

## **Crown Pastoral Land Tenure Review**

**Lease name: CRAIGROY**

**Lease number: PO 233**

### **Public Submissions - Part 1**

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

**July**

**10**

262001

*mj & jm Sole*

1936 Omakau - Chatto Creek Road  
RD 3  
ALEXANDRA 9393

Phone (03) 447 3336  
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17 November, 2009

Darroch Valuations  
P O Box 215  
DUNEDIN  
Ph: (03) 479-3653  
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Email: [david.paterson@darrochvaluations.co.nz](mailto:david.paterson@darrochvaluations.co.nz)

Dear David

**Brief submission on Craig Roy Tenure Review - notice of preliminary proposal**

As a family we have visited for picnicking and camping in the Nevis Valley numerous times. Initially by car and later by 4wd. The Nevis Crossing site on the true right just upstream of the bridge and occasionally with consent of the run holder in the willows up stream of the old homestead has been used for picnic and camping over a period of years.

We request that some recreation reserve land is site aside to protect for future generations access for camping, picnicking, swimming, fishing, and canoeing. The marginal strip is very confining and doesn't accommodate parking (fishermen) picnicking and camping.

As a family we have taken others over from Alexandra for picnics and camping. It's a truly special place with a unique sense of space and remoteness.

A recreation reserve ideally set back up stream from the road would secure future enjoyment and pleasure. The advantage of this site is its shade, access to water and can be accessed without 4wd.

Yours sincerely,

Matthew Sole



(Submission template)



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Email: [david.paterson@darrochvaluations.co.nz](mailto:david.paterson@darrochvaluations.co.nz)

Dear Sir,

Please find below two individual submissions on Ben Nevis and Craigroy Preliminary Proposals

## A. Submission on Craigroy Tenure Review Preliminary Proposal

This submission is made by

Selwyn C. Yeoman

24 Ryehill St;

Calton Hill,

DUNEDIN 9012.

### Craigroy Proposals:

#### **.1 Restoration of 810 ha. and Higher Altitude Lands to Crown Control.**

*I am happy to support this proposal. This land area has high landscape and natural values and is recreationally important. Its retention by the Crown is appropriate subject to the proposed continuation of rights to take and convey water and recreation concession and grazing concession. Grazing concessions are especially important to maintain a particular kind of pastoral farming.*

#### **.2 Designation of 190 ha Scenic Reserve**

*I am in support of this proposal. This land area has high landscape and natural values and is recreationally important. Its designation as a Scenic Reserve is appropriate.*

#### **.3 Freehold Disposal of 3442 ha. To Pioneer Generation**

*I am opposed to this freehold proposal. This area of land includes lower slopes and terraces and the valley floor. It has high landscape values, high historic values because goldfield sites are spread across the floodplain and up the side slopes in some areas; rare plants and native skinks are found on mine tailings on the floodplain, rare native fish are found in tributaries. These are already so threatened in so many places that remaining habitat must be protected. The land between the riverside track and the river is important for public access for recreational activities including angling and kayaking, nature and history appreciation. The valley floor is*

*an important landscape feature which contributes to its outstanding landscape status. Valley floors are under-represented in lands that receive protection during tenure review and this is one that can and should be protected, particularly since it is clear that the freeholder's intention is to build a hydro scheme which will destroy most of the existing values. It is not appropriate to freehold much of this land down towards the river.*

### **.3.1 Landscape Covenant**

*The landscape covenant is flawed. It doesn't cover all the values present – public access rights to and along the river and generally over the lower floodplain are not mentioned. Native fish require specific protection in tributaries but aren't covered. Rare plants and skinks aren't mentioned and so aren't protected either. These omissions represent a significant failure by the Minister of Conservation, or his officers, to attend to their legal obligations – and I would add their environmental moral obligations.*

*Of most concern, the covenant designed to protect specified values in perpetuity has a clause in schedule 2 which requires the Minister to allow hydro development.*

*We do not yet see any willingness by hydro power generators to recognise conservation values on any rivers. There is no give-and-take, no attempt to seek some kind of agreement with other interest groups. They invite conflict by this consistent refusal to allow for anything in our national estate other than their own shareholder interests. The Minister's willingness to give away the most important part of his commission is especially disappointing.*

*The clause in Schedule 2 allowing for hydro development should be removed. Otherwise the covenant is valueless.*

### **.3.2 Public Access Easements**

*There are public access easements over the freehold in two locations and their retention should not be a problem*

*Why not protect the valley floor land with important multiple values by simply retaining it in Crown ownership. As at present it would even be possible to allow certain continued grazing rights.*

## **.4 Disposal of Local Purpose Reserve 1.72 ha. By Exchange**

*No – this reserve clearly has public access and recreation values as well as general riparian values. There is no good reason to dispose of it and I oppose the proposal to do so.*

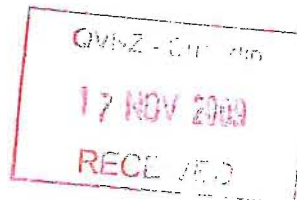
## **.5 Disposal of Conservation Land 1.65 ha Adjoining the Nevis River By Exchange**

*These parcels also clearly have public access and recreation values as well as general riparian values. There is no good reason to dispose of them – if anything they should be linked together in a more substantial reserve.*

Selwyn C. Yeoman

Date: 16<sup>th</sup> November 2009.

