

Crown Pastoral Land Tenure Review

Lease name : MANUKA POINT

Lease number : PC 053

Public Submissions

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

These submissions are released under the Official Information Act 1982.

April

12

Submission 1

247001



Federated Mountain Clubs of NZ (Inc)



P O Box 1604
WELLINGTON
www.fmc.org.nz

secretary@fmc.org.nz

13 December 2011

Commissioner of Crown Lands,
C/- Darroch Ltd,
P O Box 143
CHRISTCHURCH

Email: carolyne.latham@darroch.co.nz

Manuka Point Tenure Review

Federated Mountain Clubs represents clubs involved back country recreation with a particular focus on mountainous areas.

Federated Mountain Clubs fully supports the aims : *"to promote the management of reviewable land in a way that is ecologically sustainable..... to enable the protection of the significant inherent values of the reviewable land.....and to make easier the securing of public access to and enjoyment of reviewable land"* (Crown Pastoral Land Act 1998, S.24).

We recognise that tenure review offers an opportunity put in place for arrangements for enduring public access to the high country and for protecting natural values while minimising interference with farming operations.

Manuka Point

Manuka Point station is the starting point for some classic trips into the Southern Alps. The Rakaia River gives access to the Whitcombe Pass, one of the better known pass trips that takes in the Whitcombe River and on to the West Coast. Other passes from the Rakaia give alpine access to the Wanganui River headwaters in Westland, the ice fields along the divide and to various headwaters of the Rangitata in the Clyde River catchment. The Mathias River provides provides access to the headwaters of the Hokitika River via Mathias Pass. The Ragged Range offers opportunities for shorter trips, such as Jellicoe Stream and Poachers Pass.

When the Rakaia River is low, the quickest and easiest access to the Mathias River and the true left of the Rakaia River is to cross the Rakaia River opposite Manuka Point homestead. The true left of the Rakaia gives access to the Whitcombe Pass. Access to the Mathais usually crosses the land between the two rivers in the vicinity of 'Exch1' and 'UCL' and the proposed vehicle access easement e, f, g, h and k shown on Sheet 1.

Over the years many of our clubs have run regular trips to the areas behind Manuka Point, especially during the summer months.

Comment on the Proposals

Federated Mountain Clubs has reviewed the Preliminary Proposal, and generally supports the proposed conservation areas.

There are a number of points below that we would like to make with regard to this proposal.

1. *Access up the River Valleys of the Rakaia and Mathias*

The river beds of both the Mathias and Rakaia rivers have always been the traditional routes for trampers, climbers and hunters into the headwaters of the Rakaia catchment. They are the principal access routes into the Central Southern Alps and are used by Canterbury people as well others from further afield.

The size of the Rakaia River and the Mathias River and their frequent high flows mean that it is often impractical to use the riverbeds for access. It is therefore essential that there is practical public access up the true left of the Rakaia River and the true right of the Mathias River. The Mathias River cuts in to the hills in places on the true right bank so access is especially important in these places. Secure, legal foot access should be provided for along the banks of both rivers. A strip or easement along the true left of the Rakaia and the true right of the Mathias should be added to the Proposal and located at sufficient distance back from the river banks to allow for any subsequent changes in the river channels.

2. *Access between the Rakaia and Mathias Rivers*

We support the provision of legal access between the Rakaia River and the Mathias River across the narrow strip of land between the two rivers. The proposed access easement in this area is only for the Minister of Conservation along the vehicle track between e, f, g, h and k. We believe this should also provide for foot access for recreation as well. In addition we feel that a more direct route along the fenceline at the base of the hill that heads south south west from "I" on the Manuka Point Sheet 1 of the proposal should also be provided for foot access.

3. *Concession areas*

The proposal provides for some concession areas to enable the runholder to continue current activities.

It is critical that these do not prevent others from accessing the areas on a non-commercial basis. Our reading to clause 21.1 (b) of the draft DOC concession in Appendix 4 provides this. It is critical that this public access is retained and that non-commercial recreational access cannot be restricted.

4. *Other comment*

We support the Clause 7 "Obligations on Sale of Land" of the draft covenant apply to subsequent owners. We would like the proposed conditions for any easements to include similar clauses to secure continuous public access across in the event that the property changes ownership.

We also request that the property boundaries alongside the Rakaia and Mathias rivers are surveyed to remove Ad Medium Fillum (AMF) rights to the beds of the Mathias and Rakaia rivers, as these "rights" might be used at some point in the future to restrict public access. It is our understanding that if the river boundaries of the property were surveyed, the AMF rights if any, would cease to apply and the river bed would revert to public title.

Concluding Comment

Tenure Review is an opportunity to provide better defined rights for the runholder while being the time when provision is made for public access and enjoyment of the high country. Access is vital if more New Zealanders are to enjoy the outdoors.

Finally, we appreciate this opportunity to comment on the Preliminary Proposal. We would be happy to be involved in further discussions regarding any of the issues discussed in this submission.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Phil Glasson', with a long horizontal flourish extending to the right.

Phil Glasson
Secretary

Submission 2

247002

Submission on Tenure Review Pc053 Manuka Point

This submission is in support of the Preliminary Proposal

Rational

The proposal is a balanced proposition that takes into account the conservation and natural values whilst allowing for the extensive farming that has provided a living for the current and previous occupiers.

The designated areas appear appropriate to fulfil the above.

