

## **Crown Pastoral Land Tenure Review**

**Lease name: RICHMOND**

**Lease number: PT 087**

### **Public Submissions - Part 5**

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

**January**

**06**

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FAX TO:

THE COMMISSIONER OF CROWN LANDS  
c/- QUOTABLE VALUE LTD.

FROM

FEDERATED MOUNTAIN CLUBS ON N.Z.

RE

TENURE REVIEW - RICHMOND PASTORAL LEASE

PAGE 1 OF 3



**A SUBMISSION FOR FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND [INC.] ON  
THE  
PRELIMINARY PROPOSAL FOR TENURE REVIEW – RICHMOND 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 to full Crown ownership of areas labelled CA1, CA2, CA3 and CA4 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 5982 Ha to freehold ownership subject to the following conditions.

- 1 That the lessee remove the wilding pines on the skifield area which is Conservation land
- 2 That the lessee honour his previous undertaking to maintain the retirement fence in terms of his agreement with the former Waitaki Catchment Commission.
- 3 That additional public access be provided to the lake shore at a point approximately mid-way between CA1 and CA 2.
- 4 That an easement for public access on foot be provided along the route of the old pack track to Mesopotamia via Camp stream.
- 5 That motor vehicle access for the public be provided along the full route from e to f, g and j, on the designation plan.

**Public access**

We note that motor vehicle access on the easement e – f, for public access to CA4 is stopped a short distance from the freehold / conservation land boundary and that public access from that point must be on foot, by horse or non-motorised vehicle. This is obviously intended to stop the public from driving up the remainder of the former skifield road which is and will be on Conservation land and/or the legal road which follows a similar route.

Such a device which makes public access to Conservation land more difficult than it need be is unacceptable. It has the effect of making the public walk where customers of the skifield

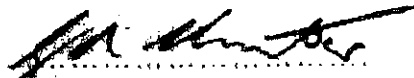
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can drive by motor vehicle up a formed road on Conservation land. Bearing in mind the objectives of the Conservation Act and indeed the definition of 'Conservation' itself this is an abuse of the Act and of the Tenure Review process. A commercial business should not be given access to Conservation land superior to, and in preference to, the public.

Provision for public access should be amended as set out in points 3, 4, and 5 above.

For Federated Mountain Clubs of New Zealand (Inc.)



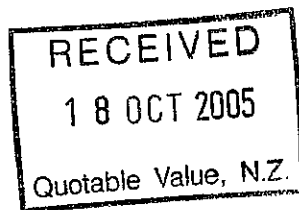
G R Hunter

Kalaugher Rd.  
R D 21  
Geraldine

15 October 2005

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Commissioner of Crown Lands,  
C/o Tenure Review Team Leader  
Quotable Value Ltd  
PO Box 13443  
Christchurch



FOREST  
& BIRD

Dunedin Branch

16.10.05

Dear Sir,

## **Submission on the proposed outcomes from tenure review of Richmond Pastoral Lease**

**On behalf of the Dunedin Branch Management Committee of Forest and Bird.**

This submission is written on behalf of the Dunedin Branch of the Forest and Bird Protection Society which has approximately 565 members with strong interests in botany and natural history in general and in the High Country. Many of the members enjoy active recreation in the back country and are very aware of the need to ensure the protection of natural values, vegetation and landscape, historical sites and to improve public access through the tenure review process.

The submission is written with reference to the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the recently stated government objectives for the South Island high country, especially the following:-

- *to promote the management of the Crown's high country in a way that is ecologically sustainable.*
- *to protect significant inherent values of reviewable land by the creation of protective measures; or preferably by restoration of the land concerned to full Crown ownership and control.*
- *to secure public access to and enjoyment of high country land. to ensure that conservation outcomes for the high country are consistent with the NZ Biodiversity Strategy to progressively establish a network of high country parks and reserves.*

## **The Preliminary Proposal**

### **Conservation Areas**

The proposal allows for approximately 1590 ha to be restored/retained in full crown ownership in the form of the creation of three conservation areas, CA1-3, and a further area of approximately 1995 ha, CA4, to be retained by the Crown subject to an easement concession for ski-field management.

**CA1** consists of 14 ha of steep gravel cliffs on the shores of Lake Tekapo below the Lilybank Road.

**CA2** an area of 476ha which includes short tussock grasslands and boulderfields and the outwash fan of Coal River

**CA3** an area of 1100 ha on the Richmond Range

**CA4** consists of 1995 ha. on the northern faces of Round Hill, part of the Two Thumb Range which extends to the Coal river and land to the west of Camp Stream.

A Conservation Covenant **CC**, is also proposed to protect the remnant wetland vegetation in the form of a small wetland close to the Lilybank road and the farm buildings

We applaud and support the creation of conservation areas **CA1, CA2, CA3 and CA4** and the conservation covenant, **CC**, over the pond, which is an important area for upland bully and a nesting area for migratory birds.

### **Area proposed for Freeholding**

We believe that freeholding of some of this land would be contrary to Section 24b of the Crown Pastoral Land Act as it means that significant inherent values including ecological, landscape and recreational values will not have been protected. There is an urgent need for easy access areas from Tekapo and for Lake edge access to be secured for the public.

The 1590 ha. proposed for freeholding includes,

1. Between Lake Tekapo Lakeshore and Lilybank Road, modified short tussock grassland and includes areas which have been cultivated, oversown and/or topdressed and have been considerably degraded by grazing. Hieracium is widespread.

**This area is worthy of retention as Crown pastoral lease land because of its landscape values and strategic importance as lakeshore land.**

2. West of Lilybank Road and between the road and the fenceline at about 880metres, hummocky moraine and short tussock grassland.

