

## **Crown Pastoral Land Tenure Review**

**Lease name : LOCH LINNHE**

**Lease number : PO 230**

### **Due Diligence Report (including Status Report) - Part 4**

This report and attachments results from a pre-Tenure Review assessment of the pastoral lease for the purpose of confirming land available for Tenure Review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

The report attached is released under the Official Information Act 1982.

**August**

**06**

P 230

rs Abercrombie

770 650

896  
DUFFIN

18 April 1980

The Manager  
Alpine Helicopters Ltd  
QUEENSTOWN

Dear Sir

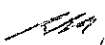
BANNOCKBURN WATER BOARD ; USE OF MINING PIPES

... This department, as owner of abandoned mining equipment on Pastoral leasehold land, has authorised the Bannockburn Water Board to remove abandoned mining pipes from Sproules Valley on Loch Linnhe Station for repairs of the Carrick water race. A copy of my letter to the Board is enclosed for your information.

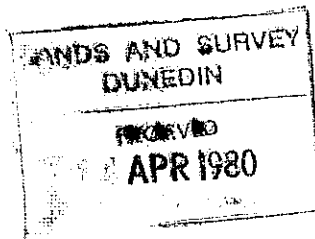
I understand that you will be removing these pipes for the Board and would point out that they are only to be removed to either the Carrick Water Race or to Bannockburn for maintenance before use.

Yours faithfully

C L Costello  
Commissioner of Crown Lands

per   
18/4

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 tenure review due diligence from  
 file: P 230 Vol 4568

14 April 1980

CCL  
 OFFICE

BANNOCKBURN WATER BOARD - REQUEST FOR USE OF CROWN PROPERTY MINING PIPES

On 26 March 1980 I met Mr Edgar Parcell of Bannockburn to discuss the Board's request to use abandoned mining pipes on Loch Linnhe Station for repairs to the Carrick water race. We also inspected the pipes and recorded their numbers and condition.

As this request could have future implications on the Department's existing policy of retaining abandoned mining relics on Crown Land for possible future reservation and/or use for the Otago Goldfields Park, a review of past instances of equipment removals, and ownership is necessary.

Legal Ownership of Abandoned Mining Equipment

Section 122 Mining Act 1971 provides for the owner of the land to assume ownership of mining equipment not removed within three months of expiration of a mining licence. In the case of leases without the right to freehold (eg Pastoral Lease) the owner is deemed to be the Crown. On renewable leases the lessee is deemed owner.

It is on this basis that since 1975 the Department has been preventing unauthorised removal of mining relics. Pastoral lessees were sent a circularised letter from the CCL in 1975 explaining the ownership question and the Department's intentions.

Instances of Equipment Removals

1 ~~Unauthorised~~ quartz mining machinery from Macetown district removed during 1973/4. As a result of considerable publicity and with the prospect of further large scale removals, the jurisdiction L & S or Mines Department was determined, effectively prohibiting removals.

2 During 1974/5 several hundred feet of abandoned sluicing pipe were removed from Mt Creighton Station by Alpine Helicopters Ltd, for either their own use or for sale. This was the subject of a complaint of theft by a miner who claimed ownership but was unable to prove such.

3 1975 Alexandra Historical Association made unauthorised removal of Whites Battery from Old Man Range. From subsequent negotiations, the Department is now committed to "loaning" this equipment to the Association for display purposes.

The Association had also actively investigated the removal of the waterwheel and battery from the Serpentine.

*N. B. B.*

1976 : Unauthorized removal of sluicing pipes forming part of the Stony Creek siphon on Mt Aurum and Ben Lomond Stations. Removed by Alpine Helicopters Ltd, for Arthur Barrell of Branches Station and other undetermined parties. CCL decided not to prosecute, but reprimanded Barrell and Alpine Helicopters Ltd by letter.

The main interest for reuse of mining equipment has been in sluicing pipes, usually for use as farm road culverts, but also for irrigation and in one instance for a private hydro-electric plant.

Because of the greater 'utility' value of pipes in comparison to other mining equipment, there is relatively very little remaining in Central Otago. Therefore, as one objective of the Goldfields Park is to represent all phases of mining technology, further disposals or removals must be seriously considered. Additionally the question of precedent must be considered in relation to the security of all mining equipment, and the merits of the individual cases warranting Department approval for removals and reuse.

#### The Bannockburn Water Board Case

This is a Board delegated control of the Carrick water race from the MWD. Mr Butler MWD (Alexandra) informs me that the Board receives an annual maintenance grant of \$1800 from MWD, and in the past has received monetary assistance by way of loans from MWD to effect more substantial maintenance works. By all accounts the Board operates on a 'shoe string' basis.