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Dear Sir,

Please find below two individual submissions on Ben Nevis and Craigroy Preliminary Proposals

**A. Submission on Craigroy Tenure Review Preliminary Proposal**

This submission is made by

Russell McKendry  
39 Parapara Beach Road  
RD2 Takaka 7182  
Golden Bay  
New Zealand  
0064 (03) 5248485  
[rhmckendry@farmside.co.nz](mailto:rhmckendry@farmside.co.nz)

**Craigroy Proposals:**

**.1 Restoration of 810 ha. and Higher Altitude Lands to Crown Control.**

*I support this proposal*

**.2 Designation of 190 ha Scenic Reserve**

*I support this proposal*

**.3 Freehold Disposal of 3442 ha. To Pioneer Generation**

*I do not support this proposal because of its outstanding landscape*

**Landscape Covenant**

*The proposal would almost completely fail to give adequate protection because the covenant has a clause in schedule 2 which requires the Minister to allow hydro development.*

**.3.1 Public Access Easements**

*(Comment: There are public access easements over the freehold in two locations. These are not contentious.)*

*(Comment: Fish and Game is strongly opposed to freeholding valley floor land with important multiple values. Even if a secure covenant was proposed it is more appropriate to protect these lower lying valley floor areas through retention in Crown ownership)*

**.4 Disposal of Local Purpose Reserve 1.72 ha. By Exchange**

*This is in fact a particularly harmful proposal for public access and recreation values as well as general riparian values. I do not support this proposal.*

**.5 Disposal of Conservation Land 1.65 ha Adjoining the Nevis River By Exchange**

*This is also a particularly harmful proposal for public access and recreation values as well as general riparian values. I do not support this proposal*

Submitter's Name  
Russell McKendry

Date

Tuesday, 17 November 2009

*SUBMISSION OF DJ CASSELLS*

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Dear Sir,

Please find below two individual submissions on Ben Nevis and Craigroy Preliminary Proposals

## A. Submission on Craigroy Tenure Review Preliminary Proposal

This submission is made by DJ Cassells, 5 Brisbane St, Queenstown

021511152

[jay.cassells@gmail.com](mailto:jay.cassells@gmail.com)

### Craigroy Proposals:

#### **.1 Restoration of 810 ha. and Higher Altitude Lands to Crown Control.**

This land area has high landscape and natural values and is recreationally important. Its retention by the Crown is appropriate subject to the proposed continuation of rights to take and convey water and recreation concession and grazing concession.

#### **.2 Designation of 190 ha Scenic Reserve**

This land area has high landscape and natural values and is recreationally important. Its designation as a Scenic Reserve is appropriate.

#### **.3 Freehold Disposal of 3442 ha. To Pioneer Generation**

This area of land includes lower slopes and terraces and the valley floor. It has high landscape values, high historic values because goldfield sites are spread across the floodplain and up the side slopes in some areas; rare plants and native skins are found on mine tailings on the floodplain, rare native fish are found in tributaries. The land between the riverside track and the river is important for public access for recreational activities including angling and kayaking, nature and history appreciation. The valley floor is an important landscape feature which contributes to its outstanding landscape status. It is not appropriate to freehold much of this land down towards the river

##### **.3.1 Landscape Covenant**

The landscape covenant is flawed. It doesn't cover all the values present – public access rights to and along the river and generally over the lower floodplain are not mentioned.

Native fish require specific protection in tributaries but aren't covered. Rare plants and skinks aren't mentioned and so aren't protected either.

Of most concern, the covenant designed to protect specified values in perpetuity has a clause in schedule 2 which requires the Minister to allow hydro development. So the covenant is valueless

### .3.2 Public Access Easements

There are public access easements over the freehold in two locations. These are not contentious.

Even if a secure covenant was proposed it is more appropriate to protect these lower lying valley floor areas through retention in Crown ownership

## **.4 Disposal of Local Purpose Reserve 1.72 ha. By Exchange**

The disposal of a small piece of Crown reserve land on the riverbank near the Nevis crossing and within the goldfield area is difficult to understand. It clearly has public access and recreation values as well as general riparian values. This proposal is opposed.

## **.5 Disposal of Conservation Land 1.65 ha Adjoining the Nevis River By Exchange**

As submitted above, the disposal of small pieces of Crown reserve land on the riverbank near the Nevis crossing and within the goldfield area is difficult to understand. It clearly has public access and recreation values as well as general riparian values. This proposal is opposed

Submitter's Name : DJ Cassells

Date 17 November 2009





16 November 2009

Tenure Review Consultant  
Darroch Valuations  
P O Box 215  
**DUNEDIN**



Attention: Mr David Paterson

Dear Sir

### **TENURE REVIEW: CRAIGROY STATION - NEVIS VALLEY**

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I refer to instructions received from RW & SL Brown, sub-lessees of the above property, to examine the Tenure Review Proposal and to make a number of submissions.

#### **1. LEGAL DESCRIPTION**

The land is described in Certificate of Title 386/130 Otago Land Registration District as being Run 339B, Nevis and Bannockburn Survey Districts, land area some 4,432.4586 hectares. Pastoral Lease No. 233, thirty three years from 1 July 1992, current rental \$1,500 per year exclusive of GST, 11 year rent reviews.

Registered Proprietor:

- Nevis Holdings Limited.

Interests at date of search:

- As per appended Certificate of Title

The property is currently sub-leased to RW Brown, SL Brown, HA Radford and RN Macassey, 10 year and three month term from 01 September 2002, rental review after five years, rental \$25,000 per year. The lease being for both farming and the skidoo operation, also includes the right of first refusal to purchase all or part of the property that may become available from Nevis Holdings Limited, at 50% of current market value.

This sub-lease clearly provides the sub-lessee with a considerable interest in the property overall.

## **2. SITUATION AND LOCALITY**

Situated on the Nevis-Cromwell Road, 26 kilometres south by road from Cromwell via Bannockburn. Access road from Bannockburn, metal only, reaches an altitude of some 1,300 metres above sea level and is subject to snow falls during winter which can make access difficult. Power supply is available by diesel generator, no mail or school bus available to property. Semi remote locality located on the western slopes of the Carrick Range in an area known as the Nevis Valley, an extensive run type farming district.

## **3. CLIMATE, TOPOGRAPHY AND ALTITUDE**

Rainfall averages some 750 millimetres per year, semi Central Otago climate with tending dry summers and cold severe winters, low to moderate snow risk on higher altitudes, low snow risk at lower altitudes.