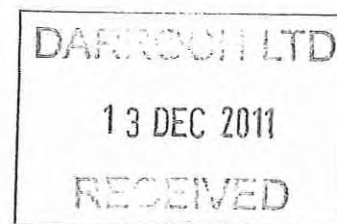
Yours sincerely,

H. N. McKnight

H.N. McKnight

Neil McKnight
19 Boundary Road
Alexandra
Central Otago

Tele: 03 448 7457



Submission 3

247003



WALKING ACCESS
ARA HĪKOI AOTEAROA

12 December 2011

Commissioner of Crown Lands,
C/- Darroch Limited
PO Box 27
ALEXANDRA 9320



**Preliminary Proposal for Tenure Review of the Manuka Point Pastoral Lease Pc 053
Submission from the Walking Access Commission**

Thank you for providing an opportunity to comment on the Preliminary Proposal for the tenure review of the Manuka Point pastoral lease. As you will appreciate, this is the first opportunity that the New Zealand Walking Access Commission (the Commission) has had to comment on this proposal.

We have not had the opportunity to undertake a ground inspection.

The following submission should be considered as new information as the planning, extensive discussion and consultation to date on the tenure review, have been undertaken without input from the Commission.

The Commission's public access statutory role is described below, under section **A. Introduction**, and the detailed submission is presented in section **B. Submission**.

In summary, the Commission:

- Commends the use of 1:50,000 and 1:20,000 scale plans.
- Supports the concept of providing for public vehicle access from the Rakaia riverbed west to CA2 and north onto the Mathias riverbed.

Is concerned that:

- Section 3 of the summary report is too brief – especially the public access provisions, and seeks to have:
 - Appropriate information provided to identify which waterways qualify for marginal strips shown on the plan.
 - The legal status of land adjoining the pastoral lease made available on a plan.
 - Proposed public vehicle access located on existing tracks, or to have tracks formed on the line of the easements, and all access to be clearly identified.
 - Public foot access provided on proposed freehold land adjoining the Mathias and Rakaia riverbeds.
 - The location of the proposed public vehicle access reconsidered in light of the existing legal road in the vicinity.

The detailed submission is set out in section **B** below.

A. Introduction

Purpose, Objective and Functions of the NZ Walking Access Commission

The Walking Access Act 2008 (sections 3, 9 and 10) sets out the purpose, objective and functions of the NZ Walking Access Commission.

Central to its role is the Commission's leadership functions in negotiation and provision of free, certain, enduring and practical access to the outdoors for New Zealanders and visitors.

Focus of Submission is Public Access

The Commission's submission on this Preliminary Proposal is designed, as envisaged by the Act, to achieve appropriate, enduring and future focused public access in this area of New Zealand.

The Commission's submission reinforces the objectives of the Crown Pastoral Land Act 1998 (CPL Act), in particular section 24(c) which is to make easier the securing of public access to and enjoyment of reviewable land. Specifically, our submission addresses the public access and public enjoyment matters specified in subsection (2) (c) and (d) of section 40 of the Crown Pastoral Land Act 1998.

The Commission was not consulted during the preparation of this preliminary proposal, which had commenced well before the introduction of the Walking Access Act 2008. Nor has the Commission had the opportunity to undertake a ground inspection.

Therefore, this submission should be considered as new information - provided by the Crown agency with statutory responsibility¹ for leading and supporting the negotiation, establishment, maintenance, and improvement of:

- walking access (including walkways, which are one form of walking access) over public and private land; and
- types of access that may be associated with walking access, such as access with firearms, dogs, bicycles, and motor vehicles

B. Submission

General comments

The 1:50,000 scale of the main designation plan, supplemented with a 1:20,000 scale detail plan is commended.

Section 3 of the "Summary of Preliminary Proposal" is too brief, comprising statements about, rather than any discussion of, the proposed designations in relation to the Objects of Part 2 Crown Pastoral Land Act 1998. Other than summarising the location of the proposed access, there is no information provided on the precise location or practicability of the proposed access.

Part 4A of the Conservation Act 1987 applies to the disposition of all land being freeholded under tenure review. While we understand that the Commissioner of Crown Lands may have no statutory function in the reservation from sale of marginal strips, the identification of qualifying waterways is a key factor when considering the adequacy of public access proposed in tenure reviews. The Preliminary Proposal plan should identify this information, or it should at least be made available with the advertising of the Preliminary Proposal.

The summary report provides no indication of the legal status of land adjoining the pastoral lease, particularly the Rakaia and Mathias riverbeds. Without this basic information it is difficult to

¹ Section 3(b) Walking Access Act 2008

determine the adequacy of the access proposed.

The Commission:

1. *Expresses concern that Section 3 of the summary report too brief to enable the public to reasonably consider the adequacy of the public access proposed.*
2. *Seeks to have appropriate information provided to identify which waterways qualify for marginal strips and for this information to be shown on the plan - or at least be provided with the summary of the preliminary proposal.*
3. *Seeks to have the legal status of land adjoining the pastoral lease, including legal roads, clearly identified and displayed on a plan at a scale that ensures readers can easily identify that status without ambiguity.*

Existing public access

Manuka Point pastoral lease has extensive boundaries with the Rakaia and Mathias riverbeds. While the legal status of the riverbed land is not discussed in the summary report, we understand that the riverbeds provide public access to the southern and north eastern boundaries of the property. Such access is, of course, constrained by the physical limitations of the respective rivers.

A legal road from the Mathias riverbed forms the boundary between the unallocated Crown Land and pastoral lease on the Point. A legal road from the Rakaia riverbed south west from the homestead provides legal access up the Rakaia river flats for some 10 kilometres, west beyond Jellicoe Stream. A vehicle track appears to closely follow the line of this legal road.

