

## **Crown Pastoral Land Tenure Review**

**Lease name: CRAIGROY**

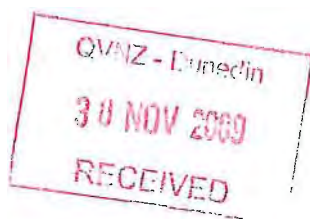
**Lease number: PO 233**

### **Public Submissions - Part 4**

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

**July**

**10**



24<sup>th</sup> November 2009

Darroch Valuations  
P O Box 215  
DUNEDIN

Dear sir

Re Craigroy Land Tenure Review

Combined 4WD Clubs Inc represents over 600 family members of our 9 member clubs. Our member clubs, being separately incorporated societies, are situated in Christchurch, and Timaru and are formed for the purpose of running outdoor 4WD recreational activities for their members, and in the main these are 4WD trips into the out of doors. Family membership of our member clubs is made up of a good cross section of people of our society, including both able and in some cases disabled or less able people of our community. Predominantly, Combined 4WD Clubs Inc represents the Clubs on issues of public access, and on going access to remote areas, and as such we also form a single point contact that allows for better communication between land managers and our members, and we are pleased to make our submissions to the Craigroy Tenure Review.

We support this review and have the following comments to make:-

### **Public Roads**

It is vital to protect the status, and use of Nevis Road which runs from Nevis Crossing up to where it runs through to Carrick. Also the other roads and in particular the road to Duffers Saddle and on to Old Woman Range Conservation area. Although in places the road may or may not follow the legal alignment, it is non the less a public road. There is no precedence here as many public highways in New Zealand have the same situation, that is they do not totally follow the legal alignment, yet that does not impair nor intrude as it being what it is. Both these roads are important to all recreational users

### **Grazing Concession**

We are unsure as to the status of fencing requirements along the eastern boundary of CA1 the boundary seems to be the legal road on the Eastern side and also Nevis Road to the North. We suggest that these be fenced to keep stock from the road and easily define the road boundaries.

### **Concession for Recreational activities**

This concession creates the possibility for the Concessionaire to exercise rights beyond the concession as the special conditions do not allow for the activities to be held concurrently with and not withstanding interfere with the general public's right to us the area. In particular the public roads.

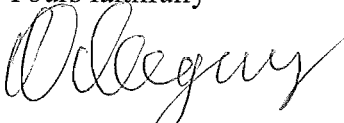
As described in earlier papers on this review, the Old Woman Range area in particular valued recreational asset, it is also an attraction to people for winter activities, including trail bikes, quads, snow mobiles and cross country skiing and similar recreation. These and other legal public recreational activities should not be impacted on in any way by the concessionaire.

As part of Land Tenure Review process, it could be argued that these three points may not be allowed, however in our defence, before the decision is made to allow or disallow we do appeal our view that due to the fact that the change of land use through the review on this property does change what is currently available to the general public and these three points need to be considered as part of giving and or granting access and concessions.

This tenure review is all on a special place in a landscape and recreational aspect, let alone its historical, geological and other values, and with the network of roads & tracks so it needs to be correctly set up through this review.

Thank you

Yours faithfully

A handwritten signature in cursive script, appearing to read 'P A Dolheguy', written in black ink.

P A Dolheguy  
Access coordinator

# KAYAK

OTAGO CANOE AND KAYAK CLUB



262021

Mrs M E Oakley  
72 Signal Hill Road.  
Opoho  
DUNEDIN 9010

Ph: (03) 4 737 752  
Email: roakley@xtra.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  
M E Oakley and P Sinclair for the Otago Canoe and Kayak Club (OCKC)

OCKC supports a tenure review process on Craigroy if the outcome leads to the protection of: the entire valley floor, the landscape, and for recreational planning for the benefit of kayakers. Kayakers take their family and friends to enjoy the unspoilt nature of the river. This includes enjoying the plants and whole ecosystems associated with the river. Kayakers are concerned for the future of the land and for the continuing access to the river. Specifically

### 1.1 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

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

This area of land includes lower slopes and terraces and the valley floor, including the land between the riverside track and the river. This land provides access and is vital for recreational kayaking. The valley floor is also an important landscape feature, which contributes to its

outstanding landscape status and visual pleasure for kayakers. It is not appropriate to freehold much of this land down towards the river. OCKC oppose freeholding the valley floor. OCKC wishes to have the lower lying valley floor areas be protected through retention in Crown ownership.

**1.3 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 hard to make sense of. Clearly it is needed as public access for recreational kayaking. This proposal is also opposed by OCKC

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

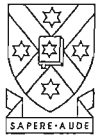
The disposal of small pieces of Crown reserve land on the riverbank near the Nevis crossing, within the goldfield area is also difficult to understand. It clearly provides public access for recreational kayaking. This proposal is also opposed by OCKC

Submitter's Names

Date

Pete Snela  
Date: 27/11/09  
Phil

Maggie Oakley  
27/11/2009.  
MA

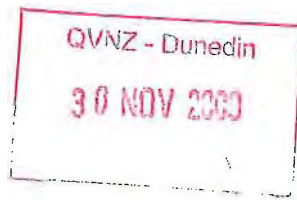


Department of Botany

Division of Sciences  
PO Box 56, Dunedin  
NEW ZEALAND

University of Otago  
Te Whare Wananga o Otago

Tel: National 03 479 7573 International 64 3 479 7573  
Fax: National 03 479 7583 International 64 3 479 7583  
Email: [amark@otago.ac.nz](mailto:amark@otago.ac.nz)



November 27, 2009.

