

Crown Pastoral Land Tenure Review

Lease name : BLUE MOUNTAIN

Lease number : PT 031

Public Submissions Part 3

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 to:

Crown Pastoral Land Tenure Review

Lease Name : Blue Mountain Lease ref: 12687 (Pt 031/1)

Date: November 22, 2011

From: NZ Horse Recreation Inc

Contact: Vivien Dostine (President)

55 Gallony Ave, Massey Auckland 0614

Phone (09) 833 6743

Email: viv@nzhorseriders.info



Access for Horse Riders

We strongly support allowing horse riders continued access to traditional routes, and along historic trails as this brings history alive and provides a living link to our colonial and agricultural heritage. It provides insight into the experiences and hardship of past eras, and brings people closer to the natural elements of weather, ground conditions and terrain. The horse provides access for those with a variety of disabilities, while retaining all the characteristics of experiencing the natural environment (quiet, slow pace, terrain, weather).

Public access should not be confined to those who are fit enough to walk long distances, or in difficult terrain. Nor should the natural alternative to walking, be vehicular access which is noisy (disrupting others enjoyment of natural settings), polluting and damaging to the terrain (or requiring tracks and trails to be built).

The disabilities tourism market is one that is substantially under developed in New Zealand. The aging population will increase the number of people in New Zealand with disabilities, and within our tourism markets.

Boundary Riders Huts – High Country Horse Heritage

We support the covenants on the historic huts mentioned. They are relevant to the history and culture of the horse; boundary riders have a role in our colonial\agricultural and high country history and culture that has often been overlooked. They were the original method by which stations kept control of stock before fences were introduced. This role was usually dependent upon the horse (upon which the 'rider' rode).

The current easements do not allow for public access to these huts and we support changes to the current proposal to include access to at least one of the huts. It is wholly keeping with the role of conservation of the history and heritage of such areas to ensure that horseback access to these huts and boundary lines is maintained.

The horse has had significant influence on New Zealand's history and success as a nation. The traditions of sheep droving with horses, is still retained on several stations in the area and we would like to ensure that provision for future access by horse riders (cyclists and walkers) who wish to retrace old droving routes, or experience the high country by horse are retained. We would also like to ensure that sufficient public access is retained to enable new commercial opportunities using public trail routes (horse trekking, cavalcades or some other recreational activity) as might be created to meet future demand.

Horse riding (and carriage driving) allow for quiet enjoyment of the natural environment by others, including those with disabilities. The aging population of New Zealand means that there will be more people with disabilities. Not all people can walk for long distances, or over rough terrain; yet often our most precious natural settings are remote. International disability tourism is increasing enormously, and is a great opportunity for New Zealand as a disability tourism destination.

Many horse riders have disabilities; although few would describe themselves as disabled. A horse gives the rider strong legs, endurance and sharp senses to enable them to participate in independent, active, outdoor recreation across many types of terrain and in remote natural areas.

NZ Horse Recreation supports codes of conduct for horse riders to share recreation areas and use trails and resources in an environmentally responsible way.

Blue Mountain Public Access Proposal

We support easements at Blue Mountain; when they allow adequate access for horse riders, walkers and others without undue barriers. We also support Tenure Review proposals that achieve the stated goals of improving public access, and recreation.

The current proposals for easements, do not appear to provide such access. The intention appears to be to provide 'visual only' access to the freehold area, from existing adjacent legal roads and we find that unacceptable.

If public access and recreation to the land is not advanced through the mechanisms of the Tenure Review, then we see there is no benefit for the public in proceeding with the process on this property.

"Recreational Values" (page 7) describes the area as presenting a 'range of recreational opportunities' and states that 'leading ridge lines and a 4WD track' provide access to the summits of Tripps Peak and Blue Mountain. However, the easements documented do not appear to provide any access from the surrounding area into 'CA1' for these recreational opportunities..

The Conservation covenanted area "CC1" is noted as having existing farm tracks (page 12, item "7"), and the proposal provides permission for the leaseholder to add a new track into this area (page 12, item "8").

The 'public access' and scenic values of this area are only available to be enjoyed from the nearby legal road (not something that is being conferred by the Tenure Review process, but something that is inherent to a legal road happening to run adjacent to the area). We would like to see the proposal include specific inclusion of public recreation access to any roads or tracks within the covenanted area 'CC1'.

Current Proposals for Easements :

None of the proposed easements give full public access into 'CA1' by which they can enjoy the recreational opportunities mentioned previously.

Access infrastructure (gates) should be carefully planned, to ensure continued access for horse riders and people with disabilities. Cattle grids (stops) on their own should not be acceptable access ways, as these create barriers for horse access. Ideally any gates should be able to be opened from horseback.

There is also mention of stiles (note page 17, para 5 incorrect spelling "styles"). However, it does not identify the type of stile and we therefore assume this to be pedestrian stiles over fence lines.

Route A-B

This route is at once described as intending to provide public access, and at the same time as suitable for foot access only. This is the only easement marked which is stated as providing public access into CA1.

Route C-D

Route C-D does not provide access to CA1 at all; It provides access to 'CC1', however without specific public access within 'CC1' we are unconvinced that this advances public access\recreation.

Access for horse riders along the legal road and proposed route 'c-d' (page 17) should be clearly identified where it is an easement versus an existing legal road. Public access to legal roads should not be included in discussions of tenure review, this implies that access to legal roads is also included in negotiations, when this is a legislative requirement.

The easement should be correctly identified where it varies from the legal road only. This easement is noted as not providing access to the area within this review, but as an important feature of recreation at surrounding areas. We therefore support the inclusion of this easement, and ask that planning for horse access also be included on this easement – including the appropriate levels of

planning\infrastructure for gates\horse stiles etc to ensure that riders (and potentially carriage drivers) is maintained or increased.

Route E-F, G-H

This does not provide any public access to the area, and is included only for DOC management purposes (and has not yet been finalised even for that purpose).

Route I-J

The map annotates this as 'easement for practical access', however it does not provide any access to the historic huts, to the covenant area 'CC1' or to the proposed Crown Area 'CA1'.

If "part of this route is a legal road", then it need not be included in this proposal. The proposal needs to include those easements that are not already part of the public's right of access.

Easement agreements that do not follow the path of the legal road should be identified and included in the proposal. Making agreements with landowners, over land that they occupy but do not own circumvents the legal rights of the public.

It is noted as 'in poor condition and impassable by vehicles in places', however **this may be an ideal track for walkers, horse riders, and cyclists to enjoy the scenery.** All of these groups are legal road users and have the ability to access the Walking Access Commission maps of legal roads (or topographic), cadastral maps of legal roads and should be able to access the route.

Background:

The recreational and sport horse sector is (at least) twice as large as the racing sector domestically. The commercial sport horse sector brings in export earnings, and has much potential for growth. Like the marine industry the equine sector has components in recreation, sport, and industry that have complex and closely linked relationships and dependencies.

Equine social, disabilities programmes and equine based tourism provide substantial benefits to the community, and economic well being of the region. The disabilities tourism market is one that is substantially under developed in New Zealand. The horse can provide access for those with a variety of disabilities, while retaining all the characteristics of experiencing the natural environment (quiet, in the elements, slow pace, differences in terrain).

About NZ Horse Recreation

NZ Horse Recreation Inc is a volunteer based not-for-profit community group, that has operated since 2008. We have 600+ members (individuals and families), 25 affiliated clubs or organisations (listed below), and consult frequently with a wide base of equestrian organizations.