Proposed public access

Public access (including vehicles) by way of a 20 metre wide easement in gross is proposed on the Point, 'e-f-g-h' and 'h1-i-k'. From an analysis of aerial photography, much of this route appears to be on existing tracks, but 'f-g' does not appear to be on an existing track. There is no information in the Summary document to clarify this matter.

Public access (including vehicles) by way of a 20 metre wide easement in gross is also proposed on the southern boundary of the property 'a-b'. In section 2.4.2 of the Summary document this access is described as; *"The easement provides for public vehicle access from the Rakaia Riverbed, along the 'outer track' up the Rakaia River flats to CA2."*, whereas the designation plan indicates that the easement is proposed close to the river boundary. An existing track (the 'outer track?') appears to traverse both riverbed and pastoral lease in the vicinity of the boundary. Apparently the intention is to create a 20 metre wide easement along the inside of the boundary to enable public access, but it could equally be to create an easement on the existing track where the track traverses the present pastoral lease. There is no information in the Summary document to clarify this matter.

Public access to conservation areas CA2 and CA1 will also be possible from the Rakaia and Mathias riverbeds respectively. The Summary document does indicate that the most practical route to Manuka Peak, up the southern side (true right) of Big Paddock Creek, is within CA1.

The 'Waterways on "Manuka Point" – Inspection Report' indicates that a marginal strip may be created on the true right of the Mathias River, and also through The Point (Sections 1 & 2, SO 17471)

The Commission:

4. *Supports the concept of providing for public vehicle access from the Rakaia riverbed west to CA2 and north onto the Mathias riverbed,*

Desirable public access

Public vehicle access to conservation areas off the Mathias and Rakaia riverbeds is highly desirable, and is provided for in the Preliminary Proposal. There is however a lack of clarity regarding exactly where the proposed access will go. The proposed public vehicle access easements should be on existing tracks wherever possible, or vehicle tracks should be formed. In either case, all easements need to be clearly identified on the ground.

Public access in both the Rakaia and Mathias valleys is essential. Given the floods which can be experienced, and the lack of information in the summary report on the legal status of the riverbeds, there should not be sole reliance on gaining access via the riverbeds. Legal public foot access should be provided for within the boundaries of the proposed freehold land adjoining the beds of the Rakaia and Mathias rivers.

Desirable public access should be clear and unambiguous. However, the creation of easement access 'a-b' within 200-500m of an existing legal road may cause some confusion. We understand that there may be some practical reasons why the vehicle easement is proposed along the boundary, but again, there is no explanation provided in the summary report. And the same may be said for the moving of the public access from the existing fence in vicinity of "Exch 1" eastwards to "f-g". To maintain transparency, a concise summary of the rationale should be included in the Summary document.

The Commission seeks to have:

- 5. Access rationale clearly stated in the Preliminary Proposal.*
- 6. Proposed public vehicle access easements on existing tracks wherever possible, or tracks formed where none currently exist – with all easements clearly identified on the ground,*
- 7. Public foot access provided within the boundaries of the proposed freehold land adjoining the beds of the Rakaia and Mathias rivers.*
- 8. The location of the proposed vehicle access along the river flats reconsidered in light of the presence of the existing legal road in the vicinity.*

Thank you for the opportunity to make a submission on the Preliminary Proposal for tenure review of the Manuka Point pastoral lease.

We request timely advice as to how the points we have raised have been analysed and what amendments, if any, are subsequently proposed to the Preliminary Proposal designations.

Yours sincerely



Mark Neeson
Chief Executive

Submission 4

247004

Combined 4WD Clubs Inc
P O Box 5457
CHRISTCHURCH

www.4wd.org.nz

6th December 2011

The Manager Tenure Review
Darroch Limited
P O Box 13-443
Christchurch

Dear Sirs

Re:- Manuka Point Tenure Review

We have reviewed the preliminary proposal for the tenure review of Manuka Point, and wish to make this submission.

Our organisation, Combined 4WD Clubs Inc represents a large number of outdoor recreational people, both individual and family members of 4WD Clubs in the South Island. Our interests are recreational activities on both private and crown owned land. In the case of Manuka Point we understand the importance of this proposal, and as our member Clubs have over many years been recreational users of the Manuka Point Station, we do understand all of the values. Additionally we understand the also important aspect of ongoing access up the Rakaia River on and beyond this properties proposal.

It is therefore our recommendation that the Legal Road is the key access route and the easement "a-b" may not be required. We recommend that some mechanism be put in place on site, so that the identification of the road, its location and route is made easier to find and follow for both the landowners and public users of the road. As a suggestion, a solution may be to either making it a pole marked route, or otherwise a fencing option may be needed

The Easement "a-b" as proposed, follows what will be a partial fence line and its actual alignment is again not clear as it follows what is in effect a boundary line separating land proposed to be CC1 and the Crown Land of the river bed. As no actual 'Queens Chain' exists at this point the description of the boundary may be unclear. Overall though, it seems like an unneeded duplication of the existing 4WD Track and Legal Road.

Combined 4WD Clubs supports the total upholding and use of public roads in all occasions where they exist, and if they are not used and or clearly marked on location, then over time landowners assume (incorrectly) that the land where the road exists is theirs and access then creates issues between the public use and the land owner. Additionally the closing (or stopping) of a any public road, follows a defined legal method requiring public notification and as a result unless stopped under due process, then the road remains in existence for ever until stopped, which for open public access to such important places like the Rakaia River is a must in our view.