Manager,  
c./o Darroch Valuations,  
PO Box 215,  
DUNEDIN.

### SUBMISSION ON PROPOSED TENURE REVIEW: CRAIGROY PASTORAL LEASE

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it based on my very good knowledge of the general area, having been associated with over-viewing the vegetation of the property on many visits to the area for several ecological studies.

I have read the report of the Preliminary Proposal prepared for this 4432 ha property which, from an ecological perspective, complements the adjoining property, Ben Nevis, on the opposite aspect of the lower Nevis Valley, with the same lessee and also under review at this time. I endorse some aspects of this preliminary proposal, but have serious reservations regarding others, as outlined below.

Some 1000 ha (22.6% of the total area) has been proposed for restoration and/or retention in full Crown ownership and control, as one conservation area (CA1) of 810 ha, plus a Scenic Reserve of 190 ha, both of which have 5-year grazing concessions proposed.

Dealing first with the proposed **Conservation Area CA1**, this include the higher part of the lease within the low-alpine zone, including Duffers Saddle and the crest of the Carrick Range for the extent of the property. It consists of somewhat degraded snow tussock grassland, blue tussock-alpine fescue tussock with mant golden spaniards, cushionfield, localised flushes and shrublands, and small areas of wetland, with frequent rock tors. Altogether it comprises a stunning alpine landscape with localised periglacial features that is acknowledged in the proposal as being of national significance. The altitudinal range, however, is very limited and, given the potential to recover in the absence of continued stock grazing, should be extended down-slope as far as the ~1000 m contour, that is, to the formed 4WD track and proposed easement "b-a" to the north of the legal (Nevis) road and southwards from point "B" at the lower end of the proposed Scenic Reserve. Indeed, this was an earlier boundary, shown on a 2004 map, which also apparently coincides with the existing (snowline) fence that runs across the entire face of the property, up to one km below the existing water race. Implementing this **recommendation** would obviate the need for a relatively long and tortuous new fence alongside the water race (where it presumably would be much more vulnerable to snow damage than the existing (snowline) fence at ~900-1000 m), as is outlined in the preliminary proposal.

Undoubtedly, the area of vegetation in best condition is in the proposed **Scenic Reserve** within the upper northern branch of the Barn Creek catchment. The values here were well described in the PNA Old Man E. D. Report as Barn Creek (RAP 1 / 4), which recommended the entire upper catchment of Barn Creek for protection, which I **strongly support**. The lower boundary of this proposed reserve should be extended downslope so as to pick up the ridgeline running to the airstrip to the north and to the trig point shown on the 1: 50,000 map as "995 m", to the south. Extension of

this proposed reserve, essentially down to the Nevis confluence, as in the PNA report, probably cannot be justified in terms of fencing costs and present condition of the vegetation in the lower section, and is not recommended. The Preliminary Proposal, however, has omitted the South Branch of Barn Creek in the proposed Scenic Reserve and, moreover shows essentially straight line boundaries rather than a **ridgeline boundary** which I **strongly recommend**.

If the proposed Scenic Reserve, as well as the Conservation Area CA1, were both to be extended as recommended, the **separate fencing** of the **scenic reserve** would no longer be necessary. Moreover, the separate designation of a scenic reserve within the larger conservation area might not be justified since, over time, the several indigenous shrub species which characterise the area of the proposed reserve, are likely to extend outwards, on to more gentle slopes in response to the removal of the grazing pressure. The five-year **grazing concessions** proposed for both the conservation area and the scenic reserve, to allow for its phasing out from these areas, would be endorsed if the larger protected area, as recommended above, involving both the conservation area and the proposed scenic reserve was accepted; otherwise a three-year period only, would be recommended.

As to the series of qualified designations associated with the land recommended for transfer to the full Crown control and management:

1. The continuation in force of the existing right to convey water granted to Carrick Irrigation Company, is approved;
2. The continuation in force of existing unregistered deemed permit to take water, granted to Carrick Irrigation Company, is approved;
3. The continuation of a Recreation Concession to Robert and Sandra Brown, to allow skidoo and snow-cat operations, until it expires, is approved, but it is assumed, beyond this expiry date a renewal application would be required;
4. The granting of a grazing concession to Pioneer Generation Ltd for 3 or 5 years for the areas proposed as conservation area and as scenic reserve would depend on the outcome of certain decisions regarding my recommended extensions to the areas proposed for each of these classes of conservation land, i.e., the 5-year concessions would be accepted if the areas of both the CA1 and scenic reserve were extended as recommended; otherwise only 3-year concessions would be accepted.

The balance of the property, 3442 ha, has been recommended for **freehold disposal** to Pioneer Energy Ltd, subject to protective mechanisms and a qualified designation. My **recommendation**, above, regarding extensions down-slope of both the conservation area and the scenic reserve, from the proposed ~1200 m level to ~900-1000 m, to include land with important intrinsic values, would clearly reduce the area to be freeholded.

The proposed **Landscape Covenant (CC Landscape)** under the Reserves Act 1977, is stated as "for the purposes of protecting the landscape values", with "the same or similar level of protection as is afforded by the Central Otago District Plan" (where it is noted as an "outstanding landscape"). As is stated, the area includes a significant number of historic mining sites along the Nevis River. Also, the covenant will allow "cultivation of existing cultivated areas and spraying of woody vegetation to prevent its spread into areas currently free of woody vegetation." Also, "Any new development will require the approval of the Minister of Conservation" and "The covenant binds the Minister and Owner in perpetuity". Such a landscape covenant is needed to protect, in perpetuity, the many landscape, including historic, values of the extensive area to be freeholded, and is therefore **endorsed**. I assume the many important historic remains associate with past mining events, will be covered by this Landscape Covenant; otherwise alternative means of ensuring their protection, on site, in perpetuity, is needed.