Affiliated Groups

- Waiheke Island Riding Club
- Thames Pony Club and Adult Ride
- Kokatahi-kowhitirangi pony club
- Grey Valley Riding Club
- Kumeu Western Riding Club
- Katikati Hack and Hunters Riding Club
- South Head Riders
- Clevedon Pony Club
- Matakana Pony Club
- Auckland Woodhill Endurance Club (AWEC)
- Totara Park Pony Club
- Te Atatu Pony Club
- Franklin Western Riding Club
- Matakana Pony Club
- Kohukohu Riding Club
- CD Trekkers
- Secondary Schools Equestrian Cup Trust
- Icelandic Horse Breeders and Riders Association New Zealand (IHBRANZ)
- Mt Sandford Farmstay and Random Rides
- Kate Tapley Horse Treks :
- Akaroa Horse Riding
- Otahuna Horse Riding
- Mt. Lyford Horse Riding
- Central Southland Riding School
- Diamond Lodge Equestrian

NZ Horse Recreation is a member of the Northern Regional Equestrian Trust (Auckland), and consults with NRET and other equestrian groups on recreational horse riding issues and submissions.

Northern Regional Equestrian Trust (NRET), members:

- Woodhill Sands Equestrian Centre
- Waitemata Eventing
- Show Jumping Waitemata
- Waitemata Riding Club
- Showhunter Waitemata
- Waitemata Hunt Club
- Dressage Waitemata
- Special Olympics



Luana Pentecost
Darroch Limited
Alexandra.

22 November 2011.

DARROCH LTD

22 NOV 2011

RECEIVED

Dear Ms Pentecost,

Re: Preliminary proposal for tenure review of Blue Mountain pastoral lease

The Canterbury-Aoraki Conservation Board welcomes the opportunity to be involved in the tenure review of this crown pastoral lease.

Blue Mountain is a large property located in northern South Canterbury. It has foothills character, is more strongly influenced by coastal factors than many pastoral leasehold properties, and has an altitudinal range of approximately 1,300 metres, running from around 350 metres along the Orari River to 1,653 metres on Trippe Peak.

Almost all of the property is in the Orari River catchment. This braided river is the source of water for the Geraldine community, provides water to numerous downstream businesses and residences, and is designated a waterbody of high naturalness under Environment Canterbury's Natural Resources Regional Plan.

The 2006 Eastern Mackenzie Landscape Study describes the Orari River catchment as possessing significant landscape values and outstanding features.

Blue Mountain presents as a very well-kept, clean farm that is going through processes of gradual improvement. This preliminary proposal presents a scenario that would allow the leaseholders to further that development through the freeholding of approximately three quarters of the 9,435.25 hectare property while the remainder is transferred to public conservation uses.

Agricultural and ecological values

A small number of stable leaseholders have farmed Blue Mountain; in general, they have lived profitably from the pastoral operation while allowing high country conservation values to remain vigorous. Favourable aspects, coastal tempering, an altitudinal range that drops as low as 350 metres above sea level, and a predominantly Class VI land use capability are prominent factors in the leaseholders' pastoral success. In general, leaseholders have been able to operate the farm conservatively without undue demand on the environments present because of such things. The favourable condition and reliability of the Orari River and Geraldine's community water have strong direct and indirect links to these upstream influences.

Vegetation values range largely from low/medium to medium/high. Communities present are a variety of tussocklands, hardwood scrublands, shrublands, rocklands, cushionfields, seepages and some wetlands, fernlands, hardwood forest remnants, and herbfields. Plants that are notable for their rarity, threatened nature or distribution are numerous and include: the coral and canterbury brooms (*carmichaelia crassicaule* and *carmichaelia torulosa*), *hebe amplexicaulis* and *hebe buechananii*, *helichrysum plumeum*, *aciphylla subflabellata*, *raoulia glabra*, and *carex virgata*.

Most parts of Blue Mountain have at least some non-pastoral botanical value but those that have particularly strong such values are the Orari River terrace wetland in the northeast of the property (this is somewhat degraded, but a wetland in a lowland pastoral leasehold situation is valuable for its rarity; value also comes in the national prioritisation of wetlands), Mount Frances, the Edith Ridge and the Four Peaks Range.

Riverine, rockland, shrubland, grassland, and remnant forest habitat for native birds are well-provided across the property. These are used by a number of species, some of which are threatened (the New Zealand falcon and the black shag; the blue duck has been associated with the property historically and has much highly suitable habitat within Blue Mountain but was not recorded when the survey informing this process was conducted). Many exotic birds use the property also.

Fish species presently enjoy largely healthy and enabling habitat within the property. Waterways of a variety of characters exist and the migration between them that the Orari River allows in linking them is supportive of species' populations. Because this river is not dammed, diadromous fish are found within the property. Brown trout, upland bullies, and alpine and Canterbury galaxias occur and there is good distribution of all, with the exception of alpine galaxias, which are found in the Mowbray catchment only.

The herpetofauna survey conducted for this process found four endemic lizard species (Southern Alps gecko, common skink, McCann's skink, and what was likely the gradually declining spotted skink) and habitat suitable for two other endemic species, the threatened jewelled gecko and the long-toed skink.

Much of the property is of medium/high quality in terms of invertebrate habitat values. A surprising number of species were identified; this included nine species of note. For example, one was previously unknown and undescribed, another was at the southern extent of its distribution, and another was found in an extension of its known range.

It is clear that where the property has been put under the most pressure by the pastoral operation, ecological values show the highest levels of poverty, for instance, the depauperate state of insect fauna on the summit of Mount Frances, caused by congregating sheep, and the apparent dearth of fish in the Orari wetland, caused by cattle incursions. For the most part, however, the property's ecological values have been allowed to persist in reasonably good health. Additionally, it is likely that the historic cautious management of such a large tract of a single river's catchment has high responsibility for that river's ongoing sound levels of health; the Orari River generally has very acceptable water quality and volume and is reliably able to supply Geraldine's needs.

Landscape and recreational values and access

Landscape values are predominantly high. The landforms' legibility, representativeness of Canterbury's high country, and their relatively low level of development are very prominent in the larger Geraldine area and are significant to the local culture and traditions, visitors' impressions of remoteness, and the overall quality of recreationists' experiences.

A wide range of recreational opportunities is present on Blue Mountain, from four-wheel driving on existing tracks to trout fishing, tramping, photography, kayaking, picnicking and other activities. There is strong potential for the development and promotion of public mountain bike trails.

As the proposal stands, there are limitations to the ability of members of the public to enjoy this land to an extent that might be considered fair. For example, Mounts Catherine, Edith and Frances would be legally inaccessible, as would the historic huts at Mount Edith, Hat Spur, and Totara Stream. Access to the proposed conservation area CA1 by easement a-b would be discouraging to many people by virtue of the length of the vehicle trip to its point 'a'.

This last difficulty would be solved by basic formation of the legal road that runs from Andrews Stream, to connect with CA1, however, to a large extent, the above and other limitations to the

public recreational potential of Blue Mountain stem simply from the small size of the proposed public conservation designation relative to the whole property.

Preamble to recommendations

* The conservation board is supportive of pastoral farming for its long-lived significant economic profile, its deeply ingrained cultural and historic significance nationally, and, very importantly, its ability to be practised environmentally sustainably. We recognise that Blue Mountain's record of stewardship is generally one of not unreasonable demands on the land.

* The role of stable, prosperous vegetation in water regulation in terms of flow and quality is well-known. Blue Mountain's pastoral practice plays a significant part in the reliability of Geraldine's water supply. Though future management of the proposed freehold designation would be directed by local authority rules and is outside the ambit of this process, the notion of potential limitations to management due to ecosystem services responsibilities ought to be considered here.

* Restrictions on land management related to the Orari River's high naturalness designation (Environment Canterbury's Natural Resources Regional Plan) should be anticipated as part of considerations of potential farm practice under a freehold designation.