Contour consists of some 350 hectares flat to easy rolling, 4,082 hectares moderately rolling to steep, aspect is generally westerly, altitude ranges from some 660 to 1,624 metres above sea level.

## **4. SOIL TYPES**

- 80 ha. Matukituki soils, medium quality.
- 2,662 ha. Arrow steep land soils, good quality hill soils
- 1,690 ha. Dunstan steep land and Carrick hill soils, fair quality soils.

**4,432 ha. Total**

## **5. COVER**

- 40 ha. Good cultivated pasture.
- 40 ha. Fair cultivated pasture.
- 1,290 ha. Good over sown and top dressed native.
- 1,350 ha. Medium native grazing.
- 1,690 ha. Fair native grazing.
- 22 ha. Buildings, gold workings and waste.

**4,432 ha. Total**

## **6. WEEDS AND PESTS**

Some briar and matagouri present, of little significance, rabbits under good control.

## **7. THE DEVELOPMENT**

### **Buildings:**

- (a) Dwelling, erected 1998, floor area some 90 sq.metres. Construction, concrete foundations and piles, pycopine flooring, timber frame, hardiplank clad, aluminium joinery, coloursteel roofing, internal linings of gibraltar board.

Containing kitchen dining living room, gas and electric ranges, diesel heater, three double bedrooms, office, bathroom, toilet and laundry facilities. Condition, exterior in tidy order, interior parts yet to be decorated.

Radio link telephone system, diesel generator with battery backup and inverter system for power supply.

- (b) Utility shed, erected 1998, floor area some 90 sq.metres. Construction, concrete foundations and flooring, steel frame, galvanised iron clad. Utilised for vehicle storage, workshop, generator and battery inverter system.
- (c) Old homestead, erected some 65 years ago, additions subsequently, floor area some 135 sq.metres. Construction, concrete foundations and piles, concrete and timber flooring, walls mainly roughcast over sundried brick, timber joinery, part timber frame, fibrolite clad, corrugated galvanised iron roofing.

Contains, kitchen dining room, three bedrooms, lounge, bathroom, external storeroom. Condition, in fair order.

- (d) Woolshed, erected in stages over the past 25 to 65 years, floor area some 350 sq.metres plus covered yards 170 sq.metres. Construction, timber and steel frame, corrugated galvanised iron clad, five stands, in fair to tidy order.
- (e) Sundry buildings include generator shed in tidy order, store shed and hut in poor order.

#### **Fencing and Sub-division:**

The property is subdivided into sixteen main blocks together with five paddocks and two holding paddocks by average to good quality fencing, substantial subdivision having been carried out over the past ten years, particularly splitting the lower and higher altitude country.

There are two sets of sheep yards on the property, cattle yards are shared with an adjoining property.

#### **Water Supply:**

- (a) Domestic, spring source, pumped to 25,000 litre storage tank, gravity supply to dwelling, adequate supply.
- (b) Stock, generally adequate stock water available from springs, creeks and the Nevis River.

#### **Pastures and Consolidation:**

Some 40 hectares has been cultivated and established in good pasture for hay production, some 1,290 hectares has been over sown, top dressed and maintained. The property is generally in good heart, both native and improved country all having good cover, some hieracium present.

### **8. STOCKING AND PRODUCTION**

The property has been running some 2,500 mixed age merino ewes and replacements, together with some 80 breeding cows carrying progeny through two winters.

Overall carrying capacity some 4,450 stock units.

Lambing percentage 75-85%, calving 90-95%, wool weights ranging from 3.7 – 4.1 kilograms per head. Stock performance levels are in keeping with this type of run property.

## **9 GENERAL**

Semi remote fine wool and cattle run property in the Nevis Valley near Cromwell. The property has been substantially developed over the past ten years with over sowing, topdressing and subdivision fencing. In addition Nevis Snowmobile Adventure tours are operated during the winter months, this being helicopter access to self drive guided wildness adventures by snowmobile, along part of the summit of the Old Woman Range. The base operation being located on part of Craigroy Station, the main routes for the skidoo operation being on the adjoining Nevis block of Carrick Station. This tourist operation considerably assists with the overall profitability and economics of this marginal small grazing run.

The property is subleased from Nevis Holdings Limited (Pioneer Generation Limited), who is the current lessee. The property is undergoing a tenure review which provides for part of the property to be vested in the Conservation Estate, balance to be provided with fee simple tenure.

Nevis Holdings Limited, I understand, will then undertake a subdivision for land that they may require for possible future hydro electricity generation, the balance of the property to be sold to the existing sub lessee at 50% of current market value. The tenure review document provides for some 810 ha to become part of the Conservation Estate, some 190 ha to become scenic reserve. Both these areas to have short term grazing concessions, for the initial two years 1,500 wethers or dry ewes (400 stock units) for four months over summer, for the final three years 1,000 wethers or dry ewes (266 stock units) for four months over summer. The grazing concession to be at a rental of \$6 per stock unit, plus \$100 administration fee.

The sub-lessee is very concerned that the five year concession is too short and should be extended to ten years to allow for further development of the fee simple tenure land. He has also requested that the concession should include some cattle grazing.

I note there is provision for public access by foot, horses and non motorised vehicles, off the Nevis Road west of Duffer's Saddle and off Nevis Crossing along an existing farm track. There is also provision for access with guns and dogs provided a hunting permit is obtained.

The land to obtain fee simple tenure will be subject to a Conservation Covenant relating to old mining sites, cultivation of existing cultivated areas, spraying of woody vegetation, new development. The Covenant is to enable the inherent values of this land to be preserved but is not so onerous that the land cannot be farmed under traditional methods.

The loss of the summer country for the small grazing run will have a significant effect on the overall carrying capacity of the property, reducing it from the current 4,450

stock units to say 3,500 stock units. This would then be considered an uneconomic farming property. I note the comment from within the review document that concurs with this fact but also suggests that with the change in tenure other tourist activities may be possible to supplement income. However, in this remote locality there are few opportunities for this type of venture and to date the only successful tourist operation carried out on the property has been the Nevis Snowmobile Adventure enterprise. The current concession for access and operation of the Skimobile Adventure expires 30 September 2010.

