

Crown Pastoral Land Tenure Review

Lease name : BLUE MOUNTAIN

Lease number : PT 031

Public Submissions Part 2

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.



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

This is a personal submission on behalf of Hermann Frank, Timaru

General observations: Blue Mountain Pastoral Lease is a highly visible, open upstanding tussock covered range country which contain excellent natural values such as native forest and shrublands. This area has a high degree of naturalness and is of special interest for many people to see and enjoy, for example the Orari River Gorge and the area along Andrews Stream. I have visited parts of the area (southeast part and the river gorge) in October/November 2011 and thank the Lessee for that opportunity.

It appears that the inherent values existing on this Pastoral Lease have been largely retained because of the considerate management regime carried out by past leaseholders. However, there are areas which have been modified through burning, top dressing and oversowing, particularly over the past view years. A vehicle track has been bulldozed through sensitive areas.

The tenure review should ensure that all current natural values are at least retained in the future.

1. The proposal to transfer 2500 ha approx. as Conservation Area CA1 into full Crown ownership is fully supported. It is suggested that the area to the west of CA1 and south of the access route a – b (with the shape of a triangle) is added to CA1. The natural values of this area have been identified as similar to the proposed Conservation area. To include it in CA1 would also make management and access easier and clearer.
2. The provision of easements for public access is supported (see some changes below)
3. The proposal to dispose 6935 ha approx. to Freehold ownership for Blue Mountain Station Ltd raises some issues in regard of inherent high natural values both for flora and fauna as well as high landscape values and protection of waterways and water quality. Considerable changes need to be made to meet the goals of Crown Pastoral lease Act 1998. Though there are some concerns regarding other areas e.g. in regard to maintaining the current tussock areas my main concerns are addressed below.

3a. Proposed covenant area CC1 'Andrew Stream faces'

The proposal correctly identifies this area as having high natural values. To protect these values a covenant is proposed. The creation of a new track through this area is proposed.

Site visits in October/November 2011 have shown that the area actually supports a higher biodiversity than indicated in the conservation reports both for botanical and fauna values. There are other plant species and threatened animal species present in the area. It is doubtful that the proposed covenant conditions will ensure the long term protection of these values. Also the protection of waterways and water quality is a high priority. Appendix B shows some photos of the area with the particular aspects of this time of the year.

3a1. The better option would be to designate this area as a conservation area CA2 in full Crown ownership. This would need the construction of fences. The southeast corner borders on freehold land above Andrews Stream which has the same qualities as the designated area and is clearly defined on the eastern side by a fenceline on the ridge. Through land swap the part of the freehold land west and southwest of the fence on the ridge down to Andrews Stream should be transferred to Crown ownership and included in the conservation area CA2 (see attached map, appendix A). This would not necessarily exclude grazing, but this should be restricted to sheep only and a reduced stocking rate be applied in compliance with a management plan developed by the Department of Conservation. An easement for Blue Mountain Station Ltd on the existing track through the current freehold land might be necessary.

3a2. If this option is not pursued the protection through a covenant would be the second choice. All the proposed conditions for the covenant area need to be upheld plus two further conditions:

- Grazing by sheep only
- The owner of the freehold land to agree that the covenant be extended on that part of the freehold land above Andrews Stream mentioned above.
- For a clearer understanding of the covenant boundaries the erection of fences should be

considered

3a3. The proposal to create a new track within the area is strongly objected. The track would cut through areas of high natural values and be in total conflict with the aims to preserve these. It would not only cut through the habitat of vulnerable animal species and create fragmentation, it would with certainty destroy some of those animals. Also it would allow predators much easier access and allow weeds to spread very easily. It would have a negative impact on the landscape values as the steepness of the site would create deep cuts and unstable ground. There are already two large slips which indicate the unstable condition of the parts of the steep slopes.

These consequences can be seen easily in the southeast corner on freehold land where a track has been bulldozed in recent years.

3a4. If Option 2 is chosen, some changes for the Covenant in Schedule 1 would be necessary:

Under 3 'Values of Land to be Preserved' it is suggested to add to the first bullet point:

- and also remnants of original animal populations

Under Schedule 2, Special Conditions the following points need to be altered:

2. ... grazed at any time by sheep only, ...
4. Needs to be deleted completely
5. In "The Minister may design and undertake a monitoring programme" the word 'may' should be replaced with 'will'

3b. Orari Gorge

The Orari River and its gorge, the immediate surroundings and its catchment are recognized as an area of 'high naturalness'. They support significant natural values both aquatic and terrestrial. The high degree of biodiversity is indicated by extensive shrub communities near the river and on the hills, in the gullies in particular, patches of rocky outcrops and tussock areas. A remnant of mountain beech near the river is noteworthy (though on freehold land currently). A visit to the area again has indicated that more plant species are present than indicated in the Conservation Resources Reports. And it is very likely that threatened animal species are also present as the habitat is in places of similar quality and composition as on the Andrews Stream faces. However, weather conditions were not suitable to confirm this. Appendix C shows some photos of the area with the particular aspects of this time of the year. The river itself provides habitat for a number of fish and bird species. There is also a wetland of considerable size between the river and the slopes of Hat Spur, which provides habitat for a number of species

The water quality of the river and streams is determined by the management of the surrounding areas. This means that the future management needs to take this into account. The tenure process needs to secure the water quality of the catchment.