**Worthy of protection for their landscape value as an easy public access for walking, botanising and geological studies. The views from here are outstanding and the incised gullies contain tussock and shrublands in good condition. If these lands are not protected by extending CA3 to the road they should be retained as pastoral lease land, rather than freeholded.**

3. Short and tall (*Chionocloa rigida*) tussock grasslands and shrublands incised by streams west of the snow fenceline which runs close to the 880 metre contour north to south up the property and between the fenceline and the lower CA3 boundary.

**The significant inherent values in this area which should be protected include the part of the Coal River RAP identified in 1984 which is not included in CA3 in the proposal. This RAP area must be included in CA3 as a formally identified representative area of the ecological diversity of the district.**

**The DOC Conservation Resources Report recommended protection of a wide corridor including and along the margins of Washdyke Creek. The landform and shrublands of Washdyke Creek here deserve protection as conservation land. More intense land uses are likely to degrade the vegetation cover.**

The landscape values are also paramount in this area which is visible for miles around including State Highways and is an integral part of the Mackenzie Country landscape, along with the areas described in points 1 and 2 above.

4. Short tussock grasslands, wetlands and shrublands to the north of the Round Hill skifield road and to the north Coal River across to Mt Gerald Station.

**This area we feel should be included in CA4 as it contains significant inherent values which are outlined in the botanical assessment of the Richmond Lease for DOC and would provide a means to ensure a landscape sequence from lake to mountaintop which meets the criteria of the protection of complete catchments advocated by Walker and Lee in their Landcare Contract report LC0304/111 prepared for LINZ. The area has a strong sense of remoteness and a high natural character with no weeds.**

### **Access**

In addition to the proposed access for the public (a-b on the edge of a steep rocky bank, h-i through dense matagouri), which is inadequate and impracticable for foot and mountain bike access there should be a further easement to provide access up the existing 4WD track close to the legal road on the southern part of the lease.

### **Conclusions**

If further areas from that proposed for freeholding (see points 3 & 4 above) can not be added to the proposed Conservation Areas and the areas identified under points 1 & 2 above are not retained as Pastoral Lease we submit that the review should not proceed as it would be contrary to the Crown Pastoral Land Act and the Government's High Country Objectives.

Yours sincerely

Janet Ledingham

On behalf of the Dunedin Branch Management Committee of Forest and Bird.  
PO Box 5793  
Dunedin

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Richmond-Tekapo 17 Oct 05

# Council of Outdoor Recreation Associations of New Zealand Inc

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17 October 2005

Q V Valuations  
Box 13 443  
Christchurch. Attn: B Dench  
Fax: 03 341 1635

Dear Barry

## Richmond Tenure Review

This submission is made on behalf of the New Zealand Deerstalkers' Association Incorporated (NZDA) and the Council of Outdoor Recreation Associations (CORANZ).

NZDA is the national body of recreational deerstalkers and other big game hunters. We have 57 branches and a number of hunting clubs throughout New Zealand. We have 7200 members, and have been actively advocating for deerstalking and recreational hunting, and running training courses, trips, conferences etc since 1937.

CORANZ is the national council of outdoor recreation associations, including national bodies for freshwater anglers, salmon anglers, public access and deerstalkers.

### 1 Summary of Proposal and Comment:

Richmond pastoral lease, adjoins Round Hill ski field, on the eastern side of Lake Tekapo. The lease covers 9,567 Ha. Proposed for surrender to public conservation land is 3,685 Ha:

**CA1 – 14 Ha**, the steep gravel cliffs below the Lilybank road, to the lakeshore

**CA2 – 476 Ha**: Lakeshore and slightly sloping land, at the north west of the property, bounded on the east by the Lilybank Road, north of the Coal River, and by the Coal River, south of it, but including its eastern cliffs. Takes in the outwash fan of the Coal River.

**CA3 – 1,100 Ha**: Block of steep land, from the snow line fence, to the top of the front ridge (South-east boundary of the lease) north to the Round Hill ski field conservation land

**CA4 – 1,995 Ha**: The steeper land in the north-east corner of the property, including all the bed and gorge of the Coal River, to the east of CA2, and the north side of Round Hill, backing on to the lower slopes of the Two Thumb Range.

There are Red deer and chamois on the tops. Disappointingly, there is no lakeshore access provided for much of the lease. Also there is no public vehicle access provided to the Richmond or Cloudy Peak ranges through the skifield road. And the foot access proposed is quite inadequate and impossible. NZDA and CORANZ request better vehicle and foot access to the ranges eg to allow hunters to readily take out big game animals shot recreationally on the tops.

We strongly support surrender (and unlocking) of the four pieces of lease CA1–4 proposed, to public conservation land. Adequate public foot, cycling and vehicular access is needed.

### 2 Recreational Value:

This is not mentioned in the reasons for the decision. We have not been able to visit the property, so our assessment is correspondingly limited. We understand chamois and Red



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deer are, or could be present on the higher land (CA3, CA4), and on the public conservation land of the Richmond and Two Thumb Ranges. This land is used for winter ski touring, and, like all above bushline land is attractive for tramping and walking, with magnificent views of the lake and the Southern Alps.

As well, Tekapo is one of the great Southern Lakes. Its shoreline is nationally important scenically, and for access and amenity, as well as fishing and boating. Better public access to this shoreline, and an amenity reserve along it is urgently needed, to adequately protect its nationally important scenic and recreational values.

Consequently there are good recreational, as well as botanic reasons for surrendering the proposed land.

