

File Ref: A3428169

1 November 2018

DC and RM Gunn  
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By Email: [ s 9(2)(a) ]

Dear David and Rosemary

**NOTICE OF DECISION OF COMMISSIONER OF CROWN LANDS – LAKE TAYLOR PASTORAL LEASE – APPLICATION FOR CONSENT TO DISCRETIONARY ACTION – TO CLEAR SCRUB**

Further to your application dated 10 June 2018 for consent to undertake clearing of scrub on areas A and C in the lease of Lake Taylor Station, the Commissioner of Crown Lands has, in accordance with s18 and pursuant to s16(1)(a) Crown Pastoral Land Act 1998 made the following decisions:

1(a) To **grant** consent to David and Rosemary Gunn to clear scrub by helicopter spraying using metsulfuron on Area A shown shaded orange on the attached plans subject to the following conditions:

- i) Spraying shall target regenerating mānuka, kānuka, matagouri and gorse.
- ii) Spraying of the hillslope must take place on calm days to minimise herbicide drift into the threatened environment.
- iii) Employ a 10 metre minimum buffer along the western edge of the area to eliminate the effects of any management activities, including spraying, on the remnant beech stand immediately west of area A.
- iv) No spraying within 20 metres of any waterways.
- v) Spraying operations to be undertaken by an experienced and appropriately qualified operator.
- vi) Written notice is to be provided to the Commissioner of Crown Lands that the activity has occurred within two weeks of the spraying.

**1(b)** To **grant** consent to David and Rosemary Gunn to clear scrub by helicopter spraying on Area C shown shaded yellow on the attached plans subject to the following conditions:

- i) Spraying shall target regenerating kānuka, matagouri, bracken, tutu, broom and gorse.
- ii) Spraying of the area must take place on calm days to minimise herbicide spray drift.
- iii) No spraying within 10 metres of any wetlands..

- iv) A 50 metre buffer from the Old House Gully Stream should be excluded from spraying.
- v) Exclude the patches of kanuka at the eastern end of the site and small shrub-flax area in the western end of area C shown outlined in purple on the attached plans.
- vi) Spraying operations to be undertaken by an experienced and appropriately qualified operator.
- vii) Written notice is to be provided to the Commissioner of Crown Lands that the activity has occurred within two weeks of the spraying.

1(c) Term of Consent

Consent to commence the initial activity shall remain valid for a term of 5 (five) years from the date of this decision.

- 1(d) Reasons for decision: The Commissioner has determined that the activity has positive benefits for farming that will outweigh the negative effects to inherent values of the land he wishes to protect.

**Permission under other enactments still needed**

Please note that under s.17 of the Crown Pastoral Land Act 1998 (CPLA) the above consent of the Commissioner does not authorise the activity to be undertaken without the required permission under any other enactment.

**Right of rehearing**

Under the provisions of section 17 of the Land Act 1948, the applicant has the right to apply for a rehearing of the Commissioner's decision. Section 17 provides that:

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

If you wish to apply for a rehearing, then an application must be submitted to this office within 21 days of receipt of this letter. The application should clearly state the grounds on which an application for a rehearing is made.

Yours faithfully



Jaimee Grant  
Portfolio Manager