

## **Crown Pastoral Land Tenure Review**

**Lease name : BLUE MOUNTAIN**

**Lease number : PT 031**

### **Public Submissions Part 1**

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

These submissions are released under the Official Information Act 1982.

29 September 2011

Luana Pentecost  
Property Administrator  
Darroch Limited  
P O Box 27  
Alexandra 9340



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Dear Luana

**Blue Mountain – Preliminary Proposal for Tenure Review**

Thank you for providing copies of a summary of the proposed designations, the notice and proposal document.

Unfortunately, as a result of Council prioritising its work programme for this financial year, we are no longer in a position to provide information to the tenure review programme. However, this doesn't preclude you from making a formal request, in writing, to access specific resource information held on file.

The Council will continue to meet its obligation to the programme in terms of any legal interests (such as a Land Improvement Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941) it holds over Crown leasehold land.

We have no legal interest in Blue Mountain under a Land Improvement Agreement.

If you have any queries please don't hesitate to give a call on my direct line (03) 687 7848.

Yours faithfully

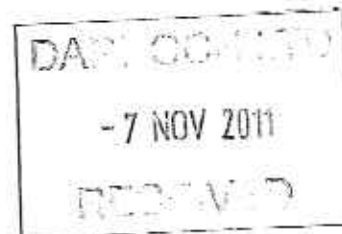


**Neil MacDonald**  
Senior Planning Officer

cc Cathie Brumley  
Environment Canterbury

3 November 2011

Geraldine Tramping Club  
C/- Denise Macpherson Secretary  
56 Langridge Road  
R.D 25 Temuka.



The Manager  
Darroch Limited  
P O Box 27  
ALEXANDRA

Dear Sir

SUBMISSIONS ON BLUE MOUNTAIN TENURE REVIEW  
FROM THE GERALDINE TRAMPING CLUB

Members of the Geraldine Tramping Club have tramped in the area on many occasions during the last 35 years and wish to continue to do so, on the basis of the access sought, which will be responsibly accepted.

We are in agreement with the designation and disposal set out in items 1. and 2. subject to the conditions set out below.

1. 2,500ha approximately to be designated as land to be restored to full Crown ownership and control as conservation area under section 35(2) (a) (i) Crown Pastoral Land Act 1998).
2. 6,935ha approximately to be disposed of by freehold disposal to Blue Mountain Station Ltd. (under Section 35(3) Crown qualified designation.

Protective Mechanisms

- (1) A conservation covenant over an area of approximately 250 hectares (under sections 40 (1) (b) 40(2)(a) and 40(2)(b) Crown Pastoral Land Act 1998
- (2) A covenant over three historic huts (under sections 40(1)(b) and 40(2)(a) Crown Pastoral Land Act 1998

Qualified Designation

- (3) An easement in gross for public and conservation management access (under section 36(3)(b) Crown Pastoral Land Act 1998)

The Geraldine Tramping Club conditions sought are:

- (1) Easements to ensure practical access must be brought up to the same standard as the legal roads.
- (2) A covenant providing for foot access to Mt. Edith and Mt. Frances consistent with farming requirements to be part of the agreement.
- (3) Access to Mt. Catherine should be for the Public as well as D.O.C.

Yours faithfully  
Denise Macpherson.

A handwritten signature in blue ink that reads "D. M. Macpherson". The signature is written in a cursive style with a long, sweeping underline.

## SUBMISSION ON BLUE MOUNTAIN PASTORAL LEASE TENURE REVIEW PRELIMINARY PROPOSAL



### Introduction:

My Name is Adrian Cogle of 60 Matai Crescent Timaru. I retired from the Department of Conservation in 2009 after a 22-year career. I worked in South Canterbury and I am familiar with the Blue Mountain property and the initial tenure review conservation report.

It is my contention that the preliminary proposal falls woefully short for the following reasons

- It fails to provide for adequate protection for a range of significant intrinsic values (SIVs) identified on the property. (See conservation resources report for full details)
- It is deficient in terms of the current National Government policy for the South Island High Country particularly as the pp has little to indicate that any form of collaborative management has been considered.
- It does not meet, in the fullest sense, the objects of part 2 section 24 of the Crown Pastoral Lands Act (CPLA) 1998 namely the protection of significant inherent value (includes landscapes) and it fall short of meeting (11) b in that it does not apply **the preference** for restoration of land (with SIVs) to full crown ownership and that public access and enjoyment of reviewable land is not adequately provided for.
- It does not adequately provide for balanced sustainable development outcomes. In the context of sustainable development "Ecological sustainability", as the act requires, can be understood as *"the maintenance or enhancement, in the longer term, of present ecosystems attributes for a defined tract of land, whilst avoiding effects that compromise off site ecosystems"* (2004 Landcare Research report

### The Present and Past stewardship:

Much is made of the stewardship role of lessees, in terms of protection of inherent values, whilst not disparaging the efforts of many lessees, its needs to be stated that the truth of the matter is that to a fair degree it's only due to the instance of controls imposed by the CPLA.

Once freed from any constraint imposed by the CPLA a holder is likely to intensify land use this inevitably comes at the expense SIVs. Upon freeholding the only recourse against any attenuation and loss of SIVs will be the controls imposed by local government plans (derived from the RMA) this in terms of protection of SIVs is a weak proposition.

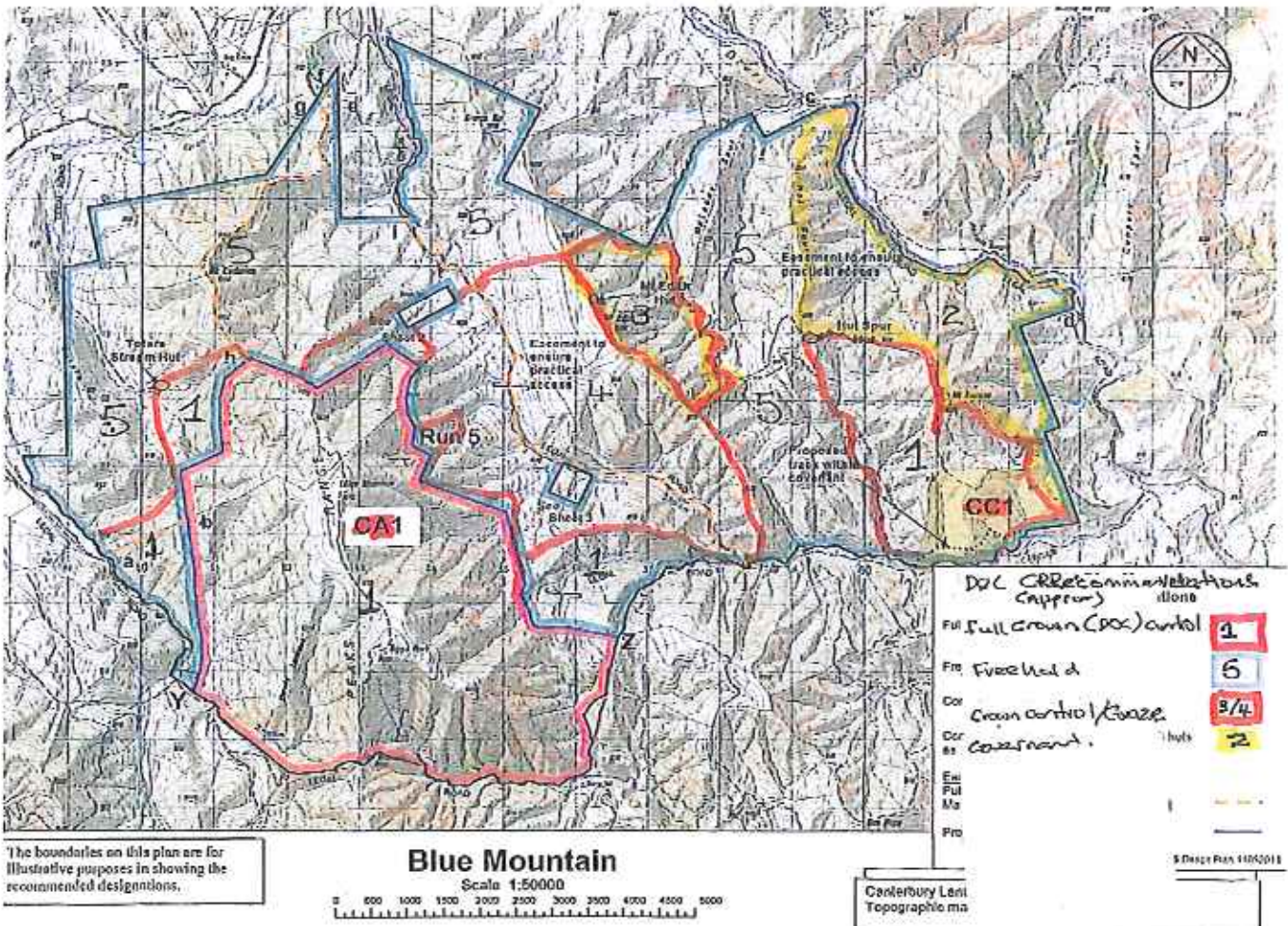
The previous holders farmed the property in a conservative manner that might be construed as a "sustainable" method given that the stocking never seemed to have too much of an impact on significant values. Assumedly this was an economic proposition for the holders.

The property is notable for its "high tussock" cover and lack of a burning history. In a catchment deemed important for water harvesting the presence of and benefits of little modified tussock lands should not be over looked.

Research has identified the valuable role played by tussock in proper watershed functioning. In the interests of maintaining the services, that the intact tussock land provides, the Commissioner may wish to consider establishing "sustainable management covenants" under section 97 of the CPLA that could then be turned over to the regional council to manage.

