

## **Crown Pastoral Land Tenure Review**

**Lease name: Scotsburn**

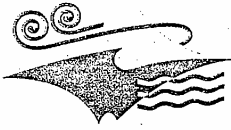
**Lease number: PT080**

### **Public submissions**

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

**February 04**

Submission #6



## NGAI TAHU Development

---

Level 1, Te Waipounamu House  
158 Hereford Street  
PO Box 13-046, Christchurch  
Phone 03-366 4344  
Fax 03-366 4267

13 February 2004

Mike Todd  
Opus International Consultants  
PO Box 1482  
CHRISTCHURCH

Tēnā koe Mike,

### Preliminary Proposal for Scotsburn Pastoral Lease

Te Rūnanga o Ngāi Tahu and the relevant Papatipu Rūnanga, Te Rūnanga o Arowhenua and Te Rūnanga o Waihao, have considered the information provided in the Scotsburn Preliminary Proposal, and have the following comments:

#### Marginal Strip for Orari River

The Orari River is of cultural importance to Ngāi Tahu Whānui. Historically, the Orari River was an important mahinga kai river for local Ngāi Tahu. The Orari River runs through proposed freehold land of the Scotsburn Pastoral Lease. It is important that there is appropriate protection for the Orari River, as well as adequate access to the Orari River.

To solve both these issues Ngāi Tahu recommends that a marginal strip is applied to those section of the Orari River that run through proposed freehold land. A marginal strip will also provide for access, not only for Ngāi Tahu but also for the general public.

#### Ngāi Tahu Recommendation:

- That a marginal strip is applied to those parts of the Orari River that runs through proposed freehold land.

Heoi anō

Takerei Norton  
Kairuruku Pūrero Ngā Rawa Taiao  
*Natural Resources Unit Project Co-ordinator*

cc Te Rūnanga o Arowhenua  
Te Rūnanga o Waihao

Submission #1

115

**. THE GERALDINE TRAMPING CLUB,  
76 PYE Rd. RD21,  
GERALDINE.  
10th. December2003**

**THE SOUTHERN REAGONAL PROPERTY MANAGER,  
OPUS,  
LEVEL 3 Te WAIPOUNAMU HOUSE,  
158 HEREFORD St,  
PO BOX 1482,  
CHRISTCHURCH.**

Attention BILL ROSS.

Dear Sir,

**TENURE REVIEW--SCOTSBURN PASTORAL LEASE.**

Thank you for the opportunity to comment on the preliminary proposal for the above property's tenure review. The area is within the Club's interest, as places over which we roam for recreational use, along with Four Peaks; Orari Gorge; and Mt. Peel; we enjoy good rapport with the land owners and lessees around the district, for access when required. While this particular property is of limited interest to the Club, we value the chance to comment on the proposals.

We concur with the proposals as outlined in the information pack. The prime object of any Club excursion would be up the ridgeline to point "V" and beyond, as indicated on the map, and that access permission would be sought from the Owner as would have been from the Lessee, before any change of status of the property.

With regard the public access points and track to the reserves across the private portions of the land, these should be clearly signposted, and if necessary, fenced off from the private part of the property, or if open and unrestricted, then access with the knowledge of the land owner to allow control of farm management, as at lambing time.

Yours Faithfully.



F.D. Thomas.  
Tenure Review Committee,  
Geraldine Tramping Club.

Submission # 2

1

South Canterbury Branch  
29a Nile St  
Timaru

18.12.03

The Southern Region Property Manager  
Opus International Consultants Ltd  
P.O.Box 1482  
Christchurch

Attention: Bill Ross

Dear Mr Ross,

**Re Tenure Review - Scotsburn Pastoral Lease Submission**

The South Canterbury Branch, of the Royal Forest and Bird Protection Society of NZ Inc, would like to make the following comments and requests, on the preliminary proposal for tenure review that has been put to the holders of the **Scotsburn Pastoral Lease**,

We note that this is only a preliminary proposal and we would expect that when a firmer or the final proposal is developed it would, we ask, incorporate the comments and requests that the Branch has made in this submission.

We understand that the Gorge Block, which adjoins Scotsburn to the west, is also being assessed for possible review of tenure, and that the leaseholder of that land is also the lessee of Scotsburn as well. We believe it would be much better to consider the two properties jointly and not in isolation. So, we have made some comments on the Gorge Block as well as the substantive ones for the Scotsburn Pastoral Lease. But, we reserve the right to make further comments on the Gorge Block, when the preliminary proposal is released for public consideration and comment.

Members of the Branch inspected parts of Scotsburn and the Gorge Block, on the 4th of December this year and found that both areas contained significant inherent ecological and landscape values which, we feel should be retained by the crown, in addition to those already proposed.

The Branch is pleased that the bush areas within the Scotsburn Stream Valley and on the nearby land, designated as CA1 and CA2, will be retained. And that there will be some easements for access but we will make further comments on that matter later on.

With regards to the Scotsburn Pastoral Lease, we note that 442ha has been allocated for freeholding and only 67ha to be retained by the Crown. On the information provided, this seems to us an unequal division of the property. And, on the Gorge Block there is an steep



116  
**FOREST  
& BIRD**

ROYAL FOREST AND  
BIRD PROTECTION  
SOCIETY OF  
NEW ZEALAND INC

area on the western side, adjacent to the Orari River Gorge, which has been proposed to be retained by the Crown, and contains no or very little pastoral value. While the retention with the crown is supported, the loss of this land to the lessee is of little or no consequence and its monetary worth would be minimal. So, for both Scotsburn and the Gorge Block, when assessed, we ask for a more equal division of land between the crown and the lessee with land containing important natural values, being retained in crown ownership.