### **3 Public Access Provision - Tekapo Skifield Lease:**

We are disturbed that the ski field lease to Tekapo Skifield Ltd, of which the Richmond Station lessee is a shareholder (rental \$150/year plus 2.5% of turnover), does not have unrestricted public access. One would expect this from it being public conservation land. This is presumably because the ski field lease was a recreation permit under the Land Act, rather than under the Conservation Act, where public access is available, and the land is not locked up.

The Mt Hutt Skifield for example, is one that allows walking access across the land to the public. This approach is now standard on public conservation land where there are skifields eg Iwikau, Turoa, Tukino, Stratford, Mt Robert, Rainbow, Remarkables etc. The land was presumably part of this lease at one time. It should therefore really be considered as part of this tenure review.

We propose that this trespass right on the ski field be negotiated out, as part of this tenure review, and that the public's right to drive to the top of the ski field road be guaranteed. The proposed stop to motor vehicles on this road is unacceptable. But this should not rule out the ability of the lessee to charge a reasonable road toll on vehicles, for road maintenance, as is done for most skifield roads.

### **4 Public Access Provision - Mountains and the Lake:**

We are concerned that public easement a-b and h-i are inadequate and unsuitable for reasonable foot or mountain bike access. Line a-b is on the edge of a rocky bank, whose line may collapse into the stream.

Line h-i forces the walker through dense matagouri scrub. These access proposals are a joke. Presumably no one walked them to test their suitability. Legal roads exist both on the north and south of the property.

Tenure review is an opportunity to swap the legal roads for new legal roads on a more appropriate alignment, to ensure sensible foot and mountain bike access is provided, as well as ensuring access for those carrying a recreational hunting firearm. Negotiations with the lessee to this end are essential. The southern legal road (never surveyed) is on the approximate line of a farm track, and could be readily swapped to it.

Another part of the lease where better public access is desirable is to the lake shoreline. Although this is shown as being a legal road, it should in fact be swapped for a movable marginal strip, probably 50 to 100 metres wide, to provide for amenity values. It is normal along lakes to provide such a strip for amenity and recreation reasons, and is a nationally

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important consideration under the Resource Management Act. It is therefore extremely disappointing, we say unacceptable, that this has not been attempted.

Such reservation would far more adequately achieve the goal of S 24 (c) (ii) of the Crown Pastoral Lands Act of "the securing of public access to and enjoyment of reviewable land".

To help achieve this access goal, we also ask that additional foot and vehicle access be provided to the lakeshore, so that the public can launch boats, and access lakeside picnic areas. Lake Tekapo is a nationally important lake, and adequate public access to it needs to be provided for, eg for future generations. There needs for instance to be vehicle access somewhere near walking access a-d.

#### **5 Recreational Vehicular Access:**

Recreational deerstalkers and big game hunters need to be able to transport out any game animals shot recreationally. Vehicular access is highly desirable rather than having to carry animals, or parts of animals out on foot. Consequently we request that such public vehicular access be available for hunters eg as part of their DOC permitting system for this surrendered land, and that the access agreement allow for this.

#### **6 Mountains to the Lake Landscape Protection:**

Once tenure review has proceeded, there may be no semi natural landscape corridor from the tops to the lake. The idea of taking the block proposed for freeholding between CA2 and CA4, and leasing it back to the lessee as grazing lease only, to protect an natural landscape corridor should be considered.

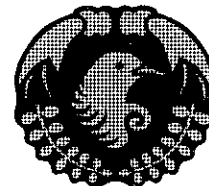
We would be pleased to discuss these matters further if this would be helpful.

Thanking you  
Yours Truly



Dr Hugh Barr  
NZDA National Advocate  
Secretary, Council of Outdoor Recreation Associations

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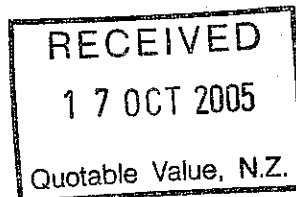
FOREST  
& BIRD

ROYAL FOREST AND  
BIRD PROTECTION  
SOCIETY OF  
NEW ZEALAND INC

Royal Forest and Bird Protection Society  
PO Box 2516  
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16 October 2005

Barry Dench  
QV Valuations  
PO Box 13 443  
Christchurch



Dear Barry Dench

## SUBMISSION ON PRELIMINARY TENURE REVIEW PROPOSAL FOR RICHMOND 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.

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."*

The property was inspected over two days in September 2005.

### 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
  - CA 1 – 14 ha of steep gravel cliffs below Lilybank Road on shores of Lake Tekapo.
  - CA 2 - 476 ha. of outwash fan of Coal River – short tussock grasslands and boulderfields.
  - CA 3 – 1,100 ha on Richmond Range.
  - CA 4 – 1,995 ha. on northern faces of Round Hill, part of Two Thumb Range extending to Coal River and land west of Camp Stream.

All edged in pink on the plan attached as Appendix 2 to the preliminary proposal.

2. Freehold disposal to Richmond Station lessees of 5,982 ha being most of the flats, downs and higher terraces along the Lake Tekapo lakeshore to above the snowline of the Richmond Range.

3. Easement concession "g-j" for farm and ski field management purposes to the OJ & K Rièder.

Public access easements "h-i", "f-g", "a-b", "c-d".

4. Conservation management purposes "a-b", "c-d", "e-f-g", and "h-i".

5. Conservation covenant over small lake/pond close to Lilybank Road and farm buildings.

Forest and Bird has identified the proposed freehold areas on Map 3 attached to this submission as:

- FH 1 - short tussock grasslands, shrublands and wetlands to the north of Round Hill ski field road, including the land to the north of Coal River extending to the Mt Gerald station boundary.
- FH2 - tall and short tussock grasslands and shrublands incised by streams, west of the snow fenceline (in parts a deer fence) which runs north south up the property at around the 880 metres asl contour and between the fenceline and the proposed lower CA3 boundary
- FH3 - short tussock grasslands and hummocky moraines west of the Lilybank Road and between the road and the snow fenceline at around 880 metres.
- FH4 - Modified short tussock grasslands including areas which have been cultivated, and/or oversown and topdressed, and/or degraded by hieracium and grazing between the Lilybank Road and the Lake Tekapo lakeshore.