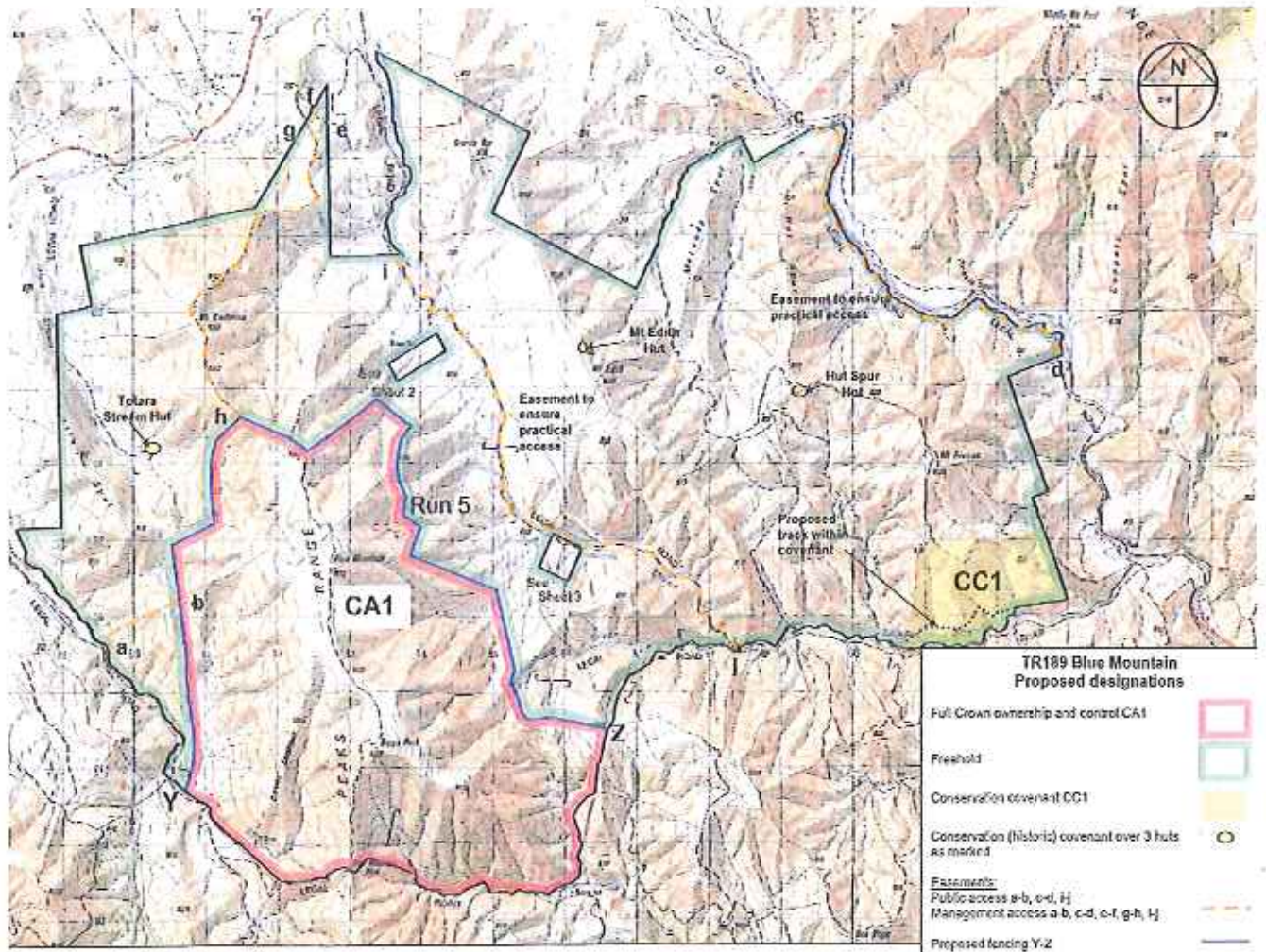
**Values:**

The conservation resources report, established on accepted conservation criteria, identified an extensive range of significant inherent values present across the whole property including those of a landscape nature. On the basis of the outcomes of the conservation report protection recommendations were submitted. The report, recommended about 60/40-split conservation /free holding was appropriate given the extent and scale of significant inherent values

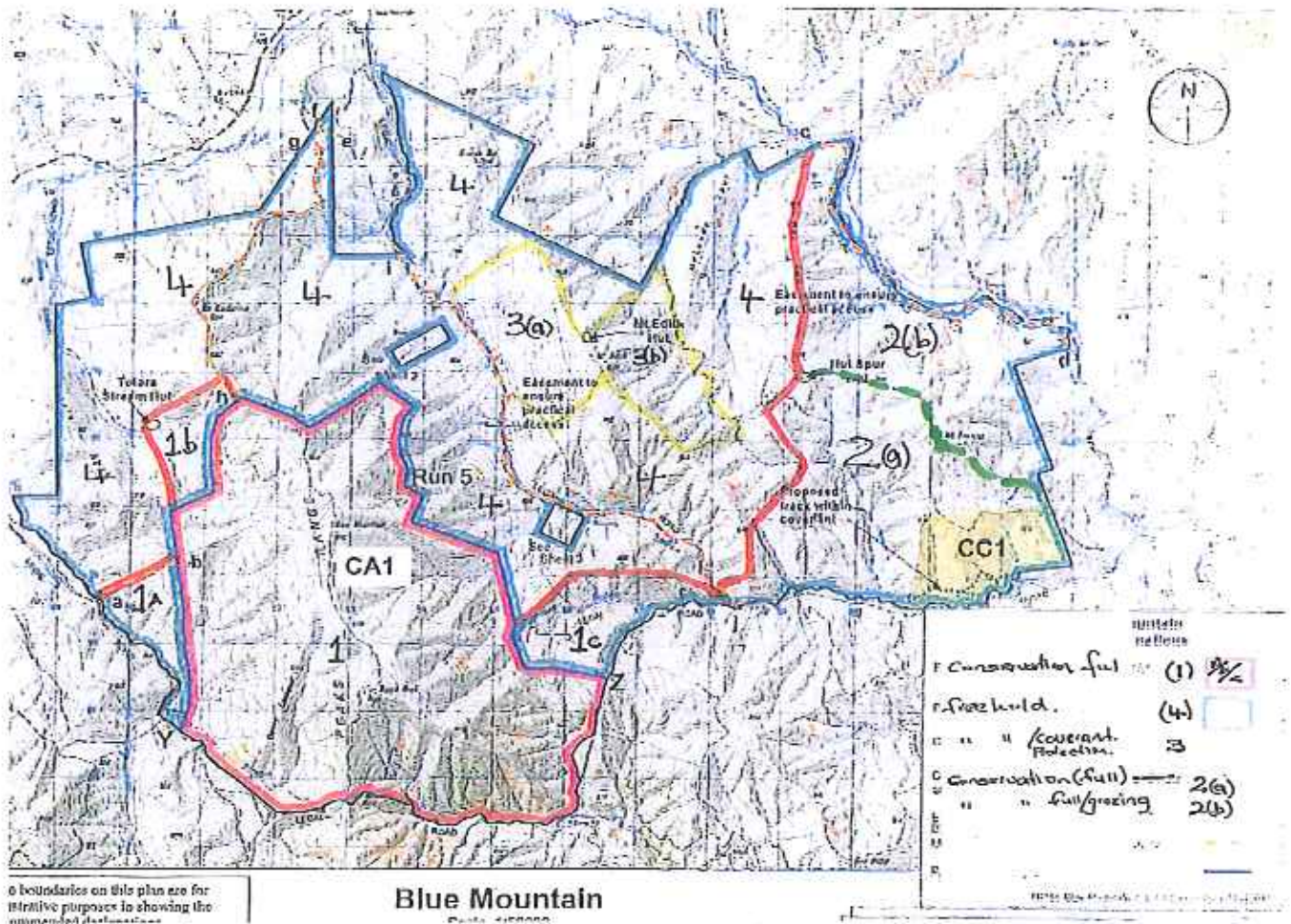


Given that the pp (see below) has suggested the reverse of the above with 6000 ha going into freehold then something extraordinary must have occurred, given that the intrinsic values on the property were so extensive. It boggles belief then as to how the proposed allocation can write off the values identified when policy requires a balance must be struck that ensures land with significant inherent values is protected and maintained to ensure its best use for all NZs.

Further more the policy goes on to state, "high country lands must be managed in a ecologically sustainable manner whilst maintaining inherent value which include landscapes. (See definition in the intro above)



For this large part of this tract of reviewable land, I'm seeking a more representative ecological sustainability disposition based on the map provided below.



- 1 (a) **Alter a fence line providing** for a shorter more efficient fence line. It provides a better access proposition to CA1 and will protect values already identified in CA1. The long tapering nature of the proposed freehold in the pp seems a poorer choice in terms of the limited grazing offered and the longer fence line associated.
- 1 (b) **Alter a boundary line** the boundary line is small change to incorporate the historic hut into the doc-controlled area. It is not obvious but possible that the hut falls within the marginal strip to be set off proposed along Totara Stream. Whilst the hut may be considered a holder's asset and thus acceptable according to the marginal strip law, it is also a historic place, as an archeological site, and thus management emphasis may have more credence under crown control.
- 1 (c) **allow a boundary change** that takes in the McNaughtons Stream. Marginal strips along the stream are, in the strict interpretation of the law unavailable for farming and associated purposes; this may impede future pastoral development. However the incorporation of this into CA1 will better serve the purpose of public access and will offer protection to a range of values present. It also improves the design layout in that it serves the purpose of establishing connectivity across an altitudinal range there by reinforcing the longer-term ecological sustainability and enhancing the area's natural character. The quality of grazing lost should be more than compensated elsewhere.
- 2 (a) **extend the crown-controlled area** to cover the Andrews Stream catchment and the mid Orari River slopes to Hut Spur. The range of values here are quite extensive in the conservation resources report. The area also has a strong local community interest in terms of usage and appreciation of the landscape. The one covenant



covering, biodiversity values in the pp is to limited in the degree and scope of protection provided. It is doubtful that a covenant alone will achieve the purpose of the CPLA for the purposes of meeting sustainable development.

