

# **Crown Pastoral Land Tenure Review**

**Lease name: BERWEN**

**Lease number: PO 209**

## **Preliminary Report on Public Submissions Part 4**

This document includes information on the public submissions received in response to an advertisement for submissions on the Preliminary Proposal. The report identifies if each issue raised is allowed or disallowed pursuant to the CPLA. If allowed the issue will be subject to further consultation with Department of Conservation, or other relevant party.

The report attached is released under the Official Information Act 1982.

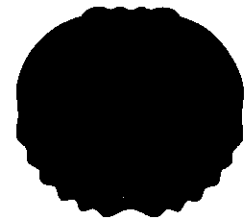
**February**

**06**

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**FOREST  
& BIRD**

Royal Forest and Bird  
Protection Society  
of New Zealand Inc

30<sup>th</sup> September 2003

The Manager  
Mr Ken Taylor  
**DTZ**  
Box 27  
Alexandra

Dear Ken Taylor

### **Submission to Berwen Proposed Tenure Change**

Thank you for the opportunity to comment on this proposal.

### **The Preliminary Proposal**

1. An area of approximately 3670 ha (CA1) to be restored to Crown control as a conservation area, subject to a qualified designation.
2. A qualified designation that the route "g-h" be subject to an easement concession in perpetuity in favour of the holder (to provide farm management access between two blocks of proposed freehold).
3. An area of approximately 3300 ha to be disposed of by freehold to the holders subject to protection mechanisms and a qualified designation.
4. Qualified designation: The continuation in force of the existing easements in favour of Hawkdun Idaburn Irrigation Company Ltd.
5. Protective mechanisms being an easement to provide public access by foot and non-motorised vehicle access to the Ewe Range over the route "a-b" and public foot access to the Hawkdun Range over the route "c-d-e" and for conservation management access over the routes "a-b", "c-d-e" and "f-d".
6. Conservation Covenants CC1 (117ha) and CC2 (1057 ha) totalling approximately 1070 ha to protect an area of shrubland in the Little Omarama Stream catchment and the tussock grassland landscape values in the Manuherikia Valley.

## **1.0 Land to be Restored to Crown Control – approx 3670 ha**

The Society strongly supports return to full crown ownership and control of the proposed 3670 ha comprising part of the Hawkdun and Ewe Range. Ultimately this will add a considerable area of SIV's (Significant inherent values) to the proposed Oteake Conservation Park.

This proposed Crown area should be extended on the northern and south western boundaries as follows, and as shown on the attached map:

### Northern Boundary

The north eastern boundary marked at 'b' should be extended north along the Ewe Range to take in the prominent and striking natural feature of the rock bluffs, and the more logical end of the Ewe Range, above 1100m. This land is not capable of ecologically sustainable management, it also contains significant inherent values especially landscape. This extension is an integral part of the Ewe Range and the Hawkdun Range which needs to be protected to contribute to the overall ecological and landscape integrity of the proposed Oteake Conservation Park. The rock bluffs may also provide nesting and or roosting sites for NZ Falcon. We observed a falcon in the vicinity of this area. Falcon are listed as being nationally vulnerable. No mention is made of wildlife values (other than invertebrates) in the conservation resources report. The rock bluffs will attract recreational interest, because they are such a prominent feature of this valley and will be of interest to botanical, wildlife and photographic enthusiasts.

The preferred boundary could utilise existing bulldozed track fragments below the base of the rock bluffs and screes (approx 646 179), continuing around the contour to head up the spur to meet the track at the property boundary at 650 192.

The north western boundary between points marked S and T on the PP map requires creating a new fence line midslope through some steep gullies and spurs. The resulting boundary distinction created by differing management regimes will degrade the landscape integrity of this montane valley. This landscape has high qualities of integrity and intactness, and qualifies as an SIV under the CPLA, as recognised in the Conservation Resources Report. Ideally this boundary should be extended to take in the proposed covenant at CC1, see below. This would protect the diverse ecological sequence from the fertile valley floor to the range crest.