Public access and also access for conservation management purposes, by way of specified **easements**, as marked: "a-b", "c-d", "e-f", "f-fl", "g-h", and "i-j" on the Plan attached to Schedule A, is approved. Access along these same easements, for tenants, agents, contractors and Ministerial invitees and any employee or contractor of the Director General of Conservation on foot or on or accompanied by horses, or by motor vehicle, with or without machinery and implements of any kind, and with or without guns and dogs, for management purposes over that part of the land marked as showing the same easements on the Plan attached to Schedule A, is also **approved**.


Two small parcels of Crown land are proposed for disposal by way of exchange as follows:

a). 1.65 ha of Conservation land adjoining the road at the Nevis River, labelled "Exch 1" on the Plan, apparently without any conservation values, recommended to be disposed of by way of exchange for land within the area of CA1, is **approved, providing** it would not be suitable as a public picnic area (i.e., recreation reserve), vested in the Department of Conservation.

b). 1.72 ha of Local Purpose Reserve, being three small parcels of "Bridge Reserve" land, labelled "Exch 2" on the Plan, apparently without any conservation values, recommended for disposal by way of exchange to Pioneer Generation Ltd for the area labelled as "R1 Scenic" on the plan, is **approved**.

I trust that this response and its recommendations will be given serious consideration. I also thank you again for the opportunity to assess and comment on this important proposal for tenure review.

Yours sincerely,



A handwritten signature in black ink, appearing to read 'A F Mark', written over a horizontal line.

Alan F. Mark. FRSNZ / KNZM. Emeritus Professor.

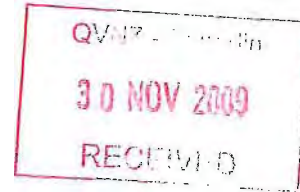


**From:** glenys.dickson [glenys.dickson@xtra.co.nz]  
**Sent:** Monday, 30 November 2009 8:15 p.m.  
**To:** David Paterson  
**Subject:** FW: Revised Submission on Craigroy and Ben Nevis tenure review.

Revised 1.1 Craigroy and 1.1 & Ben Nevis from **non motorised to motorised vehicles.**

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

This submission is from:

**Glenys Dickson, 68 Norton Street, Gore**

Phone 03 208 9406 email [glenys.dickson@xtra.co.nz](mailto:glenys.dickson@xtra.co.nz)

### Craigroy Proposals:

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

*(Comment: This land area is of national significance as it has stunning landscape and outstanding natural values with a number of threatened plant species present. 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.) As the area is of National significance with high recreational value it is would be pertinent to exclude motorised vehicles as comparable landscapes like Oldman Range and Whitecomb have been desecrated in some areas by easy vehicle access)*

#### 1.2 Designation of 190 ha Scenic Reserve

*(Comment: This land area has significant botanical values and high landscape worthy of its designation as Scenic Reserve.)*

#### 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 including an historic cemetery; rare plants and native skinks are still found on mine tailings on the floodplain although the area has been farmed, 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. Therefore it is not appropriate to freehold much of the land along and around 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 are not mentioned in the covenant so lack protection.*

*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: I am strongly opposed to free holding 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. I oppose disposal of this 1.72ha.)*

## 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. I oppose the disposal of this piece of land.)*

Submitter's Name Glenys Dickson

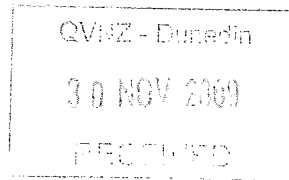
Date 30<sup>th</sup> November 2009



**Whitewater NZ**

PO Box 284  
Wellington  
New Zealand  
[www.rivers.org.nz](http://www.rivers.org.nz)  
[whitewaternz@rivers.org.nz](mailto:whitewaternz@rivers.org.nz)

25 November 2009



David Paterson  
Darroch Valuations  
PO Box 215  
Dunedin

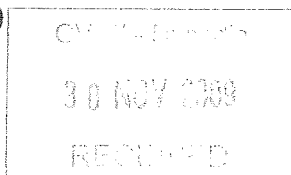
**Submissions on Craigroy and Ben Nevis Station Tenure Review**

Dear David.

Please find attached Whitewater NZ's submissions on these Tenure Review Preliminary Proposals.

A handwritten signature in black ink, appearing to read 'Glenn Murdoch'.

Glenn Murdoch  
Conservation Officer  
[conservation@rivers.org.nz](mailto:conservation@rivers.org.nz)



PO Box 284  
Wellington  
New Zealand  
[www.rivers.org.nz](http://www.rivers.org.nz)  
[whitewaternz@rivers.org.nz](mailto:whitewaternz@rivers.org.nz)