It has been stated that the continuation of the existing recreation business of motorised over travel and aircraft landings is inconsistent with ensuring the remote experience qualities of the Old Woman Range and Garvie area, described in the Otago Conservation Management Strategy. The qualities of a remote experience are generally understood to include natural quiet, that is, all you should hear are the sounds of nature. This has clearly indicated that there will be no renewal of the concession 30 September 2010.

The lack of the concession will then further aggravate the fact that the property subject to tenure review will be uneconomic. It is also difficult to reconcile the fact that when this area is utilized for over snow travel there is no alternative access apart from aircraft and therefore no ability for the public to be in this situation to enjoy natural quiet. The only access being by aircraft and in the present scenario the operation is for those who wish to enjoy the experience in this location of such an winter snow activity.

The sub-lessee is of the opinion that the area shown as R1 (Scenic), is land that should be included within the area to obtain fee simple tenure.

They are also very concerned that the separation area between the Conservation Estate land and the land to receive fee simple tenure should be at a higher altitude level so that the water race system and access roading would be included in the fee simple area. It would be a great deal more practical to have the fence above the water race rather than below it, in case of any race failure and damage that may be caused when cleaning the race.

The sub-lessee would like consideration to be given at this Tenure Review stage for the ongoing Snowmobile Adventure activity. It is clear from the review document that this has been considered but only for the limited remaining term of the existing concession. If it is acceptable for the balance of the term then why is consideration given to an extension of the present concession considered at this time.

In summary:

- The boundary between Conservation Estate and fee simple tenure should be raised to between 1,400 and 1,500 metres above sea level to maintain the access roading and water race in the fee simple tenure area.
- Grazing concession to be extended to a ten year period to allow for gradual development for the balance of land to increase the livestock carrying capacity closer to economic levels.

- The infrastructure for the Snowmobile Adventure operation is already in place and a further ten year extension of this concession would enable the farming property to be maintained as a small economic grazing run.
- The sub-lessee has a considerable interest in this property and we would ask that his submissions be given due consideration.

Please contact me if further information is required.

Yours faithfully  
**Moore & Percy Ltd**



M.F. Moore  
Registered Valuer  
Registered Primary Industry Consultant, ANZIV – SPINZ, MNZIPI

**Ph: (03) 440 2144**  
**Mob: 0274 336 504**  
**[malcolm@moorepercy.co.nz](mailto:malcolm@moorepercy.co.nz)**



**COMPUTER INTEREST REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Search Copy**

*R. W. Muir*  
Registrar-General  
of Land

**Identifier** OT386/130  
**Land Registration District** Otago  
**Date Registered** 16 December 1959 02:23 pm

**Prior References**  
OT337/91

<b>Type</b>	Lease under s83 Land Act 1948	<b>Term</b>	33 years commencing on the first day of July 1959 and renewed for a further 33 years commencing on the 1.7.1992
<b>Area</b>	4432.4586 hectares more or less		

**Legal Description** Run 339B

**Proprietors**  
Pioneer Generation Limited

**Interests**

Subject to Part IVA Conservation Act 1987  
 Prospecting Licence embodied in Register OT9D/87 - 11.7.1984 at 11.06 am  
 690198 Certificate extending the term of Prospecting Licence embodied in Register OT9D/87 - 5.11.1987 at 9.03 am  
 852096.1 Renewal of the within Lease for a further period of 33 years commencing on the 1.7.1992 and fixing (for the first 11 years) the annual rental at \$1500.00 calculated on a rental value of \$100,000.00 - 25.3.1994 at 10.46 am  
 Subject to a right to convey water in gross over part marked A-B on diagram annexed to Transfer 885704 to Carrick Irrigation Company Limited affecting the fee simple estate of Her Majesty the Queen created by said Transfer - 30.6.1995 at 11:54 am  
 Mining Licence embodied in Register OT9D/540 - 22.3.1996 at 9.13 am  
 937706.6 Variation of covenants, conditions and restrictions contained in the within Lease - 8.10.1997 at 9.04 am  
 5273979.1 Exploration Permit Term 5 years commencing 28.6.2002 - 4.7.2002 at 9:27 am

David Paterson

262006

**From:** rob.blackbeard@xtra.co.nz  
**Sent:** Sunday, 22 November 2009 10:21 p.m.  
**To:** David Paterson  
**Subject:** Craigroy Tenure Reveiw

Dear Sir,



This is a submission by Dr.R & Mrs I.Blackbeard

54 White Rd

Newton 7020

5444917

Rob.blackbeard@xtra.co.nz

## A. Submission on Craigroy Tenure Review Preliminary Proposal

### Craigroy Proposals:

#### 1.1 Restoration of 810 ha. and Higher Altitude Lands to Crown Control.

*This is naturally and recreationally important land and should be retained by the crown*

#### 1.2 Designation of 190 ha Scenic Reserve

*This land area has high landscape and natural values and is recreationally important. Its designation as a scenic Reserve is appropriate.*

#### 1.3 Freehold Disposal of 3442 ha. To Pioneer Generation

*This has landscape value and historic goldfield value as well as being important for public access for recreation and should not be freeholded.*

1.3.1 Landscape Covenant Doesn't cover public access or native fish in tributaries and with the clause in schedule 2 to allow hydro development in perpetuity is cynical and meaningless!