This view is also shared by other organisations, and in particular the Walking Access Commission. Without the existence of paper roads over much of our recreational lands, then much of land intended for public use, or access to land for public use would simply not exist.

Thus our belief, that maintaining and identifying these roads, is paramount.

The remainder of the proposal for Manuka Point Tenure Review, is both workable and worthwhile. The areas to be retained by the Crown have strong natural scenic and conservational values, it is an important aspect of landscape values in particular as part of the overall beauty and natural significances of the Rakia River valley. In one key landscape value, an example is how, to those who visit the area, (like our organisation) note how significant the visual balance of Ragged Range almost adds to a footstool aspect foreground to the higher main divide behind. This vista is also well viewed from Double Hill Run Road. Scenic wise the list goes on, and this one example alone relays the importance of this area in just this value alone. Thus we believe this proposal shows good balance here in our view.

Thank you
Yours sincerely

A handwritten signature in blue ink, appearing to read "Dolheguy", is centered on the page. The signature is written in a cursive, flowing style.

Paul A Dolheguy
Access Co-ordinator

Submission 5

DARRCOH LTD
11 DEC 2011
RECEIVED

247005

Tenure Review Manuka Point Submission
Pc053

Date: 7 December 2011

We are avid recreational hunters and have hunted the Rakaia and Mathias valleys extensively over the past couple of decades.

The Preliminary Proposal on Manuka Point is OK by us as it provides excellent public access to the upper Mathias and upper Rakaia DOC hunting areas.
So we support the proposal!

Regards,



Dave Cartwright
Brian Wilson
Kerry McLachlan.

Address for service:
18 Kaniere Tram Road
Hokitika

Submission 6



247006

Southern Regional Office
PO Box 4403
Christchurch

Our Ref: 22015-001

8 December 2011

Luana Pentecost
Property Administrator
Darroch Limited
PO Box 27
ALEXANDRA 9340



Kia ora

Manuka Point Pastoral Lease – Preliminary Proposal for Tenure Review

Thank you for the opportunity for NZ Historic Places Trust (NZHPT) to comment on the Preliminary Proposal for Manuka Point Tenure Review. NZHPT is an autonomous Crown Entity with responsibilities under the Historic Places Act 1993 to promote the identification, protection, preservation and conservation of the historical and cultural resources of New Zealand.

The 2003 Amendments to the Resource Management Act added a definition of historic heritage, where previously there was no definition, and elevated historic heritage to a matter of national importance, to where now there is a requirement to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development (Section 6 (f)).

Desk-top study by the NZ Historic Places Trust identified there are no registered historic places, historic areas, wāhi tapu or wāhi tapu areas on Manuka Point Pastoral Lease. Manuka Point is located in the Rural Zone of the Ashburton District and there are no heritage items at this location identified in the District Plan. No archaeological sites are currently recorded in the NZ Archaeological Association Site Recording Scheme in the proposed freehold area of the Pastoral Lease. The absence of recorded archaeological sites in the NZAA Site Recording Scheme on the property should not be taken as evidence that no sites are present.

We note that the Department of Conservation's Conservation Resources Report for Manuka Point (September 2006) identified significant historic resources on the property. These are the Manuka Point Woolshed (1916) situated within the proposed freehold area and Mathias Hut situated within CA4 and proposed for retention in Crown ownership. Remains of the original homestead and woolshed (c.1890) may also be situated at "the Point" within an area of freehold land.

The Manuka Point woolshed is described by the Department of Conservation as possessing "historic merit". It was built in 1916 by Gideon Johnstone using some timbers from the original woolshed at the Point. Although modified over time, the woolshed retains much original fabric including hand sawn and adzed timbers. As such the woolshed may require heritage protection measures. NZHPT suggests that the covenant

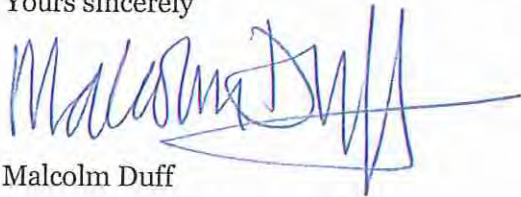
area CC1 is extended to include the woolshed and that the wording of the covenant schedule is revised to address the protection of the woolshed's historic values.

The sites of the original homestead and woolshed pre-date 1900 and as such are protected as archaeological sites under the Historic Places Act 1993. Current and future owners should be made aware that work affecting archaeological sites is subject to the archaeological authority process under the Historic Places Act 1993. If any activity, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from NZHPT must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage.

NZHPT is unclear of the extent of DOC's survey and therefore cannot be certain that there are no other historic heritage values present. NZHPT is therefore unable to advise whether any further protection measures are required within the proposed freehold area. Given the early history of Manuka Point Pastoral Lease, NZHPT requests that a historic heritage assessment is undertaken to identify any potential historic values within the area of proposed freehold land.

Thank you for the opportunity for us to provide our input at this stage. Please contact me if you have any questions.

Yours sincerely

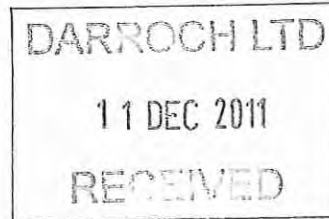


Malcolm Duff

General Manager Southern

Submission 7

247 007



Date: 7 December 2011

*Tenure Review Manukā Point Submission
Pc053*

I wish to write in support of the Preliminary Proposal as proposed October 2011

I have travelled to and stayed at Manukā Point on numerous occasions. Often with my young family. It is vitally important that there be persons permanently living at Manukā Point to assist travellers in times of need (when the river floods etc) and to provide a roof over their/our heads. What a welcoming place a real turangawaewae for travellers and the owners. This is what is important to me, my family and for those that follow.

