

Crown Pastoral Land Tenure Review

Lease name: BARROSA

Lease number: PC 125

Public Submissions - Part 1

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

December

05

**A SUBMISSION FOR FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND [INC.] ON
THE
PRELIMINARY PROPOSAL FOR TENURE REVIEW - BARROSA PASTORAL LEASE**

Our interest in this Tenure Review

For more than 20 years FMC has campaigned for reformation of the pastoral lease system to allow farming where sustainable, the return of the bulk of the high land to the Public Estate and for secure public access to that land. We have no doubt that many of the wider public share our vision for the future of the South Island high country.

Land to be returned to full Crown ownership

We are in agreement with the proposals for transfer of areas labelled CA1, CA2 and CA3 on the proposed designation plan under section 35 [2] of the CPLA.

Land to be transferred to freehold ownership

We agree also with the proposal to transfer 2893 Ha to freehold ownership.

Public access

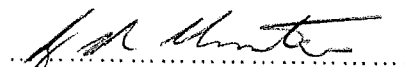
In this respect the Preliminary Proposal is incomplete and inadequate.

The unformed legal roads which already give access to some areas are not mentioned in the Proposal [item 2].

The proposals for access should be clear and unambiguous and therefore the relationship of the proposed easements with the existing unformed legal roads should be clearly set out particularly for sections b-c-d and g-h on the designations plan. Section k-l is not shown clearly on the plan.

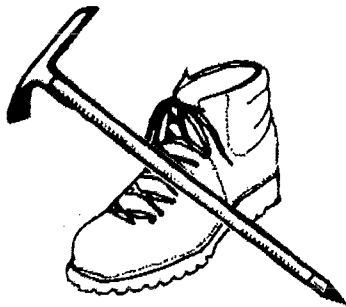
The Proposal avoids one of the recommendations from the Department of Conservation on access. The access to the Clent Hills from the west near Haast stream as suggested by DOC. should be allowed for in the Proposal.

For Federated Mountain Clubs of New Zealand [Inc.]


G R K Hunter

Kalaugher Rd.
R D 21
Geraldine

22 June 2005



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

Email SECRETARY@CTC.ORG.NZ

WEB WWW.CTC.ORG.NZ

Commissioner of Crown Lands
c/o DTZ New Zealand Ltd
P O Box 142
Christchurch

22 June 2005

Dear Sir

BARROSA PASTORAL LEASE

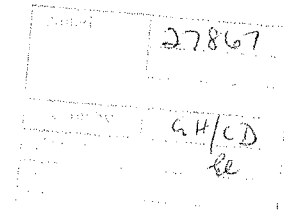
We enclose our submission on the Preliminary Proposal for tenure review of the Barrosa Pastoral Lease.

Yours sincerely

A handwritten signature in cursive script that reads "Jenny Harlow".

Jenny Harlow
Secretary
Christchurch Tramping Club

Cc: Mike Clare, Department of Conservation
Barbara Marshall, Hon. Sec., FMC



**A SUBMISSION ON THE PRELIMINARY PROPOSAL
FOR TENURE REVIEW OF BARROSA PASTORAL LEASE BY THE
CHRISTCHURCH TRAMPING CLUB (Inc)**

Barrosa is situated in an area of high scenic and recreational value. The Department of Conservation's Conservation Resources Report notes that much of the tramping activity in this district focuses on the Mount Somers Walkway system which is a little distance to the east. This conclusion is probably true at present but there have always been moderate amounts of tramping activity in the Ashburton Lakes area and this can only increase as the land becomes more open to public use as a result of the suite of tenure changes now occurring in the region.

Our Club is an occasional user of the land presently within Barrosa lease. We climb Mount Barrosa and traverse parts of the Clent Hills ridge. This is arranged with permission from the runholder.

We consider that while the areas proposed as conservation land are not ideal, they are a reasonable compromise in view of the geography and past land use on the property.

The quality of recreational access is always a key tenure review issue for us.

We consider that the southern access routes, b-c-d and k-l, are appropriate and well situated for public use.

