds with broad-spectrum herbicides should be avoided wherever possible.

The proposal to covenant an area of limestone outcrop, which contain special plants is supported. However the covenant conditions allow for weed spraying and other possible activities, which may be harmful for the values present. CACB is concerned and therefore questions the appropriateness of this condition.

CACB supports the access provisions in the proposal.
Thank you for the opportunity to comment.

Ines Stäger

Convenor of the land committee

Submission 11

25 August 2009

Received by email
4/09/09
[Signature]

Commissioner of Crown Lands
C/- Mike Todd
Opus International Consultants Ltd
PO Box 1482
Christchurch 8140

Dear Sir

MANAHUNE TENURE REVIEW

We wish to make the following submission on the preliminary proposal advertised for Manahune.

Area CA1: This has been over-sown and top-dressed and economically farmed in the past and has only a moderate level of conservation resources. This area should become part of the freehold. Freehold of this area would also avoid the need for a water easement through conservation land for farm management water supply. Access to CA2 is suggested as another purpose for CA1 to become conservation land, however access is being provided by farm tracks and legal roads which will be sufficient for persons to get to CA2. Also if this area remains within the freehold it will eliminate the cost of fencing.

Area CA2: We support the return of this land to the Crown if the Manahune owners are prepared to do this.

Area CA3 will continue to be grazed for a period of 30 years with a stock limitation. As grazing is to be allowed for this length of time the land should be freeholded subject to a sustainable management covenant limiting the number of stock to be carried. We would support this approach.

Marginal Strips: It is noted that the freehold details of designation requires the title be made subject to Part IVA of the Conservation Act 1987. We do not support this as the lease was renewed commencing on 1 July 1995 and is subject to section 58 of the Land Act 1948 which does not to create a marginal strip (confirmed by Crown Law). There is no information whether any of the streams qualify for a marginal strip. The farmer needs to understand whether his freehold title has a Crown strip of 43 metres running parallel with the legal road. This may well have been the case that on review, prior to renewal, a consideration could have been given to an exemption under the equitable provisions of the Conservation Act.

Public Access Easement: Clause 10 of Appendix 4 gives DoC the right to close the easement for any period that is considered necessary. The easement in this instance is for farm access and DoC should not have the ability to prevent use by the farmer, but only the public when necessary. Further we are totally opposed to the farmer being responsible for maintenance on the public access easements. If the Crown requires public access they must take responsibility for all costs, not the farmer.

R S Emmerson
Forest Range Ltd
Phone 03 4452833, Fax 03 4452834