## **Submission on the Preliminary Proposal for the Tenure Review of Craigroy Station**

### **Mandate and activities of Whitewater NZ**

1. Formed in 1957, Whitewater NZ is the national representative organisation of canoe clubs and recreational kayakers throughout New Zealand and was known as the New Zealand Canoe Association until 1995/6, and the NZ Recreational Canoeing Association until July 2009. In 1996 the competitive canoeing disciplines were spun off into their own associations, the new umbrella body the New Zealand Canoe Federation (NZCF) was formed, and the NZCA renamed itself to the NZ Recreational Canoeing Association to reflect its non-competitive advocacy role.
2. Whitewater NZ is a voluntary, non-profit, incorporated society and is affiliated to the New Zealand Canoe Federation. The NZCF is an umbrella entity that draws together the various competitive paddling disciplines of slalom, flat-water racing, canoe-polo, freestyle, and dragon boating, as well as Whitewater NZ as the advocacy body. NZCF is in turn affiliated to the International Canoe Federation and to the NZ Olympic Committee. Whitewater NZ has delegated authority to represent the NZCF and all its member disciplines on advocacy issues.
3. Whitewater NZ represents both club and individual members and further associated clubs. At time of writing there are 24 full member clubs with a combined membership of around 1,000 kayakers, the largest of which is the Christchurch based Whitewater Canoe Club with approximately 200 members. There are also 90 members who have joined Whitewater NZ individually.
4. Another 30 organisations representing over 1,200 kayakers are associate members. Associate members do not pay full subscriptions and generally choose to support Whitewater NZ on specific issues; e.g. the largest, Arawa Canoe Club with 430 members, paid all of Whitewater NZ's legal costs during the Central Plains Water hearing.
5. The combined total of around 2,300 full and associate member kayakers in no way adequately represents the sum total of kayakers in New Zealand, as there are many who do not belong to clubs, and who have not joined Whitewater NZ as individuals.



PO Box 284  
Wellington  
New Zealand  
www.rivers.org.nz  
whitewaternz@rivers.org.nz

6. Whitewater NZ is a respected submitter at hearings and contributor to regional and national policy. During 2007 and 2008, Whitewater NZ executive members submitted, negotiated, presented or participated with / to / in the following bodies, forums or issues: (in no particular order)
  1. Maritime NZ
  2. Water Safety NZ
  3. NZ Business Council for Sustainable Development
  4. Sustainable Water Programme of Action
  5. Emissions Trading Scheme
  6. Arnold HEP (Hydro-electric project)
  7. Kaituna HEP
  8. 10 Mile Creek mine
  9. NZSAR
  10. King Country Energy Mangahao Releases
  11. Maori Land Court
  12. Genesis Energy Tongariro Releases
  13. Genesis Energy Wairehu Canal construction
  14. Whakamarino Releases
  15. NZ Energy Strategy
  16. MNZ Non-powered craft forum
  17. Queenstown Lakes District Council / Skippers Canyon Jet Safety Audit
  18. NZ Kayak Instructors
  19. NZ Paddle Industry forum
  20. Jet boat NZ
  21. Wairau River HEP
  22. Wainongoro HEP
  23. NZ Outdoor Recreation Forum
  24. National Environment Standards
  25. Living Rivers
  26. Central Plains Water
  27. Canterbury Strategic Water Study
  28. Mokihinui HEP
  29. Matiri HEP
  30. Waitaha HEP
  31. Mokau HEP
  32. Greater Wellington Regional Council
  33. Waimakariri Brown's Rock HEP
  34. NZ River Recreation Use Survey
  35. Tekapo Whitewater Trust
  36. Hurunui river Water Conservation Order application
  37. MAF Didymo stakeholder group
  38. National Environmental Standard for Ecological Flows
  39. National Policy Statement for Freshwater Management
  40. National Policy Statement for Renewable Energy
  41. Mt Aspiring National Park Management Plan
  42. National Party Water Policy Forum
  43. Auckland Regional Council navigation by-laws
  44. Land and Water Forum
  45. Land and Water Forum "Lead Group"
  46. Stockton Plateau HEP



PO Box 284  
Wellington  
New Zealand  
www.rivers.org.nz  
whitewaternz@rivers.org.nz

7. Feedback from territorial authorities and government ministries; and from development interests – irrigation, farming, hydro, planners, engineers; uniformly state that they value Whitewater NZ's presence in the development of policy initiatives in the three major resource processes (the Sustainable Water Programme of Action, the Canterbury Strategic Water Study, and the Sustainable Land Use Forum) being undertaken in New Zealand at present. This policy development process would exclude almost all recreational viewpoints if Whitewater NZ failed to make this commitment.
8. Whitewater NZ has worked long and hard to protect and enhance the whitewater kayaking resource in New Zealand. Despite being a volunteer NGO, Whitewater NZ has been a party to some significant successes, including:
  1. Rangitata Water Conservation Order;
  2. Buller Water Conservation Order;
  3. Kawarau Water Conservation Order;
  4. Mohaka Water Conservation Order;
  5. Motu Water Conservation Order
9. Whitewater NZ has also been involved in successfully gaining mitigation for the loss of whitewater kayaking resource on many rivers:
  1. Tekapo River;
  2. Pukaki River;
  3. Clutha River;
  4. Tongariro River;
  5. Whakapapa River;
  6. Whakapapanui River;
  7. Whakapapaiti River;
  8. Wairoa River;
  9. Arnold River;
  10. Mangahao River;



PO Box 284  
Wellington  
New Zealand  
www.rivers.org.nz  
whitewaternz@rivers.org.nz

### Background

10. The Nevis River is a nationally outstanding whitewater kayaking resource. The 1997 Kawarau Water Conservation Order recognises the Nevis River as having outstanding intrinsic and amenity values for recreational purposes, in particular, fishing and kayaking.
11. The Nevis River has only ever been used by kayakers, until very recently, between Nevis Crossing and the Kawarau confluence.

Over the past month there has been at least two exploratory kayaking trips into the upper reaches of the Nevis valley. These trips have revealed two more outstanding kayaking resources in the upper valley.