We have two points of particular concern:

1. The access route i-j which joins the two proposed conservation areas via the high ridge across the freehold area is important to adequate recreational use of this land because it provides a round trip using both conservation areas. Consequently it is crucial that this be retained in the final proposal.
2. There is no public access route to the northern end of conservation land CA1. This lack will inhibit use of this area. Some visitors will want to reach the area from the vicinity of Lake Emily. It is also common for trampers to do "crossover" tramps of ridges in this sort of terrain using transport to both ends of the ridge. We suggest an access route from Lake Emily through the north western corner of the proposed freehold.

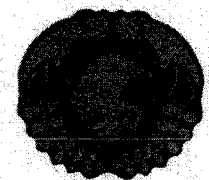
Andrew Turton
David Henson
30.5.05

Royal Forest and Bird Protection Society
PO Box 2516
Christchurch Mail Centre
Ph 03 3666 317
Fax 03 365 0788

24 June 2005

Geoff Holgate
DTZ NZ Ltd
PO Box 142
Christchurch
Email christchurch@dtz.co.nz

DTZ MAIL CENTRE	
28 JUN 2005	
Noted	27917
action by	GH/CD
Recorded	el
Date time	
File Ref	



**FOREST
& BIRD**

ROYAL FOREST AND
BIRD PROTECTION
SOCIETY OF
NEW ZEALAND INC

Dear Geoff Holgate

**SUBMISSION ON PRELIMINARY TENURE REVIEW PROPOSAL FOR
BARROSA PASTORAL LEASE**

1. INTRODUCTION

The Royal Forest and Bird Protection Society (Forest and Bird) is New Zealand's oldest and most active voluntary conservation organisation. Formed in 1923 the Society has around 38,000 members in 56 branches around New Zealand. This submission is on behalf of the Society's Central Office and the Ashburton Branch.

The Society's constitution requires it to:

"take all reasonable steps within the power of the Society for the preservation and protection of indigenous flora and fauna and natural features of New Zealand for the benefit of the public including future generations."

"Protection of natural heritage includes indigenous forests, mountains, lakes, tussocklands, wetlands, coastline, marine areas, offshore islands and the plants and wildlife found in those areas."

2. PRELIMINARY PROPOSAL

Forest and Bird understands the preliminary proposal to be:

1. Restoration or retention to full Crown ownership and control as conservation area of approx. 2,842 ha – CA1 - Clent Hills and CA2 West Branch of Stour outlined in red on proposed designation plan. Subject to easement concessions on CA1 in favour of leaseholder for water supply m-n and o-p; and on CA2 in favour of leaseholder for farm access d-e-f, and e-g.

2. Restored to Crown ownership and control as conservation area, approx. 12 ha. – CA3 adjacent to southern shore of Lake Emily – outlined in red on proposed designations plan.

3. Freehold disposal to Barrosa Station Ltd of 2,893 ha (outlined in green on proposed designations plan) subject to easement for DoC management access a-c; easement for public and DoC management access b-c-d, g-h, i-j, and k-l.

3. GENERAL COMMENTS

The proposal relies on an out of date April 1997 Conservation Resource Report (CRR), and is based on inspections carried out before then. It was amended in July 1999 but only to address the issue of including Maori Lakes freehold in tenure review (which appears to have been subsequently rejected). The CPLA became law in 1998 and it is highly unlikely that the Crown had developed criteria to define 'significant inherent values' before DoC undertook its original ecological surveys. The Conservation Resources Report does not acknowledge recent work about the importance of the Ashburton River, including the South Branch for braided river birds.

The CRR does not reflect the current understanding of what constitutes "significant inherent values" (SIVs). In using out of date information the Crown is not adequately implementing its statutory responsibilities in the CPLA for protection of significant inherent values. This proposal does not meet the requirements of the CPLA.

4. SPECIFIC ISSUES OF CONCERN

1. Inadequate recognition and protection of SIVs of red tussock wetland adjacent to Ashburton Gorge Road and rocky faces above it

A small area of red tussock wetlands adjacent to the road, south-east of Blowing Point is the first area of predominantly indigenous vegetation that travellers see close to the road as they approach the Heron Basin. See Photos 1-8. The area has significant ecological and landscape values. The steep rocky lower slopes of Clent Hills provide a dramatic backdrop to this small tussockland.

