

Crown Pastoral Land Tenure Review

Lease name: TENAHAUN

Lease number: PC 020

Public Submissions Pt 1

These submissions were received as a result of the public advertising of the preliminary proposal for tenure review.

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21 July 2004

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— FOREST
& BIRD

ROYAL FOREST AND
BIRD PROTECTION
SOCIETY OF
NEW ZEALAND INC

Dear Sir

Submission on Preliminary Tenure Review Proposal for Tenahaun Pastoral Lease

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 Central Office. 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."

This submission is based on a field inspection of the property on 17 February 2004 and a thorough analysis of the preliminary proposal and other supporting documents.

Wetlands (CA2 and CA3)

These wetlands have extremely high conservation value. They are dominated by indigenous *carex* species with very little modification by introduced grasses. In the context of the massive loss of wetlands throughout Canterbury and New Zealand they are a very important biodiversity resource. Forest and Bird supports their retention in full Crown ownership and control.

We wish to ensure that the two wetlands are protected in their entirety and are concerned that the total area of CA2, CA3, CA4 and CA5 given in the preliminary proposal is only 38ha. Whilst acknowledging that at this stage the areas are only estimates and are subject to final fencing and survey our estimate in the field of the area of CA3 alone (the smaller of the two wetlands) was 12 ha.

Alluvial Flats, Terraces and Lower Western Slopes of the Moorhouse Range

The flats at the western end of the property surrounding the Moorhouse and Nabob streams and excluding the two wetlands are highly modified short tussock grasslands. The principal indigenous species is fescue tussock with scattered matagouri also present, but the abundance of native vegetation is variable and provides perhaps on average only about 20% of the ground cover. Introduced pasture grasses or *hieraceum pilosella* are dominant in different locations.

The vegetation patterns described for the flats extend up the lower slopes at the north-western end of the western faces of the Moorhouse Range. The proportion of indigenous vegetation gradually increases with altitude. At a height of about 700m indigenous vegetation becomes dominant, although this boundary is variable depending on aspect and topography with native vegetation extending lower in the gullies.

Forest and Bird supports the free-holding of this land and is generally supportive of the proposed boundary between CA1 and the lower slopes at the north-western end of the Moorhouse Range (see F2 on the attached map).

Although they contain relatively poor ecological values the flats do have significant recreation values, particularly as an access route further up the valley or over Brown Saddle for walking, horse riding and mountain bike riding, or as access to the Rangitata river for fishing, kayaking or rafting.

Forest and Bird therefore supports the creation of the proposed network of public access easements over the flats and up the existing track to Brown Saddle. We support public access being limited to foot, horse or mountain bike. We also support motorized access for conservation management purposes.

Moorhouse Range Tops (CA1)

The tops of the Moorhouse range from about 700m and above contain relatively intact indigenous vegetation communities dominated by snow tussock, celmissia and dracophyllum. There are stunning views along the length of the Rangitata River, inland to the main divide and out over the Canterbury plains. The area provides opportunities for hiking along the tops and for potential through routes over Brown Saddle for horse treks and bike rides in the future.

Forest and Bird supports the retention of this area in Crown control for conservation purposes. We offer qualified support for the access concession subject to our concerns set out later in this submission.

Rangitata Gorge and River Margins (CA4 and CA5)

The Rangitata River, the gorge and the surrounding lands contain significant natural, recreational, landscape and scenic values. Forest and Bird is concerned that the

creation of the two small reserves (CA4 and CA5), the access easement g-h and a standard 20m marginal strip along the river edge is not enough to protect these values.

Regenerating native forest extends over much of the slopes above the existing track through the gorge, as well as in the proposed CA4 below the track. The forest quality is best in the stream gullies where it remains relatively intact but the forest extends well beyond the gullies in many areas. Dominant species include kowhai, ribbonwood, broadleaf, lancewood, fuchsia and cabbage trees. In places the forest remnants extend up to the sub-alpine snow tussock communities of the tops and provide a natural vegetation sequence from valley floor to tops that is not present anywhere else on the property. Management for conservation purposes and the exclusion of stock would allow regeneration to improve the conservation value of this sequence over time. The steepness and inaccessibility of the country must mean it has little value for pastoral farming.