### South western boundary and CC2

This boundary degrades the ecological and landscape integrity of the proposed Conservation Area CA1, and is too great a compromise to be acceptable under the CPLA objects.

Ideally CC2 should all be added to CA1 as it all has SIV's worthy of being a conservation area. However the Society proposes that the boundary between CC2 and CA1 utilise the existing fence along the spur to the west of Johnstons Creek. This area retains a tussockgrassland cover with interesting north facing rock outcrops which support plant communities containing several species at their distributional limit. Part of its significant inherent values include its easterly aspect on lower, warm broad spurs, compared to those further north where the valley narrows and steepens. The proposed boundary along the mid slopes of the Hawkdun Range, excludes the lower western slopes of the Hawkdun Range which are not well represented in the conservation estate and will overtime severely degrade the natural integrity of the Hawkdun landscape. Overtime if this area was protected the ugly scar created by the current midslope track will gradually reduce. Making this the long term boundary between conservation area and production will only exacerbate this unsightly boundary.

## **2.0 Proposed Conservation Covenant CC2 – 1057 ha**

The Society proposes that the eastern portion of CC2 from the existing fence up the middle ridge from H40 650.064 to 655.094) to the proposed eastern boundary be added to the proposed conservation area as discussed above.

The Society further proposes that the area remaining as covenant should not be oversown as this will extend the presence of exotic grasses and clovers etc and will degrade the values that the area is proposed for a protective covenant. No cattle grazing should be permitted as this would interfere with the objective to 'protect the values'.

### **3.0 Proposed Conservation Covenant CC1 – 117 ha**

This fertile valley floor shrubland should be protected, preferably by return to full crown ownership and control. It contains significant ecological and landscape values as described in the conservation resources report. Without adequate conservation management this shrubland will not flourish nor will it persist. There does not appear to be any regeneration of young seedlings.

There is no stock limit on sheep, and no provisions for monitoring in the proposed covenant. The eastern boundary of the covenant is not fenced and the PP does not state that there will be a new fence here. The proposed covenant is seriously deficient and does not meet the objectives of the CPLA.

Continued grazing by an unspecified number of sheep will further degrade this important ecosystem, maintaining and spreading the exotic components and risk introducing further weeds.

Sheep should be excluded, unless long term monitoring reveals that some controlled grazing is needed to restore the shrubland ecosystem. In this ecosystem grazing should only be used as a conservation management tool if it is proved necessary.

Cattle should be excluded. Provision for 40 cattle for 3 months every second year will open up the canopy, prevent regeneration of the shrubland, damage and sometimes kill existing shrubs, exacerbate and spread weeds, degrade the stream and fish habitat and the wetland seepages by trampling and introducing nutrients.

On going grazing of cattle is not ecologically sustainable in this ecosystem.

This area should not be oversown and topdressed as this will increase competition from exotic grasses and clovers. Topdressing on its own may contribute to the spread of matagouri, but whether it would be ecologically beneficial to other species is questionable.

### **4.0 Public Access Easements**

The Society supports the proposed designation of a public access easement to the Ewe Range by the route a-b. This is likely to be one of the northern entrances to the proposed Oteake Conservation Park.

The proposed route c-d is impractical as it is too steep, and not the most logical route. A better route is f-d-e along the conservation management easement.

## 5.0 The Covenant Document

The Conservation Covenant on page 2 under the definition of 'Values' includes marine life habitat which is not relevant and should be struck out.

The term wildlife in the definition of values needs to be clear that it includes invertebrates and soil fauna. It would be more accurate to refer to native fauna.

Section 3.1.5 refers to any burning or chemical spraying. *The term root raking should be added to this.*

### Schedule 1 Values to be Protected

The Little Omarama Stream Shrublands also have wetland seepages and a stream running through it. These are values that should be protected.

A further value that should be listed for protection is the capacity of this ecosystem to regenerate, and its potential for enhancement.

It is important that both covenants refer to native shrublands, rather than just shrublands.

## 6.0 Conclusion

The Society looks forward to the addition of the Hawkdun and Ewe Range to the Oteake Conservation Area and the increased access to these. It is good to see that the parties acknowledge the conservation significance of the valley floor shrublands and the importance of ecological sequences.