The deep-cut Orari River Gorge conveys wild and scenic values and is a special and uncommon landscape feature. It has a special status for the public of South Canterbury and is highly regarded for its landscape values and recreational opportunities. It provides many educational opportunities for students from the region. However, access to the gorge has been an issue over recent years. The tenure review process would allow to resolve these issues.

Therefore the following changes to the Proposal are requested:

3b1. To establish a Covenant Area CC2 (or CC1, if the proposed CC1 is changed into a Conservation Area CA2 as requested). The boundaries for CC2 would be the track along the Orari River to the east (see point 3b2), Andrews Stream to the south, a line from the west crest of Pinckneys Stream, Hat Spur hut and Hat Spur to the west and the lease boundary to the north (see attached map). This would mostly align with existing fencing. It would be advisable to include the current freehold land in this covenant. The owner might be granted concessions for accepting the covenant e.g. monetary benefit within the tenure process.

The conditions for CC2 would need to be the same as suggested for CC1 in the Preliminary Proposal. Amongst maintaining the other conditions no burning, oversowing or topdressing should be allowed as this would result in an unnatural 'greening' of the landscape, a change of the natural composition of the vegetation over time, the restriction of a natural succession of native vegetation and a negative impact on the water quality.

3b2. To establish a Conservation Area CA3 along the Orari River Gorge between the river and the track along the river including the track. This would allow a better protection of river margins and the native vegetation along. There are also some special habitats which reinforce the natural qualities of the river

gorge e.g. scree patches for lizards. Another example is the above mentioned stand of mountain beech which is nearing its natural life expectancy. There are a few younger trees, but the regrowth is severely damaged by cattle. CA3 would need to be fenced off along the track. To allow for easier stock movements the fence could be on the east side of the track. In this case, an easement for the owner of Blue Mountain Station needs to be provided.

The Conservation Area CA3 should be extended south into freehold land to a point near the temporary stock yards north of Andrews Stream. This could be achieved through a land swap with the current owners through the tenure review process.

The establishment of CA3 would allow better public access to the gorge and the river (see 3b4).

3b3. To establish better protection measures for the wetland north of the Moa Stream. This wetland is of reasonable size and fencing might be necessary to prevent further deterioration. Wetlands have disappeared at an alarming rate, so all existing ones are worthy of protection.

3b4. To secure public access to the gorge without restrictions except at lambing time. If CA3 becomes establish, public access would be possible from the point d2 near the yards (see 3b2). However, public access needs to be secured on the legal road from the bridge over Andrews Stream to the point d2. The only exception again would be during lambing time. However, here a precise date needs to be set. From the current management practices at Blue Mountain Station a time from 15 October – 15 November for closure of public access seems to be suitable.

Discussion 3b:

Looking at the above suggestions to protect the inherent significant natural values of the river, the gorge and the surroundings, a really appropriate solution for the long term would be to combine all the above areas into one Conservation Area 'Orari River/Andrews Stream'.

Summary

Blue Mountain Pastoral Lease contains highly significant values including inherent fauna and flora values, characteristic landscapes for South Canterbury and many recreational opportunities. The Conservation Reports have identified many of these values. However, the Preliminary Proposal falls short of the intentions and requirements of the CLPA to protect significant values for perpetuity. This submission has a number of suggestions for some areas of the lease how to better achieve this. Further negotiations are required including a partial land swap of the freehold land in the Southeast north and northwest of the bridge over Andrews Stream with land becoming freeholded. The Tenure Review process should allow for such outcomes, if they help to achieve an overarching goal. There are already examples on the eastside of the river (The Gorge and Scotsburn) where the outcome of this process has been very unsatisfactory. There is no need to complete the process until a satisfactory outcome is achieved.