N.B. (It could however be further subdivided and managed as part DOC full control and part collaboratively managed)

A real weakness in covenants is that any shift in grazing intensity and potential changes in ownership, it will serve to impact covenant values thus a "quality of protection" is not entirely a given going forward. In keeping then with section 24 part 2 (b<sup>11</sup>) a larger fully protected zone is more desirable utilising existing fence lines.

A point that seems lost in the PP is the protection of landscapes. . The conservation report identifies a number of areas with high landscape value. . These landscape provide an overarching confirmation of the natural character of this tract of land. Several community user groups further emphasize these landscapes values through reference in local regional government plans and through the expressions of interests.



The oblique below further displays the property split as the above submission represents. The red/brown line is as full crown control (DOC, land to the left of the divide) The blue line could further be an elaboration (2 (b)) based on a collaborative managed area (DOC). Land in the top portion being fully protected and land along the Orari faces protected SIVs protected but with controlled grazing provided for.

The Green line marks out the approx boundary of the current freehold area with land below the green line being freehold.



- 3 (a) **the creation of a covenant on southwest slopes below Mt Edith** As a site of geological importance. (See NZ Geological Register; "Mt Edith Patterned Ground") this landform feature has some resilience in the landscape and is recognised in the Mackenzie District Plan. However that plan only protects against land disturbance but not from any pastoral intensification, which could conceivably eliminate the features expression from the land. A conservation covenant will be a useful mechanism to more formally recognise values.
- 3 (b) Create a **covenant** incorporating the historic hut, as proposed, but by extension include the N East slopes to take account of the tall tussocks and small area of shrublands present.
- 4 **The Commissioner considers creation of sustainable management covenants** to address issues such as soil and water concerns, across the extent of freehold lands proposed. The regional council then could manage these,

**Summary:**

In the end it is a moot point as to what constitutes sustainable economic development in the instance of farming the lease, this is a question for the holders of the land. Much of the land is identified, under the land classification system, as being low producing grassland. Altitude and topography do conspire to restrict some options to improve a fair portion of this, however new development will in all probability arise as any holder sees fit.

In order to achieve this, increased application of a range of resources will be required. In the final analysis market and the general economic conditions will dictate.

It does to my mind seem remiss that no attempt has been put forward to evaluate the financial returns (direct/indirect) in leaving the land to revert to a native woody environment. In time, considerable potential economic benefit arising from carbon sequestration will be a natural outcome of suitable land returning to a more carbon dense cover and concomitant with that will be an increase in potential gains for biodiversity and ecosystem function.

Whilst the negotiations are conducted primarily between the Crown and the holder, the outcomes are expected to benefit the wider NZ public.

Other property divisions other than those listed are possible with the right attitude and application of the principle of economic sustainability. The best outcome will be achieved with a more **collaborative management** approach for the pastoral lease land. Grazing can have positive merits, in terms of maintenance of SIVs under controlled application. Lands could remain in crown control (DOC?) but subject to a grazing lease this could prove a win outcome.

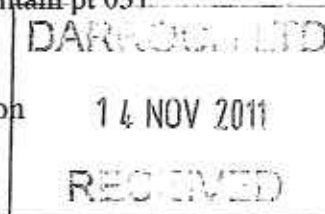
*I seek that the Commissioner make the recommended adjustments outlined and if negotiations cannot be concluded that meet all reasonable expectations then I would contend that the Commissioner of Crown Lands exercise the prerogative to withdraw from the review.*

I do not wish to be heard

To the Commissioner of Crown Lands c/ - Darroch limited, PO Box 27, Alexandra

Submission on preliminary proposal of tenure review on Blue Mountain pt 031

From  
 Hilary Iles, BSc Physical Geography, MSc Environmental Education  
 34 Hislop St  
 Geraldine 7930  
 inthehills@clear.nct.nz



I have been tramping the high country and mountains of NZ for the last 20 years and have seen the changes resulting from Tenure review. In many cases the review process has seen the uneconomic land return to the crown at large expense—mainly mountain tops – which actually have little biodiversity value compared to forest. Whilst the lower more economically viable land has been kept as free hold by the farmer. The consequences of this are the intensified use of this land with heavy application of fertilisers and often the removal of all native vegetation. The new conservation land - mainly mountain tops are accessible to a small section of the population and those which do want to access them find that the route is usually straight up a fence line on some horribly steep slope or up miles of meandering river bed whilst nearby is a farm track.

The tenure review proposal for Blue Mountain stations seems to follow this same formula and I have climbed Tripp peak and Mt Francis. On my last trip to Mt Francis I noticed how the native vegetation had been bulldozed off the land owners existing slopes above the Orari to “improve the land”. Also he has been progressively burning off the tussock for several years. Hence some of the comments below.

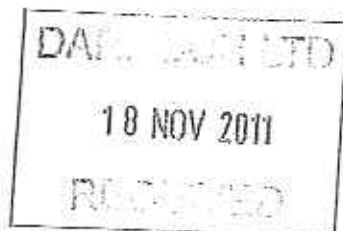
1. Conservation values of the area.
  - a. Proposed full crown ownership area CA1. There is some beautiful tree fuchsia on a southern slope but otherwise – similar to the other mountain areas which have come out of tenure review we are basically getting the poorer quality of land which as the document states is unsuitable for pastoral use yet has been subjected to this for the past 100 years and hence is degraded.
  - b. The conservation covenant on the area CC1 is supposed to ensure its protection. However permission to build a track across the bottom of this area is given in the covenant. I am strongly opposed to this because bulldozing a track will undermine the whole stability of the slope above. It is not a stable slope and it is steep, the only reason that vegetation has survived on it. Heavy rain (and more storm events are predicted with climate change) would start a rapid erosion process and soon there would be no vegetation left on the slope. You can see this process happening all over NZ. The rivers in this area already run brown after rain because of the poor vegetation cover.
  - c. Once the farmer has freehold use of the land the stocking rate will be increased and this will put pressure on the CC1 area
  - d. The real value of this tenure review would be to put a conservation covenant onto a much larger area of tussock to protect the water supply of Geraldine and the Orari river biodiversity values. Hence I propose

that the CCI area be extended to include the whole area east of the se – nw ridge line of Mt Edith. This would ensure some tussock remained to help slow down and clean water running from the flanks of Mt Edith and on into the Orari.

## 2. Public access

Much of the ease of access talked about in the review is dependent on the legal roads surrounding the property. However just because a legal road is drawn on the map does not mean anything exists on the ground or that the ground can be travelled over. Which means that the tracks (identified on the tenure review land) claiming to provide “good public access” will not necessarily do so as the routes a – b, i – j and c – d all rely on legal roads to reach them. There are tracks, marked on the map but the legal roads do not necessarily follow the existing tracks.

- a. The access a – b is typical of access provided under tenure review – out of the way - a long drive from anywhere – a “legal road” and then proceeds straight up steep contours. Interestingly enough the helicopter photo with a-b drawn onto it is not in the same location as the one on the map – it is further north on the shoulder and would provide better access.
- b. I’d like to propose the addition of an easement to provide access to Tripp peak from the Geraldine side following the continuation of legal road along Andrews Stream to the CAI boundary.



Wednesday, September 14, 2011  
Commissioner of Crown Lands  
c- Darroch Ltd  
P O Box 27  
ALEXANDRA  
To Whom it may concern

Chris Pearson  
18 Rewa St  
Dunedin

I would like to make the following submission for Preliminary Proposal for the Tenure review of the Blue Mountain pastoral lease which is undergoing tenure review under the Crown Pastoral Land Act 1998. I think that this has a lot of commendable features and I feel that I can support it without reservation.

I feel that this tenure review does an excellent job of identifying and protecting public access by adding easements to public roads to ensure that they represent practical access. I know that at least one of the public roads does not currently give practical access and (while I do not know the details of the proposed easement) I assume that it will take care of the problem. I feel that both of these legal roads will provide valuable public access to the countryside. It will also avoid a lot of conflict between recreational users and the farmer as to exactly where the legal road is.

The area CA1 covering the slopes of Blue Mountain and Tripps Peak represent a potential valuable addition to the conservation estate. I note that from the Conservation resources report that this area has the highest recreation, and landscape values combined with the best preserved area of natural vegetation on the lease. I also accept that the balance of the lease has limited conservation and recreational value and would be best managed as part of a freehold farming property. My only concern is to weather the the easement a-b will really provide practical public access. I am not familiar with this route but it looks steep on the map. The obvious route is the easement g-h which is reserved for management access. Now I note that this easement ends in freehold land so I suppose that is the reason why it was opened to public use. I note however that in Google Earth there seem to be good access from the Peaks range down from Tripps Peak and Devils lookout to the legal road along the southern boundary of CA1 so that may very well take care of the problem.

Sincerely yours,

Christopher Pearson



Parrot Mt.  
P.O. Box 27  
Alexandra 9340.

DARPOON LTD  
2.1 NOV 2011  
RECEIVED

White Rock  
14 RD  
Cove 7984  
18/11/2011.

Dear Sir,

Review under Part 2 Crown Pastoral Land Act  
BLUE MOUNTAIN.

Submission about the Conservation Covenant CC1.  
As a member of the public a keen tramping hiker  
a farmer with D.O.C. a neighbour [Scenic  
Reserve off 100 Lectors]

Public access should be provided for  
except for the 8 weeks of lambing

This is a lower altitude area demand  
for access may be low now but in  
10 years it could be quite different.

This area should be fenced.

A stock limitation but on now.

Non motorised vehicles and horses should  
be able to use the new vehicle track

Yours faithfully

Richard K Patterson

RICHARD PATTERSON



South Canterbury Section NZ Alpine Club  
 PO Box 368  
 Timaru  
 Sunday 20<sup>th</sup> November 2011

The Commissioner of Crown Lands  
 c/- Darroch Limited  
 PO Box 27  
 Alexander  
 9340

Dear Sir/Madam,

Re Tenure Review of Blue Mountain Pastoral Lease

The members of the SC Section of NZAC have a long history of recreational use of the land under consideration for tenure review in the Blue Mountain Pastoral Lease.