12. A significant component of a kayaking trip in any part of the Nevis valley is the landscape amenity that the valley offers. Research<sup>1</sup> shows that landscape is a significant driver in the recreational experience that river users enjoy, and that a significant proportion (over 80%) of river users prefer river environments with little or no human development evident.

### Submission

13. **Restoration of 810 ha and Higher Altitude Lands to Crown Ownership**  
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 the grazing concession.
14. **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.
15. **Freehold Disposal of 3,442 ha to Pioneer Generation Ltd.**  
This area of land includes lower slopes and terraces and the valley floor. It has high landscape values, high historic values with goldfield sites are spread across the floodplain and up the side slopes in some areas.

The river through this land is one of the recently discovered kayaking sections which offers an outstanding Class 2, novice to intermediate kayaking amenity. See Appendix A for a definition of Class 2.

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.

The current preliminary proposal does not guarantee public access rights to and along the river and generally over the lower floodplain. Access is crucial to the continued availability of the whitewater kayaking resource in the upper valley.

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<sup>1</sup> New Zealand Recreational River Use Survey, Galloway, 2008



## Landscape Covenant

The landscape covenant is flawed and does not give effect to the requirements of the Crown Pastoral Land Act 1998.

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, therefore it is flawed and does not comply with Section 24(b) of the Crown Pastoral Land Act 1998.

The implementation of this clause in Schedule 2 will completely destroy the values outlined in Schedule 1 for the kayaking amenity in the upper valley.

***Whitewater NZ is strongly opposed to the freeholding of this 3,442 ha to Pioneer Generation Ltd.***

***Whitewater NZ requests that public access to and along the entire length of the river be guaranteed through the creation of Recreation Reserves.***

### **16. 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 detrimental to the kayaking resource.

Kayakers often camp in the valley before embarking on a kayak trip below Nevis Crossing, and this site is one of the campsites often used.

It clearly has public access and recreation values as well as general riparian values.

***Whitewater NZ is strongly opposed to the exchange of this 1.72 ha.***

***Whitewater NZ requests that, in addition to marginal strips, generous recreation reserves be established which guarantee access to and along the entire length of the river.***

### **17. Disposal of Conservation Land 1.65 ha Adjoining the Nevis River 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 detrimental to the kayaking resource.

Kayakers often camp in the valley before embarking on a kayak trip below Nevis Crossing, and this site is one of the campsites often used.

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***Whitewater NZ requests that, in addition to marginal strips, generous recreation reserves be established which guarantee access to and along the entire length of the river.***





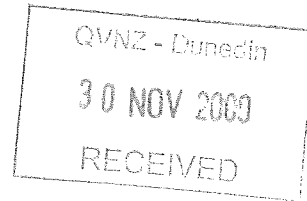
**Communications:** Telephone 03 445 1605  
Facsimile 03 445 1625  
E-mail [cft@vodafone.co.nz](mailto:cft@vodafone.co.nz)

**Address:** 9b Rogers Street  
PO Box 153  
Cromwell 9342  
Central Otago

262025

30<sup>th</sup> November 2009

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,

**Submission on Craigroy Tenure Review Preliminary Proposal**

This submission is made by the Clutha Fisheries Trust, PO Box 153, Cromwell 9342, [cft@vodafone.co.nz](mailto:cft@vodafone.co.nz).

The Nevis River and valley has a broad range of outstanding values for conservation and recreation. As far as possible those significant values should be protected through tenure review. Comments on specific proposals follow:

**1.0 Restoration of 810 ha. 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 supported subject to the proposed continuation of rights to take and convey water and recreation concession and grazing concession.

**2.0 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 supported.

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

This area of land includes lower slopes and terraces and the valley floor. It has high SIVs in terms of landscape values; high historic values 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 the tributaries.

The land between the riverside track and the river on the true right is important for public access for recreational activities including angling and kayaking, nature and history appreciation as well as maintaining biodiversity.

The valley floor is an important landscape feature which contributes to the Nevis valley's outstanding landscape status. It is not appropriate to freehold land on the valley floor between the track and the mainstem river from Nevis Crossing up to Nevis Township.

This reserve area, which needs to include the track itself, should be designated as Crown reserve, such as Scenic or Historic reserve. That status will cater for the public access needs of anglers, kayakers and those interested in flora and fauna or heritage values. The track should be included in the reserve to secure public vehicle access alongside the river.

In conclusion the Trust is strongly opposed to freeholding valley floor land with important multiple SIVs. Even if a secure covenant was proposed it is more appropriate to protect these lower lying valley floor areas through retention in Crown ownership



**Communications:** Telephone 03 445 1605  
Facsimile 03 445 1625  
E-mail [cft@vodafone.co.nz](mailto:cft@vodafone.co.nz)

**Address:** 9b Rogers Street  
PO Box 153  
Cromwell 9342  
Central Otago

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#### **Landscape Covenant (CC landscape)**

The landscape covenant proposed for this area is seriously flawed. It doesn't cover all the values present. It does not mention public access to and along the river and generally over the lower floodplain.

Native fish require specific protection in tributaries but aren't covered. Native fish in small tributaries within the freehold need specific protection by way of tailored covenants or riparian Crown reserves.

Rare plants and skinks aren't mentioned in covenants and so aren't protected by them 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.

#### **Public Access Easements**

Public access easements over the freehold in two locations are supported. The track alongside the river should be a public vehicle access easement.

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

The disposal of this small piece of Crown reserve land on the riverbank near the Nevis crossing and within the goldfield area is strongly opposed. It clearly has public access and recreation values as well as general riparian values. The area should be retained by the Crown and incorporated into a larger valley floor Crown Reserve.