### 3. SUMMARY OF SUBMISSION

Forest and Bird supports the protection of CA1, 2, 3 and 4 and the conservation covenant over the pond.

It opposes the rest of the preliminary proposal (PP) for the following reasons:

1. The nearly 6,000 ha. proposed for freeholding includes significant areas of snow tussock, and extensive healthy short tussock grasslands with diverse shrublands, ephemeral tarns, wetlands and deeply incised streams.
2. It does not enable the protection of significant inherent values (SIVs) including ecological, recreation and landscape values and would be contrary to s24 (b) of the Crown Pastoral Lands Act (CPLA).
3. The Conservation Resources Report (CRR) is a cursory and inaccurate summary of the source reports e.g. the Botanical Assessment and the Landscape Assessment and it does not accurately describe the SIVs. Proposed FH1 includes a number of wetlands which were not described or assessed in either the Botanical Assessment or the CRR.

4. Sizeable areas which the Botanical Assessment recommended for protection and DoC mapped as having SIVs are now proposed for freeholding. These areas include:
  - fescue tussock grasslands in proposed FH1 north of Round Hill skifield road;
  - *Chionochloa rigida* grasslands and shrublands on the upper lateral moraines in FH2;
  - Washdyke Stream and its margins; and
  - Area between CA1 and Lilybank Road to protect lizard habitat
5. The proposal only protects those habitats and areas which have little potential or value for farming, forestry or subdivision and it fails to protect habitats, landforms and ecosystems which are poorly represented within the existing protected areas network. Richmond presents a unique opportunity to protect a complete lateral moraine landscape with its distinctive hummocky topography; and an ecological sequence of tall and short tussock grasslands and associated shrublands from the mountain tops to the lakeside. Nowhere in the whole of the Mackenzie Basin is such a landscape and altitudinal sequence protected as public conservation land.
6. The proposal is inconsistent with the Government's High Country Objectives (Cabinet Policy Committee POL (05)14 including (g) "*ensure that conservation outcomes for the high country are consistent with the New Zealand Biodiversity Strategy.*"

By freeholding lowland areas the proposal ignores scientific advice to LINZ by Landcare Research scientists, Drs Susan Walker and Bill Lee<sup>1</sup> that biodiversity protection is needed most urgently in areas of low elevation because there are few protected areas here, they have been the most affected by past vegetation clearance, and they are the most at risk of further modification by weeds, pests and human land uses. They conclude that freeholding of lowland areas common in tenure review (and evident on Richmond) is inconsistent with the Biodiversity Strategy and that progressing Objective (g) will require protection of indigenous biodiversity in lowland and montane environments, including where there is potential for alternative productive use.

7. The proposal fails to recognise the value to the public and strategic importance of lakeside lands for recreation and landscape enjoyment and the needs of future generations 5, 50 or 100 years hence.
8. The recommendations in the Landscape Assessment and in the CRR about areas suitable for freeholding rely on an incorrect assessment and significant overstatement of the ability of the Mackenzie District Plan and the Resource Management Act to protect landscape SIVs and control degradation of biodiversity.
9. The PP proposes the freeholding of extensive areas with no scientific or other information to support statements (PP, p6) that this would promote ecologically sustainable management. Continued grazing by sheep and deer, and development through fertiliser and oversowing is likely to degrade or destroy SIVs including indigenous cover, landscape and wetland values, as has occurred elsewhere on the pastoral lease (e.g. cultivated and oversown paddocks in northern part of FH4, extensive hieracium on lakeside land and

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<sup>1</sup> Walker, S and Lee, B (June 2004) "Significance assessment for biodiversity in the South Island high country." Landcare Contract Report LC0304/111 prepared for LINZ at page 49.

moraines close to the road at southern end of the property). Past pastoral management has not promoted ecologically sustainable management here. It is even less likely to be occur under freehold tenure with no opportunity to control stocking numbers or ensure weed control.

The Crown has previously required a financial bond to ensure weeds are controlled suggesting that lack of lessee commitment to this has been a problem. With no such regime under freehold tenure, weed spread is likely.

10. The extensive freeholding does not recognise the significance inherent values of Richmond's indigenous shrublands, and tall and short tussock grasslands for ecosystems services such as water purification and water yield. It does not assess the impacts or threats of land use change from freeholding on indigenous vegetation cover and how this impedes rather than promotes ecologically sustainable management.

## SPECIFIC COMMENTS

### 4. COMMENTS ON AREAS PROPOSED FOR FREEHOLDING

**FH 1/Proposed extension to CA4 - short tussock grasslands, shrublands and wetlands to the north of Round Hill skifield road and to the north of Coal River extending to the Mt Gerald station boundary.**

FH1 deserves restoration to full Crown ownership and protection as conservation land for the reasons below.

The area has high SIVs which the PP does not recognise. On the true right of the Coal River these SIVs include:

- the most extensive area of shrublands on Richmond Station from about 800 m to 1100 m asl.<sup>2</sup>
- a high diversity of native species including matagouri, *Gaultheria*, and *Dracophyllum pronum*<sup>3</sup>.
- ephemeral tarns - see Photo 9.
- extensive wetlands close to the snow fenceline at the base of a toe slope— see Photos 6 and 6A.
- a small shallow pond with *Olearia cymbifolia* and matagouri and wetland plants such as bladderworts.
- no broom, gorse or other woody weeds.
- because it is an elevated area there is a strong sense of remoteness with dramatic views back down the lake and up the Godley and Macaulay valleys.
- It has high natural character because indigenous species dominate, are healthy and have the capacity to regenerate further if grazing is removed.