We consider Blue Mountain offers important recreation opportunities in an area of growing popularity with a wide range of recreation users from our district. There is a history of restriction of access to the public on lands in the greater Four Peak District. This has been an ongoing frustration for many people and we believe there is pent up demand for access to land such as Blue Mountain for mountain biking, walking and winter activities such as ski touring.

As such we are keen to see public access preserved to this block of land. The Orari Gorge area is scenically very attractive and is currently only known to a relatively small sector of our community. The Brown family have allowed reasonable access in the past. Our concern is in ensuring this access for future generations regardless of ownership of the land.

The main population of recreational users are in the Timaru Geraldine and Temuka districts. Logically they will wish to access this area principally from the eastern side. The proposed tenure review leaves a great deal of uncertainty with respect to public access because the leasehold land appears to be surrounded by sections of freehold land owned by the same run holder as the leasehold property. Unless certainty of access can be provided across these pieces of land as well the proposed access in the tenure review becomes a "Claytons access" providing the public with very little.

With the above comments in mind we suggest the following amendments to the tenure review proposal as it stands. Please refer to the map in the tenure review document.

Include area from ab back to Y in CA1. This would improve access from Mowbray Road.  
 Include Mt Catherine in CA1

Include area between sheets 2 and 3 down to new easement in CA1

Include south facing area above McNaughtons stream in CA1. Access from the east to CA1 is poor this addition will improve this.

We would like to see a loop from Mowbray road to Blue mountain Pass along the ridge over Tripp Peak, Blue Mountain and Mount Catherine down the DOC only easement to



the road. The tenure review document suggests that this would be a difficult issue for the run holder but public access to the DOC only easement would improve summer recreational opportunities and would open the area up for winter ski touring.

Easement I-J is excellent but it is meaningless without security of access across private land to point I. The other end at point J access is along a private road on Orari Gorge Station which we don't know if it follows the legal right of access. The proposed track within the CC1 covenant on the face of it seems a bizarre proposal when there is a perfectly good track on the other side of the stream. This track is the same one that users of I-J would have to access on Orari Gorge station. This would suggest that public access can not be assumed if the run holder of Blue Mountain can't even use it to move stock over that short distance.

The value of the Orari Gorge easement cd has the same issues. At both ends we have private land with no easement so access can be denied.

These access issues in our opinion mean that the proposal as it stands fails to meet "THE OBJECT OF SECURING PUBLIC ACCESS AND ENJOYMENT OF REVIEWABLE LAND" we can not see how the preliminary proposal provided by Darroch Limited can claim otherwise.

We thank you in anticipation of our submission being heard and would welcome any further discussion you may wish to have with us.

My email address is [eastonholloway@xtra.co.nz](mailto:eastonholloway@xtra.co.nz) , tcl. 03-6844985

Yours sincerely

Mark Easton  
(see. SC section NZAC)

**Luana Pentecost**

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**From:** Robin Hamilton [robinh29@xtra.co.nz]  
**Sent:** Monday, 21 November 2011 9:09 a.m.  
**To:** Luana Pentecost  
**Subject:** Blue Mt Tenure Review

Temuka Tramping Club  
R Hamilton  
29 June St.  
Timaru

21 11.11



To  
The Manger  
Darroch Ltd  
PO Box 27  
Alexandra

Submission on the Preliminary Proposal for the review of tenure Blue Mountain Pastoral Lease under the Crown Pastoral Land Act 1998

On behalf of the Temuka Tramping Club we wish to submit the following aspects:

That the terraces along the Orari River from Andrew's Stream upstream in the south to lease boundary in the north become full Crown Ownership, as local organizations such as Queen's Scout, also Duke of Edinburgh participants use this area to gain their awards. We [The Temuka Tramping Club] have appreciated the natural attributes of this area --- the gorge and the river, frequently over the past twenty to thirty years. We want continued access to this area regardless of who owns the land. If ownership changes we would like to be assured of ongoing access.

We suggest that this area be open to non-motorised vehicles, foot traffic and horses, except during lambing time. Perhaps this could be made into a scenic Reserve that Department of Conservation administers.

V.A.Paul  
President Temuka Tramping Club.

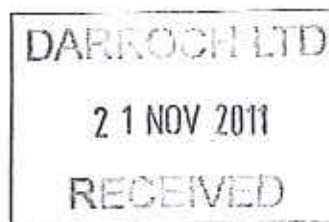
E-Mail Contact  
Robin Hamilton  
[robinh29@xtra .co.nz](mailto:robinh29@xtra.co.nz)

15 November, 2011

**The Orari River Protection Group (Incorporated)**

C/o 78 Silverton Rd,  
22RD Geraldine  
South Canterbury  
Email. [sintenie@farmside.co.nz](mailto:sintenie@farmside.co.nz)

The Commissioner of Crown Lands  
c/- Darroch Limited  
PO Box 27  
Alexander  
9340



**Submission on the Preliminary Proposal for the review of tenure  
Blue Mountain Pastoral Lease under the Crown Pastoral Land Act 1998**

Dear sir/madam

Orari River Protection Group (inc) has over a 130 members, made up of a cross-section of the local community.

The ORPG was established in 2004 by members of the community to provide long-term protection of the environmental, recreational, and aesthetic values of the Orari River and its catchment of which Blue Mountain Pastoral Lease is a significant part.

We believe that the Orari Catchment has many values that are prized by the community, as a whole, for a variety of reasons.

The Orari River Protection Group (ORPG) has actively worked to protect these values through a number of avenues; through the instigation and development of an Integrated Catchment Management Plan for the Orari; and through submission processes on District and Regional Plans, National and Regional Policy Statements, and Canterbury Water Management Strategy. The ORPG secured \$10,000 grant for Blue Duck Predator Control Programme in the upper catchment, conducts regular weed control in areas of habitat for known threatened species, and has lobbied Ecan successfully for the control of the problematic and invasive Alder species (identified in the Conservation Resources Plan) that had spread down-stream of the Upper Catchment site where they were originally planted for erosion control. The Alder problem has since been dramatically reduced, after a concerted effort by Ecan, and there is real potential for eradication of this invasive species.

**ORPG's general observations and background about the proposal.**

**Landscape**

Blue Mountain Pastoral Lease is situated in the Upper Orari Catchment above the gorge, an area that has been recognised as having significant landscape and ecological values. The high-country upper Orari Catchment is designated as an area of "High-Naturalness" by the Regional Council's Natural Resources Regional Plan, the Eastern Mackenzie Landscape Study (March 2006) also describes the Orari Catchment as having "Outstanding" and "Significant" features and landscape values.

Much of the Pastoral Lease is a very prominent part of the landscape, Tripp Peak being one of the Four Peaks visible from the plains. It also has cultural significance, being one of the grandchildren of Chief Tarahaoa (Big Mt Peel) and his wife Huatekerekere (Little Mt Peel) in the local Purakau (legend). Much of this area is also highly visible from the Tarahaoa (Mt Peel) range Public Conservation Land and from the Plains.

## Ecosystem Services

The area is important for its unique ecological values (which we will address later), but the area's biota is not only significant in its self; it is tremendously valuable for the ecosystem services it provides. We have been very fortunate that the catchment on the whole, until recent years, has been carefully and sustainably managed. This conservative farm management has allowed, most importantly, for the retention of large areas of healthy tussock grassland. It is this tussock grassland that is primarily responsible for sustaining the high water quality and consistent levels of flow in the Orari River, through the gorge, and into the aquifer beyond. Tussock grassland has been proven to provide the optimum water yield of any vegetation cover; it even has the capacity to harvest and store water from mist. It is for precisely this reason that Dunedin has protected the tussock grasslands in that city's water catchment. In our area much is dependant on the water that flows from the Orari Gorge. The high quality and consistent flows of the Orari provide for the water supply of the Geraldine Township, and for the water dependant irrigating farmers on the plains. Given that this water supply from the Orari River is already over-allocated, ie more consents than there is water, this should start ringing alarm bells.

The indigenous tussock grasslands, scrubland and pockets of forest (on the steeper hillsides and gullies) within the catchment also carry out another vital service for our community. They are essential tools against flood damage. This vegetation has the sponge-like capability of soaking up water from excessive rainfall events, so decreasing rapid run-off, and the deep-rooted scrubland and forest also protects against erosion on the steeper slopes and gullies. After the initial clearing of bush and scrub in the catchment in the late 1800's, South Canterbury's plains experienced horrendous floods the likes of which have never been seen since. Dr Barker of Orari wrote "The 4<sup>th</sup> of February 1868 will be long remembered in New Zealand" "without exaggeration the whole sea beach of the eastern coast of the island is lined with thousands of dead sheep and cattle. "The flood swept away all the crops, stock and fences of our next-door neighbour, together with his house, stockyards etc, he and his family having to swim on horse-back for their lives" The peak flow of this flood has been put at 1200 cumecs, compared to the March 1986 flood which was 800 cumecs. The disastrous nature of this flood was, in no small way, related to the removal of vegetation by the first fires of the catchment. It was not an isolated event. There were a number of significant floods at that time and following that event, the size of these reduced as time went by and vegetation regrew. The downstream effect of flooding as a result removal of vegetation of upper catchment has been demonstrated in recent times in the Nelson area, Manuatu and Hawks Bay.

The 'development' and intensification that we have seen in recent years, particularly on Blue Mountain Station, with the burning of tussock, and the replacing indigenous grassland and scrub with exotic pasture is of great concern to us. This is especially concerning with view to this Tenure Review Proposal, where potentially a large chunk of the catchment would become freehold and thus open to further developed in the same vein. It is also likely that the neighbouring leaseholders (which would, in effect, encompass the whole catchment) have similar aims. The proposed (3.5) freehold "is capable of ongoing economic use in an ecologically sustainable manner" but recent development of current freehold land makes the likelihood of this very doubtful.

We are also concerned about the possibility, in the future, of pine tree plantations. This land use is known to reduce water yield further and it has lead to problems now experienced in the Nelson area where large plantations have dramatically reduced water yield those catchments.