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

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

Yours faithfully

Dan Rae  
Chairman  
Clutha Fisheries Trust

## CENTRAL OTAGO RECREATIONAL USERS FORUM

186 Faulks Road,  
RD 2,  
Wanaka 9382.  
29 November 2009

The Commissioner of Crown Lands,  
C/- Darroch Valuations,  
PO Box 215,  
DUNEDIN.

Dear Sir,

### *Submissions to Preliminary Proposal, Craigroy Pastoral Lease, PO 233*

We appreciate the opportunity to submit to the review of Craigroy Pastoral Lease.

### *Central Otago Recreational Users Forum*

The Central Otago Recreational Users Forum is a voice for a diverse group of user interests, representing over 60 recreational clubs, groups and individuals. We represent the interests of the recreating public to the statutory managers of public lands.

A fundamental principle guiding us is the belief that public lands should be made accessible to the general public in a reasonable way.

An associated principle in our charter is for due care and respect, to the landscape and its natural and historic values, and for the landowners whose properties have easements across them, giving us open and free access to conservation lands.

CORUF supports the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, Part 2, which include,

protecting the significant inherent values of reviewable land by the creation of protective mechanisms or (preferably) by the restoration of the land concerned to full Crown ownership and control; and subject to these, to make easier the securing of public access to and enjoyment of reviewable land; and the freehold disposal of reviewable land.

We also support the recently stated government objectives for the South Island High (refer to EDC Min (03) 5/3; CAB Min (03) 11/) which include,

promotion of ecologically sustainable management, protection of the significant inherent values of reviewable land by the creation of protective measures; or preferably by restoration of the land concerned to full Crown ownership and control: the securing of public access to and enjoyment of high country land; ensuring that outcomes are consistent with the NZ Biodiversity Strategy, and progressively establishing a network of high country parks and reserves.

CORUF members have a high regard for recreation in the Nevis valley. In a survey of recreational preferences conducted by us in 2006, it was named as our most preferred destination. We have known the valley well, in detail, and have loved it for its high qualities, for a very long time.

With these things in mind, the Central Otago Recreational Users Forum makes the following submission.

SUBMISSION by the Central Otago Recreational Users Forum.

**PO 233, CRAIGROY PASTORAL LEASE**

Recreationists find high amenity values in the Nevis Valley. We endorse the finding in 1.1 (b) that *"the high scenic values provide a stunning backdrop for those travelling up the Nevis Valley for fishing, tramping or other recreational pursuits."* Activities and interests popular amongst our members are historic, heritage, gold panning, picnicking, camping, fishing, kayaking, walking, mountain biking, horse trekking, cross-country skiing, accessing the mountain conservation lands above in summer and winter; and driving or biking the road from Duffers Saddle to Garston along the Nevis valley.

We also add nature study, landscape photography, and the impressive quiet and natural beauty. To us the Nevis Valley is a treasure.

**PROPOSAL**

**1.1 Conservation area, CA1.** *An area of 8,807 hectares (approximately) to be designated as land to be restored to or retained in Crown control as conservation area (labelled CA 1 on the Plan in Schedule A) subject to qualified designations under section 35(2)(b)(i) and section 36(1)(a) Crown Pastoral Land Act 1998.*

We support the reservation of this high altitude land to a Conservation Area, but with the following reservation, that in regard to the significant inherent values of this slope of the Nevis valley, CA1 is too small and its boundary is set too high.

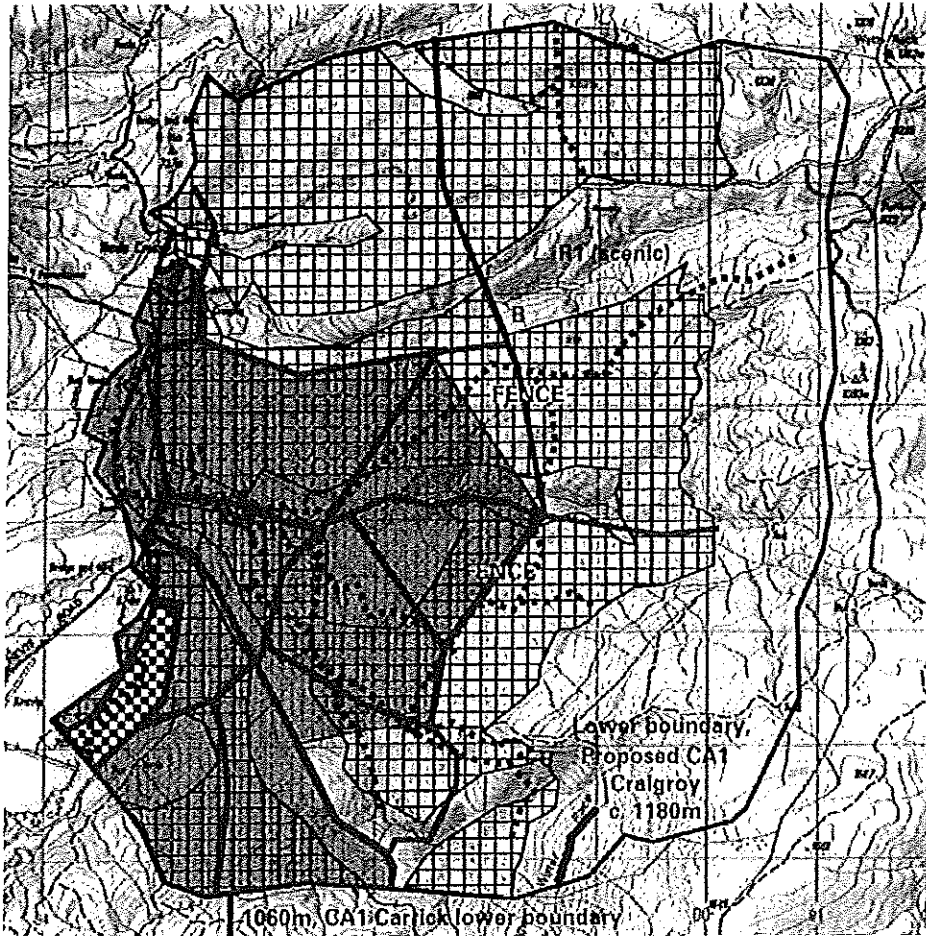
We recommend that Conservation Area CA1 be extended to include all of the land uphill of the up-most fence shown on the farm purposes map in Schedule 4, starting at point B on the proposed Designations map and continuing south along the fence (red lines) to the boundary with Carrick PL. The map referred to is included below (Map 1) by way of explanation, please see the original in the preliminary proposal for further explanation of its symbols.