Yours truly,



*Renee Symons
Owner: Momentoes
Hokitika
P: 03 755 7322
M: 0275 466 338
info@momentoes.co.nz*

Submission 8

247008

Luana Pentecost

From: Jim Morris [ben.avon@xtra.co.nz]
Sent: Sunday, 11 December 2011 11:40 a.m.
To: Luana Pentecost
Cc: don@manukapoint.com
Subject: Submission on Manuka Point Tenure Review



Dear Sir, I write regarding the Tenure Review proposal for Manuka Point Station. As a past lessee of the property and having worked for twenty five years in the Upper Rakaia watershed, I have some knowledge of the issues for the station.

- a) I believe the Crown is getting a very good outcome from this review. Access and bio-diversity will be well protected and catered for.
- b) The future of this property after Tenure Review will be firmly in the Tourism/ Hunting category. Traditional grazing, even with maximum development, will not make it an economic unit. This of course means any future sale will have a more limited market than at present.
- c) I am not privy of course to the financial arrangements between the Crown and the lessee, but assume Mr Patterson is happy with the details. The Crown would have to be very generous for me to follow through with this proposal if I was the lessee.

In summary: this review should be pushed along quickly and the commissioner should be well satisfied with the outcomes for the public.

Yours faithfully,
Jim Morris,
Ben Avon,
Omarama.

Submission 9



alpine guides
Aoraki • Mount Cook

247009

Alpine Guides (Aoraki) Ltd
PO Box 20 Aoraki Mount Cook 7946 NEW ZEALAND
Ph: (64) 3 435 1834, Fax: (64) 3 435 1273
Email: mtcook@alpineguides.co.nz

Darroch Limited
05 NOV 2011

29 November 2011

Commissioner of Crown Lands
C/o Darroch and Co
P O Box 143
Christchurch

Dear Sir

MANUKA POINT TENURE REVIEW

We write as an interested party in the above tenure review and proposed conditions. We note with grave concern that it is intended to grant Manuka Point a 20-year concession for heliskiing on land under review.

We have two interests. The first is as a leading member of the NZ Heliski Operators group, an industry body dedicated to improving safety standards. As such, HOG is accepted by the Departments of Labour and Conservation as the sole legitimate representative of the industry, and arbiter of practice and standards.

The HOG Code of Practice outlines the minimum requirements for any operator, existing or proposed, in terms of guide qualifications, safety plans, mandatory equipment, training, terrain and professional guidelines, snow safety operations and experience.

The second perspective we bring to this submission is as the spokesperson and operator of Methven Heliski. This is a partnership between Alpine Guides, and the leaseholders of Lake Heron and Glenfalloch Stations. Methven Heliski currently holds joint permits for heliski activities over DOC and LINZ terrain in the Arrowsmith, Ragged and Palmer Ranges. We have been operating a professional heliski operation in the upper Rakaia area for 25 years.

Alpine Guides pioneered heliskiing in the 1970s and maintains heliski, glacier skiing and mountain guiding concessions over a wide range of mountain terrain. We have been responsible for setting heliski industry standards over several decades.

In the Rakaia area, we have been operating on the Manuka Point terrain proposed to be surrendered. For the duration of the operation we have made an annual payment to the leaseholders for this privilege.

We note that as part of the tenure review it is proposed that Manuka Point would be granted a 20 year concession to operate, inter alia, heliskiing as an "existing activity". We have several objections to this proposal.

1. Existing Activity

This is an activity that takes place on the terrain involved but it is operated by Alpine Guides and Methven Heliski. The accepted industry practice is that heliskiing is a highly specialised activity requiring professional, qualified guides and meeting all minimum standards. Concessions are not awarded to anyone not meeting the accepted industry norms or third parties.



alpine guides

Aoraki • Mount Cook

Alpine Guides (Aoraki) Ltd
PO Box 20 Aoraki Mount Cook 7946 NEW ZEALAND
Ph: (64) 3 435 1834, Fax: (64) 3 435 1273
Email: mtcook@alpineguides.co.nz

The use of "existing activity" in this section of the tenure review document implies quite explicitly that Manuka Point currently operates heliskiing in this area. That is not correct. It would be a new activity and, in our view, it is therefore not legally possible for this to be part of the tenure review conditions.

2. Term of proposed Concession

The review proposes a term of 20 years under the Conservation Act but this is not permitted under current policies. All current Heliski concessions on land administered by the Canterbury Conservancy have been limited to one-year terms for the last 3 years. The stated objective of this is to review all heliski concessions in the light of a proposed review of the Canterbury Conservation Management Strategy. Therefore, at present and for the foreseeable future, DOC cannot grant a heliski concession in Canterbury to any party for more than one year.

3. Industry Guidelines and Standards

The Departments of Labour and Conservation have welcomed the submission from the Heliski Operators group and accepted HOG's minimum operating guidelines and Code of Practice. The granting of a concession to Manuka Point would very clearly not meet these standards, unless they were prepared to offer a service at the same level of other complaint operators. Compliance would have to be in advance of the granting of any concession, not after the event.

The tenure review makes no mention of meeting these standards and guidelines.