These lower faces of Clent Hills and the unnamed gully to the east of Blowing Point are inappropriate for freeholding because of their landscape values steepness, unsuitability for grazing and strongly regenerating indigenous shrubland cover. Species include broadleaf, mountain ribbonwood, *Coprosma*, and matagouri

The red tussock wetland and these rocky faces deserve restoration to full Crown ownership and protection as conservation land for the following reasons:

- Red tussock wetlands are hugely reduced in extent because of cultivation, burning, drainage, OSTD and their conversion to exotic pasture. Any that remain have high significant inherent values.
- The lessee currently grazes cattle in the wetland. Continued grazing will degrade the significant inherent values. Current and previous lessees have developed all of the other relatively flat land adjacent to the road and replaced indigenous tussock, shrubland and other vegetation with exotic grasses and trees. Recent vegetation clearance and cultivation across the Ashburton Gorge road for development purposes (on the south-western side) from the red tussockland highlights the risk to this wetland.

- The 1997 Conservation Resources report noted that "*Blowing Point Swamp and its steep rocky side slopes are the subject of a unique and striking vista from the road at Freezing Point, and are important as the "entrance" to the Heron Basin.*" (DoC 1995 para 2.1.3). The areas was mapped as having landscape value in the 1997 Values Map in the Conservation Resources Report.
- The Upper Rangitata/Arrowsmith/Lake Heron area is one of a "Six Pack" of new high country parks, proposed by Forest and Bird and Federated Mountain Club. The proposal also includes the Rakaia, Rangitata, Harper Range conservation areas, Lakes Heron, Roundabout and Camp, and the new Lake Heron conservation lands; and likely additions from tenure review on nearby pastoral leases such as Barrosa. The Blowing Point wetland and the bluffs behind it, Blowing Point itself and the Ashburton Gorge are the obvious entrance to the park. Freeholding these red tussock wetlands risks there degradation and destruction.
- Under unencumbered freehold tenure, there would be no certainty that the existing indigenous vegetation would not change to a more modified landscape, compromising existing ecological and landscape values. Grazing, burning, oversowing and topdressing, afforestation, and tracking are likely or possible future uses. Continued grazing will cause tussock condition to decline. Other uses will change the vegetation cover to more exotic.
- The Resource Management Act and the Ashburton District Plan will not prevent the cultivation, overgrazing and destruction of the wetland. To the best of Forest and Bird's knowledge no resource consent for modification of tussock grassland or other native vegetation have been notified for public submissions since the Plan became operative in 1998.
- It would be consistent with the Government's High Country Objectives (Cabinet Policy Committee POL (05)14 including to "*ensure that conservation outcomes for the high country are consistent with the New Zealand Biodiversity Strategy.*" The freeholding of a significant lowland red tussock wetland is not consistent with Objective 1.1¹ of the Biodiversity Strategy.
- In the eight years since DoC's 1997 Conservation Resources Report on Barrosa, the importance of lowland tussocklands and the extent of their depletion has become increasingly recognised. Less than 80,000 ha (less than 2 %) of the remaining "predominant" tussock grasslands are managed by the Department of Conservation. (MfE, 1997 *The State of New Zealand's Environment*, p 8.72) Given the under representation of tall tussock, including red tussock in the conservation estate, and their extensive depletion, all of the Blowing Point red tussockland, including the area recommended by DoC should be protected.

¹ Protecting indigenous habitats and ecosystems

Objective 1.1

- a) "*Enhance the existing network of protected areas to secure a full range of remaining indigenous habitats and ecosystems.*"

Action

- b) "*Add to public conservation lands those habitats and ecosystems important for indigenous biodiversity that are not represented within the existing protected area network or that are at significant risk of irreversible loss or decline, or in situations where public ownership is needed for effective management.*"

- Elsewhere in the Conservation Resources Report, DoC has noted "*Unless severely depleted or modified, most high country wetland vegetation types should be protected, because nationally and internationally, wetlands are greatly modified and under-represented in protected natural areas.*" (DOC Modified Barrosa CRR, Part 4 July 1999) The failure to protect this area is inconsistent with the report and a significant oversight. Given its small size, its grazing value is likely to be low.
- No information is provide on how freeholding and continued grazing of the red tussock wetland would promote ecologically sustainable management as the CPLA requires.

The Ashburton Gorge road and the unformed legal road at the base of the rock outcrops provide adequate access for moving stock between the proposed or existing freehold land and grazing on the river terraces above the South Branch of the Ashburton River without the need for a new easement for stock access. Dung on the sealed road indicates that it is already used to move stock.