#### 1.3 Disposal of Local Purpose Reserve 1.72 ha. By Exchange

#### 1.4 Disposal of Conservation Land 1.65 ha Adjoining the Nevis River. By Exchange

*Cannot see the benefit to the Public by either of the above and oppose them*

R & I Blackbeard

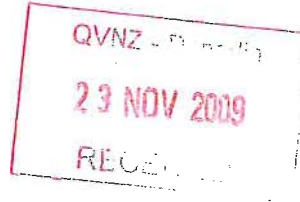
22/11/09

23/11/2009



SUBMISSION OF APF Kerr

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Dear Sir,

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### A. Submission on Craigroy Tenure Review Preliminary Proposal

This submission is made by APF Kerr 1/3 Birdwood Cres Parnell

021 56 00 18

[patrickk@woosh.co.nz](mailto:patrickk@woosh.co.nz)

#### Craigroy Proposals:

##### **.1 Restoration of 810 ha. and Higher Altitude Lands to Crown Control.**

This land area has high landscape and natural values and is recreationally important. Its retention by the Crown is appropriate subject to the proposed continuation of rights to take and convey water and recreation concession and grazing concession.

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This area of land includes lower slopes and terraces and the valley floor. It has high landscape values, high historic values because goldfield sites are spread across the floodplain and up the side slopes in some areas; rare plants and native skins are found on mine tailings on the floodplain, rare native fish are found in tributaries. The land between the riverside track and the river is important for public access for recreational activities including angling and kayaking, nature and history appreciation. The valley floor is an important landscape feature which contributes to its outstanding landscape status. It is not appropriate to freehold much of this land down towards the river

##### **.3.1 Landscape Covenant**

The landscape covenant is flawed. It doesn't cover all the values present – public access rights to and along the river and generally over the lower floodplain are not mentioned.

Native fish require specific protection in tributaries but aren't covered. Rare plants and skinks aren't mentioned and so aren't protected either.

Of most concern, the covenant designed to protect specified values in perpetuity has a clause in schedule 2 which requires the Minister to allow hydro development. So the covenant is valueless

### .3.2 Public Access Easements

There are public access easements over the freehold in two locations. These are not contentious.

Even if a secure covenant was proposed it is more appropriate to protect these lower lying valley floor areas through retention in Crown ownership

## **.4 Disposal of Local Purpose Reserve 1.72 ha. By Exchange**

The disposal of a small piece of Crown reserve land on the riverbank near the Nevis crossing and within the goldfield area is difficult to understand. It clearly has public access and recreation values as well as general riparian values. This proposal is opposed.

## **.5 Disposal of Conservation Land 1.65 ha Adjoining the Nevis River By Exchange**

As submitted above, the disposal of small pieces of Crown reserve land on the riverbank near the Nevis crossing and within the goldfield area is difficult to understand. It clearly has public access and recreation values as well as general riparian values. This proposal is opposed

Submitter's Name : APF Kerr

Date 17 November 2009

262008

(Submission template)

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Dear Sir,

Please find below two individual submissions on Ben Nevis and Craigroy Preliminary Proposals

## A. Submission on Craigroy Tenure Review Preliminary Proposal

This submission is made by  
*Daniel Walmar Lyders and Susan Mary Hutt*  
1346 McPherson Road, Berwick., No1,R.D., Outram. Phone 03 4862834  
<[lydersd@yahoo.co.nz](mailto:lydersd@yahoo.co.nz)>

### Craigroy Proposals:

#### 1.1 Restoration of 810 ha. and Higher Altitude Lands to Crown Control.

*Retention by Crown appropriate. Should continue as Crown Lease with recreation concession. Has high landscape and recreation values.*

#### 1.2 Designation of 190 ha Scenic Reserve

*Agree.*

#### 1.3 Freehold Disposal of 3442 ha. To Pioneer Generation

*Do not agree. Has high landscape values-important historical goldfield sites on floodplain with some rare plants and skinks. Rare native fish in tributaries. Land alongside riverbank important for recreational activities such as angling and kayaking and wilderness relaxation and appreciation. A peaceful, beautiful largely natural environment.*  
*Lower land around the river should not be freeholded.*

##### 1.3.1 Landscape Covenant

*Covenant worthless unless it covers public access to river and along it, and over lower floodplain. Rare native fish, skinks, plants, birds habitat (we photographed Banded*

*Dotterel with chick 17 November 2009 on School-house Flat) should be in covenant.*

*Covenant requires Minister to allow hydro development which in itself makes covenant worthless as hydro has potential to destroy all above values.*

**1.3.2 Public Access Easements**

*Agree. But it is preferable to retain Crown ownership of lower lying valley floor areas even if a secure covenant was proposed.*

**1.4 Disposal of Local Purpose Reserve 1.72 ha. By Exchange**

*Oppose. Has value for public and recreation access and in goldfields area.*

**1.5 Disposal of Conservation Land 1.65 ha Adjoining the Nevis River By Exchange**

*Oppose. Reasons as above.*

Submitter's Name



Daniel Walmar Lyders , Susan Mary Hutt

Date

22 November 2009.

94 Glenross St  
Glenross  
Dunedin

24 November 2009

Darroch Valuations  
PO Box 215  
Dunedin



Attn: David Patterson

**Re: Craigroy Tenure Review**

I support the formation of the CA1 on the Old Woman Range. This is excellent backcountry skiing country, and has summer recreation values too.

I strongly oppose the issuing of the Snowmobile Recreation Concession.

As the existing Recreation Concession, which attracted a lot of opposition from backcountry skiers such as myself when it was first heard at Council hearings in 1996, expires in 2010 and the tenure review is unlikely to be completed by then, there is no need to grant a recreation concession. If Nevis Snowmobiles wish to continue operating in this area after 2010, they should just apply to CODC as any other operator would, thereby going through a public consultation process.

Yours faithfully

A handwritten signature in black ink, appearing to read "Marina Hanger", is written in a cursive style. The signature is located below the "Yours faithfully" text.

Marina Hanger

**To – The Commissioner of Crown Lands, c/- Darroch Valuations, PO Box 215, Dunedin.**

Sent by email to [david.paterson@darrochvaluations.co.nz](mailto:david.paterson@darrochvaluations.co.nz) on 25<sup>th</sup> November 2009

**Submission on Craigroy Tenure Review Preliminary Proposal**

1. **This submission** is made by the Gore and District Angling Society, a long established club whose members have fished the Nevis river for many years.