* While it is true that the area proposed for public conservation designation has strong conservation values, much of the land proposed for designation as freehold is of a similarly high conservation quality. The 1998 Crown Pastoral Land Act's objects are: (b)(ii) 'to enable the protection of the significant inherent values of reviewable land ... (preferably) by the restoration of the land concerned to full Crown ownership and control' and (c)(i) 'to make easier the securing of public access to and enjoyment of reviewable land'. Reconsideration of the designated areas' boundaries and public access is likely the most appropriate course of action to properly balance these objects with that concerning the removal of management constraints from land capable of economic use (a)(ii).

* Clarity about the purpose of, and administration of, a covenant, is vital to its success. A practical covenant that enables real environmental rehabilitation and protection should be well-designed around clear targets for quality and ongoing viability. Meaningful size, prevention of further harm, and provision for remedial measures to be made are issues that should be properly addressed.

Recommendations

The following recommendations are based on the objects of the 1998 Crown Pastoral Land Act, the values present on Blue Mountain, and relevant factors external to this process and the immediate property.

**** The leaseholders should firstly consider the value of changing land designations through tenure review when protection of the Orari River, its high naturalness designation, and the Geraldine community's water supply may require local authority management not dissimilar to that imposed by crown pastoral lease rules. Such restrictions would put the leaseholders at a disadvantage because following review they would also be without land redesignated for public conservation use.***

If the leaseholders wish to pursue tenure review despite the potential for significant restrictions on the pastoral operation, as mentioned above, the following recommendations apply:

**** The proposed CA1 should be extended northward to include Mount Catherine and the historic Totara Stream hut, and to the western edge of the lease along proposed access a-b (it should not follow the fence line as shown in the preliminary proposal's map, but use the spur directly to its north). This will substantially develop the recreational value of the area and significantly extend the altitudinal range compared with what is proposed,***

protect the Mowbray and Orari Rivers and provide general care for the area's considerable conservation values.

The above recommendation removes the need for the proposed a-b access as Mowbray Road will provide a clear, legal approach to the land.

**** If CA1 is not extended to the west in the way described above and the a-b route is required, then, as proposed above, it should not follow the fenceline as shown in the preliminary proposal, but use the spur directly to its north.***

**** CA1 should be extended northeast to connect with and include the northern parts of Edith Ridge, including Mount Edith. This will extend opportunities for public recreation, including by making the summit and Mount Edith hut available to the public, and protect altitudinal coherence and significant inherent values.***

**** A second conservation area, CA2, should be established and centred on Mount Frances. It should extend to the margins of the property to the east and south and to Pinckney Stream in the west to enable recreation around the prominent feature of Mount Frances and introduce conservation oversight of significant inherent values within an altitudinally complete scenario. It could extend north on its eastern side to include the wetland on the Orari River terrace.***

The above recommendation eliminates the need for the conservation covenant CC1. The board feels that, given the agricultural use it would have allowed a landholder, including any grazing desired, and vehicle tracking on its steep, potentially erosion-prone slopes, it would have offered the opportunity for very limited environmental regeneration only.

**** If CA2 is not established, CC1 should be altered to preclude vehicle tracking, significantly limit stocking, and allow spot spraying of pest plants.***

The development of CA2 will, by including the Orari River terrace wetland, eliminate concern about the wetland's protection. Should CA2 not be established, or, if established but not inclusive of the wetland, we recommend the following:

**** A covenant should be designed and implemented to properly protect the Orari River terrace wetland in the northeast of the property. Though it has been damaged by stock, it possesses good values which can be rehabilitated. As a wetland, it is recognised nationally as threatened, and as a lowland wetland it is rare.***

Access for recreation and management purposes should be practical and enabling for the public and conservation managers. The following are the board's recommendations relating to access to and within Blue Mountain, with the exception of easement a-b, mentioned earlier:

**** While access ways within the property are made clear in the preliminary proposal, the manners of reaching them are not. Where private land would have to be crossed to reach access ways, practical, reliable easements should be created.***

**** Access that the proposal intends for management only should be considered for availability to the public to significantly increase the property's recreational potential.***

**** The conservation area CA1 should be able to be reached in a practical manner via the legal road at Andrews Stream. While access from the west will suit some recreationists, it is highly likely that greater usage of CA1 will result from the provision of access as recommended, as it is closer to a larger population base.***

**** Access c-d should link with the Mackenzie area. An access arrangement with the freehold owners of the land north of the lease (currently the holders of this lease) should be developed to allow visitors to travel between the Mackenzie and the Orari Gorge. This will significantly increase the possibilities of this access.***

**** Tracks suitable for mountain biking exist in many parts of the property. Extension of CA1 and creation of CA2 will expand such possibilities through provision of extra tracks and of linkage between areas. We propose that such trails be maintained, linked where there is suitability, and promoted appropriately. Where loop routes exist, or can be made readily by connecting existing tracks, this should be done.***

**** All legal roads should be retained.***

Appropriate fencing will be necessary to achieve objects of the Crown Pastoral Land Act that are concerned with the protection of significant inherent values and ecological sustainability. The board recommends that:

**** fencing to the standard set out in Appendix 3 of the preliminary proposal should be installed around public and protected areas to safeguard their values. Where cattle will be grazing on land designated freehold, non-ephemeral streams should be fenced off also.***

The board is concerned that the existing proposal is not adequately in line with some of the objects of the Crown Pastoral Land Act. It would, to a degree, promote 'ecologically sustainable' management and 'enable the protection of significant inherent values of reviewable land', either 'by the creation of protective mechanisms; or (preferably) by the restoration of the land concerned to full Crown ownership and control' and it would bring some ease to the 'securing of public access to and enjoyment of reviewable land'.

The proposal will not do this with great fairness, however. Irrespective of any local authority restrictions that may come into play after a change from leasehold designation, the removal of crown management constraints from 'land capable of economic use' would be applied to almost three quarters of a property that presently has generally robust environmental health and a broad range of strong recreational and landscape assets. The currently proposed freehold would allow potentially disproportionate agricultural development of significant inherent values rather than their protection, and disproportionate permanent restrictions to public recreation.

For these reasons, the board further recommends:

**** that the preliminary proposal for Blue Mountain be redesigned to fully reflect the spirit and intent of the 1998 Crown Pastoral Land Act. We are confident that this can be accomplished. If rewriting is not a possibility presently, we recommend that the status quo of the pastoral lease remain until circumstances allow the matter to be revisited.***

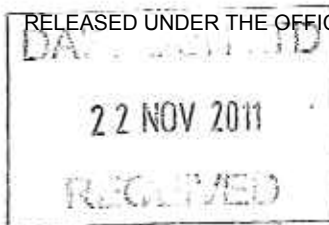
We have recommended freehold and public conservation designations that are approximately even in total size. Though this is not a result the board automatically aims for philosophically, it is appropriate here because of the generally very favourable values present on the property.

Conclusion

Blue Mountain returns value to its leaseholder and value to its community in terms of its landscape, recreational opportunities and responsibility in the Orari River catchment. The fair expectations of a leaseholder and the public's equally fair expectations of stewardship of conservation, landscape, and recreational values are answered for the most part appropriately.

The board believes that this well-tempered situation should continue, whether under a leasehold arrangement or one in which new freehold and public conservation designations are established. If the tenure review is to proceed, it is important that the proposal be altered to better embrace all values and maintain their equilibrium. Our recommendations are intended to achieve that.

Contact: Brenda Preston (bpreston@doc.govt.nz)
Board Liaison Officer
Private Bag 4715
Christchurch 8011
(03)371 3756.