<sup>2</sup> Anon. (undated) Botanical Assessment of Richmond Pastoral Lease, for Department of Conservation at p3.

<sup>3</sup> Anon. (undated) Botanical Assessment of Richmond Pastoral Lease, for Department of Conservation at p3.

- Deeply incised gullies extending on the true right of Coal River with dense matagouri and mixed shrubland cover on the gully sides and wetland species on the gully floor (see Photos 5, 7 and 13)

The best area of fescue tussock on the property lies between Lake Tekapo, Coal River and the skifield road<sup>4</sup> yet this is proposed for freeholding. Mouse ear hawkweed and sweet vernal are present but given that they are ubiquitous in short tussock grassland their presence does not significantly compromise SIVs. The fescue tussock is in good condition with a reasonable diversity of inter-tussock species. (See Photos 17 and 18).

The area is an integral part of the landscape sequence from the mountaintops to the lakeshore. Freeholding and changing land use which compromised existing vegetation cover would interrupt this sequence by creating an enclave of differently managed land between two conservation areas.

Protection would better implement the principles of good reserve design. CA2 and CA4 are currently isolated reserves, distant from other conservation land and connected only by the bed of the Coal River. Protection of FH1 would preserve a sequence of vegetation and habitats by creating a protected corridor from the mountaintops to the lakeshore.

Walker and Lee<sup>5</sup> recommend protection of complete catchments from valley floor to ridge crest on each side of a major mountain range as a response to climate change so that species can follow their environments and persist in a changing landscape. They note the importance of protecting sequences of indigenous vegetation along representative major climatic gradients. Extending CA3 to meet CA2 would help provide such an altitudinal sequence.

The Botanical Assessment and the CRR both overlook, fail to describe, and seem unaware of the presence of wetlands near the fenceline, on the incised gully floors, and ephemeral tarns on the true right of the Coal River. The proposed freeholding of several wetlands, given the loss of 90% of wetlands and their poor representation on conservation land in the eastern South Island, is not consistent with Objective 1.1<sup>6</sup> of the Biodiversity Strategy or Objective (g) of Government's High Country Objectives (Cabinet Policy Committee POL (05)14.

In another Canterbury CRR, DoC has stated "*Unless severely depleted or modified, most high country wetland vegetation types should be protected, because nationally and*

<sup>4</sup> Anon. (undated) Botanical Assessment of Richmond Pastoral Lease, for Department of Conservation at p4.

<sup>5</sup> Walker, S and Lee, B (June 2004) "Significance assessment for biodiversity in the South Island high country." Landcare Contract Report LC0304/111 prepared for LINZ

<sup>6</sup> **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.*"

*internationally, wetlands are greatly modified and under-represented in protected natural areas.*"<sup>7</sup> The failure to protect these wetlands is significant oversight. Continued grazing, stock access and other development would degrade the wetlands.

The Round Hill skifield road is an obvious boundary between the more modified lower lateral moraine to the south and the healthy and extensive short tussock fescue grasslands to the north.

The proposed new fenceline "X-Y" would create an obvious landscape scar and vegetation clearance from associated bulldozing and earthworks across hummocky country. It is an unnecessary cost to the Crown given the existing fenceline 800-1000 metres below it.

No information is provided on how freeholding and continued grazing of these healthy short tussock grasslands, wetlands and shrublands would promote ecologically sustainable management as the CPLA requires.

No information is obvious in the material provided under the Official Information Act that the area has significant economic value for grazing. As relatively healthy fescue tussock grassland with extensive shrublands north of Coal River, it has much higher value for indigenous species than in providing sparse grazing. Development to increase grazing use would destroy indigenous cover and result in biodiversity loss.

Browntop is obvious in short tussock grassland in a small triangular area close to the Lilybank Road and the Mt Gerald /Richmond boundary (See foreground of Photo 15). This area has not been assessed in the Botanical Assessment or any other information. It should not be freeholded without such an assessment. While its botanical values may not currently be high there is potential for regeneration and it also buffers the high ecological values of the Coal River outwash fans from land development on Mt Gerald.

Decision sought: Extend CA3 to include all of FH1.

**FH2/Proposed extension to CA3 - tall and short tussock grasslands and shrublands west of the snow fenceline (in parts a deer fence) at around the 880 metres asl contour and between the fenceline and the proposed lower CA3 boundary**

This comprises tall *Chionochloa rigida* and short tussock grasslands and shrublands incised by streams west of the snow fenceline (in parts a deer fence) which runs north south up the property at around the 880 metres asl contour and between the fenceline and the proposed lower CA3 boundary.

The SIVs here which are not protected include part of the 840 ha Coal River Recommended Area for Protection (RAPs)<sup>8</sup> identified in 1984. It covers an altitudinal sequence of olearia/matagouri shrubland on the valley floor, moderate fescue tussock in the mid altitudinal range (which with good management the PNA report says would become a high

<sup>7</sup> Anon (July 1999) Modified Barrosa Conservation Resources Report, Part 4, prepared for Department of Conservation.