And, we are concerned that there are still stands of bush, shrublands and tussock grasslands which have been proposed to be transferred to freehold title. Such transfers of significant stands of indigenous flora and fauna habitats, is not acceptable to the Branch. Such sites with significant areas of bush, shrublands and tussock grasslands occur on both the Gorge Block and the Scotsburn Pastoral Lease and must not go to freehold title. Along with those sites containing bush and shrubs along the banks of the Orari Gorge, together with the large stands of manuka, the gullies within the Shag Stream Catchment, the bush and native trees along the "Pack" track, as well as along the front faces of the foothills and within some of the front hill gullies. Including the bush areas in and around the informal camping grounds near the Orari River Road.

Regarding stands of bush, shrublands and tussock grasslands, found on the Gorge Block, it cannot be determined yet if these are to be retained by the crown, not until the Preliminary Proposal for this area is released. So, we may make further comments about such areas at a later date.

South west of the Orari River Road, where the property borders the Orari River, along some stretches of the border with the river there is, or may be a band of native vegetation, including shrubs and trees. While it is not clear from the maps supplied, no areas of bush or native trees growing along these edges of the river should be transferred to freehold title including any part of the Orari riverbed itself. Clarification is needed here as to where the exact boundary lies along the property borders with the Orari River. And the land further up along Orari River Road where it is close to the edge of the river may also contain natural values which could require protection. So, again clarification is needed here as well.

With regards to the Scotsburn Stream, while it is pleasing that all the slopes in bush have been proposed to be retained by the Crown, further up the stream on the Gorge Block, we understand that the areas of river flats are proposed to be transferred to the freehold title. Here we feel the whole stream valley should be retained by the Crown so to maintain ecological and landscape cohesion and ensure access for the public up this interesting valley.

Both the Scotsburn and the Gorge Block are highly visible from both the plains and within the Orari Gorge itself and, significant inherent landscape values are found on both properties. It has long been recognised that the foothills, from Four Peaks, including Scotsburn hills and along to Mt Peel are most important because of the visual landscapes

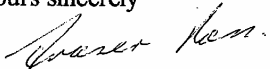
that they provide from many aspects, especially when viewed from the plains. So, we ask that these important significant inherent landscape values be retained and protected by Crown ownership or appropriate protective covenants. We have attached relevant sections from the *Landscape Assessment of the Timaru District's Coastal Environment, River Margins, and Front Ranges*" to support our claims that the landscapes of these properties are important and protected from potential threats such as forestry and tracking.

Regarding access, that proposed a-b and c-d routes on Scotsburn, is supported. And we would ask for additional access on the Gorge Block, from the end of Orari River Road, along the old pack track route to the ridge and then a route identified to allow reasonable access down to the Scotsburn Stream. We feel it is important that the public have access from the end of Orari River Road, up Shag Stream, over the hill and down to the Scotsburn Stream. But until the preliminary proposals for the Gorge Block are released, it is difficult to determine if access routes on the Scotsburn Pastoral Lease are adequate or not. Regarding access a-b there is a gap between it and c-d which appears be a legal road, here it should be made clear, with signs that there is a right of public access along this legal but not formed road. And, we ask that consideration be given to a public access provision between the CA2 and CA1 blocks along the property boundary, if that is practicable.

Inherent natural and landscapes values exist on both Scotsburn and the Gorge Block, in addition to those already identified to date, so, we ask for further consideration which will ensure that all important areas are retained in Crown ownership, as we requested above

The Branch would be pleased to provide further information, and clarify the points made, if that is required.