**Preliminary Proposal for Tenure Review of
Blue Mountain Pastoral Lease
under the Crown Pastoral Land Act 1998**

Submission: this is a personal submission on behalf of Fraser B. Ross of Timaru.

General Observations: Blue Mountain Pastoral Lease forms an iconic part of the foothill ranges of South Canterbury. It contains values, which are highly significant including inherent fauna and flora values, distinctive landscapes and provides for many recreational opportunities. For a long period of time the Blue Mountain property has been well used and enjoyed by a wide range of people and community groups. The interest in the future tenure of this property appears to be high. Those significant environmental values and recreational opportunities, on the property, should be retained to a greater extent for the longer term.

Regarding the Proposal:

2.1 that 2,500ha approximately of the Pastoral Lease be restored to full Crown ownership and control as conservation land, **is fully supported**. Because this area contains significant natural values, including tussock grasslands, regenerating shrublands and areas of mixed hardwood forest especially on the southern slopes of Tripps Peaks. These indigenous communities are highly representative of the original native vegetation of the area. Several plant species, which have been classified as threatened or highly significant, are found within this area of CAI, including the coral broom *Carmichaelia crassicaule*. And the forested areas provides important habitats for native fauna such as native bird and local lizard species.

Overall, the area CAI, as well as being important for native plant species, is also important for a range of native fauna species. Which includes the blue duck (nationally endangered) and the New Zealand falcon (gradual decline).

The landscapes values of Blue Mountain property, I maintain, are highly significant. This has been backed up by the rating, for Four Peaks, as an *outstanding feature and area* in the *Eastern Mackenzie Landscape Study*. Parts of the property, at least, are highly visible from many aspects, including the Fairlie Basin, the Meikleburn Basin and the low plains of South Canterbury. Tripps Peaks forms parts of the iconic Four Peaks Range, which is highly visible from Timaru City, my home town, and surrounding areas. So, the landscapes of Blue Mountain property form a special part of the views that can be seen and experienced from my home town and beyond.

The recreational opportunities on CAI will be many if and when retained in public ownership. And I feel it will be greatly appreciated by the members of the public, both locally and from outside our area.

2.2 **Land to be disposed of:** the proposal to dispose of by freehold disposal of

6,935ha approximated, is questioned, especially with regards to fulfilling the intentions and requirements of the Crown Pastoral Land Act (CPLA). Large areas have been identified by the Dept of Conservation, in their Resources Reports, as being significant for botanical, fauna and visual values. All or significant parts of the areas that have been identified in those reports, should not be freeholded without further careful consideration.. Especially the need to protect the existing values present there but also to retain the open space natural grassland landscapes. The Orari River Gorge and its associated river terraces are important features, which still contain, in part at least, native shrubland communities. This river gorge and its nearby surroundings are highly important not only for myself but also to the wider community. The values of the Orari River Gorge environment, that exist within the Pastoral Lease, should be protected. So that the values present there are retained for the longer term.

Regarding the proposal to freehold the area, CC1, above the Andrews Stream, and place a conservation covenant on it, this is not acceptable. Because this areas of bush and native trees, shrublands and tussock grasslands, are indeed significant. Not only for the plant species which grow there but also for species of fauna some of which could be threatened or endangered species of native wildlife. In order to comply more fully with the CPLA, this area needs to be retained as conservation land.

The following are my requests:

1. That CA1 be retained by the Crown as conservation land;
2. That Conservation Covenant CC1 not be freeholded but retained by the Crown as conservation land. In order to more securely protect the inherent values present there.
3. That the proposed CC1 area, which I ask to be conservation land, be extended up to the summit of Mt Frances and beyond to Hut Spur, westwards to Pinckney Stream, and eastwards to the lease boundary. In order to protect and maintain a greater range of biological diversity and provide unhindered access to the top of the ranges above Andrews Stream. The proposed track within the covenant would not be acceptable and that proposal should be dropped absolutely.
4. That the Orari River terraces, within the Pastoral Lease boundaries, be retain by the Crown as conservation land. The upper boundaries should be to and include the present track, at least, which passes through this area above the true right of the Orari River.
5. That further areas be retained by the Crown as conservation land, as identified in the Resources Reports, undertaken by the Dept of Conservation. Because the values which have been identified for those areas are indeed important and need to be retained for the longer term.
6. That the access proposals be implemented including 'a-b' - please note it is the

route up the ridge line as indicated in the photo on page 10, not as indicated on the map. Which goes straight up a steep slope along a fence line - this would not be an acceptable route for myself and others as well I suspect.

The access easements 'c-d' should also be implemented, which provides a route along the Orari River Gorge, in part. However, secure public access needs to be resolved over the adjacent freehold land, from Andrews Stream to the pastoral lease and from the top end lease boundary to the Orari River crossing by the road to Lochaber Station. A legal road traverses along the land on the true right of the Orari River so full legal access for the public, on foot at least, should be possible. Regarding easement 'i-j' for public access along a legal road, this too should be implemented as well. However the access to this route, is along a legal unformed road through freehold land, which should be clarified legally before the Review is concluded.

7. That the wetland near Moa Stream be protected. Either as Crown conservation land, or with a specific conservation covenant placed on it. Regardless, that area should be fenced off from stock to protect and maintain the inherent values of this unusual wetland area.

8. That the proposed track within the covenant CCI, must not be permitted, regardless if or not this land is to be freeholded. The inherent natural and landscape values present there are much too great for such a track to be allowed to happen - such a proposed track is totally unacceptable to me and many others too I expect.

In conclusion: Blue Mountain Pastoral Lease is an iconic property within the South Canterbury landscape and environment. While fully supporting the area CA1 to be retained by the Crown as conservation land, further areas, including the proposed CCI area and beyond should also be retained. In order to protect the inherent values found there and also to provide more secure access for a variety of recreational and contemplative activities. This pastoral lease property is presently crown land and I ask, that as a citizen of this country with a vested interest in all public land, that my views and recommendations be given serious consideration and be implemented in full.

Yours



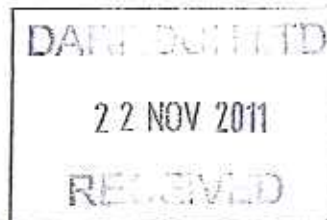
Fraser B Ross
29a Nile St
Timaru 7910

Ph 03 6843382

Email: fraserross@clear.net.nz

Submissions due 22 November 2011

To
The Manager
Darroch Ltd
PO Box 27
Alexandra



Email: 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 observations; Blue Mountain Pastoral Lease is a highly visible, open upstanding tussock covered range country which contains 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. 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 over the past few years and some tracks have been bulldozed through sensitive areas. The tenure review should ensure that the current natural values are at least retained in the future.

1. I support the proposal to transfer 2500 ha approx. as Conservation Area CA1 into full Crown ownership. However, the triangular area south of the access route a - b should also be included in the Conservation Area. This part has been identified as having similar values in the conservation reports. The inclusion in CA1 would also make management and access easier and clearer.
2. I ask that the proposed covenant area CCI along Andrews Stream is designated as a second Conservation Area CA2 in order to maintain the high natural values
3. I strongly oppose the proposed new track through the area mentioned under point 2. A track would be in complete contradiction to the preservation of the natural values and would also have a high negative impact on the landscape
4. The proposal does not provide any measures for protection of the Orari River, its catchment and the gullies and slopes with native shrublands and tussock areas. The Orari River and its surrounding is recognized as an 'area of high naturalness' and supports a high degree of biodiversity. Future changes in the catchment would also affect the water quality of the streams and river. Also, the scenic values of the Orari River, the gorge and its surroundings are of high interest for the public.