The Society's address is :

The Gore and District Angling Society.  
C/- The Secretary  
John Purey-Cust  
203 Champion Road  
4RD Gore 9774

Phone – 03 208 5200  
Email - [oq43@ispnz.co.nz](mailto:oq43@ispnz.co.nz)



2. **The reason for our submission.** The Nevis valley is a valley known for its particular atmosphere, a combination of high country tussock, rivers and mountains, together with human history, a combination rare in this country

Te Puoho's southern raid – one of New Zealand's great journeys - which ended at Tuturau came this way not long before gold was discovered, and the names of the miners are still remembered. Some of their descendents have been members of our Society. So in our members' eyes it is not only the large trout which help to make the valley memorable to anglers – one can still go to other places for them – it is that special atmosphere together with all its historic associations.

Whether or not these values are adequately catered for in the areas proposed for freeholding seems doubtful, no doubt influenced subconsciously by knowledge of the ultimate intended use of the land. Others better qualified than us will discuss that.

There are not many such places left, and we are also well aware that this is the second to last free flowing fishing river left in the Clutha catchment downstream of the lakes, the other being the Pomahaka.

So, in the short term, access to and along the river becomes our prime issue, together with preservation of the fishery.

In that regard the potential free holder has other options beyond hydro for access capture, the two most obvious being intensification of agriculture on the flats, and exclusive lodge development. Access capture must be thwarted.

It seems that the battle for the river and the fishery itself comes later.

**3. Our submission therefore is:**

- That the formed road into and up the Nevis valley be made a public road wherever it strays from its gazetted line.
- That there be a right of public access along the banks of the Nevis river wherever it adjoins or is within Craigroy, and that there also be public access to the river every three kilometres or so wherever this is physically feasible.

(Explanation. At the moment, as far as can be ascertained, there is legal access to the river only at the Nevis Crossing bridge.)

John Purey-Cust  
Secretary, Gore and District Angling Society

25<sup>th</sup> November 2009

(Submission template)

Darroch Valuations  
P O Box 215  
DUNEDIN  
Ph: (03) 479-3653  
Fax: (03) 474-0389  
Email: [david.paterson@darrochvaluations.co.nz](mailto:david.paterson@darrochvaluations.co.nz)



Dear Sir,

Please find below two individual submissions on Ben Nevis and Craigroy Preliminary Proposals

A. Submission on Craigroy Tenure Review Preliminary Proposal Submission made by

A handwritten signature in blue ink, appearing to read 'M A Turner'.

Dr Michael A Turner,  
194 Beacon Point Road, Wanaka, 9305.  
e-mail: -mike [carolewanaka@xtra.co.nz](mailto:carolewanaka@xtra.co.nz)  
tel: -03 443 6057

**Craigroy Proposals:**

**1.1 Restoration of 810 ha. and Higher Altitude Lands to Crown Control.**

*(Comment: This land area has high landscape and natural values and is recreationally important. Its retention by the Crown is appropriate subject to the proposed continuation of rights to take and convey water and recreation concession and grazing concession.)*

**1.2 Designation of 190 ha Scenic Reserve**

*(Comment: This land area has high landscape and natural values and is recreationally important. Its designation as a Scenic Reserve is appropriate.)*

**1.3 Freehold Disposal of 3442 ha. To Pioneer Generation**

*(Comment: This area of land includes lower slopes and terraces and the valley floor. It has high landscape values, high historic values because goldfield sites are spread across the floodplain and up the side slopes in some areas; rare plants and native skinks are found on mine tailings on the floodplain, rare native fish are found in tributaries. The land between the riverside track and the river is important for public access for recreational activities including angling and kayaking, nature and history appreciation. The valley floor is an important landscape feature which contributes to its outstanding landscape status. It is not appropriate to freehold much of this land down towards the river)*

**1.3.1 Landscape Covenant**



*(Comment: The landscape covenant is flawed. It doesn't cover all the values present – public access rights to and along the river and generally over the lower floodplain are not mentioned. Native fish require specific protection in tributaries but aren't covered. Rare plants and skinks aren't mentioned and so aren't protected either.*

*Of most concern, the covenant designed to protect specified values in perpetuity has a clause in schedule 2 which requires the Minister to allow hydro development. So the covenant is valueless)*

#### 1.3.2 Public Access Easements

*(Comment: There are public access easements over the freehold in two locations. These are not contentious.)*

*(Comment: Fish and Game is strongly opposed to freeholding valley floor land with important multiple values. Even if a secure covenant was proposed it is more appropriate to protect these lower lying valley floor areas through retention in Crown ownership)*

#### 1.4 Disposal of Local Purpose Reserve 1.72 ha. By Exchange

*(Comment: The disposal of a small piece of Crown reserve land on the riverbank near the Nevis crossing and within the goldfield area is difficult to understand. It clearly has public access and recreation values as well as general riparian values. This proposal is opposed by Fish and Game)*

#### 1.5 Disposal of Conservation Land 1.65 ha Adjoining the Nevis River By Exchange

*(Comment: As above, the disposal of small pieces of Crown reserve land on the riverbank near the Nevis crossing and within the goldfield area is difficult to understand. It clearly has public access and recreation values as well as general riparian values. This proposal is opposed by Fish and Game)*

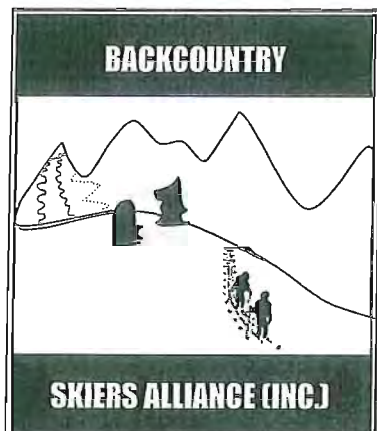


Submitter's Name Dr Michael A Turner

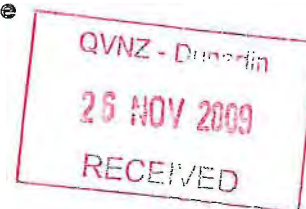
Date 25<sup>th</sup> November

I am a Fish and Game Ranger and newly elected Councillor and fully endorse the Fish and Game submissions on Tenure Revue of the Craigroy and Ben Nevis stations. I have previously supported Fish and Game on the Nevis river redesignation and would appear at a hearing on Tenure review of both stations.