On the other hand it is disappointing that Conservation Covenants have been proposed over lands that have high significant inherent values which would be more appropriate to protect as crown owned conservation land. The matagouri dominated shrubland in the Little Omarama stream will require conservation management, with goals to maintain and restore, which can not be achieved by the proposed covenant.

The Society does not consider that the current proposal meets the objectives of the CPLA as some of the most significant inherent values are to be covered by inadequate protective mechanisms, and land that is not ecologically sustainable is proposed for freeholding. We accept that tenure review inevitably involves some give and take. In this instance we consider that there have been too many significant conservation compromises.

The Society appreciates this opportunity to comment, and we greatly appreciate the Croft's willingness to enable us to undertake a genuine inspection.

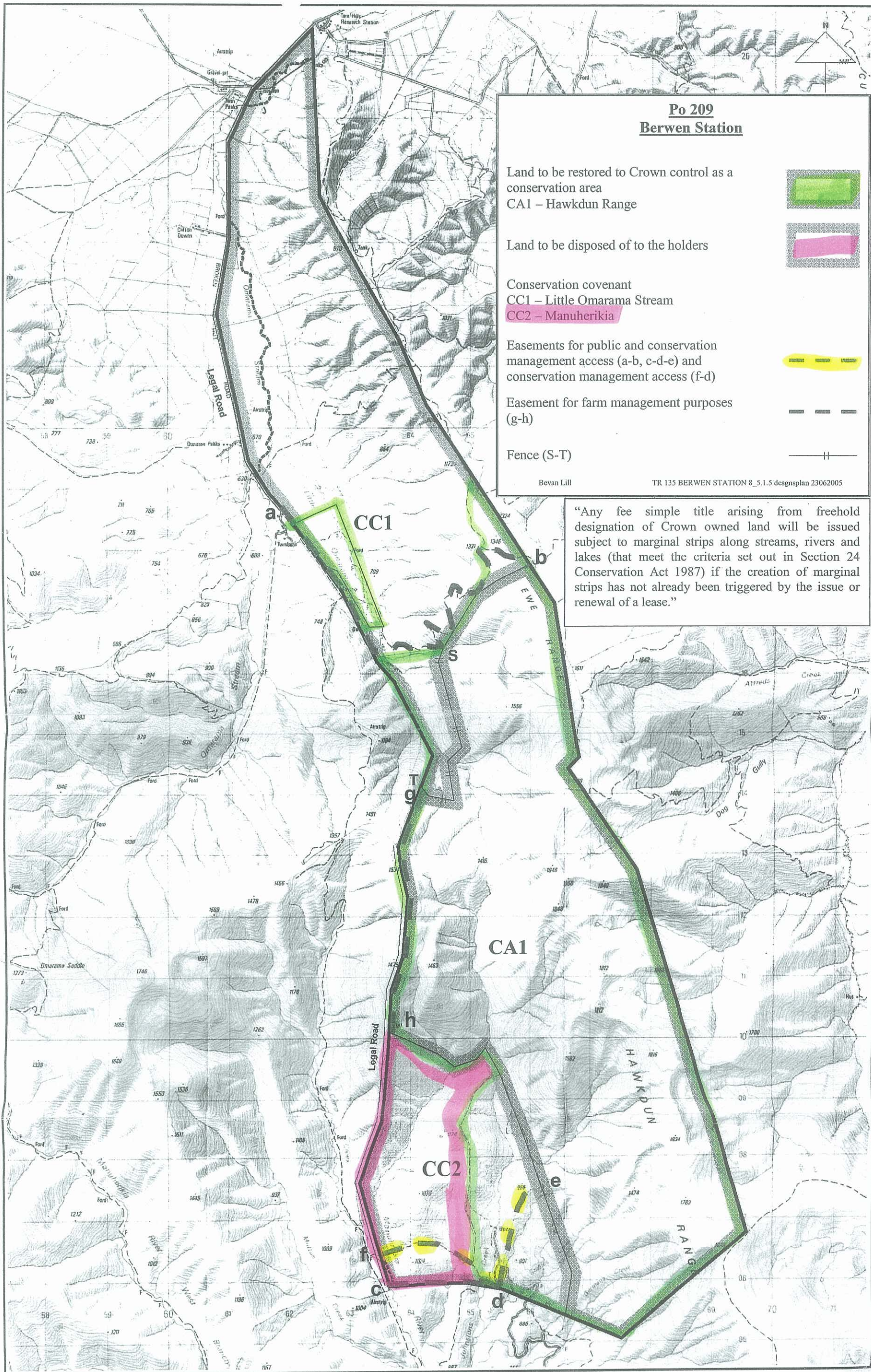
Yours sincerely



Sue Maturin

Southern Conservation Officer





**Po 209  
Berwen Station**

- Land to be restored to Crown control as a conservation area  
CA1 - Hawkdun Range
- Land to be disposed of to the holders
- Conservation covenant  
CC1 - Little Omarama Stream  
CC2 - Manuherikia
- Easements for public and conservation management access (a-b, c-d-e) and conservation management access (f-d)
- Easement for farm management purposes (g-h)
- Fence (S-T)

Bevan Lill TR 135 BERWEN STATION 8\_5.1.5 designplan 23062005

"Any fee simple title arising from freehold designation of Crown owned land will be issued subject to marginal strips along streams, rivers and lakes (that meet the criteria set out in Section 24 Conservation Act 1987) if the creation of marginal strips has not already been triggered by the issue or renewal of a lease."



The boundaries shown on this plan are indicative and are for illustrative and discussion purposes only. No guarantee of accuracy can be given until the survey data supporting the boundary positions is researched thoroughly when the survey prescription is prepared.