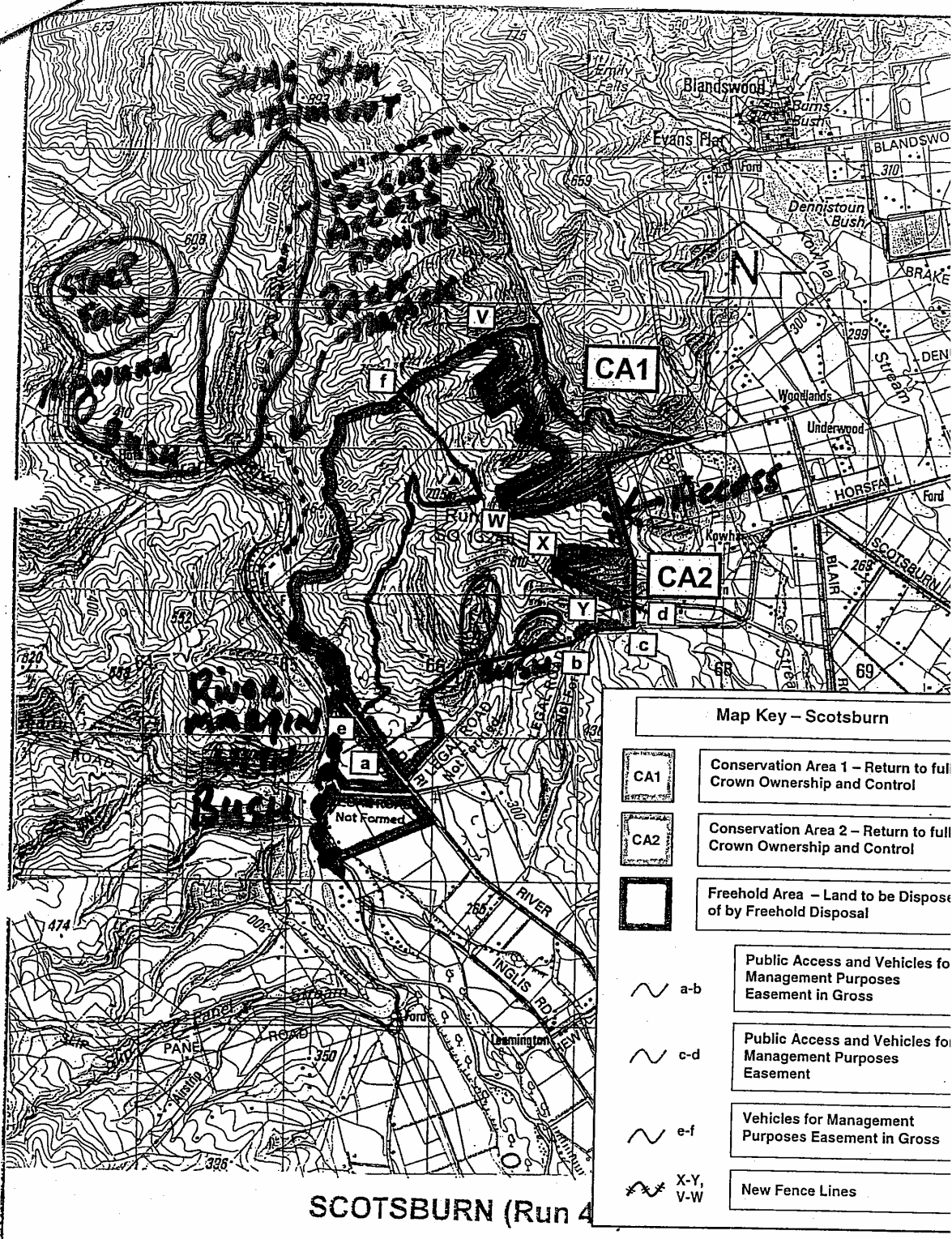
Yours sincerely



Fraser Ross  
Branch Field Officer

Attachment: extracts from *Landscape Assessment of Timaru District's Coastal Environment, River Margins, and Front Ranges*

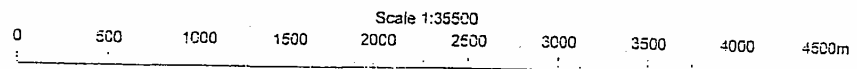
*Map with requests outlined.*



**Map Key - Scotsburn**

	Conservation Area 1 - Return to full Crown Ownership and Control
	Conservation Area 2 - Return to full Crown Ownership and Control
	Freehold Area - Land to be Disposed of by Freehold Disposal
	Public Access and Vehicles for Management Purposes Easement in Gross
	Public Access and Vehicles for Management Purposes Easement
	Vehicles for Management Purposes Easement in Gross
	New Fence Lines

**SCOTSBURN (Run 4)**



Marginal strip subject to Section 24 (9)

Version	1	2	3	4	5
Canterbury Land District					Sheet 1 of 1

*"Landscape Assessment of Timaru District's Coastal Environment from Mangaroa and Tuihā Ranges"*  
by Alan Melton F.R.S.L.S., June 2000.

4.0

#### DEFINING THE SIGNIFICANT AND OUTSTANDING FRONT RANGE LANDSCAPES

For this assessment the hill country is a general term for the rolling landform that encompasses both the angulated high hills and the gentler front hills facing the plains. This landform could be described as an intermediate landscape that separates the plains from the rangelands. The land-use pattern is characterised by cultivated farmland on the lower sunny slopes, regenerating shrubs and fernland on the darker faces, and extensive pastoral farming on the high hills.

To provide some consistency in the defining of the district's most recognisable natural features and landscapes, and their protection from inappropriate use or development, it is considered all the east and north facing foothills down to the junction with the plains are significant in a landscape context. Although being significant in a district context, the foothills should be given less weight than the higher altitude rangelands when considering controlling land use activities as this middle ground could be described as a "working landscape" where potential adverse impacts are fewer than within the more sensitive high country.