262012



**Backcountry Skiers Alliance**  
**PO Box 168**  
**Alexandra**



8<sup>th</sup> November 2009

Darroch Valuations  
Box 215 Dunedin  
Attn: David Patterson

### Submission on Craigroy Tenure Review

#### **Introduction**

Thank you for the opportunity to submit on the proposed tenure review of the Craigroy Pastoral Lease.

Backcountry Skiers Alliance (BSA) is an incorporated Society established in 1996. Our objectives are to foster non-motorised winter recreation in backcountry areas, and to promote and protect the resources upon which our member activities are based. We have submitted on a wide range of land tenure and environmental matters throughout Otago. For many members BSA is the only outdoor organization they belong to.

This review has been eagerly anticipated by BSA. Much of the higher land involved is used for back country skiing by our members in winter. We also use the Nevis valley at other times for mountain biking, horse trekking, walking and fishing.

#### **The Notice**

Before we submit in detail we must comment on the form of the notice. We found it very odd that "...use of Nevis River for hydro-electric development..." is stated in the notice and that submitters are warned that thereafter they must not mention the possibility of the development (and presumably its negative effects on the landscape) within their submission.

Even within in the TR document this use is signalled explicitly (appendix 4, the landscape covenant, special conditions) that "the Land be used for hydro electricity development..." It seems unfair not to allow submitters to comment!

This sort of notice could easily discourage some submitters, and even worse, could appear to present some inevitability that such a development has some official support and may go ahead!

BSA hope this feature is not used in future notices (for land with Wind Farm potential for example). Most useful submitters will be well aware of current issues, and should feel free to comment on such within their submissions. These comments might be ignored by the reviewer but at least the issues are recorded in perpetuity.

### **BSA Submission Details**

We are happy with much of the document. It describes very well the special nature of the land, flora and fauna, and its place in the wider landscape of the Nevis valley.

The lands restored to or retained to Crown control are obvious candidates with outstanding recreational and conservation values.

#### **The Landscape Covenant**

Although pleased to see a landscape protection covenant proposed over the total area flagged for freehold we are also well aware that the covenant is a weak instrument that allows no protection from development in many instances. We fear this will be the case here too.

The lower lands, including the valley floor, are an important part of the whole valley landscape, whether viewed as background from the tops or viewed as a foreground from the Nevis Road. Better protection is required.

#### **CA1**

We agree with, and strongly support land designated as Conservation Area CA1.

Our members are very familiar with this land as it is immediately adjacent to (west-of) the legal road we use to access the existing conservation area on the Old Woman Range. The (DOC) hut we use is also on the boundary of proposed CA1. The land has adequate snow cover every winter to provide good back country skiing.

#### **Exch 1**

We strongly oppose the use of this Public Reserve as part of any exchange deal.

It is very odd that this particular exchange be used as a means to acquire the above conservation land. CA1 clearly deserves to be designated because of its conservation and recreational qualities outright. These are especially well recorded in the report.

The reserve land in question is a pleasant location by the road bridge. The reserve assists access to the Nevis River for fishing and other activities. The location is just prior to the river entering a spectacular gorge. The reserve is a natural place to pause after descending the major hill (or prior to starting).

#### **Exch 2**

It would be our preference to use Exch 2 for CA1, if necessary, and retain the Public Reserve by the bridge.

### **The Snow Mobile Recreation Concession**

BSA strongly opposes the granting of this concession.

*It was the original controversial granting of the recreational permit for this activity that directly led to the formation of Backcountry Skiers Alliance in 1996. We opposed the activity in a major Environment Court Hearing. However because the land in question was not conservation estate at the time it was difficult to prevent the activity from being approved.*

Since then, our members have been awaiting 2010 and the cessation of this activity so we can again enjoy the solitude of ski-touring on the Old Woman Range, free from the annoyance of the sight, sound and smell of snowmobile engines, and the myriad of tracks left long afterwards in the snow.

We have also suffered from the presence of the helicopters landing on the Old Woman Range to service this business. These helicopters which bring clients from Queenstown also overfly the Nevis valley.

The recreation permit terminates in 2010. Because the tenure review is unlikely to be settled until then, there is no need to grant a concession. Should the review proceed prior to next winter then some other mechanism can be used to allow the venture to continue for one final season. BSA would not oppose such a "one season" solution for 2010.

A recreation permit cannot be simply "converted" without going through due process. We would expect to be involved in the process as before.

Should Nevis Snowmobiles wish to continue with their operation once the land tenure is changed then they will need to apply just as any other concessionaire would. The land would now be conservation estate and the application must meet the rules and requirements set out under the Otago CMS (which it was not applicable under PL tenure).

There are (and have always been) very strong reasons against granting such a recreation permit/concession on the Old Woman range. The prime reason is as follows:

The Old Woman Range forms a major portion of New Zealand's only landscape outside of the Alps that is both extensive in size and alpine in nature to be classified as a Winter Wilderness. It is recognised as such under the Otago CMS.

The other ranges that join with the Old Woman are the Garvies to the south, and the Old Man to the east. During most winters it's possible to undertake a multi-day ski tour that traverses from the Old Woman and continues south into the Garvie Range.