Therefore I suggest

- 4.1 that the terraces along the Orari River from Andrews Stream upstream in the south to lease boundary in the north are transferred into full Crown Ownership. The minimum width of this strip should be up to and including the track running along the gorge.
- 4.2 that the catchment of the Orari River from Pickney Stream and Hat Spur in the west, Andrews Stream in the south to the lease boundary in the north be designated as a Covenant Area CC2 'Slopes of Mt Francis' with the provisions for the proposed Covenant Area CCI (which I ask to be changed into a Conservation Area; see point 2)
- 4.3 that the wetland near Moa Stream has protection and enhancement measures put in place e.g. fencing
5. As mentioned above the area is of high public interest. However, the public access does not seem secured and clear enough, especially to the Orari River Gorge.
Therefore I ask that a year- long easement is put in place for unrestricted access to the gorge (except at lambing time mid October to mid November). This needs to include unhindered access over freehold land from the bridge over Andrews Stream upstream of the gorge.

I hope very much you will do your best to protect Blue Mountain's such important landscape features as well as the Orari River Gorge + Four Peaks and the value very highly! Please take note of South Canterbury

every suggestion of the Conservation
Resources Reports -

Thank you and kind regards } from
Paola Starace.

20th November 2011, Timaru.

PAOLA STARACE
168, OTIPIVA ROAD
TIMARU 7910

The Manager Darroch Ltd
 PO Box 27
 Alexandra
luana.pentecost@darroch.co.nz



M. Bakker-Gelsing
 854 Fairview Road
 RD2 Timaru 7972
k_bakker@ihug.co.nz

21 November 2011

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

General observations: Blue Mountain Pastoral Lease is a highly visible, open, outstanding mostly tussock covered area which contains excellent natural values including native forest and scrublands. 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. 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 over sowing in recent years and some tracks having been bulldozed through sensitive areas. The tenure review should ensure that the current still existing natural values will be retained in perpetuity, therefore I submit the following:

1. I support the proposal to transfer 2500 ha approx. as Conservation Area CA1 into full Crown ownership. However, the triangular area south of the access route a – b should also be included in this Conservation Area. This part has been identified as having similar values in the conservation reports. The inclusion in CA1 would also make management and access easier and clearer.
2. I ask that the proposed covenant area CC1 along Andrews Stream be designated as a second Conservation Area CA2 in full Crown ownership in order to maintain the high natural values.
3. I strongly oppose the proposed new track through the area mentioned under point 2. This track would have a high negative impact on the landscape and therefore be in complete contradiction to the preservation of the natural values.
4. The Orari River and its surroundings are recognized as an 'area of high naturalness' and supports a high degree of biodiversity. The proposal does not provide any measures for protection for the Orari River, its catchment and the gullies and slopes with native scrublands and tussock areas. Future changes in land use in the catchment will affect the water quality of the contributing streams and river. The Orari River is also of high interest to the general public for the recreational opportunities it offers and many visit here in summer.

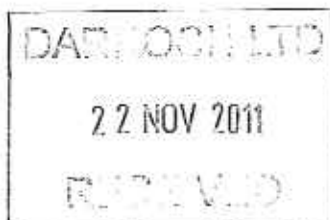
Considering the above I submit the following:

- 4.1 that the terraces along the Orari River from Andrews Stream upstream in the south to the lease boundary in the north are transferred into full Crown Ownership. The minimum width of this strip should be up to and including the track running along the gorge.
- 4.2 that the catchment of the Orari River from Pickney Stream and Hat Spur in the west, Andrews Stream in the south to the lease boundary in the north also be transferred into full Crown ownership or at least be designated as a Covenant Area CC2 'Slopes of Mt Francis' with the provisions for the proposed Covenant Area CC1 (which I ask to be changed into a Conservation Area; see point 2)
- 4.3 that the wetland near Moa Stream has protection put in place e.g. fencing and if not in Crown ownership will have a covenant put on it.
5. As mentioned in this submission all areas involved in this review are of high public interest. However, public access does not seem properly secured and clear enough, especially to the Orari River Gorge area. Therefore I ask that an easement be put in place for access to the gorge (except at lambing time mid October to mid November). This access will need to include an easement over freehold land to allow unhindered access from the bridge over Andrews Stream upstream of the gorge.
 As a trapper I am also aware of a number of easements (in settled Tenure Reviews, e.g. Coal Hill and Mt. Gerald Station) that run along fence lines where steepness and terrain almost prohibit access to conservation land. I therefore ask that the all areas on Blue Mountain Station will be accessible via realistic (i.e. indeed accessible) easements and existing legal roads.

Yours sincerely,

M. Bakker-Gelsing.

22 November 2011



Commissioner of Crown Lands
Darroch Limited
Broadway Building
P.O. Box 142
CHRISTCHURCH 8140

Attn: The Manager for Tenure Review

Dear Sir/Madam,

**Re: Blue Mountain Lease (CB529/35)
Submission on Preliminary Proposal for Tenure Review**

Introduction

The Canterbury Regional Council welcomes the opportunity to review the Preliminary Proposal for Tenure Review of the Blue Mountain lease and to make a submission in relation to the future management of this land.

The Canterbury Regional Council has statutory responsibilities under the Resource Management Act 1991 (RMA) for the sustainable management of natural and physical resources of the region, including soil conservation, water quality and quantity and maintenance of biodiversity; and under the Soil Conservation and Rivers Control Act 1941 for the establishment and management of Land Improvement Agreements and Soil and Water Conservation Plans. In addition, the Regional Council also has statutory responsibilities under the Biosecurity Act 1993 for the management or eradication of animal and plant pests, in accordance with regional pest management strategies. These responsibilities are entirely compatible with achievement of the objectives of Tenure Review, specifically to "promote the ecologically sustainable management of High Country land" and protecting land with "significant inherent values" by retaining it in Crown ownership.

The Canterbury Regional Policy Statement 1998 (CRPS) and the notified Proposed Regional Policy Statement (PRPS) provide an overview of the resource management issues of the region, and set out how natural and physical resources are to be managed in an integrated way to promote sustainable management. Key to the management of soils is the maintenance or restoration of a resilient vegetative cover over non-arable land that is sufficient to prevent land degradation or the onset of erosion (CRPS – Chapter 7 Objective 1; PRPS – Chapter 15 Policy 15.3.2). Sustainable management of water resources requires safeguarding the life-supporting capacity of water, including associated aquatic ecosystems and careful management of land within the headwaters and the riparian zones. Large landscapes are a feature of the Canterbury high country and the CRPS and the PRPS recognise the importance of protecting both the interconnectedness of landscape components and the vast, open nature of these landscapes.

In this regard, it is disappointing the Preliminary Proposal, in this case, does not reflect on the more comprehensive attributes of the Upper Orari River catchment instead of confining itself specifically to the property in question. A broader understanding of the context of this property within the overall landscape and wider catchment would enable a more considered (and, potentially, more integrated) response to the issues that the review process seeks to address.

The operative Natural Resources Regional Plan (NRRP) addresses the resource management issues identified in the CRPS and provides more specific standards and methods, including rules, to achieve the objectives. The NRRP recognises the close relationship between land and water ecosystems by promoting the integrated management of soil and water resources across the region. In particular, the provisions of the plan emphasise the links between land use practices and the management of water quality. Again, in this case the focus on a property-based (rather than catchment-based) approach is likely to lead to sub-optimal outcomes which fail to have sufficient regard to the NRRP objectives.

The Canterbury Water Management Strategy (CWMS) recognises the vital importance of water to the environment, economy, culture and community of the Canterbury Region. The CWMS seeks to deliver, via a locally based collaborative approach, a shift towards integrated management based on water management zones, management of cumulative effects of water abstraction and land use intensification, actions to protect and restore freshwater biodiversity values, amenity values and natural character.