In conclusion, we are of the view that the proposed concession is ultra vires from several perspectives. It is not an "existing activity" for Manuka Point and therefore is outside the scope of a tenure review. Secondly, the term proposed is not permitted under existing legislation and policy. Thirdly, it is not compliant with industry standards.

We look forward to your consideration and reply.

Yours sincerely

Bryan Carter
Managing Director
IFMGA Guide

c.c. Ms Cheryl Colley, Community Relations Manager, Christchurch Conservancy, Department of Conservation.

Submission 10

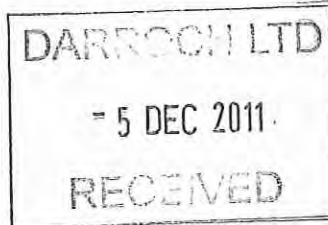
Peninsula Tramping Club Inc.
P. O. Box 13-258 Armagh
Christchurch

247010

www.peninsulatrampingclub.org.nz

Thursday, 1 December 2011

Darroch Limited
PO Box 27
ALEXANDRA 9340



Attn Luana Pentecost

Dear Luana,

Re: Review under Part 2 Crown Pastoral Land Act: Manuka Point

Thank you for the opportunity to comment on the Preliminary Proposal for tenure review of the Manuka Point Pastoral Lease.

We recognise that tenure review offers an opportunity put in place for arrangements to ensure that public access to the high country is safeguarded in perpetuity while minimising interference with farming operations.

The Peninsula Tramping Club is actively involved in outdoor recreation. Club members tramp, climb and mountain bike in many parts of the Canterbury Region, including the upper Rakaia River catchment.

Manuka Point, situated at the confluence of the Rakaia and Mathias rivers, is the starting point for some of the classic multi-day trips into the Southern Alps, including the Whitcombe and Mathias passes and Observation Col. The Ragged Range offers opportunities for shorter trips, such as Jellicoe Stream and Poachers Pass. When the Rakaia River is low, the quickest and easiest access to the Mathias River and the true left of the Rakaia River is to cross the Rakaia River opposite Manuka Point homestead. The open area of flats in the vicinity of 'Exch1' and 'UCL' shown on Sheet 1 offers good access to the Mathias River

We have reviewed the Preliminary Proposal, and we generally support the proposed conservation areas. We wish to protect existing recreation opportunities and to see new ones developed, by ensuring public access to the conservation lands is safeguarded in perpetuity.

We have a particular interest in the future tenure of this pastoral lease, and there are several matters that we would like to draw your attention to:

- The beds of the Mathias and Rakaia rivers have always been the traditional routes for trampers, climbers and hunters into the headwaters of the Rakaia catchment. These rivers are the principal access routes into the Central Southern Alps for people living in Canterbury and Otago, and they also offer an alternative option if the conditions limit access from the West Coast. Given the size of Rakaia River and the frequent times it cannot be crossed because of high flows, it is essential that there is practical public access guaranteed for the long-term up the true left of the Rakaia River and the true right of the Mathias River. Currently, the public own this land and this tenure review is the last practical opportunity they will have to ensure access in perpetuity to

public conservation lands in the area. The provision of such access is vital if the government wants more New Zealanders to enjoy recreation on conservation lands.

- It is unclear from the Preliminary Proposal whether there is a practical legal foot access up the true right of the Mathias River along the riverbank. The river cuts in to the hills in places on the true right bank. During periods of high flow when normal travel up the bed is impeded, there needs to be a practical, legal foot access up the true right of the River. A strip or easement should be added to the Proposal and located at sufficient distance back from the bank to allow for any subsequent changes in the river channel.
- Similarly, the area, identified as CC2, does not allow for public access along the riverbank of the Rakaia River, if the river channel shifts over to that side in future floods. Some provision should be made to allow for future changes in the course of the river so as to ensure that there is a continuous public access way along the riverbank. This would provide legal public access down around the corner from the Rakaia River to join up with the proposed legal access way to the Mathias River.
- It is unclear from the Preliminary Proposal whether there will be public foot access all year round through the areas identified for grazing and tourism concessions, e.g. the CA2 area. The licences should include clauses to prevent the land owner from closing access at different times of the year, except in extreme situations, e.g. a fire.
- We support the provision of legal access between the Rakaia River and the Mathias River. However, we would point out that that the proposed route involves going almost a kilometre out of the way in each direction compared to the logical line that is usually used along the fenceline at the base of the hill that heads south south west from "I" on the Manuka Point Sheet 1 of the proposal. We propose that a foot access via an easement be provided for along the fenceline through the area of unused Crown Land, which is designated for freehold before the transfer occurs.
- We support the Clause 7 "Obligations on Sale of Land" of the draft covenant apply to subsequent owners, but we would like the proposed conditions for any easements to include similar clauses to secure continuous public access across in the event that the property changes ownership.
- We also request that the property boundaries alongside the Rakaia and Mathias rivers are surveyed to remove Ad Medium Fillum (AMF) rights to the beds of the Mathias and Rakaia rivers, as these "rights" might be used at some point in the future to restrict public access. It is our understanding that if the river boundaries of the property were surveyed, the AMF rights if any, would cease to apply and the river bed would revert to public title.

We would like to be kept informed of the tenure review process and we would appreciate any opportunities in the future to make submissions or comment on the tenure proposals

Yours sincerely



Leo Manders

President, Peninsula Tramping Club

Cc Secretary, Federated Mountain Clubs
Walking Access Commission New Zealand

Submission 11

247011

Rcvd 15/12/2011



Christchurch Tramping Club Inc.