The hill country as viewed from along the Orari River Road



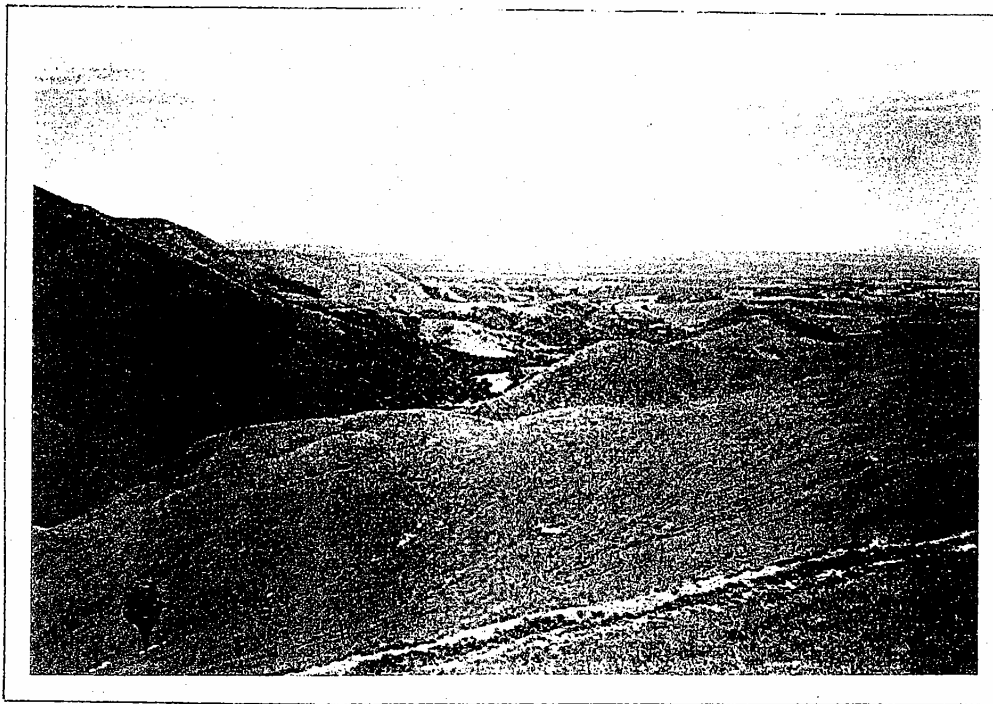
Furthermore in relation to what natural landscapes are considered to be outstanding, some direction is given again in the **WESI vs Queenstown Lakes** decision, where Judge Jackson ruled that outstanding natural landscapes should be assessed at a district level. For example one cannot compare the spectacular glaciated landscapes of the Queenstown Lakes district with the landforms that characterise the Timaru district which includes a chain of low mountains and rolling foothills that are viewed from different parts of the outwashed plains.

From this assessment it is considered that the district's low mountains or rangelands are both "prominent" and "conspicuous" when viewed from the surrounding road network and main urban areas. This is an important aspect of assessing outstanding natural features and landscapes, which was again highlighted by Judge Jackson's decision, *"Further, even if one considers landscapes in the loose sense of 'views of scenery' the first question that arises is as to where the view is from. One cannot separate the view from the viewer and their viewpoint."*

In conclusion, the findings of this landscape assessment coupled with Judge Jackson's ruling in relation to the recognition that should be given to prominent landforms within a broader geographic setting, makes the rangelands contained within the Timaru district an outstanding natural feature and landscape.

4.1

## EASTERN HILL COUNTRY LANDSCAPE



Approximate lower boundary of the current R3 Zone.

### DISTINCTIVE NATURAL LANDSCAPE CHARACTERISTICS

1. Chain of hard rock hills with a predominantly north-south axis.
2. A soft rounded landform that rises rapidly from the outwashed plains.
3. Where feasible, the original vegetative cover has been converted into intensively managed farmland.
4. Single channeled streams contained within deep gullies and gorges.
5. Remnant shrublands still remain in inherently difficult areas to develop, such as rocky gullies and river gorges.

6. Sporadic cabbage trees still surviving on hillsides, with many individual plant's health in decline.

#### **LANDSCAPE VALUES**

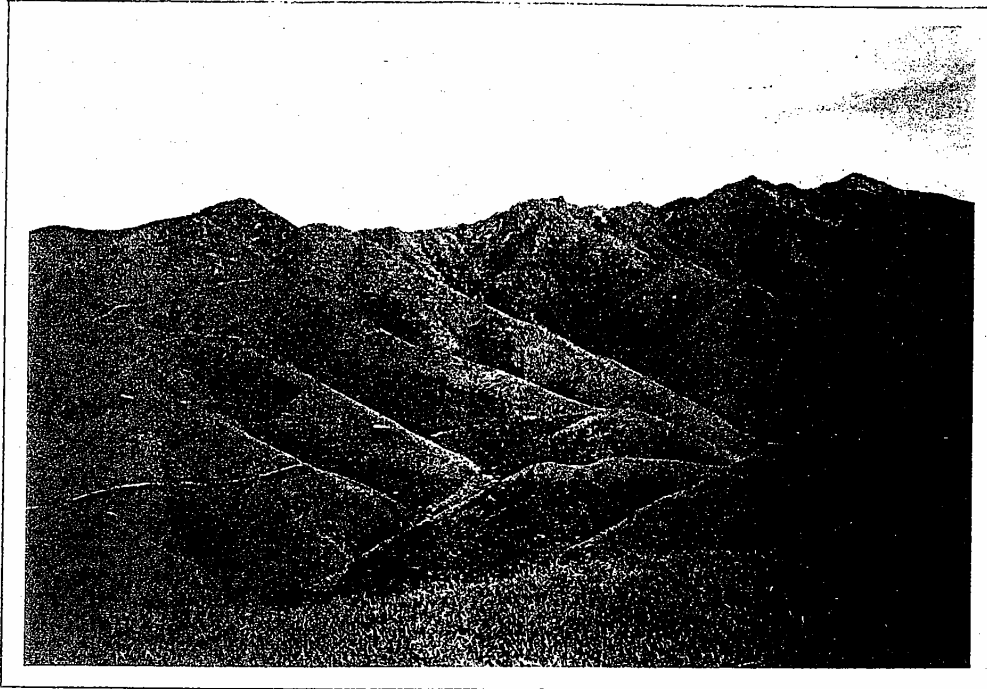
1. Important visual resource for South Canterbury, as the foothills form a backdrop or natural setting to the South Canterbury Plains.
2. Present landscape character is an expression of progressive farming techniques with the original vegetative cover being replaced by exotic grasslands.
3. With the foothills being subdivided into large grazing blocks, which complement the lower country's more intensive farming activities, results in the foothills having a mainly coherent land use pattern.
4. Landscape interest and diversity remain where native shrublands are still intact.