The preliminary proposal states on page 4, in relation to CA1, that

*(b) the quite stunning landscape of the proposal forms an integral part of the Nevis Valley that is of national significance. The high scenic values provide a stunning backdrop for those travelling up the Nevis Valley for fishing, tramping or other recreational pursuits.*

The water-race which is the proposed boundary of CA1 is very high on the slope, and as viewed from the lower valley is almost on the horizon. The "quite stunning landscape" that people are looking at includes the front slopes below the water race, below the designated boundary of CA1 and included in CC (Landscape).

One of our concerns is that the proposal if followed through will create a huge step, both visually and in terms of the significant values of the slopes. The boundary of CA1 in Craigroy will be almost out of sight, whereas the similar boundary on the adjacent Carrick pastoral lease is 1020m lower, and one could look into that Conservation Area from the valley. While we understand that each lease is to be dealt with singly, the values are very similar at this southern boundary. Creating such an altitudinal separation in significant values is both undesirable and illogical, given the similarity that both Leases have, and the visual uniformity of the valley slopes.



MAP 1. Scan of Map 1, Schedule 4, "Existing Farm Development as of 2006": annotated by CORUF to show our suggestion that the boundary of CA1 be adjusted downward to the mid slope fence (identified with blue word, FENCE).

Also illustrated in blue is the stepped relationship of proposed CA1, Craigroy, starting at 1180m elevation, and the proposed CA1 in the adjacent Carrick lease, which finds high conservation values at 1060m elevation.

(As the colour overlay on Map 1 Schedule 4 appears to be offset on the topographic base beneath it, the fence may not lie exactly where shown.)

In summary, CORUF fully approves the reservation of the upper slopes of the Lease above the water race to a Conservation Area, but submits that the proposed boundary of CA1 be adjusted down-slope from the Water Race to the existing cross-slope farm fence, following that fence from Point B (in R1 Scenic) to the south boundary of the lease. This will give better protection to the significant inherent values and landscape quality of that slope, and will provide a better match with the level of protection recommended (and supported by us) for the adjacent Carrick lease to the South. The strip could have grazing rights.

Qualified designations pursuant to Section 36(1)(a), Section 36(1)(b) and Section 36(3)(c) Crown Pastoral Land Act 1998.

1.1.3. Granting of a Recreation Concession to Robert William Brown and Sandra Louise Brown: A recreation concession to allow a Skidoo operation to be granted to Robert William Brown and Sandra Louise Brown under section 36 (1)(a) Crown Pastoral Lands Act 1998.

CORUF represents the varied views of its Members in this submission. Those of our Members who support the retention of the great quiet are also in support of the proposal to not renew this concession after it comes to an end in September 2010. They are happy enough to see it continue for one more winter, provided that it then ceases on a permanent basis. Their interest is in back country skiing, snow shoeing and hiking, and in the size and remoteness of the Old Woman / Garvie summits.

The Old Man Snowmobile Club, a CORUF member, says that the Skidoo activity is a small successful tourist operation that takes parties out very locally, and infrequently, using a helicopter to get up there and an existing hut. They believe that the activity is valid in terms of the enjoyment it engenders, and has only a transitory impact on the Old Woman Range. They support the retention of a right for operators to apply for this concession in the future.

**1.1.4. Granting of a grazing concession to Pioneer Generation Limited.** *A grazing concession under Section 17Q(1) Conservation Act 1987 to be granted to Pioneer Generation Limited over the land marked "CA 1" on the Plan.*

CORUF submits that it does not have a problem with the continuation of grazing rights on CA1, until phased out in five years, provided that the stocking rates are kept low, are monitored, and do not lead to a reduction in the significant inherent values of the block.

**1.2 R1 (Scenic).** *An area of 190 hectares (approximately) to be designated as land to be restored to or retained in Crown control, as Scenic Reserve subject to a qualified designation (labelled "R1 (Scenic)" on the Plan) under section 35(2)(a)(ii) and section 38(c) Crown Pastoral Land Act 1998.*

CORUF submits that Reserve R1 (Scenic) should be fenced off for better protection of its shrub land. We also submit, in support of the idea put forward by Federated Mountain Clubs, that the entire area of RAP Barn Creek 1/4, from range top and water race to the Nevis river bank should be re-instated and protected, as otherwise the Review has failed to conserve on this block a complete altitudinal sequence of vegetation, and a complete creek, with their associated ecological values.