Decision sought

Add to CA1 as conservation land, the red tussock wetlands and adjacent rocky slopes between Blowing Point bridge and the spur which descends south of knob 1016 to the Ashburton Gorge Road (marked as CA4 on Map 1 attached).

2. No connection between South Branch of Ashburton River and Clent Hills tops in CA1

The Ashburton District Plan identifies the full length of the Ashburton River as an area of Significant Nature Conservation Value. The Ashburton River is one of the most important braided rivers in Canterbury for birdlife (O'Donnell, 1992). Yet DoC's Conservation Resources Report (1997 and as amended July 1999) has failed to assess the values of the stretch of river adjoining Barrosa, and its significance for braided river birds, and the importance of riparian areas on the pastoral lease. The CRR is inadequate and out-of-date. It has ignored the results of Environment Canterbury's extensive recent resource investigations about the landscape, amenity and other values of the Ashburton River and lakes.

The Ashburton River is important because of the high species diversity, it supports almost all species characteristic of braided river and it provides important breeding habitat for threatened species, particularly black-fronted tern. The river supports up to 20,000 wetland birds in summer. (O'Donnell, 2000) A recent assessment of Canterbury river and open water habitats (O'Donnell, 2000) ranks the Ashburton as "High-3", of national to international significance for wildlife, with its habitat ranked as "High-1" or 2 the highest.

The South Branch above the Ashburton Gorge is particularly important for threatened species such as wrybill, black-billed gull, and black fronted tern. Several endemic species including wrybill, black billed gulls, banded dotterel, and South Island pied oyster-catcher use the river between the Hakatere Heron Road and the Ashburton Gorge for breeding and feeding.

The river adjacent to Barrosa has a semi-braided character. Riparian areas are highly natural with minimal signs of human modification, and good cover of matagouri is evident on the fans of several streams draining Clent Hills. The area has high landscape values as a Boffa Miskell report for Environment Canterbury has noted:

"The lower gorge (Blowing Point) is flanked by attractive rock outcrops. The Ashburton Fans which extend from below the Stour confluence to the Hakatere Heron Road are an area of Significant Nature Conservation Value (in the Ashburton District Plan) based on the significant vegetation free river bed supporting a range of indigenous community types and bird species. The river has highly natural water and river edges. Sandy's Knob, Trinity Hill and the adjoining river terraces as you enter the gorge from the south are noted for their strong landforms, aesthetic coherence and legibility."²

"The lower gorge has value as an entry point to the wider Hakatere valley beyond, giving exceptional views out to this landscape to the west as you leave the gorge..."

Natural character is derived from the high water quality, the natural river edges on Barrosa, the natural variability of the flow and the general lack of apparent human modifications.

The north bank of the South Branch upstream of Blowing Point bridge is not compromised by willows (as is the south bank). It retains a high degree of indigenous natural character which is not present downstream of the bridge where exotic vegetation and heavily cultivated land dominates. The upstream river terraces are readily visible from the road and contribute to the landscape experience of visitors entering the Heron Basin and Hakatere Lakes area.

The Conservation Resources Report fails to describe the vegetation and ecological and landscape values of these riparian areas and the river terraces upstream of the Blowing Point bridge. Accordingly, the preliminary proposal fails to recognise the importance of ecological sequences and the desirability of protecting a continuum from the slim leaved snow tussock (.1200m), narrow leaved snow tussock (900-1200m) and cotton daisy on the Clent Hills tops to the cryptic plants of the riverbed. This would maintain and allow a continuous native cover of riparian matagouri, grey shrublands and short tussock grassland, grading to snow tussock to evolve in a natural way.

With Hakatere pastoral lease having withdrawn from tenure review, Barrosa is a rare opportunity to protect riparian land with significant inherent values adjacent to the Ashburton River.

The proposed unencumbered freeholding of river terraces upstream of Blowing Point is opposed for the following reasons:

- the potential impacts of farm activity on these riparian margins from earthworks, cultivation, burning, or allowing stock to access the riverbed. Stock in the riverbed can trample nests and eggs and disturb breeding birds with potentially severe impacts on breeding success. Weed spread from the river margins into the riverbed would also degrade significant inherent values.
- The proposed boundaries of CA1 in chopping the higher latitude lands off from any connection with the river do not promote ecological sustainable management.
- The history of riparian management in the Hakatere/Ashburton Lakes area has been to cultivate, oversow and develop land right up to the waterway without leaving adequate buffer areas.