It is disappointing that the proposed public access easement g-h through the gorge is for foot access only. This will mean that the potential mountain biking and horse-trekking through and loop routes to the Ashburton Valley and lakes via Pudding Valley and Brown Saddle will not be possible. The high-country landscapes of the Ashburton Lakes area, with the awesome backdrop of the Arrowsmith and adjoining ranges, provides one of the most spectacular settings for outdoor recreation in New Zealand. Tenure review of this property offers an opportunity to open up an exciting new access route to the area. The recreation opportunities such a route would provide are a very important public benefit that needs to be secured if the CPLA objective to "*secure public access to and enjoyment of high country land*" is to be achieved in relation to this lease.

The Rangitata is one of the country's large braided river systems. It is used extensively for picnicking, swimming, fishing, kayaking and rafting. The gorge section also has outstanding scenic qualities and retains significant remnants of indigenous forest and shrubland vegetation along its margins. It is a magnificent river whose mana demands that more than the standard 20m marginal strip be set aside along its banks to ensure that practical access and enjoyment for the public is guaranteed. At the very least a wider strip should apply through the gorge section of the river.

The attached map shows revised boundaries to the area CA1 that would address the concerns raised in this section of this submission. The revised boundaries follow existing fence lines and include the regenerating forest remnants above the existing track as well as areas CA4 and CA5. They also include additional land along the river margins outside of CA4 and CA5 to protect indigenous vegetation, scenic values and public access along the gorge section of the river.

The easement g-h would become one over Crown controlled land in favour of the leaseholder for farm management purposes and would include access for vehicles and stock, along with the right to maintain the track to a standard suitable for four wheel drive vehicles if necessary. Forest and Bird does not accept the need to limit public access to foot only along the track g-h, although we agree that public vehicular access is undesirable. Similarly we do not see the need for a farm access concession over all of CA1 and would prefer to see the land in full crown ownership and control, but

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would support the proposed alternative route for farm access to the flats block, if public bike and horse access was secured through g-h. Alternative farm management access is also possible via Brown Saddle and easement e-k.

Decision Sought

1. That the areas marked CA1, CA2 and CA3 on the attached map are retained in full Crown ownership and control for conservation purposes to protect significant ecological, recreational and landscape values.
2. That the areas marked F1 and F2 on the attached map are disposed of as freehold title to the leaseholder.
3. That the easements and marginal strips contained in the preliminary proposal are retained except that easement g-h is now in favour of the leaseholder for farm management purposes, over Crown controlled land.

If negotiations with the leaseholder fail to secure significant gains in terms of the conservation, recreation and landscape outcomes suggested in this submission Forest and Bird strongly urges that the Crown withdraw from negotiations and the property continue as a pastoral lease.

Thank you for the opportunity to make a submission.



Tony Lockwood
Field Officer
For Conservation Manager

received 18/8/04.
Atd.

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16 August, 2004

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Attn: Mike Todd

Dear Mike

**Tenahaun Pastoral Lease Pt 052
Submission on Preliminary Proposal for Tenure Review**

Thank you for advising Environment Canterbury of the release of the Preliminary Proposal for tenure review of Tenahaun Pastoral Lease. We appreciate the opportunity to review the proposal and make a submission in relation to the future management of this land.

Environment Canterbury has statutory responsibilities under the Resource Management Act 1991 (RMA) for the sustainable management of natural and physical resources of the region, including soil conservation, water quality and quantity and ecosystems, and for maintenance of biodiversity. In addition, Environment Canterbury also has statutory responsibilities under the Biosecurity Act 1993 for the management or eradication of animal and plant pests in accordance with regional pest management strategies.