Whilst this proposal obviously has to be appraised as a discrete entity, we are concerned about the piecemeal approach that the Tenure Review process in general allows. It is essential that the effects of further, similar proposals for the remaining pastoral leases within the catchment, is considered in order to avoid cumulative detrimental effects on the down-stream community as a whole. There is a significant risk that the down-stream community will receive either too little or too much water. This includes the future water supply for the township of Geraldine, as well as the many irrigating dairy farms of that economically important area of the Canterbury Plains below

the Orari Gorge, and Fonterra's Clondeboye Factory adjacent to the Orari River.

### **Ecological values**

The area covered by the Blue Mountain Pastoral Lease has ecological values that are significant in their own right. The tall and (particularly) short tussock, scrublands and forest remnants are examples of rapidly diminishing indigenous habitats, habitats that are becoming increasingly rare particularly in the foothills situation. These remnants of indigenous vegetation are the remaining toehold for a number of threatened species including specific insect and lizard species, as well as the endangered Blue Duck which up until relatively recently was often sighted in the Orari Catchment. The Orari River Protection Group is at present conducting a predator control programme for Blue Duck in a neighbouring part of the catchment, and is working with DOC to translocate Blue Ducks into the catchment in order to strengthen that population. The Blue Mountain Pastoral Lease contains tributaries that are prime habitat for Blue Duck, and Blue Duck have been sighted on the Orari River and in Andrews Stream in the past. To our knowledge, no assessment has yet taken place with *specific* regard to Blue Duck on Blue Mountain Pastoral Lease.

### **Access**

We will discuss specific access proposals later, but generally speaking ORPG has concerns about access. In the past, under the previous leaseholders (the Buicks), locals enjoyed regular right of way from Andrew's Stream up the Orari River on the legal road to the Hewson confluence. The vehicle bridge was built by the Buicks with the understanding that it would be maintained by the district councils (bridging Timaru and Mackenzie District Councils). This never happened and the bridge fell into disrepair and had to be removed because of safety concerns. Consideration was given to the current leaseholder's reluctance to have ready vehicle access, and last year it was agreed with the community to replace the bridge with a foot bridge, thus giving recreational foot access to the upper catchment from the south.

The proposal includes a number of access proposals, all of which are problematic due to their dependence upon access over adjoining legal roads, either across neighbouring properties or across the leaseholder's own freehold land. These access routes are therefore subject to the discretion of those landowners, so although the proposal may provide access across the proposed freehold land and to the proposed Public Conservation Land, there is not necessarily ready access to that access. In addition to this, in some instances we understand, the legal road on the map doesn't actually follow the same route as the track on the ground.

### **Specific comments on proposal**

We have not had the opportunity, nor the time, to revisit all parts of this Pastoral Lease. We are basing our understanding of the significance of the ecological values on our members' historical knowledge of the area, as well as on evidence from land assessments and Conservation Resources Reports.

In order to ensure the ecologically sustainable management of the catchment, the long-term protection of ecosystem services for the community in the Orari catchment as a whole, and the protection of significant landscape and ecological values (in line with the Conservation Resources Report) we believe that it is essential that larger areas of significant vegetation in the catchment are afforded greater long-term protection.

We would like to reiterate that until relatively recently this catchment has been carefully and sustainably managed, with 30-40 years without burning, but we are concerned about recent intensification of farming practice and are concerned about the outcome this proposal would have on the catchment.

The assessment of Botanical Values in the Conservation Resources Report shows significant values that extend north over and along the range from Tripp Peak, and Blue Mountain past Mt Catherine, including the head of Totara Stream and east across the central ridge of Mt Edith. The area from Moa Stream, north of Mt Frances and encompassing the whole of Mt Frances to

Pinckney Stream and east across to the corner freehold block (between Andrew's Stream and the Orari) is also very significant in terms of botanical values and habitat for threatened species.

Protection has the potential of being achieved through a number, or combination, of mechanisms. One option could be the restoration of a much larger proportion of this land to full crown ownership, this is the mechanism which is most likely to ensure long term protection. Other mechanisms might include some type of management covenant over a larger area of land than that proposed near Mt Frances. The covenant would result from negotiation centered around the property owners intentions and the protection of identified ecological values. The covenant might have a freehold tenure, and be managed by DOC, or under a QEII Covenant arrangement. Such a mechanism has the potential to provide adequate or even, some would argue, better, protection. However, with huge imminent cut-backs in DOC funding, we fear that the monitoring of such covenants will be less likely to happen than they do now, and our understanding is that DOC rarely has resources for such monitoring at present. Any covenanting arrangement would have to be managed and involve vigilant monitoring in order to ensure protection, whether by DOC or QEII. The issues of access would also have to be addressed under such an arrangement.

#### **2.1 Land to be restored to full crown ownership and control as a conservation area under section 35(2)(a)(i) Crown Pastoral Land Act 1998**

We support the proposal to transfer 2500 ha approx. as Conservation Area CA1 into full Crown ownership, but would like to see this providing for protection of a larger area of land as identified in the assessment of Botanical Values in the Conservation Resources Report.

##### **2.2.1**

We oppose the leaseholder's right to build a new vehicle track above Andrew's Stream as indicated on the designations plan proposal 2.2.1 regarding the Conservation Covenant-CC1 point 8. The overly steep nature of the hillside means that any track will significantly compromise that area of valuable indigenous habitat, which is known to contain threaten species. The track (now two years old) on the adjoining freehold land that is nowhere near as steep, gives an indication of the damage that could be expected from the proposed track. We would also like to point out that the legal road on the other side of Andrew's Stream, to which he has access at present via a crossing, is proposed access for the general public and as such should equally provide access for the leaseholder. It seems unnecessary to have tracks both side of the stream.

##### **Access**

We have already raised concerns about the problematic legal road access onto the leasehold land being proposed, we would like to see some clarification around this issue.

We would also note that access from the south to the CA1 is very limited and dependent on access granted by adjoining landowners. Access of any kind, via the Old Pack Track from the Waihi River, across Saddle Peak Station to the stone hut, and over Blue Mountain Pass to the Mowbray is actively discouraged by the present landowners.

We also note that the present proposal contains few possibilities for loop trips, which are preferable, and have historically been easy to arrange and popular for trampers, climbers, skiers mountain bikers and horse trekkers, on the various tracks linking Andrews Stream Huts, Howard's Stream, Orari River, Mt Frances, Pinckney Stream, and in the Blue Mountain Pass, Tripp, Blue Mountain, Mt Catherine summit ridge area.

##### **3.2.3.**

It must first be noted that the access we request on behalf of the general public is foot, bike, ski, or horse access, not vehicular access.

- We support the a-b access route (as marked in the photograph page 16, up the ridge, rather than that shown on the designation map along the fenceline on the face.)
- We support the c-d access, but as it stands it does not ensure the historical access

alongside the Orari River from the Andrew's Stream Bridge to the confluence with the Hewson and the Lochaber Road. We would like assurance that this will in fact provide that through public access.

- We support i-j access but would like to see access from this route onto CA1. This would be most feasible via the fenceline running close to pt 808 and through point 1183. We would also like to see access onto Mt Edith. As the proposal stands the i-j access does not have a destination or a purpose.
- We support g-h, e-f access but would like this management access to also include public access onto Mt Catherine.
- We also request access to climb Mt Frances, which is historically a very popular day trip with trampers. If the leaseholder is not open to negotiation to access via farm track across his freehold land from Andrews Stream, then would the south east facing ridge dropping into Andrews stream near leaseholder's new track crossing of the stream, via pt 604 be an option? Though this does still cross a very short section of freehold land.
- We request access onto CA1 from the east and south. The most feasible access would be from the legal road alongside Andrews Stream. Access could be provided from that legal road, along McNaughton's Stream, and onto the northeast facing ridge of Tripp Peak on the true left of that stream, though we're not sure how obvious this legal road is on the ground, and a short easement may be required to make this a realistic option.

We hope that the Commissioner will take into account, the need for actual, realistic and ongoing public access onto, and across parts of this Pastoral lease; and also afford protection to a larger part of this Pastoral Lease, both in terms of its significant ecological values, and of the ecosystem services that those values provide for the long term, greater good of the community as a whole.

Thank you for the opportunity of being involved in this process.

Catherine Sintenie,

For the Orari River Protection Group.

**Blue Mountain Tenure Review – Submission****Orari Gorge Station Ltd****R D 21, Geraldine****Ph: 03 692 2853****Email: graham@orarigorge.co.nz**

We farm Orari Gorge Station to the south of Blue Mountain. The boundary between us is Andrews Stream.

Our submission concerns public access by foot, bicycle and horse over easement "i-j." The easement as shown on the plan is annotated "Easement to ensure practical access." The commentary provides that the farm track does not follow the legal road in parts so an easement is required to ensure practical access to Andrews Stream. The access is along the Bernard and Howard Streams. It is noted that a legal road is along one side of the three streams and the papers do not provide sufficient information to indicate if a marginal strip will be created along the other side of these streams. This is of particular importance to us as far as Andrews is concerned.

The area is in close proximity to Peel Forest and other public areas that are known for good mountain bike terrain. Our concern is that while "safeguards" and stiles may be in place for Blue Mountain and having regard to the map on the Walking Access Commission web site showing access over Andrews to our land, the public will cross on to our land and use our track which is mostly off the legal road. The public will interpret this as a continuation of the DOC access.

Our track is on the opposite side of Andrews. There is a legal road along Andrews on our side. The Commissions map shows both a legal road and our track. The scale is such that the public will not be able to see that the track is in fact not on the legal road. There are no "safeguards" for our track.

We believe this is a track to nowhere and should not be included in the tenure review. The public may see this as part of a round route from Orari River Road or Burma Road, along Andrews, then i-j, then Lochaber Road, then Orari River to the starting point.

One of the objects of tenure review is to secure public access to reviewable land. Access i-j goes nowhere except maybe a marginal strip on the Blue Mountain side of Andrews Stream. If that is the case then DOC should provide a track along the Blue Mountain side of Andrews. We would also require DOC to place an appropriate sign on the Orari Gorge side of Andrews to the effect that the track is a private farm track to clearly distinguish between the rights granted over Blue Mountain and the end point of that right.