**Berwen Station**

Scale - 1:60,000 (approx)



Marginal Strip Subject to Sec 24(9) Conservation Act

This plan accurately portrays the boundary of Berwen Station Pastoral Lease and the land status is unchanged from that certified by the Chief Surveyor on 02/02/01. Murray Bradley, Crown Accredited Supplier

Version	1	2	3	4	5
Otago Land District Topographical Map 260 - H39 & H40	Sheet 1 of 1 Date 17.01.2005				

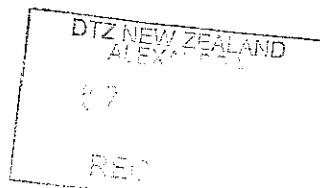


**OTAGO CONSERVATION BOARD**

(15)

Our ref: SBC-08-34

29 September 2005



Commissioner of Crown Lands  
c/- DTZ New Zealand Ltd  
Land Resources Division  
Box 27  
ALEXANDRIA

Dear Sir

**SUBMISSION ON TENURE REVIEW OF BERWEN PASTORAL LEASE**

Thank you for the opportunity to comment on the Preliminary Proposal for the tenure review of the Berwen Pastoral Lease, which comes partly within the board's area of jurisdiction.

The Otago Conservation Board supports the following aspect of the preliminary proposal:

- the designation of about 3670 ha as land to be restored to Crown control as a conservation area.

The board believes that the proposal should be changed as follows:

- the area of about 960 ha in the Manuherikia catchment subject to conservation covenant (CC2) should also be restored to Crown control as a conservation area, because it has significant inherent values which are similar to the land in CA1.

We appreciate the opportunity to provide comment on this proposal and we are willing to elaborate on any of the issues we have raised.

Yours faithfully

Fergus Sutherland  
Chairperson





## Office of Te Rūnanga o **NGĀI TAHU**

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27 September 2005

Bevan Lill  
DTZ New Zealand  
PO Box 27  
ALEXANDRA

Tēnā koe Bevan

### TENURE REVIEW – BERWEN STATION PRELIMINARY PROPOSAL

Te Rūnanga o Ngāi Tahu have considered the information provided in the Berwen Station Preliminary Proposal, and consider that the values identified in the Ngāi Tahu Cultural Values Report have been integrated into the Preliminary Proposal.

If you have any queries please do not hesitate to contact me.

Heoi anō

David O'Connell  
Manager Kaupapa Taiao