² Boffa Miskell (June 2001) "Natural Character, Landscape and Amenity Values of the Ashburton/Hakatere River, Lakes and Tributaries", Report prepared for Environment Canterbury U01/44.

- No information is obvious in the material provided under the Official Information Act that the terraces have significant economic value for grazing.

Decision sought

(Favoured option) Restore to full Crown ownership and protective management as conservation land all land on the north bank of the South Branch of the Ashburton River upstream of where the spur from knob 1016 descends to the south and almost touches the Ashburton Gorge Road (see Map 1 attached).

(Alternative option) Make freeholding subject to a sustainable management covenant to protect ecological and landscape values which prohibits indigenous vegetation clearance (other than to allow stock passage along a stock track or to maintain existing fences), burning, OSTD, cultivation, afforestation, new tracking, and subdivision on the river terraces and all land upstream of Blowing Point bridge.

3. No connection or public access between CA1 - Clent Hills tops and CA3 - Lake Emily, and CA3 too small

In terms of protected area design, the isolation of CA1 Clent Hills from other conservation land makes no ecological, recreational or landscape sense.

The lack of connection between Lake Emily (CA3) and CA3 is opposed as not protecting significant inherent values (ecological, landscape) and not promoting ecologically sustainable management. CA3 is too small to buffer Lake Emily adequately and prevent stock damage to short tussock vegetation and water quality impacts. Without fencing stock damage to the wetland edges will continue.

With increased public use and enjoyment of the new Lake Heron conservation area users are denied the opportunity to do a through trip over public land from Lake Heron via Lake Emily to Mt Barrosa.

CA3 fails to include the Stour Valley wetland a shallow depression with a specialised indigenous community, identified as Area 6 on the CRR Values map. The CRR report described it as "*a tiny ephemeral wet land south of Lake Emily (which) has an interesting assemblage of plants, most of which are not seen elsewhere on the property*". Species found include *Coprosma atropurpurea*, *Carex decurtata*, *Diochnodra breviflora*, *Pimelea protstrate*³ More intensive grazing and the risk of OSTD and farm development could destroy this wetland.

The Lake Heron Basin, including Lake Emily is identified as a "regionally outstanding landscape" in the Ashburton District Plan. CA 3 is too small to protect landscape values adequately because it does not protect the gently sloping alluvial fans on the north-east of Clent Hills which run down to the lake and which form part of that landscape.

DoC's CRR Values Map identified a larger area around the wetland as deserving protection than in the preliminary proposal.

Lake Emily is approx 20 ha of shallow (approx 2 metres deep) open water amidst a swampy tarn (approx 50 ha) fed by small streams and seepages. It is part of the 274 ha RAP Hakatere 5-Lake Emily. The wetland is described as in the PNA survey report as

³ DoC (1997?) Department of Conservation, Conservation Resource Report to Knight Frank Ltd on Barrosa Pastoral Lease.

"one of the best examples of a small lake wetland system".⁴ It supports bog rush, red tussock, pukio and a diversity of other sedges. The threatened *Aciphylla subflabellata* is found here. Red tussock and fescue tussock dominate the surrounding terrestrial vegetation.

Lake Emily and its associated wetland provide habitat for moderate numbers of waterfowl⁵ at various times of the year including grey duck, scaup, and paradise shelducks. The wetland is an important nesting and feeding area for waterfowl.⁶ Southern crested grebe occur in spring and summer.⁷ A wider buffer area is needed to protect the lake margins and hydrologically connected areas from stock damage and grazing. Past practice of lessee allowing stock access to Lake Emily and the absence of any proposals for fencing means that stock damage is likely to continue.

Proposed access easement k-1 which rises steeply from the road and is likely to deter less agile walkers and trampers from enjoying proposed CA1. Recreational use to Lake Emily is already well established for fishers, walkers and others. Providing access to the northern end of Clent Hills from Lake Emily, as well as the southern end, would be more practical and consistent with current recreational use patterns, and take advantage of the gentler terrain.

Protecting this northern corner of the lease as proposed below would avoid the need for new fencing to protect the lake margins.

Decision sought

Extend CA1 down the lower north eastern slopes of Clent Hills to the lease boundary as far as the fenceline to the south east of Lake Emily (i.e the fenceline immediately east of the proposed m-n easement concession for water supply).