The information provided does not clearly indicate if there will be a marginal strip along the streams through Blue Mountain. If strips are created then has consideration been given to allow access solely within Blue Mountain? If a strip is created along Andrews then the public should be directed along the Blue Mountain side of Andrews and not across it. We note there is to be a track through CC1. Was this considered for public access for "enjoyment" of this protected area?

Graham & Rosa Peacock





Southern Regional Office  
PO Box 4403  
Christchurch

Our Ref: 22015-001

21 November 2011

Luana Pentecost  
Property Administrator  
Darroch Limited  
PO Box 27  
ALEXANDRA 9340

Kia ora

### **Blue Mountain Pastoral Lease – Preliminary Proposal for Tenure Review**

Thank you for the opportunity for NZ Historic Places Trust (NZHIPT) to comment on the Preliminary Proposal for Blue Mountain Tenure Review. NZHPT is an autonomous Crown Entity with responsibilities under the Historic Places Act 1993 to promote the identification, protection, preservation and conservation of the historical and cultural resources of New Zealand.

The 2003 Amendments to the Resource Management Act added a definition of historic heritage, where previously there was no definition, and elevated historic heritage to a matter of national importance, to where now there is a requirement to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development (Section 6 (f)).

Desk-top study by the NZ Historic Places Trust identified there are no registered historic places, historic areas, wāhi tapu or wāhi tapu areas on Blue Mountain Pastoral Lease. Blue Mountain is located in the Rural Zone of the Mackenzie District Plan and there are no heritage items at this location identified in the District Plan. No archaeological sites are currently recorded in the NZ Archaeological Association Site Recording Scheme in the proposed freehold area of the Pastoral Lease. The absence of recorded archaeological sites in the NZAA Site Recording Scheme on the property should not be taken as evidence that no sites are present.

NZHPT notes that three historic huts are situated within the proposed freehold area of the lease. These sites are:

Totara Stream Hut, c.1860s  
Mt Edith Hut, c.1860s  
Hat Spur Hut, c.1860s

All three sites predate 1900 and as such are protected as archaeological sites under the Historic Places Act 1993. NZHPT agrees with the significance assessment of these sites contained in the Preliminary Proposal. NZHPT supports the creation of a covenant over the areas encompassing the huts, and supports the conditions detailed in Schedule 2 of the covenant agreement.

NZHPT further notes that the historic heritage component of DOC's Conservation Resources Report is limited to the three huts described above and historic heritage in the pre-existing freehold areas. Desk top research indicates that a fourth historic hut is situated on the northern boundary at McLeod's Spur and a pre-1900 pack track, bridle track and fenceline are situated within the proposed freehold boundary. In light of this and given the early history of the area NZHPT recommends that a historic heritage survey is undertaken to identify any potential historic values within the area of proposed freehold land.

NZHPT recommends that:

1. Prior to the release of the substantive proposal additional research should be undertaken on the land to be freeholded.
2. A comprehensive heritage survey should be undertaken to ensure any sites are appropriately recorded. NZHPT should be supplied with the results of the survey at that time.
3. If significant historic heritage places are identified in the survey, further consideration should be given to appropriate protection measures.

Thank you for the opportunity for us to provide our input at this stage. Please contact me if you have any questions.

Yours sincerely



Malcolm Duff

General Manager Southern



## Federated Mountain Clubs of NZ (Inc)

P O Box 1604  
WELLINGTON  
[www.fmc.org.nz](http://www.fmc.org.nz)

[secretary@fmc.org.nz](mailto:secretary@fmc.org.nz)

21 November 2011



Commissioner of Crown Lands,  
C/- The Manager  
Darroch Limited  
P O Box 27  
ALEXANDRA

Email: [luana.pentecost@darroch.co.nz](mailto:luana.pentecost@darroch.co.nz)

### Blue Mountain Tenure Review

Federated Mountain Clubs represents clubs involved back country recreation with a particular focus on mountainous areas.

Federated Mountain Clubs fully supports the aims of tenure review : “to promote the management of reviewable land in a way that is ecologically sustainable..... to enable the protection of the significant inherent values of the reviewable land.....and to make easier the securing of public access to and enjoyment of reviewable land” (Crown Pastoral Land Act 1998, S.24).

This run has some significant values for recreation. The high points of Tripps Peak, Mt Frances and Mt Catherine are of particular interest. Access to Tripps Peak from the Waihi River catchment is important. The routes closely following the legal roads up the Orari River and through the centre of the property are also of interest.

The property offers some easier country without technical difficulty. It has good views and the tussock is a key to its appeal.

We note the proposals and the values listed in the conservation values report and support the points noted there. We are concerned at the extent private land proposed – especially at higher altitude. Some of this is tussock and deserves protection and should be added to the area being returned for conservation. We note that the conservation report indicates that the area has not had a proper PNA survey and feel that one should be completed before the boundaries are finalised.

We strongly support the protection to the head of Waihi Stream as proposed. This area is known to have Blue duck.

Our other main area of comment concerns the access provisions in the proposal.

We support the provision of access easements from c to d and from i to j (Howards Stream to Bernards Stream valleys). Both of these easements will more or less follow existing legal roadlines and we feel that providing for practical access along these routes is needed. The Orari River (along c to d) is also of interest to mountain bikers anglers and for water based recreation. The route from i to j will be of interest to mountain bikers and the easement needs to provide for this activity.

We support the access easement between a and b. This will give access to the Tripp Peak block in the future.

There are some omissions from the access. We like to see a public foot access easement along the proposed management easement between h and g. This would enable walkers to traverse the ridge between Mt Catherine and Tripp Peak. There should also be access link between the legal roadlines in the Andrews Stream from the spurs off Tripp Peak. This could be achieved by enabling access down the ridge (or slopes) to the legal road in Howards Stream (linking to easement i to j). A shorter alternative would link the be to join the existing legal road that follows McNaughtons Stream from Andrews Stream to a relatively flat area on the ridge to the south. An easement similar to the ones for the other legal roads could be necessary to enable this legal road to be used properly.

Finally, we appreciate this opportunity to comment on the Preliminary Proposal. We would be happy to be involved in further discussions regarding any of the issues discussed in this submission.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Phil Glasson', written in black ink.

Phil Glasson  
Secretary



**WALKING ACCESS**  
ARA HĪKOI AOTEAROA

21 November 2011

Commissioner of Crown Lands,  
C/- Darroch Limited  
PO Box 27  
ALEXANDRA 9320



**Preliminary Proposal for Tenure Review of the Blue Mountain Pastoral Lease Pt 031  
Submission from the Walking Access Commission**

Thank you for providing an opportunity to comment on the Preliminary Proposal for the tenure review of the Blue Mountain pastoral lease. As you will appreciate, this is the first opportunity that the New Zealand Walking Access Commission (the Commission) has had to comment on this proposal.

We have not had the opportunity to undertake a ground inspection.

The following submission should be considered as new information as the planning, extensive discussion and consultation, to date, have been undertaken without input from the Commission.

The Commission's public access statutory role is described below, under section **A. Introduction**, and the detailed submission is presented in section **B. Submission**.

In summary, the Commission:

- Notes that there is existing public access via the legal road that bisects the pastoral lease along the Bernard Stream - Howards Stream valleys, and also via legal road along the Orari River Valley,
- Notes that the legal road access from Lochaber Road, through Rural Section 25250, (providing the link to the legal road adjoining the pastoral lease along Bernard Stream) appears, from the aerial imagery, to be obstructed by farm buildings, and that that needs to be addressed separately from the Tenure Review, and
- Notes and supports the proposed 1km walking access up the fence line to provide public access to CA1 via easement 'a-b',

The Commission also seeks to have:

- All legal roads, which provide immediate access to or which share any boundary with the pastoral lease, clearly identified on the plan and identified as being separate parcels from the pastoral lease.
- Additional Information provided with the summary of the preliminary proposal to clarify which waterways qualify for marginal strips. (All waterways qualifying as having marginal strips reserved from sale on the disposition of land, as a result of the tenure review, should be shown on the plan or at least provided with the summary of the preliminary proposal),
- Public 4 wheel drive access provided for on the proposed easement 'g-h' and 'e-f'.

- Practical public access provided from the existing and proposed public access 'i-j' to the north eastern boundary of CA1, and
- Public walking access to the four covenant areas, including the three historic huts.

The Commission also seeks to ensure that:

- Marginal strips to be created on waterways which originate within CA1 (i.e. on Andrews, McNaughtons, Howards (plus tributaries) and Totara Streams and Mowbray River) will link with CA1, and will be created with sufficient width to enable practical public access.
- The development of the survey prescription for this tenure review includes the requirement to define all the legal roads and confirm where vehicle tracks deviate from the defined road to enable public access easements to be created for those areas – should the long established vehicle tracks be confirmed as not defining the legal road alignment, in places.

The detailed submission is set out in section **B** below.

## **A. Introduction**

### **Purpose, Objective and Functions of the NZ Walking Access Commission**

The Walking Access Act 2008 (sections 3, 9 and 10) sets out the purpose, objective and functions of the NZ Walking Access Commission.

Central to its role is the Commission's leadership functions in negotiation and provision of free, certain, enduring and practical access to the outdoors for New Zealanders and visitors.

### **Focus of Submission is Public Access**

The Commission's submission on the Preliminary Proposal for Blue Mountain is designed, as envisaged by the Act, to achieve appropriate, enduring and future focused public access in this area of New Zealand.

The Commission's submission reinforces the objectives of the Crown Pastoral Land Act 1998, in particular section 24(c) which is to make easier the securing of public access to and enjoyment of reviewable land. Specifically, our submission addresses the public access and public enjoyment matters specified in subsection (2) (c) and (d) of section 40 of the Crown Pastoral Land Act 1998.

The Commission was not consulted during the preparation of this preliminary proposal, which had commenced well before the introduction of the Walking Access Act 2008. Nor has the Commission had the opportunity to undertake a ground inspection.