<sup>8</sup> Espie PR (1984) Mackenzie Ecological Region Protected Natural Area Programme, Published by department of Lands and Survey at pp25 and 33.



quality stand) merging into *Chionochloa rigida*. The preliminary proposal only proposes the protection of the higher altitude part of the RAP which extends to the lakeshore south of the skifield road. Development on the lake margins has destroyed some of the vegetation identified for protection highlighting the risk to the remainder of the area if it is freeholded. RAPs identified by the Protected Natural Area Programme are priority natural areas which deserve protection in terms of DoC's tenure review criteria<sup>9</sup> and because they were identified as representative areas of the ecological diversity in the district.

An extensive area of *Chionochloa rigida* extends down the moraine slopes to about 1000 m asl and south as far as Washdyke Creek with the tall tussock in "very good condition with a healthy and diverse inter tussock flora" with seedling plants indicating healthy regeneration.<sup>10</sup> (Area 2b on Map 2 DoC Botanical Assessment Map attached). Yet much of Area 2b is proposed for freeholding despite its SIVs.

Decision sought: Extend CA3 to include all of FH2.

### **FH 3/ Short tussock grasslands and hummocky moraines west of the Lilybank Road and between the road and the snow fenceline at around 880 metres.**

The hummocky moraine is a distinctive landscape feature and of geological and recreational interest. While indigenous vegetation cover has been degraded with hieracium and areas of bare ground obvious close to Lilybank Road, fescue tussock grasslands are healthy in the north eastern corner of FH3 close to the Round Hill road. The Coal River RAP extends over part of FH3 and its proposed freeholding is inconsistent with tenure review criteria.

Washdyke Stream is a distinctive landscape feature because of its deeply incised nature and twisting contours its diverse matagouri and hebe shrublands and healthy gully floor wetland communities. It is habitat for koaro. Neither the CRR nor the Botanical Assessment describes the stream, wetlands or shrublands and their habitat values for fish, invertebrates, birds and landscape in any detail.

For much of its length the indigenous vegetation appears little modified by fire, fertiliser proposal fails to recognise these or its value as a corridor from mountain tops to the lake. No reasons are given as to why the values identified in Map 5 DoC CRR Values have not been further advocated by the Department. As a lowland habitat the stream is particularly significant. The proposal also fails to adequately buffer the stream from adjacent land uses by creating an adequate riparian setback. It ignores all of the science on the benefits of setbacks for protecting natural character and water quality and preventing soil erosion.

The Landscape Assessment describes kettle tarns between the hummocks and ridges of the moraine close to Boundary Creek. From the Botanical Assessment and the CRR it does not appear that DoC staff have visited or described these areas. Given the depletion and ecological significance of wetlands this is a major oversight. No mechanisms are proposed to protect their values

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<sup>9</sup> Department of Conservation, Tenure Review Manual

<sup>10</sup> Anon (undated) Botanical Assessment of Richmond Pastoral Lease, for Department of Conservation at p 2.

Decision sought:

Protect Washdyke Stream and a 100 metre buffer on either side of Washdyke Stream for all of its length as part of an extended CA3.

Retain the rest of FH3 as Crown pastoral lease land.

Inspect and assess kettlehole tarns and ensure their values are protected.

**FH4 Lake margins – land between Lilybank Road and lakeshore****CA1 needs extending**

Forest and Bird opposes the reduction in CA1 from that proposed in the DoC CRR Values Map 5. The Botanical and Wildlife Assessment noted that a large number of large skink droppings were found in the lake edge gullies and they are likely to provide habitat for either the spotted or threatened scree skink. A much larger area needs to be provided to ensure that all potential habitat is protected and to buffer the area from surrounding land uses.

No reasons have been provided as to why this area should be freeholded rather than protected.

The area has minimal if any grazing value. Once again LINZ appears to be gifting lessees the potential for huge windfall gains from subdivision. The proposal does not provide a fair financial return to the Crown as required by the High Country Objectives.

Decision sought

Extend CA1 to encompass all of the area originally recommended by DoC's ecologist.

**Rest of the lake margins**

The proposal fails to recognise the strategic importance and high SIVs of lakeside land for public recreation, amenity and enjoyment for both present and future generations. It deserves to be retained in Crown ownership given the increasing demand for access to such areas.

Lakeside land on Richmond is particularly important because there is virtually no public conservation land on the shores of Lake Tekapo (except for a small area of the Cass Riverbed), none on the Lake Pukaki lakeside (except a tiny reserve at the southern end of the lake) and only small areas at Lake Ohau so an easy extended lakeside walking experience is not available at these lakes.

Tekapo township is booming with an expanding holiday and residential population and demand for lakeside recreation will increase. The unformed legal road on the margin of Lake Tekapo is inadequate to provide for lakeside enjoyment and recreation, especially when lake levels are high and part of the road is inundated. The steep rocky terrain in the scree cliffs of CA1 and the CA2 Coal River boulderfield do not provide suitable (or appropriate terrain) for activities such as walking, tramping, mountain biking, and picnicking.

Freeholding the lakeside margins would provide the leasee with a huge windfall in terms of the high value of the land for subdivision given the dramatic views and the desire of many to life close to water. The proposal is inconsistent with the Government's High Country

objectives because it fails to provide a fair financial return to the Crown. It allows the lessee not the Crown to capitalise on the location value.

Decision sought

Retain current FH4 outside of CA4 in Crown ownership as pastoral lease land and do not freehold.

## 5. PROPOSAL IGNORES ECOSYSTEMS SERVICES

### **Tussock grassland cover important for water yield**

Numerous small streams, many of them with a complete canopy cover of tussocks and indigenous vegetation flow down across the upper and lower lateral moraine contributing to nationally important water storage in Lake Tekapo.