The vision and principles of the CWMS articulate an environmentally sustainable framework for the management of water resources. This encapsulates an integrated management framework designed to deliver an integrated management approach to the achievement of specific goals. These goals include, for example, in relation to ecosystem health and biodiversity (pg 114 CWMS):

- *Actions to correct the decline in freshwater species, habitat quality or ecosystems*
- *No further loss of natural wetlands/ecosystem area*
- *Maintain the high quality of intermontane basin aquatic and dryland ecosystems.*

Amongst the "Immediate Steps" restoration actions and planning initiatives established through the CWMS are the following provisions (page 138):

Table 3: Potential priority restoration programme

Water Resources	Biodiversity Outcomes	Management as part of Priority 1 action
Braided rivers	Maintain and restore the natural character of braided rivers as iconic natural landscapes/features and for their associated habitats and species	<p>Actions</p> <ul style="list-style-type: none"> • Control weeds and pests to enhance habitat values for threatened river bed birds • Manage vehicle use and disturbance in river beds, and other wildlife • Exclude stock <p>Planning</p> <ul style="list-style-type: none"> • Commence process for setting environmental flows that maintain flow variability (particularly in relation to the magnitude, timing and frequency of fresh and flood flows) and river bed processes • Avoid structures that impede fish passage or alter channel forming processes
Intermontane streams: Catchments and margins often have higher natural character and are less modified that is the case for lowland streams	Maintain natural character, flow variability, water quality, habitat values	<p>Actions</p> <ul style="list-style-type: none"> • Avoid/manage land use intensification in adjoining catchments • Maintain well vegetated riparian margins <p>Planning</p>

		<ul style="list-style-type: none"> • More emphasis on protecting low altitude areas through tenure review • Maintain dryland areas in Mackenzie basin • Avoid changes to hydrology
Hill country catchments	Maintain stream flows, water quality and habitat values	Planning <ul style="list-style-type: none"> • Commence process for setting environmental flows • Set water quality standards and/or catchment contaminant load limits

These initiatives clearly envisage a "whole of catchment" approach to managing ecosystem and environmental quality. They also identify a suite of actions to manage risks to these components. This includes the management of land use intensification, the maintenance of well vegetated riparian margins, the control of weeds and pests, and the avoidance of changes to hydrology for intermontane streams and hill country catchments. These specific elements are not comprehensively addressed or secured through the Preliminary Proposal.

The Canterbury Regional Pest Management Strategy (20011 - 2015) identifies a number of species of plants and animals for control or management as pest species. The Preliminary Proposal identifies the presence of wilding conifers within the Blue Mountain Lease area. As well as potential adverse effects of biodiversity values, wilding conifers pose a risk to the hydrology of the catchment. The Preliminary Proposal (page 19) recommends that wilding conifers need to be removed from any areas that become protected, and should be controlled elsewhere. This statement does not establish a clear regime for this management. The Canterbury Regional Council would advocate that all wilding conifers are removed from the entire property as a matter of priority; this will protect habitat values, biodiversity and stream flow priorities for this important catchment.

Other problem plants are identified as present within the property. The Canterbury Regional Council has an on-going programme for the eradication of Alder in the Orari River corridor, and it is anticipated that this work will continue for the foreseeable future. In relation to the other problem plants identified, the recommendation for removal of these plants (Grey willow, Gorse, Spanish heath, False Tamarisk, Elderberry, Gooseberry and Himalayan honeysuckle) is supported.

Under the 2004 amendment to the Resource Management Act, regional councils have been given the responsibility to protect indigenous biodiversity (s30(1)(ga)) in association with their functions for land and water management. Recognising the important services provided by indigenous ecosystems together with the requirements for their long-term protection is inherent in providing for this responsibility. A Biodiversity Strategy for the Canterbury Region has been collaboratively developed by the regional council in conjunction with territorial authorities, Government agencies (including Land Information New Zealand) and community groups. LINZ is identified as having adopted this strategy in 2008. This document is intended to provide guidance and a common focus for policy and decision-making and initiatives relating to biodiversity management in the region. The Strategy includes a range of Goals, Targets and Actions to achieve biodiversity improvements, including for the control of animal and plant pests, and the avoidance of further habitat loss and modification. This document is of particular relevance to the Preliminary Proposal for the Blue Mountain lease, particularly in relation to the protection of the tall tussock grassland ecosystems that exist across the property, and the high riparian and water quality values of the upper Orari River catchment.

To expand on the matters raised above, the following additional comments are made in relation to the Preliminary Proposal for Tenure Review for the Blue Mountain lease:

General

The 9,435 hectare Blue Mountain Station Pastoral Lease encompasses the catchments of numerous tributaries of the Orari and Waihi Rivers. Larger waterways include Andrews Stream, Mowbray River and the upper reaches of the Orari and Waihi Rivers themselves. Large streams on the property include the Totara, Mathias, Eyre, Bernard, McNaughtons, Howards, Pinkney, and Basin Streams.

All of these waterways are classified as Hill fed- Upland, under the Canterbury Regional Council Natural Resources Regional Plan (NRRP). There are also numerous smaller streams, occasional seepages, and one wetland present on the property.

Hydrology

The large size of the property, in combination with the topography and vegetation present, would indicate that a large proportion of the flow in the upper Orari River originates on this property. The Blue Mountain Station Conservation Resources Report produced by the Department of Conservation indicates that the dominant vegetative cover on the property is tall tussock. Large scale conversion of tussock grassland to pasture is likely to result in a reduction in base flows in the Orari and Waihi Rivers, particularly during the summer months. Tussock has much lower transpiration rates than pasture species. Less moisture is lost to the atmosphere from tussock than from pasture species, and more is available for stream flow. Fog interception by tussock also plays a small part in the moisture balance in tussock grasslands. Maintenance of this tussock cover should be required across the property as part of the tenure review.

The Orari River is similar to many rivers in Canterbury in that the upper hill fed reaches provide the main source of flow for the remainder of the river. The middle - lower reaches of the Orari River regularly dry out, and a reduction in the flow in the upper reaches is likely to increase the extent and duration of these dry reaches. A range of impacts can be predicted including loss of habitat for fish and other aquatic species, and a reduction in opportunities for migration for diadromous species (fish that spend a portion of their life cycle in both freshwater and the ocean). This includes trout, salmon and a number of native fish species. The amount of water available for irrigation, stock water and potable supply may also be reduced.

Water Quality

Water quality in the upper Orari River is currently very good. Water quality is monitored by the Canterbury Regional Council at Thatchers Rd, approximately 10km below the downstream boundary of Blue Mountain Station. Sampling indicates that the water column here is generally clean and clear, with low levels of nutrient enrichment. During the summer months this high quality water from the upper catchment fills aquifer systems that continue to the coast, and is either drawn up from groundwater bores, or re-emerges as surface water in the lower reaches of the Orari River. The maintenance of this high quality/ high volume base flow is essential to the healthy functioning of the lower reaches of the Orari River and especially the Orari Lagoon. Water quality monitoring in the lower reaches of the Orari River indicate nitrate enrichment (to levels that may cause nitrate toxicity in some aquatic species) of the groundwater is occurring across the plains, and the high quality groundwater from the upper catchment helps mitigate these effects.