Environment Canterbury has recently notified its Natural Resources Regional Plan to address significant resource management issues in the region. The Plan contains a number of provisions for managing soil and water resources, including the effects of land use activities on soil erosion and water quality. The Canterbury Regional Pest Management Strategy (1998) and Canterbury Regional Pest Management Strategy Biodiversity Pests (2002) identify a number of species of plants and animals for control or management as pest species.

In line with these statutory responsibilities and documents, technical and planning staff have reviewed the Preliminary Proposal for Tenahaun Pastoral Lease to assess the impacts, if any, of this proposal on pest management, indigenous biodiversity protection, soil conservation and the integrity of the water bodies. Our comments and recommendations are listed below.

Soil conservation

The property consists predominantly of LUC classes VI and VII land with small areas of Class III and IV. The areas proposed for Crown retention and freeholding exclude the majority of the more sensitive higher altitude and Class VII land from freeholding. There is still some Class VII land in the proposed freeholded area on the shady face above area CA4. This land is not considered to have a high erosion risk, but will have limited opportunity for farming operations. Overall the proposal is not likely to compromise any significant soil conservation issues.

Our Ref: PL5C/103; AG5T/562

Your Ref:

Contact: Cathie Brumley

Surface water bodies

It is difficult to offer any specific comment as the Conservation Resources Report only contains a description of the terrestrial ecosystems. The report does not describe the state of the riparian vegetation or describe the type or condition of water ways within the pastoral lease or their instream values.

As a general comment, Chapter 4 of the Proposed Canterbury Natural Resources Regional Plan seeks to maintain water bodies, including the Rangitata River, in a natural state where they are largely unaffected by human activities.

Environment Canterbury support the establishment of a marginal strip and fencing adjacent to Pudding Valley Creek and Hinds River South Branch. A marginal strip and associated riparian vegetation will contribute to the protection of the water quality and aquatic ecosystems as well as acting as a buffer for land use activities. This is consistent with s.24C of the Conservation Act 1987 which states that the purpose of marginal strips (among other things) is to protect water courses, maintain water quality and aquatic life, and to enable public access.

The exclusion of livestock offers the only effective long-term sustainable method of protecting the water way and its values. Environment Canterbury would also support measures to exclude heavy stock from the streams draining the Moorhouse Range, e.g. Moorhouse Stream and Nabob Stream.

Environment Canterbury is devoting considerable resources through its "Living Streams" programme to restoring water ways, mostly groundwater fed streams, which have degraded as a result of land use activities. It is generally more cost effective to protect a waterway and to prevent a decline in water quality and habitat values, rather than trying to restore a degraded water body.

Wetlands and Terrestrial vegetation and habitats

The proposed conservation areas go some way to securing protection for examples of the range of indigenous vegetation and habitat types present on Tenehaun Pastoral lease. It is particularly encouraging to see recognition of, and formal protection proposed for, significant low-altitude/valley floor native shrubland and wetland habitats (CA2-CA5).

It is of concern, however, that at least one significant native shrubland site (a gully on the eastern side of the Moorhouse Range containing a population of the threatened native broom *Carmichaelia torulosum*) and two patches of remnant native forest, have been excluded from conservation areas in the preliminary proposal, despite being identified in the earlier Conservation resources report and the Scoping report. The forest remnants are significant examples of a formerly widespread habitat and are described as being of medium to high naturalness. The proposed conservation areas also do not contain examples of all the various Land Environments (Leathwick et al 2003) present on the property, although some are well represented.

The Reserves Act 1977 requires "preservation of representative samples of all classes of natural ecosystems and landscapes". The New Zealand Biodiversity Strategy (2001) talks of the need to "maintain and restore a full range of remaining natural habitats and ecosystems to a healthy functioning state". The opportunity provided by tenure review of publicly owned pastoral leasehold land to help fulfil these requirements should be maximised.

Environment Canterbury recommends the following extensions to the area of land to be retained in Crown ownership to meet the requirements of the above legislation in terms of the

protection of important natural values for the area. These areas have been identified on the attached map as extensions to the areas to be retained under Crown control.