Yours sincerely

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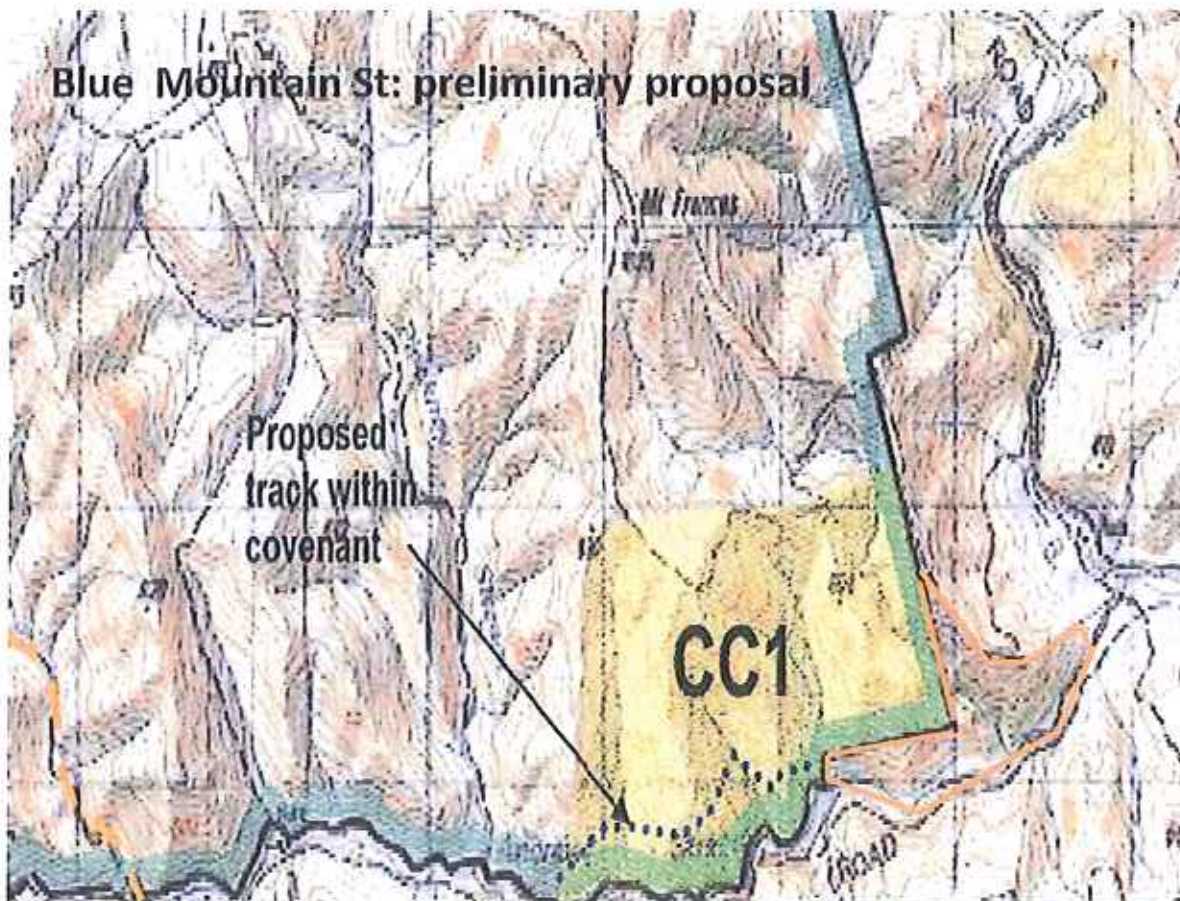
itod03@clear.net.nz

See appendix A – C below

Appendix A (maps)

3a. Proposed Covenant CC1, suggested Conservation Area CA2: the inclusion of the current freehold land (orange boundary) is crucial; see text