Temperature	Dissolved Oxygen Saturation	Suspended Solids	Turbidity	pH	Conductivity	Ammonia Nitrogen	Nitrate + Nitrite Nitrogen	Dissolved Reactive Phosphorus	E coli
12.4	88.7	1.2	0.5	7.6	6	0.01	0.032	0.003	17
Deg C	%	mg/L	NTU		mS/m	mg/L	mg/L	mg/L	MPN/100ml

Median water quality results for Orari River at Thatchers Rd for the period Nov 2006-Nov 2011 (5 years)

Ecosystem Health (aquatic invertebrate) monitoring at a site near Blue Mountain Station also indicates high aquatic values in the upper Orari River. QMCI (Quantitative Macroinvertebrate Community Index) at a site off Lochaber Rd just above Blue Mountain Station (J37:49811-01899) resulted in a median result of 6.4 over the last 5 years, indicating clean water. The latest sampling occasion resulted in a score of 7.5, with a high abundance of pollution sensitive mayflies and caddisflies. Protection of these aquatic communities would require careful consideration of any practices likely to involve increases in nutrient and sediment loads in the stream, or a reduction in flow.

Development of steep slopes is especially likely to result in increased sediment (and associated phosphorus) runoff into waterways. These effects can be mitigated or prevented through the use of riparian protection and other farm management practices.

The Canterbury Regional Council also has a Recreational Water Quality monitoring site at the bottom of the Orari Gorge. It is monitored for faecal contamination indicator organisms. This site is graded 'Good' under guidelines set by the Ministry for the Environment and the Ministry of Health for the monitoring of recreational water bodies (2003). This swimming site is well used and valued by the local community, and maintenance of this clean and clear water (free from faecal contamination, and clear water column) should be prioritised.

Canterbury Water Management Strategy (CWMS)

The CWMS recognises the vital importance of water to the environment, economy, culture and community of the Canterbury Region. The CWMS has the following priorities and principles:

First order priorities - environment, customary use, community supplies and stock water

Second order priorities - irrigation, renewable electricity generation, recreation and amenity

Primary principles – sustainable management, regional approach, tangata whenua

Supporting principles – natural character, indigenous biodiversity, access, quality drinking water, recreational opportunities and community and commercial use

The CWMS has established a series of Zone Water Management Committees (comprised of members who have a particular knowledge and a special relationship with the zone) to develop an Implementation Programme for each Zone (ZIP). The matters to be addressed by ZIPS include:

- Land use intensification/reduction
- Land use practices
- Water Quality and Quantity
- Biodiversity

The Orari, Opihi and Pareora Zone Committee has expressed concerns regarding, and is developing responses to address, the following

- Issues around over-allocation within the catchment – wanting to establish allocations that address sustainable environmental limits
- Setting a nutrient load limit
- Changes in land cover – that may alter flows and discharges or change nutrient levels (e.g. possible adverse effects on water quality resulting from loss of tall tussock grassland communities)
- The need to consider the catchment (Zone) as a whole rather than the current property by property approach. Moving to an integrated management approach will more effectively address the potential cumulative effects of land use on biodiversity and catchment characteristics.

Proposed Regional Policy Statement (PRPS)

The PRPS sets out the resource management issues of the region, and sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management. This necessarily requires a balanced approach. It is not the intention of the PRPS to stifle development or the tenure review process; rather to ensure through policies such as 7.3.1 to ensure that the qualities of the Region's waterways are preserved and/or improved.

PRPS Policy 7.3.1 states:

'Adverse effects of activities on the natural character of fresh water'

To identify the natural character values of fresh water bodies in the region and to:

- (1) preserve natural character values where there is a high state of natural character;*
- (2) maintain natural character values where they are modified but highly valued; and*
- (3) improve natural character values where they have been degraded to unacceptable levels;*

unless modification of the natural character values of a fresh water body is provided for as part of an integrated solution to water management in a catchment in accordance with Policy 7.3.9, and, in that case, any adverse effects on the natural character values of the fresh water body are remedied or mitigated.

One of the matters to be considered as part of promoting the sustainable management of natural and physical resources is preserving the natural character of lakes, rivers and wetlands and their margins (Section 6(a)). Preserving the natural character of fresh water, which is in a high natural state or which is modified but highly valued under Policy 7.3.1, is not intended to preclude all activities within the catchment, irrespective of their effects. Rather it requires activities to preserve the key elements which contribute to the natural character values of these fresh water bodies. In this regard, the Upper Orari River Catchment is identified as having high natural values. Great care should be exercised in providing for any changes in land use (such as through tenure review) that may adversely impact on these values.

Policy 7.3.1 recognises and provides for land use changes (including in intensity) to occur in areas which are assessed and identified as appropriate for modification for this purpose. This approach to managing natural character values achieves the purpose of the RMA, which requires a broad overall judgement to be made on any proposal considering, but not overridden by, the duty to recognise and protect the preservation of the natural character of lakes, rivers, wetlands and their margins from inappropriate subdivision, use or development, under Section 6(a) of the RMA. However, the modification of areas of high or highly valued natural character needs to be part of an integrated solution to fresh water management in a catchment, as set out in Policy 7.3.9; and any adverse effects of the activity on natural character values needs to be remedied or mitigated as part of that integrated solution.

Offsetting some of the loss of natural character with restoration or improvements in natural character in another part of the catchment may be an appropriate mitigation measure, depending on the importance of the respective values offset. In this case, however, the absence of any "whole of catchment" approach does not provide scope for any certainty that environmental off-setting is a viable approach. For this reason, the regional council would advocate that covenanting or other similar protective mechanism is employed across the property to secure the protection of the tall tussock grassland and other indigenous vegetation communities, to require the protection of riparian margins, and to protect the catchment characteristics and stream flows (i.e. catchment hydrology). This would, of necessity, preclude any substantial change to or intensification of the existing management regime for the property that would adversely impact on these values.

Natural Resources Regional Plan (NRRP)

The NRRP seeks to ensure sustainable management of the Region's natural and physical resources in accordance with section 5 of the Resource Management Act. Sustainable management of water resources involves enabling people and communities to provide for their wellbeing, subject to achieving or maintaining certain environmental outcomes. These other outcomes require protection of the capacity of water to sustain aquatic ecosystems, significant habitats of indigenous fauna, and areas of significant indigenous vegetation, and to provide protection of Ngai Tahu values, as a basic requirement of sustainable management. Preservation of the natural character of lakes and rivers and their margins, and wetlands, and the protection of them from inappropriate use and development is to be recognised and provided for as a matter of national importance. Natural character is a major factor affecting amenity (including recreation) values, and the level of enjoyment and satisfaction that people get from using rivers and lakes. For rivers and lakes, there is a very close relationship between natural character and protection of those outstanding natural features and landscapes that are directly related to water flows or levels.

Policy WQN1 defines the Orari River and tributaries upstream of the mouth of the gorge as a "**High naturalness water body**" worthy of a high level of protection based on an overall evaluation of

- (a) natural character;
- (b) outstanding or significant natural features and landscape;
- (c) areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- (d) relationship of Ngai Tahu and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga;
- (e) significant habitat of trout and salmon; and
- (f) amenity - including recreational, wild and scenic values.

On this basis, the regional council seeks that mechanisms are established through the review process to protect (and, if possible, enhance) the values set out in (a) to (h) above. This would include the matters identified earlier, including wilding tree and pest plant control/eradication, and specific management of the level of land use intensification to preserve the biodiversity (including tall tussock grasslands) and hydrology of the upper catchment.

Water Quality

The Orari River supports a diverse range of native fish species that is typical of a Canterbury hill-fed river, including five threatened and migratory fish species (longfin eel, torrentfish, inanga, koaro and lamprey). Flows in the mainstem are primarily derived from hill-fed runoff; surface flows are lost to groundwater as the river traverses the Plains resulting in intermittent mid-reach flows whilst flow is gained from groundwater downstream of State Highway One. Monitoring indicates that Nitrate and Phosphate concentrations range from relatively low in the upper reaches to very high near the mouth.

