

QE II COVENANTS – PROTECTING OPEN SPACE VALUES ON PRIVATE LAND

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There are many special features of the landscape that contribute to New Zealand's sense of national identity. To most Cantabrians, the Southern Alps with their lofty peaks and forest or tussock covered slopes provide a visual signature for the province. Many of these features are on 'Crown' land, collectively owned by all New Zealanders and frequently administered on our behalf by the Department of Conservation.

Special landscape features are however not restricted to Crown land, and can also occur on land under private ownership. Much of New Zealand's privately owned land is located in the highly modified landscape of the foothills, plains and coastal areas. These lowlands formerly supported high levels of ecological diversity, much of which has been lost or significantly modified since the arrival of mankind. Any remaining remnants of vegetation are usually modified, small, and are sometimes awkwardly juxtaposed within a cultural landscape. Lowland properties often have high monetary value, high productive potential, numerous land-use alternatives, and high levels of pests and weeds often threaten to further degrade remaining values. Despite all this, a significant number of environmentally conscious landowners have, and are, making positive contributions towards protecting special features on their properties.

The government saw the need to provide an independent mechanism to assist the owners of private land to protect special features of the New Zealand landscape, and in 1977 passed the Queen Elizabeth II National Trust Act. Its purpose is "... to encourage and promote the provision, protection, and enhancement of open space for the benefit and enjoyment of the people of New Zealand". Open space itself is defined as "... any area of land or body of water that serves to preserve or to facilitate the preservation of any landscape of aesthetic, cultural, recreational, scenic, scientific, or social interest or value". This definition is very broad, and can apply to features of both the natural and cultural landscape, from areas of low or high altitude forest through to shrublands, wetlands, rivers and lakes, coastline, tussock grasslands, tracts of rural landscape, sites of archaeological or historical significance, and geological formations.

Some plant communities such as areas of primary forest are still relatively natural and potentially self-sustaining. Some, such as shrublands and many tussock grasslands are induced, but nevertheless can harbour considerable

biodiversity values, though successional processes may eventually change vegetation dominance. Some may be artificial, a number of protected wetlands have been restored from mere whispers of their former stature. Areas of remnant vegetation often occur in steep gullies, and may still sustain streams and wetlands that provide the habitat requirements of native fish and invertebrates. In many cases a number of values may be present at any one site. One well-known site in North Canterbury protects an outstanding visual landscape, limestone rock formations, ancient Maori rock art, plus the buried / preserved bones of hundreds of extinct native birds, all inside 5.5 hectares, and within the context of a working farm.

The Act is again very broad in terms of how QE II can bring about its aims, though the mechanism best known to most is the use of covenants. Covenants are legally binding partnerships between landowners and the Trust, with specified aims and objectives to protect defined open space values over a defined area. Most covenants are in perpetuity, and define certain rights, responsibilities and constraints on the landowner and the Trust. Whilst there is a standard covenant template, the wording is flexible and can be adapted to meet the circumstances of each proposal. Whilst covenant documents can direct the deliberate actions of people, they exert no control over nature's processes; hence more than a paper document is needed to safeguard open space values. Thus, QE II regional representatives visit registered covenants on a regular basis, to monitor changes and where necessary to provide the landowner with appropriate assistance. These 'follow-up' visits provide an opportunity for dialogue between the landowner and the Trust. For forest covenants, the condition and trends are noted for the canopy, understorey, groundcover and edges, with special note taken of indicators and rare species. Wildlife, the condition of fences and any other relevant matters are also noted, building up a continuous record from which changes can be monitored. Trends in weed and pest prevalence are determined, and appropriate management aims set. Photopoints are often established, as these provide a very clear means of assessing an area's changes, be they desirable or undesirable.

Both domestic and wild animals can have adverse effects on native vegetation; hence secure fencing is usually required for their control. The response of forest remnants to the exclusion of livestock can be quite dramatic, especially for the more palatable species. Some wild animals cannot be excluded by conventional fences; hence ongoing control measures may be required to regulate their influences. Pests also affect native fauna. Consequently, several covenantors have embarked on integrated predator control programs, especially where covenants are managed primarily for their habitat values. Similarly, weeds cannot be excluded by fencing; hence vigilance and control measures may be needed. Whilst landowners and QE II staff can deal with small infestations, more

serious outbreaks often require extra input. Local community groups often offer assistance, reflecting the goodwill that Trust covenants enjoy. Condition Funds have provided much needed support for weed control in several particularly difficult cases.

A high level of vegetation modification does not necessarily devalue a covenant. It can be important to have examples of young regenerating communities as well as examples of 'mature' plant communities. Some communities thrive on disturbance, though this can predispose such sites to invasion by unwanted weeds.

The success of covenants as a protection mechanism must ultimately be judged on whether they actually make a difference. QE II has its own act of parliament, an act that does not allow for revocation. With its own act, comes a perpetual infrastructure and the associated collective and institutional experience. In the last 25 years, the Trust has assisted landowners with 1,700 covenants, protecting open space values on over 62,000 hectares of the New Zealand landscape. Almost 50% of covenants have changed hands since registration. Whilst some initially perceived this as a vulnerability, experience has shown that new owners of covenants are supportive of them. Indeed, the existence of a covenant is a feature usually highlighted when property sales are advertised, reflecting the value that potential buyers often see in them. Covenants often occur in clusters, reflecting the manner in which one landowner leads others by example. The ability of covenants to provide protection of open space values without the Crown's need to purchase land ensures excellent value for the taxpayer's dollar.

Probably the greatest security however is provided by the ongoing involvement of landowners themselves. By having motivated people living beside (or in some cases within) covenanted areas, most covenants effectively enjoy high levels of surveillance. These people often bring in innovative and pragmatic management inputs. Whilst there may currently be only 16 QE II regional representatives throughout the country, there are several thousand 'minders', be they landowners, their friends, or groups and individuals from the wider community. Increasingly, regional and local government and non-governmental organisations are providing additional support.

Perhaps the success of the Act is best summed up by the footnote, "*Doing something about it*" on a sign at the entrance to a recently registered covenant in mid Canterbury. Affordable and sustainable protection of open space values must ultimately require the landowners of New Zealand to take the initiative.