Land use changes such as the development of upland snow tussock grassland for intensive pastoral farming, agriculture or forestry will result in significant reductions in water yield.<sup>11</sup> Any reduction in water yield does not promote ecologically sustainable management. Research on the Rock and Pillar, Lammerlaw/Lammemoor Ranges in Otago's Taieri catchment show that grazed or ungrazed snow tussock grassland produces the highest water yield (up to 86% of precipitation compared to 40% of bare soil.<sup>12</sup> Grazing and farming activities have severely reduced tussock grassland and vegetation cover generally on the lower lateral moraines and lakeside margins, with a high proportion of bare ground and hieracium.

Changing or removing tussock grassland can influence snow accumulation and melt by intercepting snow crystals (which would otherwise be lost into the atmosphere), and by affecting the depth and duration of snow cover. University of Otago research has shown that 20 cm high tussock grassland stored three times the amount of water (as snow) as 10 cm high tussock grassland. Tussocks also act as a buffer from wind and sunlight so that snow melts more slowly in tall tussock grassland than on pasture.<sup>13</sup>

The PP fails to consider the contribution of these tussock grasslands to water yield or the implications for water yield of changing land use and vegetation cover from tussocks to pasture or exotic forest as a result of freeholding. Freeholding of extensive areas of tussock grassland will not promote ecologically sustainable management.

## 6. LANDSCAPE SERVICES NOT PROTECTED

The lower glacially smoothed slopes of the Richmond and Two Thumb ranges are part of the nationally outstanding Lake Tekapo and Mackenzie Basin landscape. The Richmond Range is easily seen from Tekapo township and viewpoints on the State Highway.

The Landscape Assessment says Richmond "*plays a key role in the maintenance of the (Mackenzie) basin's landscape character being strategically located where it can be seen*

<sup>11</sup> Clearwater, S (1999) Ibid.

<sup>12</sup> Clearwater, S (1999) "Upland Land Use and Water Yield" University of Otago Ecology Research Group, Issues Paper No. 1.

<sup>13</sup> Fitzharris, 1977; 1979; Twaddle, 1995) in Clearwater, S (1999)

*from numerous viewing points, many of which are important visitor destinations, widely promoted within tourism industry.*"<sup>14</sup> These include the Church of the Good Shepherd

The Landscape Assessment notes that the Mackenzie Basin is "highly vulnerable to change". Such changes include subdivision, building development and more intensive land uses such as forestry, which are likely to follow freeholding. If freeholded, all of the 5,982 ha area will be at risk of ad hoc and sporadic subdivision for holiday homes and lifestyle blocks given its spectacular views and the increasing pace of local development.<sup>15</sup>

Subdivision activity has increased significantly since the CRR was prepared with 758 new sections in the Mackenzie District (461 of these in the Rural Zone) in the last two years alone.<sup>16</sup> Both the 2001 Landscape Assessment and the CRR were prepared prior to the recent development boom; do not adequately assess the impacts of subdivision development or the inadequacy of the district plan.

The Conservation Resources Report (CRR) is incorrect in its assessment of the Mackenzie District Plan and has been written by someone with no understanding of the Resource Management Act or the content of district plans. The Plan controls over activities which potentially significantly compromise the area's outstanding landscape values are much weaker and less extensive than the CRR claims. For example, the CRR says (para 3.2 p15) that the Lakeside Protection Area (LPA) designation "prohibits the erection or extension of buildings, other than stock fencing". This is incorrect. No activities in the LPA or Rural Zone are prohibited by the District Plan.

Buildings are only a discretionary activity in the LPA so they require resource consent. In various Environment Court cases, discretionary status has been held to mean that the activity is generally regarded as appropriate in the zone, although not every type or scale of structure at every location will be necessarily be appropriate and granted consent.

On Richmond the LPA only covers some of the pastoral lease land between the Lilybank Road and Lake Tekapo. On most of the land east of the Lilybank Road proposed for freeholding, subdivision and buildings less than 15 metres high outside riparian areas and are a permitted activity with no need for a resource consent. Outside the LPA, the proposed freeholding would leave much of this outstanding landscape vulnerable to the impacts of ad hoc and uncontrolled subdivision and building development as has occurred around Twizel and on Manuka Terrace near Lake Ohau with no oversight by the District Council.

The CRR incorrectly claims that forestry is not permitted subject to certain exemptions. On much of the land proposed for freeholding, forestry is a restricted discretionary activity in the Plan making it generally appropriate in the area. In the Coal River Significant Natural Area 69 and in wetlands it is a non-complying activity. It can occur provided the effects are minor or it is consistent with the Plan's objectives and policies.

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<sup>14</sup> Petrie Alan (January 2001) Richmond Pastoral Lease Landscape Assessment prepared for the Department of Conservation at para 13, p10.

<sup>15</sup> Tenure review on Alfaburn on the shores of Lake Wanaka has resulted in the recent onselling of lakeside land for subdivision for \$10 million despite media claims by the former lessee during the review process that the land was vital for farming operations.

<sup>16</sup> Timaru Herald editorial "Mackenzie is special", 10.10.2005 .

The Coal River Significant Natural Area (SNA) 69 in the District Plan covers a small part of the FH3 area to the south of the Round Hill ski field road proposed for freeholding. The Plan controls earthworks above 900 metres asl and in the SNA but as much of FH3 and FH4 is below 900 metres and outside the SNA, earthworks and tracking are permitted activities here not requiring consent (other than within a 10 metre riparian setback and 50 metre lakeside setback). The District Plan will not protect landscape and ecological values because, over much of the area proposed for freeholding, earthworks, tracking, building, and forestry either do not require a resource consent or are subject to only limited controls. Accordingly freeholding will significantly degrade, not protect SIVs as s24 (b) requires and is opposed.