FORMED 1932

Affiliated to: FEDERATED MOUNTAIN CLUBS OF N.Z. INC.

PLEASE ADDRESS ALL CORRESPONDENCE TO THE HON. SECRETARY P O BOX 527, CHRISTCHURCH 8140

Email SECRETARY@CTC.ORG.NZ

WEB WWW.CTC.ORG.NZ

14 December 2011

The Commissioner of Crown Lands
C/- Darroch Ltd
P.O. Box 27,
Alexandra, 9340

Dear Sir,

TENURE REVIEW – PASTORAL LEASE PC053, MANUKA POINT

This club is one of the oldest and most active mountain recreation clubs in Canterbury. We were formed in 1932 and currently have approximately 300 members of all ages.

We have tramped and climbed in the upper Rakaia and Mathias catchments for many years. Manuka Point run is the threshold to this region and the lease itself contains land of high recreational, scenic and natural values.

Our activities in this area have included:

- Several crossings of Whitcombe Pass.
- Several crossings of Mathias Pass either returning via Whitcombe Pass or exiting to the West Coast via Hokitika River.
- A crossing of the Ragged Range from the Rakaia via Cattle Creek into the South Mathias and thence down the main Mathias River.
- A similar crossing from Cattle Creek into Jerusalem Stream and the main Mathias.
- Another crossing of the Ragged Range, up Jellicoe Stream and
- Over Poacher's Pass and down Hut Stream into the Mathias.
- A traverse of the Ragged Range from Manuka Point to Poacher's Pass and descending into Jellicoe Stream.

All of these journeys have required access through Manuka Point or have occurred on land currently within the lease. Consequently we welcome tenure review of this property which should return much of the lease to the public estate and make this land more freely available to public use and enjoyment and also protect the natural values which are closely linked with recreation.

We support the broad tenor of the Preliminary Proposal subject to the following comments:

1. Clause 2.7 of your proposal summary lists approximately 5000 ha on the Ragged Range which is subject to surrender pursuant to a Land Improvement Agreement originally undertaken with the North Canterbury Catchment Board, now Environment Canterbury (ECAN). Canterbury has a history of partially completed LIAs where subsidies have been provided but the other part of the deal (i.e. land surrender) has not been completed. A study of documents in the due diligence reports (LINZ website) indicates that successive runholders have been reluctant to complete surrender possibly because they see it linked with broader land rationalization. Tenure review will now provide this.

Your summary states this surrender is a separate matter from tenure review. While this may be technically correct, owing to the differing Government agencies involved, we consider that the two processes are ethically linked.

We submit that completion of surrender of this land under the LIA should be a firm prerequisite to completion of tenure review.

2. Public Access. In practical terms, foot access for trampers and climbers usually occurs along the unoccupied Crown land of the Rakaia and Mathias river beds. However the easement a – b is valuable as easier travel than the river bed. More importantly the access easements e-f-g, g-h, h1-l, and j-k are crucial for reaching the Mathias across the point itself after crossing the Rakaia from Double Hill Run road.

We support the proposed easements noting that the easements across the point from the Rakaia into the Mathias is crucial for public access to that catchment.

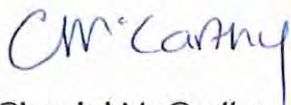
3. The review summary includes a tourist concession providing commercial recreation on all or most of the land to be returned to the public estate (and presumably the surrender land also). While commercial heli-skiing is a legitimate recreational activity it can have an adverse impact on ground parties seeking quieter recreation. This conflict is more apparent on ranges closer to Christchurch such as the Black Hill Range, Taylor Range, and Palmer Range which lie between the upper Rakaia Valley and the Canterbury Plains which are easily reached by air from Methven. We note that the concession for Manuka Point provides for occasional small parties and requires parties using helicopters to keep at least 500 feet from ground parties and is likely to be less invasive than some comparable concessions

We therefore have no objections to this particular concession but note this potential conflict as a matter to be considered in comparable tenure reviews.

4. Marginal Strips. The land to be freeholded is subject to provision of marginal strips under the Conservation Act, Part 4A, upon disposal of the land. While foot access is available along the riverbed UCL marginal strips should provide easier travel where available. Also while marginal strips are a legal requirement we observe that, at times, this is honoured more in the breach than the observance.

We submit care should be taken to ensure marginal strips are provided along the banks of the Rakaia and Mathias Rivers adjacent to the land freeholded.

Yours sincerely,

A handwritten signature in blue ink that reads "Chantal McCarthy". The signature is written in a cursive, flowing style.

Chantal McCarthy
Secretary
Christchurch Tramping Club

Submission 12

247012

22 DEC 2011

Chris Pearson
18 Rewa St
Dunedin
New Zealand

Wednesday, September 14, 2011
Commissioner of Crown Lands
c- Darroch Ltd
P O Box 27
ALEXANDRA
To Whom it may concern

I would like to make the following submission for Preliminary Proposal for the Tenure review of the Manuka Point pastoral lease which is undergoing tenure review under the Crown Pastoral Land Act 1998. I just want to give my unqualified support for this tenure review because it brings land with great potential for outdoor recreation into the conservation estate. I have no problems with continued tourism or grazing concession. I also feel that the exchanges of crown land for land with higher conservation value seems sensible.