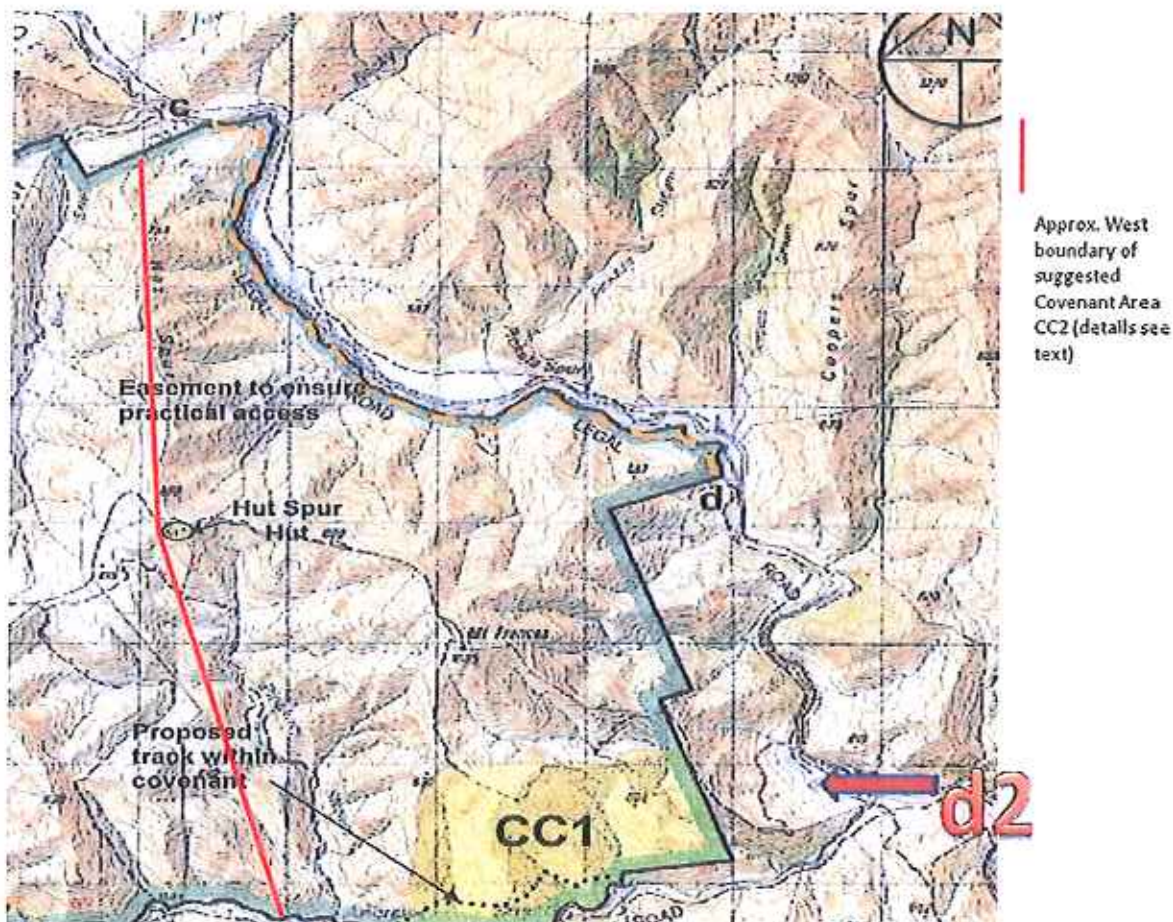
↘ approx. boundary of Freehold land added to Conservation Area (or Covenant CC1)



3b. Blue Mountain St: preliminary proposal – suggested Covenant Area CC2 for catchment of the Orari River/Andrews Stream and Conservation Area CA3 for the land margins along the Orari gorge/river

See map below:

- All land between points c and d northeast of and including the actual track transferred in full Crown ownership
- All current freehold land between the points d2 and d northeast of and including the actual track transferred into full Crown ownership through land swap
- Fencing erected on the northeast side of the actual track from d2 to c
- Easement from d2 to c for Blue Mountain Station
- Easement for public access on legal road through freehold land from bridge over Andrews Stream to Point d2 year round except from 15 October - 15 November; the same from the north boundary of the current leasehold c to the Lochaber Road
- Full public access on track d2 to c and river year round except 15 October - 15 November



Appendix B: Proposed Covenant Area CCI, suggested Conservation Area CA2



First Valley (from the East): note the shrublands and the slip



Middle valley: again note the native shrublands and the slip



Middle valley seen from Andrews Stream; note the extensive shrublands on the face above Andrews Stream



Middle valley with extensive native bush area and shrublands



Valley to the west seen from Andrews Stream: Stream and shrublands right down to the valley floor



Valley to the West: rocky outcrops, shrublands and tussock areas in the higher parts



Common skink *Oligosoma polychroma*; good populations observed



Rock with cracks: typical habitat for the Southern Alps gecko *Hoplodactylus* 'Southern Alps' (see scats inside the crack)



Mountain wineberry *Aristotelia fruticosa*



The Maori onion *Bulbinella angustifolia*



Yellow clematis *Clematis marata*: this species is not mentioned in the Conservation Reports



Yellow clematis *Clematis marata*: good number of plants in the area

Appendix C: Orari Gorge, suggested Conservation Area CA3



Orari Gorge with rocky outcrops and native vegetation



In the gorge



Orari Gorge, another aspect



Wild , beautiful gorge



Extensive shrublands on the true right between river and track, native clematis in the foreground



Yellow clematis *Clematis marata*: again the species is not mentioned in CRR, but has good numbers here as well



Common skink *Oligosoma polychroma*: observed in a number of locations on river terrace



Scree area: ideal habitat for skinks and geckos



Native jasmine *Parsonia capsularis*



Yellow clematis *Clematis quadrabracteolata*: a rare species in Canterbury, not mentioned in CRR



Old mountain beech *Nothofagus solandri*



Stock damage of young mountain beech trees