#### **POTENTIAL THREATS**

1. Further fragmentation of native shrubland communities making them ecologically unsustainable and/or visually insignificant.
2. Further invasion of weed species into natural areas.
3. The integrity of the foothill landscape would be further compromised by the siting of installations, e.g. communication towers being silhouetted against skylines.
4. New broad scale land uses which conflict with existing pastoral landscapes such as plantation forestry. Effects include:
  - Plantation forestry obscuring the underlying landform which results in loss of landscape character and subtlety.
  - The dark green, coarse texture and geometric outline of the typical coniferous forestry block contrasts sharply with the lighter colour variations and fine textures of pasture land.
5. Landscape values would be further compromised by buildings, e.g. dwellings and fertilizer bins, being located on prominent skylines.
6. Major earth disturbances, especially zig-zag tracking along prominent ridgelines.

4.2

FRONT RANGE LANDSCAPE



Upper section of the R3 Zone.

**DISTINCTIVE RURAL LANDSCAPE CHARACTERISTICS**

1. Prominent low mountain peaks with surrounding dissected high hills.
2. Series of low spurs that descend down to valley floors.
3. Areas of bare ground at a high altitude caused by severe climatic conditions.
4. Broad leafed shrublands still intact, typically found in naturally unproductive areas such as in deep gullies or on cold faces. Some shrublands still occupying extensive altitudinal ranges which in an ecological context helps to link the ranges with the foothills.
5. Composition of the vegetative cover strongly influenced by farm management practices with the results of AO&TD being conspicuous during the spring growing season.

6. The Landscape character reflects the local slope aspect, and grazing patterns with the sunny drier faces being extensively modified while the darker faces are often clad in native species, either native grasslands or reverting shrublands.

#### **LANDSCAPE VALUES**

1. At a higher altitude the natural character of the South Island high country is still represented.
2. Prominent landmarks, e.g. Four Peaks Range, are highly visible from the more populated parts of the district.
3. The angular outline of the low mountain peaks contrast markedly with the rounded form of the foothills.
4. Frequently the contrast between shrublands and exotic grasslands creates a distinctive repetitive pattern.

#### **POTENTIAL THREATS**

1. Further fragmentation of native shrublands that will result in natural areas becoming ecologically unsustainable and/or visually insignificant.
2. Further loss of altitudinal sequences in native plant communities, especially along stream sides which provides this type of landscape with a special identity.
3. Further spreading of wilding pines from adjoining plantations.
4. Unsympathetic siting of auxiliary farm buildings especially within visually sensitive areas such as on skylines.
5. Further subdivision of grazing blocks which can result in hard edges to be formed between blocks due to stock pressure, changes in land cover and soil fertility (refer to example 1).
6. Inappropriate siting of farm tracks, in particular where they cut across natural features rather than following natural benches and contours (refer to example 2).
7. Further ecological decline in shrublands with seral species replacing long term species with these structural changes in the vegetation greatly affecting the visual qualities of the shrublands.
8. Soil and water qualities possibly being degraded by the loss of water retention species such as tussocks.

6. Further sub division and human settlement patterns, e.g. grazing blocks being sub divided.
7. Any major changes in land use that would cause fragmentation to the existing landscape character of the catchment, in particular the introduction of plantation forestry. Forestry would have adverse effects on the visual, ecological, and hydrological values of the catchment:
  - Effects on visual values: The mosaic of grasslands and shrublands would be replaced with a monocultural crop that would obliterate the subtleties within the topography.
  - Effects on ecosystems: The introduction of coniferous forests will directly compete for growing space, water, and nutrients and native shrublands that would appear to be expanding due to more recent conservative farming practices.
  - Effects on hydrology: From technical research undertaken in other regions of New Zealand it would appear that plantation forestry can affect a catchment's water yield especially during the drier summer months.



19 December 2003

Southern Region Property Manager  
Opus International Consultants Ltd  
P O Box 1482  
CHRISTCHURCH

Attn: Bill Ross

Dear Bill,

**TENURE REVIEW OF SCOTSBURN**

An assessment of the Fish and Game values associated with the Scotsburn property was forwarded to Opus in 2001, essentially I will reiterate that review as the values have not altered.

The Orari River system provides chinook salmon and brown trout fisheries of local significance and has an estimated 6 300 angler days per season. The Scotsburn Stream is one of the inflowing tributaries used by anglers.

Scotsburn Stream and the Upper Orari River, which bound the property are a valuable resource from a Fish and Game perspective as they provide anglers and other recreationalists with a 'wilderness' experience. The scenic values of these two waterways provide for this experience, and the clear water and stable bedrock along with prolific invertebrates meet the habitat requirements to sustain the resident brown trout population.

Fish and Game advocate the current public access provision to the lower Scotsburn via the current legal road and request marginal strips (if not already in place) be set off along the length of both the Scotsburn and the Upper Orari River where they are contained in the property, in order to provide both management and recreational access.