Therefore, this submission should be considered as new information - provided by the Crown agency with statutory responsibility<sup>1</sup> for leading and supporting the negotiation, establishment, maintenance, and improvement of –

- walking access (including walkways, which are one form of walking access) over public and private land; and
- types of access that may be associated with walking access, such as access with firearms, dogs, bicycles, and motor vehicles

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<sup>1</sup> Section 3(b) Walking Access Act 2008

## **B. Submission**

### **General comments**

The identification of legal roads bordering or intersecting the pastoral lease, and acknowledgement of them, is generally inadequate. For example legal road appears to border the pastoral lease in a number of areas, not only alongside the Orari River but also north west, the south-west and south east of the lease. Legal road bisect the lease alongside Bernard and Howards Streams, and also intersect the lease south of McNaughtons Stream, north-east of Blue Mountain Pass and a small section west of Mathias Stream

The identification of existing legal access that bisects, interest or adjoin the lease parcels is a key factor in considering how appropriate the public access resulting from the tenure review is. This information should be clearly identified on the Preliminary Proposal plan with the lease boundary shown abutting the legal road boundaries.

Part 4A of the Conservation Act 1987 applies to the disposition of all land being freeholded under tenure review. While we understand that the Commissioner of Crown Lands may have no statutory function in the reservation from sale of marginal strips, the identification of qualifying waterways is a key factor when considering the adequacy of public access proposed in tenure reviews. The Preliminary Proposal plan should identify this information, or it should at least be made available with the advertising of the Preliminary Proposal.

### *The Commission:*

- 1. Seeks to have the boundaries between the pastoral lease and all legal roads clearly depicted as pastoral lease boundaries on the plan.*
- 2. Seeks to have appropriate information identifying which waterways qualify for marginal strips shown on the plan - or at least be provided with the summary of the preliminary proposal.*

### **Existing public access**

Legal roads exist through the property in the vicinity of Bernard and Howards Streams, and also in areas south of McNaughtons Stream, Andrews Stream, north-east of Blue Mountain Pass and a small section west of Mathias Stream. Legal roads border the lease alongside the Orari River, and also in the south-west corner of the lease and in the vicinity of Totara Stream. There are vehicle tracks on or about the legal roads near Bernard and Howards Streams and the Orari River, but it is not known if the legal roads provide practical vehicle and foot access. (Only a cadastral survey will determine if and where the present vehicle track alignment define the legal roads)

The beds of the Mowbray River, and Bernard and Andrews Streams may also provide some access alongside the lease.

### **Proposed public access**

We commend the proposed use of easements 'c-d' and 'i-j' to complement existing public access on legal road alongside the Orari River and through the property (Bernard and Howards Streams) where the formed tracks are deemed to not define or be included within the legal road. And we support the proposed public access to CA1 via an easement 'a-b'.

There will need to be care and clarity in defining the appropriate route for the proposed access easements 'c-d' and 'i-j' in relation to the existing 4 wheel drive track, the legal road and any marginal strips to be created over pastoral lease land intersected by, or abutting the waterways. While the route should link with the existing legal road and the marginal strips to be created, it may need to be specified as the existing 4 wheel drive track with the easement to be created over the track "where the track is not confirmed on the line of the legal road, or within the marginal strip".

This determination will need to be part of the survey prescription for this tenure review.

We note that the Qualifying Water Bodies Assessment also identifies that marginal strips will be created alongside a number of other waterways. Of particular note are a number of marginal strips to be created which appear will provide legal access to CA1 (assuming there is already existing legal access to the lease boundary). Unfortunately the boundaries of CA1 shown on the Qualifying Water Bodies plan are different from the boundaries shown on the proposed designations plan, so it is not clear whether or not some of the marginal strips to be created will actually link to CA1.

Assuming the marginal strips will link to CA1, the most relevant are;

- Andrews, McNaughtons and Howards Streams (plus tributaries) which should provide legal access to the north-eastern boundary of CA1, and
- Totara Stream and Mowbray River which should provide legal access to the north-west and south-west corners of CA1

These marginal strips to be created should be of sufficient width to ensure that practical public access is possible.

*The Commission:*

3. *Supports the proposed use of easements 'c-d' and 'i-j' to complement existing public access on legal road alongside the Orari River and through the property (Bernard and Howards Streams), and support the proposed public access to CA1 via an easement 'a-b'.*
4. *Seeks to ensure that marginal strips to be created on waterways which originate within CA1 (i.e. on Andrews, McNaughtons, Howards (plus tributaries) and Totara Streams and Mowbray River) will link with CA1, and will be created with sufficient width to enable practical public access.*
5. *Seeks to ensure that the survey prescription for this tenure review includes defining the legal roads abutting, intersecting and bisecting the pastoral lease parcels, and that the cadastral surveyor is requested to specifically report on the sections of vehicle track deemed to be outside of the legal road alignment and to be included in the proposed easements.*

#### **Desirable public access**

It would be very desirable to secure public vehicle access to Blue Mountain and Tripps Peak to enable a greater number of the public to appreciate the " *good views across the upper Orari Basin and of surrounding mountain ranges including the Mt Peel Range.*" Notwithstanding the holders reservations about the proposed DOC management access easement 'g-h' and 'e-f' and the fact that the easement links with freehold land, tenure review is the appropriate mechanism to at least provide for public vehicle access on this track within the current pastoral lease. Public perceptions and land holders change with time, and just because public access over the entire route from the legal road to CA1 is not able to be achieved now, does not mean that access over the part within the current lease should be foregone. The provision of this public access will help meet the objective outlined in section 24(c)(i) of the Crown Pastoral Land Act 1998 if and when additional access may become available.

*The Commission:*

6. *Seeks to have public 4 wheel drive access provided for in the proposed easement 'g-h' and 'e-f'.*

There is presently only one point of public access to CA1. Given the legal road, and the proposed public access easements about the alignment 'i-j', it is very desirable that access to CA1 be available from this route to potentially enable a 'one way' tramp through CA1. As discussed above,



practical public access may be provided for by the creation of marginal strips, but this is far from guaranteed. The proposed route 'a-b' appears to follow a fence line, and a logical second access point would appear to be alongside the fence line from the legal road at the head of Bernard Stream some 1,100 metres to the north-western corner of CA1. An alternative could be from just north of the square block of freehold land by Howards Stream, south west to near the corner of CA1.

*The Commission:*

- 7. Seeks to have practical public access provided, from the existing legal road and proposed public access easement about the alignment 'i-j', to the north eastern boundary of CA1.*

The four conservation covenant areas on the pastoral lease, particularly the three historic huts, provide desirable areas for public enjoyment, and therefore provision for appropriate public access to and across these four areas should be provided for. The existence of the legal road into Totara Stream, and the existing tracks across the eastern ridges of the lease appear to provide practical access through the covenant areas. Securing these public access option will ensure that New Zealanders and visitors have greater range of opportunities to enjoy this desirable part of the country.

*The Commission:*

- 8. Seeks to have practical public walking access provided from the legal road at the northwest corner of the lease into Totara Stream Hutt and continuing on a practical route to link to CA1.*
- 9. Seeks to have practical public walking access provided from the marginal strip on the northwest side of McLeod Spur through to Mt Edith Hut and thence south eastwards along the most practical and desirable route to join up with the legal road in the vicinity of j.*
- 10. Seeks to have practical public walking access provided from the marginal strip on the north west side of McLeod Spur through to Hat Spur Hut and thence southeast to the conservation area CC1 to join with the proposed track within the CC1 and to join with the legal road.*

Thank you for the opportunity to make a submission on the Preliminary Proposal for tenure review of the Blue Mountain pastoral lease.

We request timely advice as to how the points we have raised have been analysed and what amendments, if any, are subsequently proposed to the Preliminary Proposal designations.

Yours sincerely



Mark Neeson  
Chief Executive

Struan Farm,  
34 Thatcher Rd,  
RD 21,  
Geraldine.

20/11/11



Ph: 03 6922852  
e mail: drewsallybrown@gmail.com

Submission on the PT031 Blue Mountain Preliminary Proposal

To the Commissioner of Crown Lands,

As an educator (Teacher of Outdoor Education and Education for Sustainability, Head of Department of Outdoor Education, Geraldine High School and Chairman of Peel Forest Outdoor Center) with a duty and responsibility to introduce young people to accessible Crown Lands with recreation and learning opportunities, I would like to make the submission that the following will be considered:

1. That public access by all presently designated "Legal roads" across and up to Blue Mt Station be clarified.
  - (a) Any present Legal Road marked as being a Legal Road on the LINZ proposal map (which includes proposed public access easement c-d) across Blue Mountain that has deviated (historically) through a section of private land should be re-defined, re-settled and confirmed as being complete and continuous public access without charges or requiring permission to travel on such roads.
  - (b) Any Legal Road marked as being a Legal Road on the LINZ proposal map that leads up to and into Blue Mt Station across an adjoining property be re-defined, re-settled and confirmed as being complete and continuous public access without charges or requiring permission to travel on such roads.
  - (c) Any proposed Public Access way ( i-j) through Blue Mountain be defined, settled and confirmed as being complete and continuous public access onto other Legal Roads without charges or requiring permission to travel on such roads.
  - (d) That from agreed points on Blue Mountain the public should only travel by foot, mountain bike or horse. This would disallow any form of public motorised traffic on these agreed designated portions of Legal Road, and therefore on proposed designated Crown Land.
  - (e) The landowner should be given the option of using discretion to allow motorised transport at different times on the aforesaid Legal Roads (i.e. handicapped access, 4 Wheel Drive Clubs etc.).
  - (f) That the public should not be allowed to take dogs onto any public easement.
  - (g) That no dogs (apart from landowner's dogs) should be allowed onto Crown Land CA1
  - (h) The landowner should not be restricted in any way in the use of present Legal Roads or proposed public or management access for farming operations.