#### **7. PUBLIC ACCESS AND ENJOYMENT NOT SECURED**

FH1, FH2 and FH3 have splendid views across the lake to the Hall Range and up the Godley River to the Southern Alps including Aoraki/Mt Cook. If FH1 and FH2 and part of FH3 are protected as conservation land, they provide an ideal area of easy accessible country for dramatic walking, nature study, painting, photography, landscape appreciation and mountain biking and multi day trips. Freeholding would not secure public access and enjoyment of reviewable land as s section 24(d) CPLA requires.

The CRR fails to recognise the proximity and growth in Tekapo township and the impacts of this on recreational use. It fails (para. 2.7.3) to describe accurately the recreation values of the lease and the increasing demand for easily accessible country for walking, mountain biking and other activities by families, seniors, tourists and others. It assumes that recreational users only require steep high altitude areas for more demanding traditional activities such as tramping, skiing, and hunting. The CRR fails to consider recreational and public amenity needs 20, 50 or 100 years hence and the consequences of alienating lakeside land when water is a major focus for landscape enjoyment and public recreation.

In a region where much economic activity is tourism based, the Preliminary Proposal has not considered the desirability and potential economic and recreational gains from a multi-day walking track up either side of the lake and/or around the lake. The freeholding of virtually all lakeside land and land close to the lake would prevent this being established. This would be inconsistent with Government's High Country Objective (i) to foster the sustainability and economic growth of high country communities such as Tekapo.

With 4 of the 5 pastoral leases around the lake in tenure review if LINZ and DoC continue to fail to recognise the strategic importance of lakeside lands there is a real prospect of this Lake Tekapo being largely encircled by private land, save for a 20 metre legal road and the Godley riverbed.

Richmond's dramatic landscapes and spectacular views, gentle accessible country, interesting topography in the hummocky lateral moraine, its proximity to Tekapo township, and the State Highway (15 kms away) and lakeside location means protection of FH1, FH 2 and part of FH 3 would provide unique recreational experiences which are not available elsewhere in the Basin or on nearby conservation land. There is only one short walking track at the southern end of Lake Pukaki and the Mt St John-Peninsula extension track at

Lake Tekapo. There are no multi-day or extended day trips around either lake. Nor are there formal lakeside walking tracks at Lakes Ohau or Alexandrina.

### **Provision for access inadequate**

#### Round Hill ski field road

The PP refers to the road being used by lessee for farming purposes. Clause 2 of the ski field area lease does not permit farming on the lease area. Forest and Bird sees no reason for farm use of the ski field road as any grazing of the lease area would be in breach of the lease agreement.

#### Access easements

Public access easements "a-b" and "h-i" are inadequate, impractical and inappropriate for reasonable foot or mountain bikes access and do not provide "secure public access for public enjoyment" as the CPLA requires.

Line "a-b" is on the edge of a steep rocky bank above the river.

Line "h-i" passes through dense matagouri.

There is inadequate access from the Lilybank Road to the lakeshore with more than 10 kms of lakeshore proposed for privatisation with no access points. High deer fences and locked gates already restrict access even if one has permission from the lessee. The proposal would create large areas of private beach front and severely restrict access to much of the north eastern part of the lake.

The proposal fails to recognise that in 20 or 30 years all of the land west of the road may have been subdivided and built on and with much more intensive settlement legal roads provide the only secure public access. Given the proximity to Twizel additional access is also needed to the lakeshore.

Public Access NZ has previously highlighted the problems with easements in considerable detail and at some length. Legal roads provide more secure public access and are more consistent with the CPLA.

#### Decision sought

Amend provision in easement for Round Hill ski field road to be used for farming purposes.

Amend to provide access easement up the existing four wheel drive track close to Washdyke Stream.

Create five more legal roads between the Lilybank Road and the lake north of the homestead so that access is provided at least every two kilometres regardless of whether freeholding proceeds or the land remains as pastoral lease.

## **8. ECOLOGICALLY SUSTAINABLE MANAGEMENT NOT PROMOTED**

The PP provides no information on how freeholding would promote ecologically sustainable management, given the extent of land degradation and loss of indigenous biodiversity which has already occurred on the lake margins and east of and close to the Lilybank Road (See photo 20).

A double standard applies in that areas with SIVs having to be identified using detailed criteria which have been reviewed several times, yet no criteria apply to evaluation whether freeholding would promote ecologically sustainable management e.g. to evaluate possible future land uses and their impact on vegetation cover, soil health and landscape values.

**9. DECISION SOUGHT**

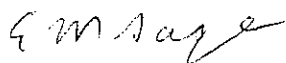
Forest and Bird asks that LINZ reject the preliminary proposal and not freehold any land on Richmond and instead:

- a) Restore to full Crown ownership and management as conservation land CA 1, CA2, CA3 and CA4 and extend these areas to include FH1 and FH2 to and Washdyke Stream in and riparian setbacks in FH3 .
  - b) Retain the rest of FH 3 and FH4 as pastoral lease land.
- See Map 4 Revised Boundaries sought by Forest and Bird.

Improve provision for public access as requested above.

Alternatively, if the above cannot be achieved LINZ should not proceed with tenure review on Richmond because the proposal is inconsistent with the CPLA and Government's High Country Objectives.

Yours faithfully



Eugenie Sage  
Regional field officer

**Attachments**

**Photographic Supplement**

- 20 photos
- Map 1 Photo locations
- Map 2 Botanical Assessment –areas described.
- Map 3 Proposed Freehold Areas deserving different status
- Map 4 Revised boundaries sought by Forest and Bird.
- Map 5 Conservation Resources Report, DoC – Richmond Values
- Map 6 Conservation Resources Report, DoC – Richmond Recommendations