Yours Sincerely

B Z Pringle  
Resource Officer

*Statutory managers of freshwater sports fish, game birds and their habitats*

**Central South Island Region**

32 Richard Pearse Drive, PO Box 150, Temuka, New Zealand. Telephone (03) 615 8400 Facsimile (03) 615 8401

22/12/2003 09:16 64-3-6939969

G & K HUNTER

PAGE 01

1/8

Submission # 4

**FAX to Opus International Consultants Ltd. 03-3657858**  
**attn. Bill Ross**

**from The FEDERATED MOUNTAIN CLUBS of N Z [INC] 03-6939969**  
**per G.R.K. Hunter**

**SUBJECT Tenure Review**

**A Submission on the Preliminary Proposal for Tenure Review of  
Scotsburn is attached.**

**Page 1 of 2**



**A SUBMISSION FOR FMC ON THE PRELIMINARY PROPOSAL FOR TENURE REVIEW OF SCOTSBURN PASTORAL LEASE**

**Our interest in this Tenure Review**

Federated Mountain Clubs of New Zealand [Inc] is the national association of mountain recreation clubs. We have been established for 72 years and have 98 member clubs and groups with approximately 12,000 individual members. 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 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 proposal for transfer of land [67 Ha.] as conservation areas CA 1 and CA2 under section 35 [2] [a] of the CPLA.

**Land to be transferred to freehold ownership**

We agree also with the proposal to transfer 442 Ha to freehold ownership

**Public Access**

We do not agree with the provision for public access a--b and c--d by way of easement. One of the Government's objectives for the South Island High Country is to secure public access, not just simply to obtain it in a relatively insecure form. In the context of the finality of freeholding an easement is clearly a less secure form of access than a legal road. [unformed].

Access should be viewed in the long term [say 100 years] by which time transfers of ownership, subdivision and development could make a simple easement difficult to sustain.

We believe therefore that the proposal should be amended to provide public access a--b and c--d by means of legal roads [unformed] following the same line as the proposed easements. These new legal roads link logically with the existing unformed legal roads.

For Federated Mountain Clubs of New Zealand [Inc.]

  
G.R.K. Hunter

20 December 2003

Submission # 5

119



**FOREST  
& BIRD**

ROYAL FOREST AND  
BIRD PROTECTION  
SOCIETY OF  
NEW ZEALAND INC

Royal Forest and Bird Protection Society  
PO Box 2516  
Christchurch Mail Centre

Ph 03 366 0655

Opus International Consultant Limited  
PO Box 1482  
Christchurch

Attention: Bill Ross

Dear Bill

**Submission on Preliminary Tenure Review Proposal for Scotsburn and The Gorge Pastoral Leases**

**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 evidence 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 a combined submission for the Scotsburn and the Gorge pastoral leases. The leases are relatively small, the lease-holder is the same for both leases and Forest and Bird understands tenure review negotiations for both leases have occurred simultaneously, although final notification of the preliminary proposals has occurred separately. If submissions on both properties cannot be considered now we ask that you accept this submission as a submission on the Gorge review when it is notified.

**North East Faces**

These faces form part of the wider Scotsburn catchment. Whole catchment protection is desirable to provide aesthetic and ecological continuity and integrity, to protect landscape values and prevent unnecessary fragmentation of new conservation lands. Ridgelines and spurs provide a practical boundary on the ground and are a sensible location for new fencelines. The proposal to fence the forest edge and use this as the boundary between the conservation area and freehold land will create an unnatural and distinct separation between forest and pasture, rather than a natural transition from forest to shrubland to short tussock and finally snow tussock. The natural

vegetation succession from valley floor to tops and all the transitional habitats for birds and invertebrates will be lost.

The Scotsburn catchment abuts the Lochaber pastoral lease and future tenure review of that property would make it possible to protect the majority of the catchment if the north-east faces of the Scotsburn and Gorge pastoral leases were included for protection now.

Forest and Bird supports the retention of the forest on the lower slopes in full crown ownership as set out in the preliminary proposal but emphasizes that conservation values do not stop at the forest edge.

There are significant patches of regenerating manuka shrubland on the lower to mid slopes of these faces outside the proposed conservation area boundary. In the gullies more advanced regeneration of forest and mixed shrubland is occurring and reaching significantly higher up the slope, well beyond the proposed conservation area boundary.

On the lower to mid slopes (500m-700m approx) the short tussock is in moderate condition and would recover if grazing was removed.

On the upper slopes (above 700m) the native vegetation of snow tussock and celmisia is relatively intact and unmodified (see fig 1).

The tops from point 705 north through points 795, 720 and particularly from point 893 provide stunning views along the length of the Orari River gorge to the west to Mt Peel in the north, the Mt Peel conservation area in the east and out across the Canterbury plains to Banks Peninsula and the coast in the east and south (see fig2). Public access to this ridgeline would enhance the recreational experience of visitors to the Scotsburn. It would open up a number of options for round trip routes from Mt Peel and Little Mt Peel and the near by Mt Peel Conservation Area.

Forest and Bird notes that the conservation resources reports for the properties recommended the entire length of these faces to the ridgeline be protected. We support this recommendation and consider that there has been no justification for retracting the proposed conservation area boundary back to the forest edge in the preliminary proposals as notified.

Figure 1: North East Faces of Scotburn Catchment



Figure 2: View Up the Orari Gorge and Towards Mt Peel from Point 893



### **The Front Southern Faces and Gullies**

These faces contain significant broadleaf/hardwood forest remnants on the lower slopes with forest regeneration occurring as high as the 500m contour in the gullies. The forest is more mature and natural than in other parts of the property with the possible exception of the Scotsburn. There are magnificent mature kowhai trees present and a relatively high diversity of species including broadleaf, fushia, wineberry, mahoe and horopito (see fig 3).

These front faces have high landscape values and are visible from a great distance across the Canterbury Plains including from S.H. 72.