4. Areas with significant inherent values not protected

CA1 Clent Hills and CA2 Stour are both considerably reduced in size from the areas identified as having significant inherent values and deserving protection in DoC's 1997 Conservation Resources Report.

Major omissions from the proposed conservation areas in the preliminary proposal include:

- Part of Area 1 -Mt Barrosa i.e. the south facing gullies from the summit ridge including the upper part of Blue Duck Stream. The CRR described this area as containing the best tall tussock grassland on the property with a good diversity of indigenous plants, including uncommon species such as *Lihnocarpa carnosula* and few exotic species.
- The valley floor, fans and lower slopes of Area 7 Northern Stour Valley hard tussockland on the north -eastern slopes of Clent Hills. Only the higher altitude part of this area is proposed for protection.

⁴ Harrington, WMA et al (1986) "*Heron Ecological Region, Arrowsmith, Hakatere and Two Thumb Ecological Districts Survey report for Protected Natural Areas Programme*". Published by Department of Lands and Survey.

⁵ Harrington WMA et al (1986).

⁶ Dons, T and Stringer, D (Nov 1992) at p 360.

⁷ DoC (1997?) Barrosa-Conservation Resources Report

- Part of area 9 Stour River Rhyolite including high point 978 and a low saddle on the western side of this where the CRR identified there being a red tussockland on poorly drained soils.

Topdressing, oversowing, burning and continued grazing have been identified as major threats to the RAPs identified in the two PNA survey reports for the Heron Ecological Region⁸. These activities are also a threat to these areas described above.

The preliminary proposal gives no explanation or reasons as to how the freeholding of these areas is consistent with the CPLA, protects significant inherent values or promotes ecologically sustainable management.

Decision sought

Expand CA1 to include all of Area 1 Mt Barrossa and all of Area 7 Northern Stour hard tussockland.

Expand CA2 to include knob 978 and the nearby red tussock wetland.

5. Easements and provision for public access inadequate

The proposed easements up the Stour River do not adequately provide for public access because of lack of clear marking of the public road, the fact that the lessee's activities including buildings have intruded on Crown land and unformed legal road.

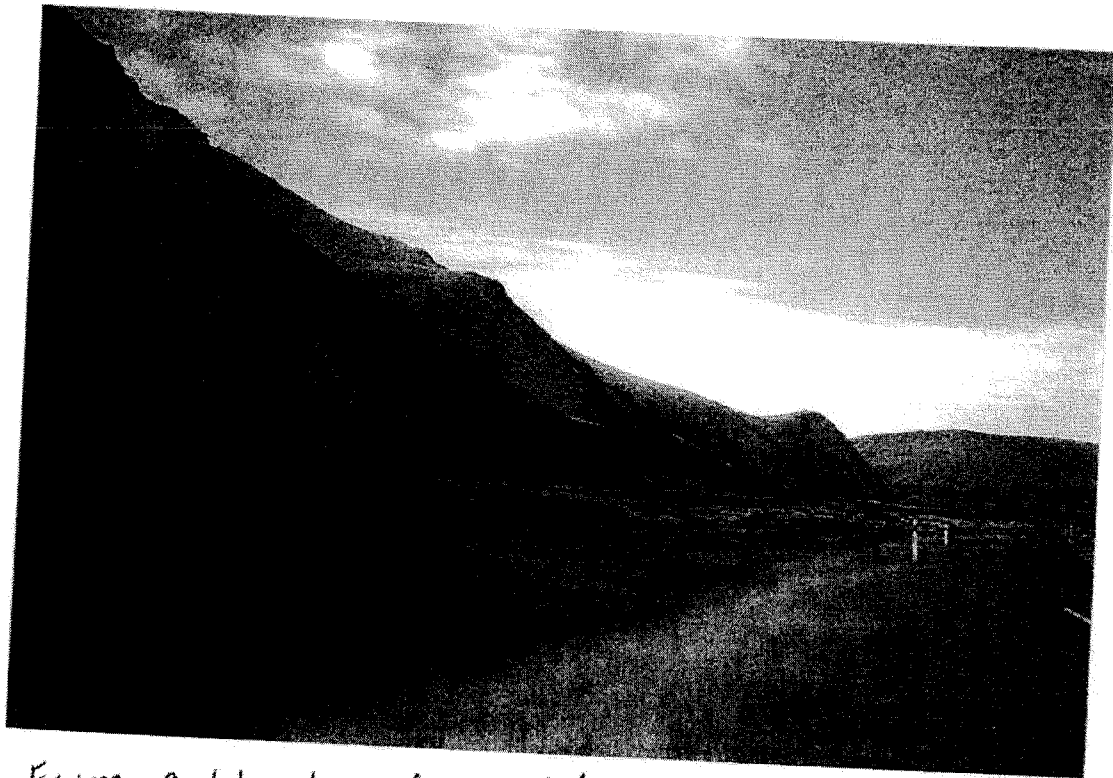
Forest and Bird understands that the Ashburton High Country Interest Group has investigated the Stour River access issue and is making a submission. The Group includes members with an in depth knowledge of the Mt Somers, Clent Hills and Hakatere/Ashburton Lakes area Forest and Bird supports the Group's concerns about the need for improved public access up the Stour River.