Sincerely yours,

Christopher Pearson

Submission 13

247013

4th December 2011

Darroch Limited
22 DEC 2011

Commissioner of Crown Lands
C/- Darroch Ltd
PO Box 143
Christchurch

Manuka Point Tenure Review Submission

Thank you for the opportunity to lodge a submission on the Manuka Point preliminary proposal for tenure review.

After reading through all the documents available on the LINZ website, it is apparent that the preliminary proposal has been well thought out and I essentially agree with the whole proposal. I only have one issue with the proposal which is detailed below:

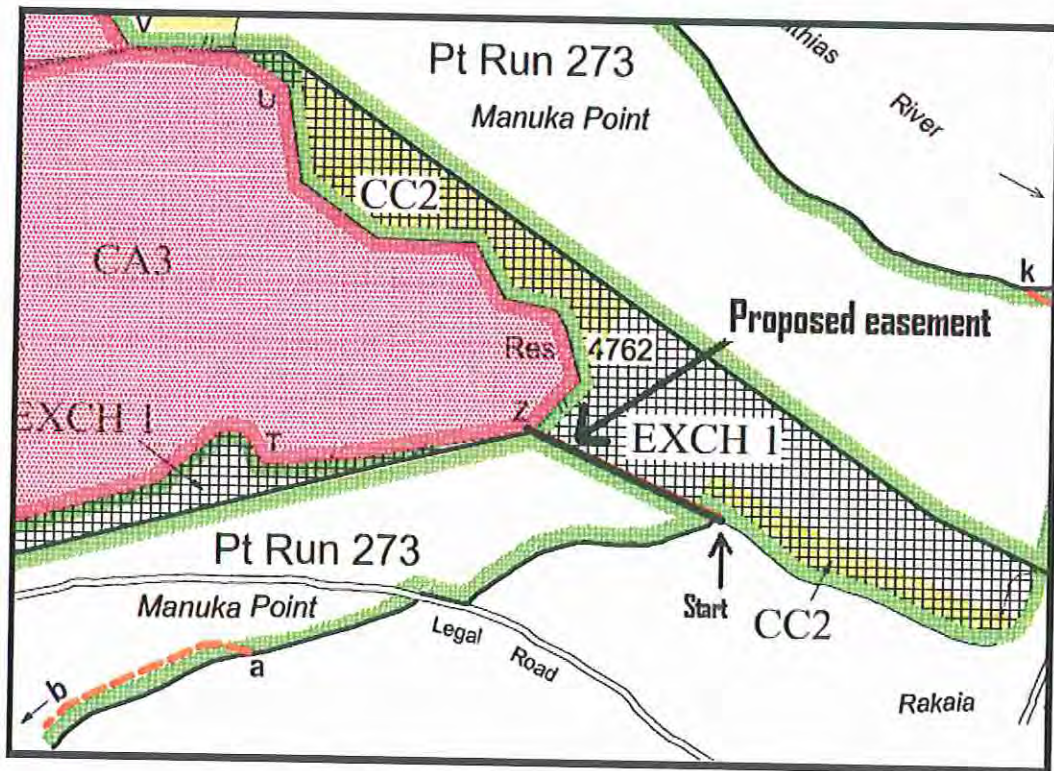
Proposed disposition of Crown land known as *Rakaia Forest Conservation Area* at the eastern end of the station adjacent to the Rakaia River.

This piece of land is currently adjacent to the Rakaia Riverbed making the conservation area easily accessible. The exchange of this land to the lessee will essentially eliminate quick access to this conservation area. Section 24(c) of the CPLA 1998 states that it is an objective of the Act to *make easier the securing of public access to reviewable land*. How is public access being secured to both the existing conservation area and much of the front end of the main surrender block if the full disposition of this piece of land occurs without any access provisions? Public access is rather being denied and made harder than what currently exists.

If this piece of land was to be disposed as set out in the preliminary proposal, access to the *Rakaia Forest Conservation Area* and the new surrender block will be more difficult. This is obvious on the designation plan which shows the proposed easements "a-b" and "e-k". These easements are appropriate but their entry points mean that access to places such as *Manuka Peak* and *Golden Spur* is made more difficult than what currently exists.

It should be noted that the disposed Crown land will be subject to Part IVA of the Conservation Act 1987. This provides for ambulatory marginal strips 20 meters wide on rivers with beds greater than 3 meters in width. These strips for access have their own problems because they are not surveyed and the provision is only recorded on the title. Furthermore, who determines stream widths? These issues have the potential to lead to arguments which are not necessary. Hence, much of the general public does not actually realise that they have access up these rivers. For example, public access will be available up *Broad Creek* from the easement "a-b". If a small easement is created as proposed below, it means that people would be more likely to use it than travel up creeks crisscrossing newly freeholded farmland which would most likely annoy a farmer, especially where small creeks have been fenced off. This could lead to people being wrongly trespassed.

I am not opposed to this land being disposed of because it is generally suitable for farming anyway. However, it is necessary to provide for some form of public access. To minimise effects on future farming operations, an easement should be included along the base of the hill and bush or along the current boundary with Pt Run 273. To prevent the hindrance on farming operations, this easement could be restricted in width to say 10 meters wide and only provide for non-motorised access. A visual description of my proposal is given below.



I believe the inclusion of this easement would have less than minor effects on the farm but go a long way for providing easier public access to the *Rakaia Forest Conservation Area* and the new surrender block. It will also provide positive outcomes for both the farmer and the general public. This new surrender block may form part of a new conservation park so this is very good chance to provide for decent public access; something which many other parks have largely failed to achieve.

Thank you for considering this submission.

Yours sincerely

Jeremy Stockdill