Again Forest and Bird notes that the Conservation Resources Report recommended the protection of the forested areas of the front faces and are disappointed that this recommendation has not been carried through to the preliminary proposal. The photographs in figure 3 clearly demonstrate the conservation value of these forest remnants.

### **Shag Stream Catchment**

The preliminary proposal highlights the value of the beech forest remnant at the confluence of Shag Stream with the Orari river. Forest and Bird supports the protection of this area as proposed, however the ecological values of the Shag Stream catchment continue beyond the river junction for the entire length of the stream. The upper catchment in particular contains perhaps the most intact native high country vegetation communities on the property. The mixed shrubland extends a very long way up the catchment where it gives way to snow tussock, celmissia, flax and shield fern that provides between 80 and 100% cover right to the ridgeline at point 893. This is illustrated in figures 4 and 5.

The mid catchment has significant regenerating forest dominated by fushia ribbonwood and wineberry with kowhai and various coprosma species also abundant (see fig 6). The mid catchment has an existing fence line on the true left of the stream that follows the new track and forest edge and would provide a logical boundary for protection of this area. On the true right of the stream the logical boundary is the ridgeline.

### **Un-named Stream on the True Left of Coopers Ridge**

This stream valley which runs north-south between Coopers Stream and Shag Stream has similar ecological values and vegetation types and conditions as Shag Stream. Only the lower reaches are contained within the Gorge lease property, but protection of this area now would allow for the potential protection of the entire catchment during a future review of the adjoining Lochaber lease.

Figure 3: The Front South Facing Slopes Showing Significant Forest Remnants Not Included for Protection in the Preliminary Proposal

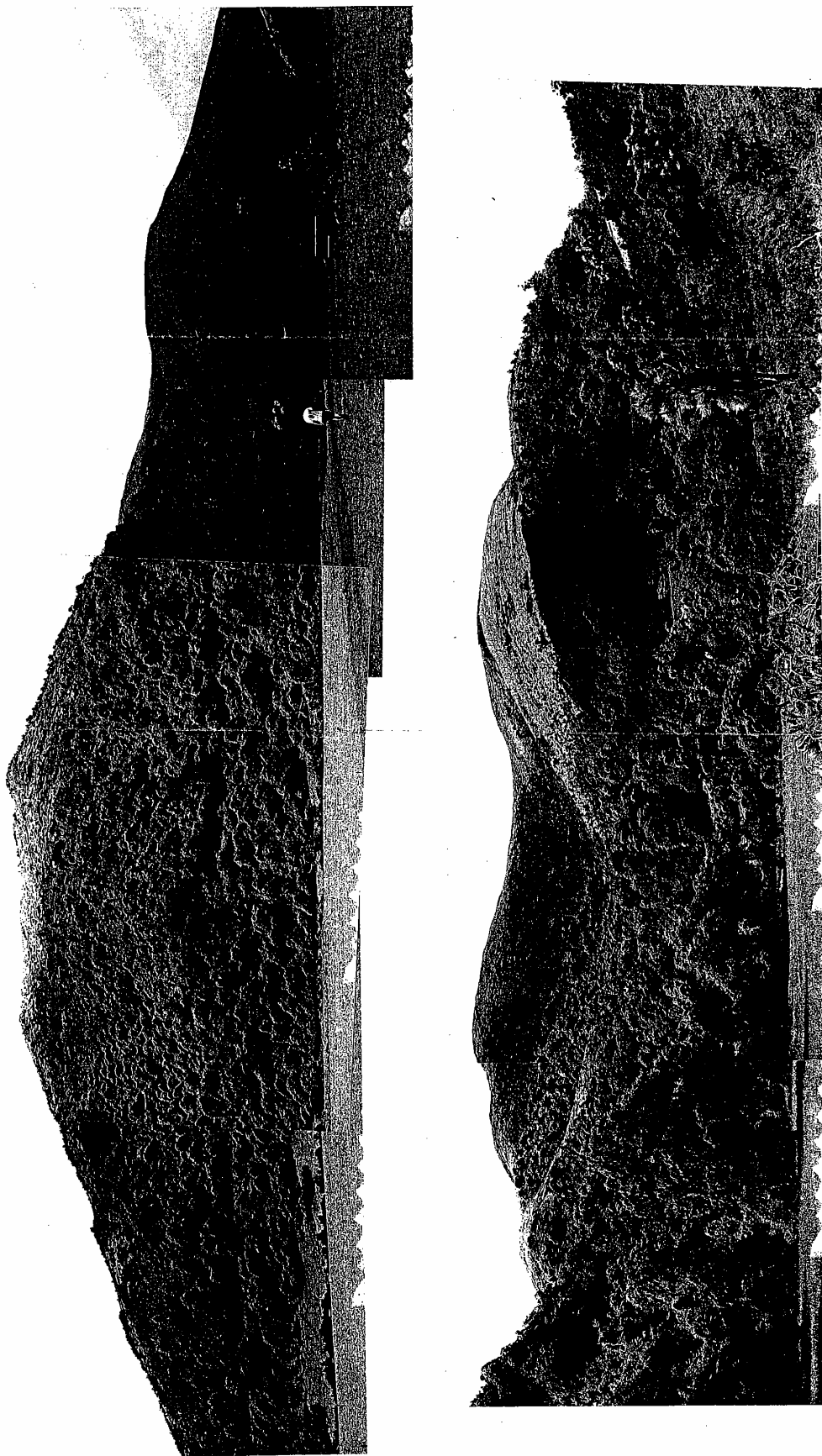


Figure 4: The Upper Shag Stream Catchment Showing Regenerating Shrublands and a Relatively Unmodified Snow Tussock, *Celmisia* and Flax Vegetation Community.