The upper Orari River is in a relatively pristine state and its high water quality helps to lessen the adverse effect of the poor water quality found downstream in the spring fed streams and the lagoon. Any intensification of land use in the upper part of the catchment could alter flow patterns and/or substantially increase the nutrient load in the river. Changes in the upper catchment could result in substantial adverse effects on the downstream reaches (potential for increased dry middle reach, worsening of water quality in the lower streams and lagoon). Specific management is required to ensure that these effects are avoided. The Preliminary Proposal does not address these issues, and the Canterbury Regional Council seeks that a management regime is included within the overall review to protect the values identified.

Wilding Trees

The property contains notable areas of indigenous vegetation (including tall tussock grassland) that are significant from a landscape and a biodiversity perspective. As with many other high country areas, wilding conifer species pose a threat to the high degree of naturalness found in the upper Orari catchment. The Canterbury Regional Pest Management Strategy (2007) contains a number of initiatives (Principal Measures) to achieve the objective of the protection of biodiversity values in targeted areas through wilding conifer eradication and management. It is therefore requested that, both in the areas proposed to be retained by the Crown, and areas proposed for freeholding, measures are put in place to control these wildings in order to preserve the biodiversity and landscape values of the area. For the freeholded area this may take the form of covenanting of land to require control or removal of wilding conifers. The Canterbury Regional Council also requests that a prescribed management strategy is concurrently developed and implemented for the management of the other identified pest plants within the property.

Public Access and Riparian Margins

The tenure review process offers an opportunity to resolve public access difficulties to the conservation estate, and to put in place access ways that meet the needs of the public while minimising interference with farming operations. The Canterbury Regional Policy Statement seeks to improve public access to and along rivers and lakes in the Canterbury Region¹ by developing new opportunities for public access especially where links can be established to isolated areas. Similarly, the Department of Conservation will, as part of the tenure review process, negotiate for enhance public access to the conservation estate.²

The general area of the Blue Mountain Lease is part of an important recreational (particularly hunting) area, and this popularity may increase with improved opportunities for access for multiple recreational users. The Canterbury Regional Council supports the appropriate provision for public access to and within the area proposed to be retained as Crown Land. Adequate and practicable public access should also be secured to and along the Orari River boundaries.

Where marginal strips are to be provided under s24 of the Conservation Act 1987 it is requested that these be shown in the designations plans. Riparian strips are also vital to maintaining the quality and biodiversity of water bodies. The essential role of riparian strips in buffering the effects of land uses on water quality appears to have been overlooked in the development of the Preliminary Proposal.

¹ Objective 4, Policy 7 Canterbury Regional Policy Statement pg 159 -160

² Canterbury Conservation Management Strategy pg 193 Objectives and Implementation point 5

The Canterbury Regional Council seeks that riparian strips are set off, and fenced where practicable, along all larger waterways within the property.

Conclusion/Recommendations

The Orari River and its tributaries are recognised in a plethora of Canterbury Regional Council documents as possessing high quality, natural and valuable characteristics. It is considered essential, given the paradigm shift towards a catchment wide, cumulative effects approach, that the qualities of the upper Orari River (specifically the land subject to tenure review) and the potential for adverse effects on the whole catchment are recognised and fully considered and provided for as part of the Preliminary Proposal. In particular, the Canterbury Regional Council seeks that:

- A fully integrated, catchment-wide approach (as espoused by the Canterbury Water Management Strategy) is taken when assessing the potential for adverse effects arising from the tenure review process and any subsequent land use changes or intensification that this may facilitate.
- Recognition and protection of the existing natural environment and water quality in the Orari catchment and the contribution that the upper reaches make to improving water quality below the gorge.
- The tenure review process should consider the potential for downstream impacts as a result of changes in land use practice arising from the tenure review process
- The invaluable contribution of tussock grassland to water quality and quantity is recognised and the maximum amount is retained and protected through the process.
- In recognition of the threat posed by wilding conifer and other pest plant species to the protection of biodiversity and landscape values, that appropriate mechanisms are developed and employed to remove this threat.
- Riparian management is specifically provided for across the property, including the fencing from stock access of the larger waterways within the property.

Thank you for the opportunity to comment on this Preliminary Proposal. If you have any queries or require further clarification please do not hesitate to contact me.

Yours faithfully



Vincent Smith

Regional Planning Manager

pp. Kim Drummond
Director Resource Management

Luana Pentecost

From: Vincent Smith [Vincent.Smith@ecan.govt.nz]
Sent: Tuesday, 22 November 2011 5:25 p.m.
To: Luana Pentecost
Subject: Blue Mountain Preliminary Proposal for Tenure Review.
Attachments: Blue Mountain Tenure Review.docx

Dear Luana,

Please find attached Environment Canterbury's submission on the Blue Mountain tenure review preliminary proposal. We would appreciate receiving a reply confirming receipt of the submission.



Kind regards,

Vin Smith
Regional Planning Manager

Environment Canterbury
Nazareth Avenue
Christchurch

PO Box 345
Christchurch

ph: 027 261 4844
e-mail: vincent.smith@ecan.govt.nz
web: <http://www.ecan.govt.nz>

  Save a tree. Don't print this e-mail unless it's really necessary

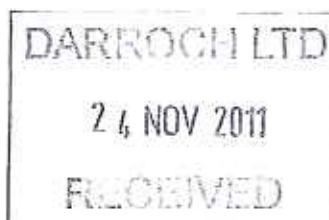
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Submissions due 22 November 2011

To
The Manager
Darroch Ltd
PO Box 27
Alexandra



Email: 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 observations: Blue Mountain Pastoral Lease is a highly visible, open upstanding tussock covered range country which contains 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. 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 over the past few years and some tracks have been bulldozed through sensitive areas. The tenure review should ensure that the current natural values are at least retained in the future.

1. I support the proposal to transfer 2500 ha approx. as Conservation Area CA1 into full Crown ownership. However, the triangular area south of the access route a – b should also be included in the Conservation Area. This part has been identified as having similar values in the conservation reports. The inclusion in CA1 would also make management and access easier and clearer.
2. I ask that the proposed covenant area CC1 along Andrews Stream is designated as a second Conservation Area CA2 in order to maintain the high natural values
3. I strongly oppose the proposed new track through the area mentioned under point 2. A track would be in complete contradiction to the preservation of the natural values and would also have a high negative impact on the landscape
4. The proposal does not provide any measures for protection of the Orari River, its catchment and the gullies and slopes with native shrublands and tussock areas. The Orari River and its surrounding is recognized as an 'area of high naturalness' and supports a high degree of biodiversity. Future changes in the catchment would also affect the water quality of the streams and river. Also, the scenic values of the Orari River, the gorge and its surroundings are of high interest for the public.

Therefore I suggest

- 4.1 that the terraces along the Orari River from Andrews Stream upstream in the south to lease boundary in the north are transferred into full Crown Ownership. The minimum width of this strip should be up to and including the track running along the gorge.
- 4.2 that the catchment of the Orari River from Pickney Stream and Hat Spur in the west, Andrews Stream in the south to the lease boundary in the north be designated as a Covenant Area CC2 'Slopes of Mt Francis' with the provisions for the proposed Covenant Area CC1 (which I ask to be changed into a Conservation Area; see point 2)
- 4.3 that the wetland near Moa Stream has protection and enhancement measures put in place e.g. fencing
5. As mentioned above the area is of high public interest. However, the public access does not seem secured and clear enough, especially to the Orari River Gorge. Therefore I ask that a year-long easement is put in place for unrestricted access to the gorge (except at lambing time mid October to mid November). This needs to include unhindered access over freehold land from the bridge over Andrews Stream upstream of the gorge.

I strongly support the submission
Margaret Rose Clifton
1/57 Rhodes St.
Parkside Timaru

M R Clifton