2. That Landowners of Blue Mountain Station and adjoining properties be given monetary and other resource material to assist with educating and notifying public users of Legal Roads and Crown Land the terms and expectations of care and respect for farming operations (especially gate use) and the environment through which they travel.
3. That the proposed track through the proposed Conservation Covenant (CCI) be not allowed for the following reasons:
  - (a) The area is to be covenanted and therefore should exclude the building of a track.
  - (b) The area is of a high landscape value and the track would cut across ecosystems that harbour rare forms of flora and fauna.
  - (c) There is already a track crossing Andrew's Stream onto Orari Gorge Station closer to the confluence of Andrew's Stream and the Orari, allowing stock movement to the Pinkney Stream and Howard Stream areas.
4. That any agreed farming operations (including management and care) agreed to between the landowner and LINZ in the proposed area for Full Crown Ownership (CA1, CA1a, CA1b, & CA1c,- see extensions to CA1 below) should not exclude public access and use of that area at any time.
5. That the proposed area for Full Crown Ownership (CA1) be extended, because the proposed public access to the proposed Crown Land **is very limited.**
  - (a) (See Map attached). It is submitted that an area CA1a be added to Full Crown Ownership. This will ensure permanent and viable access through the Andrew's Stream Legal Road.
  - (b) (See Map attached). It is submitted that an area CA1b be added to Full Crown Ownership. This will add a significant mountain to CA1 (Mt Catherine) at the same time allowing a logical and viable descent from a high mountain traverse down to a Legal road access (extending north from the i-j proposed public easement). The area CA1b will also incorporate significant botanical values and a shelter hut (Stone hut). This is seen as an important refuge for students in inclement weather.
  - (c) (See Map attached). It is submitted that an area CA1c be added to Full Crown Ownership. This will allow far better choice of foot traffic access from the west (Mowbray Valley), and will include access up Totara Stream Legal Road, while at the same time incorporating a shelter hut (Totara Stream Hut). This is seen as an important refuge for students in inclement weather.
6. That the proposed CA1 Crown Land area be not reduced.
7. That the farming practices in the proposed new freehold area beside the Orari River be defined by agreement between landowner and LINZ, so that the water quality in the river cannot be adversely affected. Loss of tussock and re-designation of grazing regimes will have a significant effect on run off into the river.

Summary:

This submission is put forward with the following in mind:

The submitter has a great deal of sympathy for landowners who have public access through their lands. Misuse of gates and inappropriate behaviour on private land is a significant negative element in the farming operation of those landowners in this position. What strategies have to be put in place are unclear at the moment, but it is hoped that some options will be suggested by all stakeholders and that they might be able to work together.

It does seem obvious that where there is the collision of public and private ownership, that there has to be a working partnership of some sort. Without an acceptance of that concept, then there will always be friction and misunderstanding.

However, there are higher principles that illuminate values more important than the lesser values of control and ownership. Education of our young people is of paramount importance, and a vital part of that process is experiential in environments that are feasibly and safely accessible, especially if they are designated as Crown Lands.

All the submissions listed above, and especially the proposed extended Crown Land areas, allow for very great learning potential, not only for young people in the McKenzie and South Canterbury areas, but also for all New Zealanders who wish to enjoy their heritage. The proposed Crown Lands should be seen as a part of the greater concept where we have the Best of New Zealand using the Best of New Zealand.

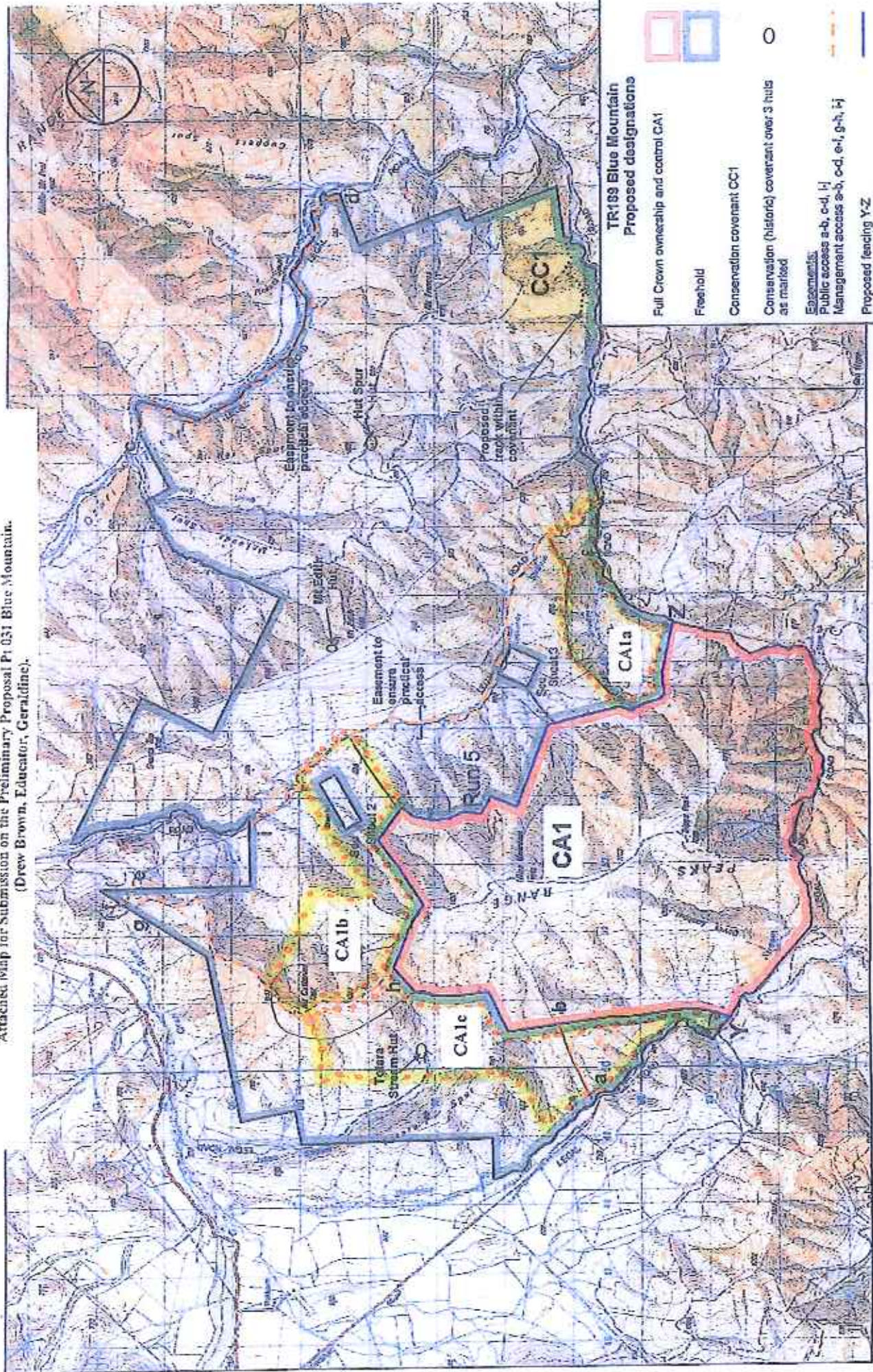
It follows then, that no member of the public using foot, mountain bike or horse transport should be charged any amount of money, or be denied access to use a Legal road designated as a public easement, especially to Crown Lands.

Thank you for your consideration,

Drew Brown.

Geraldine.

Attached Map for Submission on the Preliminary Proposal P1 031 Blue Mountain.  
(Drew Brown, Educator, Geraldine).



**TR189 Blue Mountain  
Proposed designations**

- Full Crown ownership and control CA1
- Freehold
- Conservation covenant CC1
- Conservation (historic) covenant over 3 hills as marked

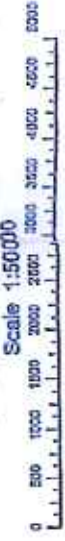
**Easements:**

- Public access a-b, c-d, l
- Management access a-b, c-d, e-f, g-h, j
- Proposed fencing Y-Z

TR189 Blue Mountain 6\_5\_1.5 Design Plan 11/02/2011

Canterbury Land District Sheet 1  
Topographic map 200-037 Date 27/09/06

# Blue Mountain

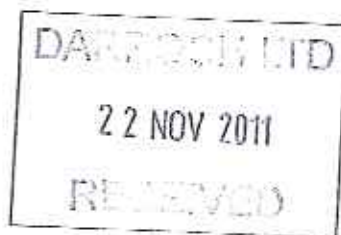


The boundaries on this plan are for illustrative purposes in showing the recommended designations.



W2/3/3

21 November 2011



Commissioner of Crown Lands  
C/- Darroch Limited  
PO Box 27  
Alexandra 9340

Dear Sir

**Blue Mountain Tenure Review**

The Timaru District Council submits that the proposal to create 6935 hectares of freehold land may result in intensification of farming with tussock cover reduced. Any reduction in tussock will affect water retention and flows as well as impacting on water quality within the Orari River.

The Orari River is a major source of water for Timaru District Council water supplies. Any reduction of water quantity or quality is a concern.

Timaru District Council requests that the issue of potential effects on water quantity and quality be considered prior to the finalization of the area to be freeholded.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Judy Blakemore".

Judy Blakemore  
Utility Operations Engineer



To  
The Manager  
Darroch Ltd  
PO Box 27  
Alexandra



Email: [luana.pentecost@darroch.co.nz](mailto:luana.pentecost@darroch.co.nz)

**Submission on the Preliminary Proposal  
for the review of tenure Blue Mountain Pastoral Lease  
under the Crown Pastoral Land Act 1998**

General Comments

As the process of Tenure Review continues, the risk of losing significant ecosystems accelerates. Many high country areas contain plants and animals, (lizards, insects and other invertebrates) that have never been described or studied.

Ashburton Forest and Bird has a concern that the movement of areas with significant conservation values into private ownership, will result in the destruction of habitat and the associated species.

As near neighbours we urge that the commissioners give full regard to the submissions prepared by the South Canterbury Branch of Forest and Bird, whose members know this area well, and have extensive knowledge of the conservation values to found on Blue Mountain Station.

Val Clemens  
On behalf of Ashburton Branch  
Royal Forest and Bird Protection Society  
P O Box 460  
Ashburton