I have not been able to determine the number of water-ratepayers serviced by the race but it appears that there are a number of orchardists at Bannockburn and several runholders and farmers irrigating in the Bannockburn Valley.

Main water users donate labour in proportion to water used for the annual maintenance programme, and the MWD grant plus rates pays for a vehicle and full time race(person).

The race is currently breached in its headwaters where old fluming failed. The use of pipes is seen as the only means of bridging the gap on this very steep terrain. Approximately 400 linear feet of piping is required to repair the immediate gap, however the Board would like access to further footage on hand as insurance against further race failures.

#### The Pipes

These are located in and below Sproules Creek water race on the south side of the Sproules Valley which is a western tributary of the Nevis River. Loch Linnhe Station P230 : Lessee - M W Scott.

Dimensions: 26" diameter x 11'3" rivetted and flanged iron pipes

Numbers: Total of 71 complete pipes and 4 half or part pipes

50-57 in good condition

14-21 crumpled or fractures.

There is one reducer pipe (good condition) in place in the race (34" - 26" diameter).

Most of the pipes are strewn over a wide area on an active slump/slide. It is apparent that a number of pipes were buried or damaged by the earth movement. In the medium to long term, a large proportion of the pipes still on the surface will be buried or destroyed by continuing earth movement.

Possible OGP Uses for Pipe

1 Leave on present site for public display.

Comment: will eventually be destroyed if left where they are, and very few people would visit the site even if they knew of the pipes existence.

2 Remove for static display at a safe and readily accessible site.

Comment: some merit in this although a static display would have limited public interest. Due to the large diameter of the pipes it is most unlikely that there would be sufficient head of water available anywhere in Central Otago just to run through the pipes for ~~say~~ sluicing or elevating display. Smaller diameter pipes (eg 9"-11") would be sufficient for any working order exhibit that we may set up at Skippers or St Bathans for example.

Lessee's Use of Pipes

I have contacted Mr Bill Scott of Loch Linnhe Station to enquire of his attitude to the Water Board's proposal and if he intended any use of the pipes for himself.

He stated that he would have wished to use the pipes as road culverts on his property knowing that they would have a limited life in contact with wet earth. He proposed reinforcing the pipes with a concrete shell for a more permanent solution.

He was aware of the legal ownership question and would appear to accept that the pipes were not his to use without our consent.

Recommendations

In the absence of a justifiable use for the OGP, I recommend that the Bannockburn Water Board be given a loan of sufficient pipes to effect repairs to make the race operational. The exact number of pipes to be removed to be determined on site by myself.

The conditions of such a loan should include:

- 1 The loan is to the Bannockburn Water Board for as long as the Carrick water race is operated by that Board.
- 2 If the race is abandoned at some future date or control of the race passes to another agency or private interest, the loan ceases and is not transferable.
- 3 The pipes removed from Loch Linnhe Station are for use on the Carrick Water Race only.
- 4 The pipes to be permanently marked as L & S property to the satisfaction of myself.

Discussion

The benefits to the OGP are likely to be:

- a increased goodwill with Bannockburn district runholders which should assist reserve proposals on the Carrick Range and at Bannockburn.
- b the retention in working order of the Carrick water race, which is one of the few long-distance early mining races still operated in Otago. This will create additional visitor interest at the nearly negotiated Young Australian Historic Reserve on the Carrick, as the race forms the boundary for a large part of the reserve.

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assistance towards maintenance of the water race provides the future option of restoring the Young Australian Water Wheel to working order if deemed desirable and feasible in the future.

Overall I consider the benefits of the recommendation far outweigh possible implications in other areas. Loaning rather than disposal should reduce the risk of misinterpretation of this recommendation.

Implementation

- 1 URGENT Letter of consent to Bannockburn WaterBoard containing above conditions.
- 2 URGENT Letter to Alpine Helicopters Ltd, Queenstown, authorising removal of pipes from Sproules Valley, Loch Linnhe Station, by the Bannockburn Water Board. Attach copy of letter 1.
- 3 Letter to lessee Loch Linnhe Station declining his request to use pipes for road culverts as we consider these not be the best use of the pipes. Attach copy of letter 1.
- 4 Prepare press release, stressing the flexibility of our approach in relation to the merits of this case.

*Bj Mason*

B J Mason  
Reserves Ranger

*Agreed - discussed  
mtb ccd  
JH gl/can  
14/4/80.*