New Zealand has no other similar area outside of the Alps near Mount Cook, and even there the experience is severely blighted by the presence of ski planes and sightseeing helicopters. In contrast the Old Woman/Garvie complex is largely free of mechanised activities and well off regular flight paths. The area is well east of the Main Divide and although still alpine in climate it is altogether a more gentle landscape. It is free from the dangers of avalanche and crevasses that exist in the Alps.

All these qualities make the area ideal for a winter wilderness experience. It must remain free of snowmobiles to achieve this.

**Public access, signage and parking**

BSA supports the proposed public access arrangements.

We recommend that extra effort is made to erect permanent signage clearly indicating the start of all access routes and that adequate space for parking must be allocated.

Foot access must be unrestricted all year-round.

**Summary**

Although we very strongly support the creation of CA1 we are equally damning of the proposed land exchange at the Nevis Bridge. We also feel that the Nevis as a whole landscape system needs better protection than that possible by the flawed covenant.

The snow mobile concession cannot be granted without going through due process after the TR has been completed.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'John Robinson', with a long horizontal flourish extending to the right.

John Robinson  
Secretary, BSA

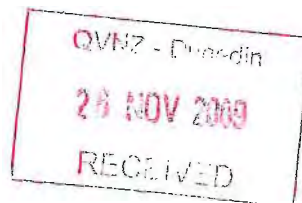
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# OTAGO CONSERVATION BOARD

P O Box 5244, Dunedin 9058

Our ref: SBC-08-34

26 November 2009



Commissioner of Crown Lands  
c/o Darroch Valuations  
P O Box 215  
DUNEDIN 9054

Attention: David Paterson

Dear Sir

## Craigroy Tenure Review

The Otago Conservation Board is appointed by the Minister of Conservation to represent the wider Otago community in advocating for the protection of biodiversity and the conservation of natural and historic resources throughout Otago. The Board is generally supportive of this preliminary proposal.

### Process

The Board is aware that the Commissioner has published a notice indicating that he will ignore parts of submissions that comment on potential hydro electric development on the Nevis River. The Board accepts the Commissioner's stance and will put aside its views on protection of the Nevis River when making this submission. However, the Board is concerned that the preliminary proposal makes particular mention of future hydro development in the covenant agreement in a way that would appear to facilitate development. We believe that is it is inconsistent and unfair to include these provisions in the proposal and at the same time refuse to consider public submissions on this matter.

If the Commissioner believes that the tenure review process should not be used by the public to express their views on potential hydro electricity development, then this document, including covenant agreements, should likewise be silent on the issue.

### General

Pastoral farming is not sustainable on the high altitude parts of the Craigroy pastoral lease. This area has significant inherent values, especially those relating to landscape, biodiversity and recreation. In the absence of grazing, it will provide significant ecosystem services, including carbon sequestration, erosion control, and a moderating effect on water run-off. It is therefore appropriate that the proposal intends to return significant parts of the property to full Crown ownership. Any other outcome would be inconsistent with the Crown Pastoral Land Act. The area of land to be disposed of to freehold should not be any greater than as outlined in this preliminary proposal.

# OTAGO CONSERVATION BOARD

P O Box 5244, Dunedin 9058

## **Conservation Area 1 (CA1)**

The Board strongly supports the retention in full Crown ownership of CA1. CA1 is an alpine environment with high natural values that cannot sustain pastoral farming. It contains a number of threatened species and forms the backdrop to this stunning landscape. As a result of grazing, the vegetation in this area is now so degraded that it is inappropriate to consider ongoing grazing, so any provision for this should be removed from the proposal.

The Board opposes the granting of a recreation concession for the skidoo operation. The Crown Pastoral Land Act contains no right to convert a recreation permit into a concession. Despite the concession document stating that there is no right of renewal beyond the expiry of the recreation permit in 2010, the granting of a concession is likely to create an expectation that it will be renewed. Because it is unlikely the tenure review will be implemented prior to the expiry of the recreation permit, it is hard to see how the operator will be adversely affected by not granting a concession, unless it is implied that a further concession will be granted.

Most importantly, the concession would be inconsistent with the Otago Conservation Management Strategy (CMS). The CMS provides the framework for planning and the management of conservation land, including the granting of concessions. It places considerable value on the wilderness qualities of the Garvies-Old Woman area. Along with the Olivine Wilderness Area, this is one of only two areas in Otago designated "wilderness" on maps in the CMS. The objectives for the Old Man/Garvies/Old Woman Special Place specifically call for the protection of the remote values of the Old Woman - Garvies.

In addition, there was considerable public opposition to the granting of the resource consent for this operation. The granting of a concession as part of tenure review will deny the public the opportunity to have the input associated with the usual process of granting a concession.

## **Scenic Reserve (R1)**

The Board supports the creation of this scenic reserve. As with CA1, and for the same reasons, the Board opposes the granting of a grazing concession.

## **Land Exchange**

The Board accepts that the land intended for exchange has minimal conservation values and we have previously supported the exchange on the advice of the Otago Conservator. It appears to us that CA1 and R1 would have been returned to full Crown ownership as conservation land as part of tenure review and are not dependent on the land exchange. The overall conservation benefit needed to justify the exchange is therefore not clear.

# OTAGO CONSERVATION BOARD

P O Box 5244, Dunedin 9058

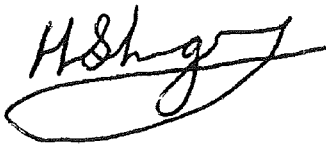
## Conservation Covenant (Landscape)

The Nevis is one of the last remaining examples of intact tussock grassland extending from valley floor to mountain top in Otago. This landscape is therefore an exceptionally valuable one that needs ongoing protection from inappropriate development. It is indeed an outstanding natural landscape and it needs to be clearer in the covenant document that it has the status of outstanding landscape as defined by the Resource Management Act.

## Public Access

The Board supports the access arrangements contained in the proposal.

Yours faithfully

A handwritten signature in black ink, appearing to read 'H. Langsbury', with a large, sweeping flourish underneath.

Hoani Langsbury  
Chairperson