E M Sage

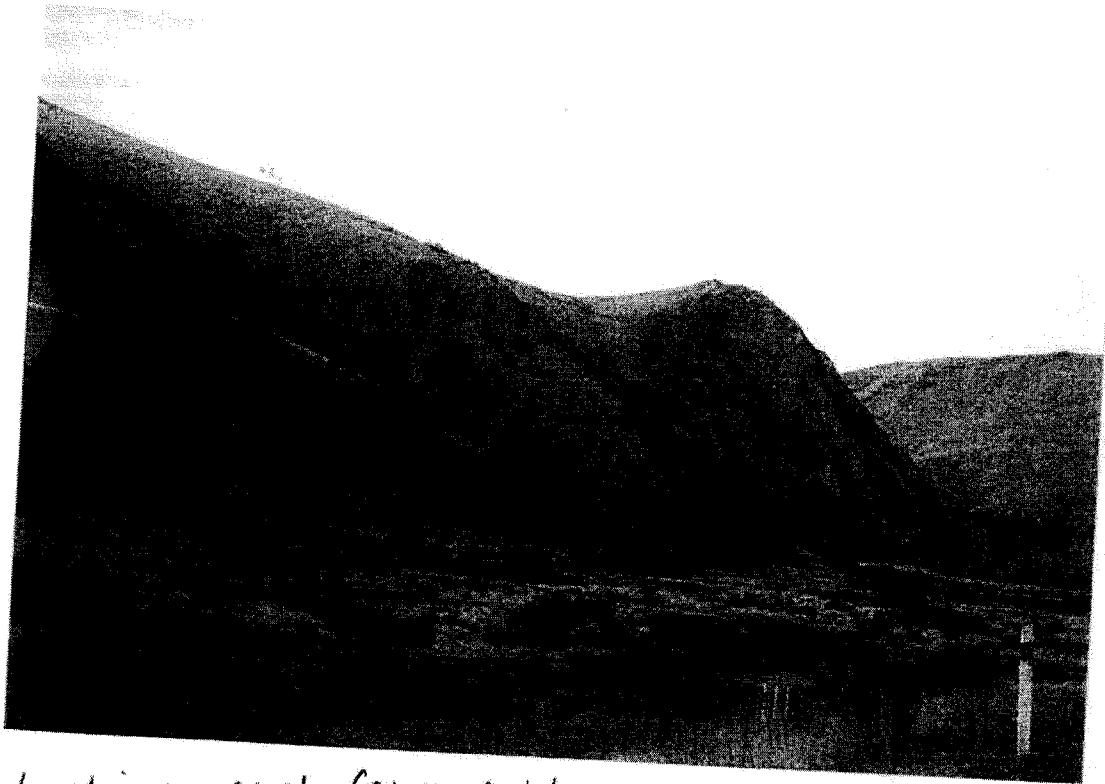
Eugenie Sage
Regional field officer

PS Forest + Bird does not oppose CA1, CA2 or CA3 but believes they are inadequate to protect significant inherent values.

⁸ Harrington W.M.A et al (1986) and Arand, J and Glenny D (1990).



① From Ashburton Gorge Rd, east of Blowing Point
looking south-east



② Looking east from Ashburton Gorge Rd to spot height 1076 with Blowing Point area identified in Conservation Resources Report as having landscape values