(1) Area CA1 should be extended at two points:

(i) The first is to include the full catchment of a tributary gully to the Hinds River south branch, on the eastern side of the Moorhouse Range (about 60 ha - G.R. centre NZMS260 J36 675185). According to the Conservation Resources Report the native shrublands associated with this gully system contains a diversity of species including, most significantly, the threatened Canterbury pink broom. This gully was proposed for protection in the Scoping Report and should also have been included in the preliminary proposal. Its re-inclusion would also secure an example of indigenous habitat encompassing the full altitudinal sequence of the eastern Moorhouse Range, from crest to valley floor.

(ii) The second extension to CA1 should be at the northwestern corner to include a small representative area of dry terrace habitat (Land Environment E4 – Leathwick et al. 2003) that is not protected elsewhere. For example, the proposed CA1 boundary fence N-O could be realigned to run directly west from point O to the present lease boundary at about J36 613201

(2) CA4 should be extended upslope to connect with the mixed broadleaf forest remnant and native shrubland associated with the stream gorge and lower slopes running south from Mt Pukanui to the eastern end of the Rangitata Gorge, as described in the Conservation resources report. This area is included in the Scoping Report designations as being the most extensive area of forest remaining in the Rangitata Gorge. The remaining areas of more vulnerable Class VII land outside the proposed area for Crown control are found within this catchment.

The other forest remnant in the catchment of "Chapmans Stream" should also be fenced and protected either as public conservation land or as a conservation covenant.

(3) CA4 and CA5 should be connected, as recommended in the Scoping Report, and the terrace above this connection fenced to exclude stock from the river and facilitate regeneration of native plants here.

(4) Environment Canterbury supports the fencing proposed for wetland conservation areas CA2 and CA3. The fencing should be extended to link the wetlands to fenced stream margins e.g CA3 connected to Nabob Stream.

Management of Pest species

The report notes the presence of unspecified wilding pines on the Moorhouse Range. These plants pose a considerable threat to low-stature ecosystems, especially where there is minimal animal grazing. Contorta pine, mountain pine, scots pine, corsican pine, Douglas fir and larch are included as a pest in terms of Environment Canterbury's Regional Pest Management Strategy Biodiversity Pests 20th April 2002. The Strategy encourages the removal of them but it does not contain rules that require their removal. There is likely to be a co-ordinated control programme undertaken in the next year involving this property and a number of neighbouring ones.

The presence of gorse and broom has also been noted. Environment Canterbury's Regional Pest Management Strategy 1998 contains rules requiring land occupiers to control scattered plants (infestations less than 50 square metres in area) and to keep a 10-metre clear

boundary with neighbouring properties. It also contains requirements for land occupiers to keep rabbit numbers below Level 3 on the Modified McLean Scale.

There are no current requirements to control Himalayan honeysuckle but there is a proposal to include sycamore in the Pest Strategy in a similar regime as wilding pines.

Geological features

The upper Rangitata catchment and Ashburton lakes area have some significant geological features, including the Balmacaan Formation, a rock type restricted to the locality of the Moorhouse Range. The Conservation Resources Report briefly mentions these features but does not comment on their significance or the implications from changing land use e.g. forestry. There appears to be no other geological sites of scientific or education value that would require special protection within the Tenahaun pastoral lease.

General comments

It is of some concern that the Preliminary Proposal fails to protect significant examples of the range of terrestrial and wetland habitats within the property, particularly those areas containing threatened or less common species and habitats. The intent of the preliminary proposal under sections 40(1) and 40(2) of the Crown Pastoral Lands Act (1998) is to protect areas of land having significant inherent values. The Scoping Report designated areas of key natural values as described in the Conservation Resources Report. It is recommended that, as a minimum, the additional areas marked on the accompanying map are retained in Crown ownership to meet the protective mechanisms of the Act.

Thank you for the opportunity to contribute to this process.

Yours faithfully



John Talbot

Director of Policy and Planning