Figure 5: Upper Shag Stream





Figure 6: The Mid Shag Stream Catchment



**Margins of the Orari River**

The Orari River is a South Canterbury gem. It has outstanding geological, scenic, amenity and recreational values through the gorge sections that adjoin this property. The relatively intact native vegetation along its margins adds to these values and extends well beyond the immediate confines of the gorge in many places (see figs. 7&8). There are significant stands of manuka shrubland and small wetlands on the flats adjacent to the river, north west of point 410. The river and its surrounds are popular for pinicing, walking, swimming and kayaking. A 20m wide marginal strip is inadequate to protect these values.

Forest and Bird considers that a much wider strip that varies in width to accommodate a natural boundary of forest edge, ridge lines and spurs is more appropriate. This would protect the ecological and scenic values associated with the river and provide for better recreational access. This boundary is shown on the attached map.

**General Comment on Retraction of Conservation Resources Report Recommendations**

Forest and Bird notes that the following retractions in recommendations for full Crown ownership and control have been made from the Conservation Resources Report to the notified Preliminary Proposal:

<b>Scotsburn</b>	<b>CR Report</b>	<b>Preliminary Proposal</b>
North East Faces	130 ha	67 ha
Front (South) Faces	100 ha	0 ha
<b>Total</b>	<b>230 ha</b>	<b>67 ha</b>
<b>The Gorge</b>		
North East Faces	226 ha	76 ha
Landslip Area	47 ha	20 ha
Shag Stream	29 ha	17 ha
<b>Total</b>	<b>302 ha</b>	<b>113 ha</b>
<b>Total – Both Properties</b>	<b>532 ha</b>	<b>180 ha</b>

The table highlights that only about a third of the area originally recommended for protection on the basis of the department’s survey of conservation values has been carried through to the preliminary proposal.

The total area of both properties is 1384 ha. Of this the preliminary proposal recommends only 180ha remain in full Crown ownership and control and the balance of 1204 ha be freeholded. This represents only 13 % of the total land area. Forest and Bird considers this to be a very poor return to the Crown, especially in light of the new government objectives for tenure review, *“To receive a fair financial return to the Crown on its high country land assets”*.

Figure 7: The Orari River Gorge Below Point 410 and West of Huts. The Freehold Boundary Should Follow the Skyline of this Photograph to Protect the Scenic, Ecological and Recreational Values of the River Gorge



Figure 8: The Lower Orari Gorge from the Old Homestead Site Near the Road End Showing the Shag Stream Confluence and Shag Valley.



### **Whole Property Purchase, Practical Boundaries and Economic Viability**

The above sections of this submission have highlighted the ecological, landscape and recreational values that need protecting to ensure compliance with the objectives of the Crown Pastoral Land Act 1998 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*

*Secure public access to and enjoyment of high country land*

The attached map shows the area to be restored to full Crown ownership and control to ensure protection of these values. To meet the objectives of the CPLA in the case of the Scotsburn and Gorge properties it is necessary for the Crown to secure the majority of the property except for the two areas marked A and B on the map. In our view these are the only two areas of the properties where grazing could continue "in a way that is ecologically sustainable" (CPLA 1998).

Forest and Bird acknowledges that while ensuring the continued economic viability of individual properties is **not** an objective of the CPLA, it is relevant to the practical negotiation of an agreement between the two parties. However we consider that in this case the negotiations that have lead to the preliminary proposal have given too much weight to ongoing financial viability at the expense of significant inherent values.

This is evidenced by the major retractions in land area highlighted in the table above and also in records of discussions between the parties regarding protection of the front faces. While several small isolated and discrete forest remnants do have ecological value on their own, their value increases dramatically if they can be managed as a single unit so that regeneration is allowed to occur between them, eventually creating a single much larger forest. Insistence by the leaseholder that all un-forested land between the gullies on these faces be available for ongoing grazing lead to the whole area being recommended for free holding.

Because the two land areas recommended for free-holding in this submission are relatively small and because of the practicalities and cost of fencing the new boundaries and providing access to them a full property purchase by the Crown is probably the most practical solution in this case.

### **Decisions Sought**

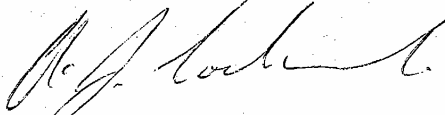
That the whole property except areas A and B on the attached map be secured in full Crown ownership and control to protect significant inherent values and that areas A and B be freeholded. Alternatively that the whole property be purchased and areas A and B be managed under a grazing lease if this is considered feasible given stock access and fencing considerations.

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 properties continue as pastoral leases.

### **New Tracking**

During a site visit to the properties we were disappointed to see the extent of new 4WD tracking. This has occurred through extensive areas of forest and on very steep slopes in the Shag Stream catchment. Apart from the obvious damage to the landscape values and forest it has created huge potential for erosion and sediment runoff into the stream. While not directly related to tenure review we are frustrated that this type of activity should be authorised (if in fact a consent has been granted) while the process is underway. It could be viewed as a deliberate attempt by the leaseholder to detract from the significant conservation values in the catchment. If so he has had some success. At the very least there is an implicit assumption that the area where the work has been done will be freeholded before any opportunity for public input into the final decisions.

Thank you for the opportunity to make a submission



Tony Lockwood  
Field Officer  
For Conservation Manager

— Property Boundary — Proposed Freehold