The Nevis Valley is an ancient area in ecological and geologic terms, and its SIVs have a high degree of uniqueness. Conserving an altitudinal strip, including an entire creek catchment, has very obvious conservation benefits, and would go a way towards making sure that both the known and the ecologically unknown are catered for in this Review.

We do not feel that it is necessary to make this valley an exchange item for other blocks on the Lease. It has significant natural values in its own right, in terms of its geology and scenery (recognised in the title of the designation, and viewable from the road); in its vegetation, and in its fauna which may not all be identified at this time.

CORUF submits that the whole catchment Barn Creek RAP 1/4, should be set aside as a protected area.

1.3 CC (landscape). An area of 3,442 hectares (approximately) to be designated as land to be disposed of by freehold disposal to Pioneer Generation Limited (shown on Plan In Schedule A) under section 35(3), section 36(3)(b) and section 40(1)(b) Crown Pastoral Land Act 1998 subject to protective mechanisms and a qualified designation.

CORUF does not support this designation for the reasons given below.

- (a) We do not believe that the proposal gives adequate attention to and protection of the very evident significant inherent values of this lease.
- (b) Given the nationally recognised significance of the Nevis Valley, this "private land" designation is too large.
- (c) As noted, two significant areas (at least) ought to be extracted from it, namely the upper face of the Nevis Valley above the mid-slope fence, as identified by us on the map above; and the whole of Barn Creek catchment with its landscape and natural values.
- (d) The Proposal identifies the "significant number of historic mining sites along the Nevis River" (1.3.1.,p 8) but fails to offer further identification, description, or location of them. The mining sites are presently either identified by expert opinion or are the subject of ongoing research. Because they represent a complete time-capsule of mining styles they are regarded as a New Zealand treasure.
- (e) CORUF members are intensely interested in mining history, and seek the remnants of it, to explore, discover, learn from on their trips. The mining remains are important and surely warrant more exact attention in this proposal.
- (f) Public access to them is not well served, this will be discussed below.
- (g) A qualification on this submission is that the survey plans, probably dating from historic times, are flawed in terms of their present accuracy (not even the Nevis gorge is in mapped in the correct location - while the river may have meandered over its flats, the Gorge has surely not moved sideways). There is a discrepancy between the mapped river reserve (the Lease boundary) and the probable real location of the river reserve and its marginal strips, which is on the River. It would be useful to know what else on the cadastral base is misleading. This uncertainty has had an effect on our submission to CC (Landscape).
- (h) Clearly some parts of the lease have been farmed, oversown and otherwise altered, we believe that those areas, that is most of (but not all) those areas coloured green on the farm usage map in Schedule 4, could be transferred to freehold disposal. All else can be transferred to public ownership, with controlled grazing covenants on it.
- (i) **Recreation / Scenic / Historic Reserve.** But we would extract one more region. CORUF recommends that all of the land from the farm road (the land marked as "c-d", "e-f", "f-f1", "g-h" and "i-j" on the Plan attached in Schedule A.) and the legal boundary of Craigroy Lease, be set aside as a public reserve.



*PHOTO 1. Recreation / Scenic / Historic Reserve. As can be seen, the flats have more similarity than difference, and are physically separate from the more orderly farmed land adjacent.*

*The farm road crosses at bottom right, along the edge of the green paddock.. Gold mining remains are dispersed across the whole plain, the watery ones showing up in this photo. The plain is of considerable recreational value, and has high SIVs which we believe are not well protected in this Proposal.*

*(Photo taken from lower edge of CA1 on Carrick lease, north to Nevis Crossing bridge at the start of the Nevis gorge which shows as high bluffs on the right. Craigroy homestead is in trees just before Nevis Crossing bridge, the Ben Nevis homestead is in trees at left.)*

CORUF submits that putting the whole area from the farm road to the river, (matched by a similar reserve on the Ben Nevis side, which we address in that PP), into a Recreation / Scenic / Historic Reserve, not only protects the complex river flats, but also solves some of the difficulties that have arisen from the inadequate mapping. If all of that area is in single public ownership, then many of the complications dissolve away.



Qualified Designations pursuant to Section 36(3)(b) Crown Pastoral Land Act 1998

1.3.2 Public Access and Minister of Conservation Management Purposes Easement in Gross: an easement under Section 7 Conservation Act 1987:

(i) to provide public access for persons on foot, or on or accompanied by horses, or by non-motorised vehicles *powered by a person or persons, provided however that persons with guns and persons accompanied by dogs are permitted to use the easement area provided they have a hunting permit issued by the Department of Conservation over that part of the land marked as "c-d", "e-f", "f-f1", "g-h" and "i-j" on the Plan attached in Schedule A.*

There is an existing, perfectly drivable farm road along the flats in Craigroy Lease. There is no conservation benefit to be gained in restricting access along it to non-motorised access only, and nor would the level of general usage be an impediment to farming.

We are deeply disturbed that almost all tenure review proposals, without evident thought, provide access only to an elite of the public, a minority who are mid-youngish, fit and capable. Those who are very young, older, less able, or who have a family of small children, do not have reasonable public access provided for them. This is unacceptable in terms of the intent of the Act.

The Nevis flats, the Crown Land margin beside the Nevis River bed, the Recreation / Historic Reserve we have identified above, between the farm road and the river, are a perfect example of an area that could be opened to a range of needs, without harm.

The gold mining remains are just one example of a reason to visit, to explore, discover, picnic, take the children, fish in the river, and have a slow day in beautiful, quiet, easy surroundings, with the vehicle parked nearby for the baby to sleep in, the fishing gear all available in the trunk.

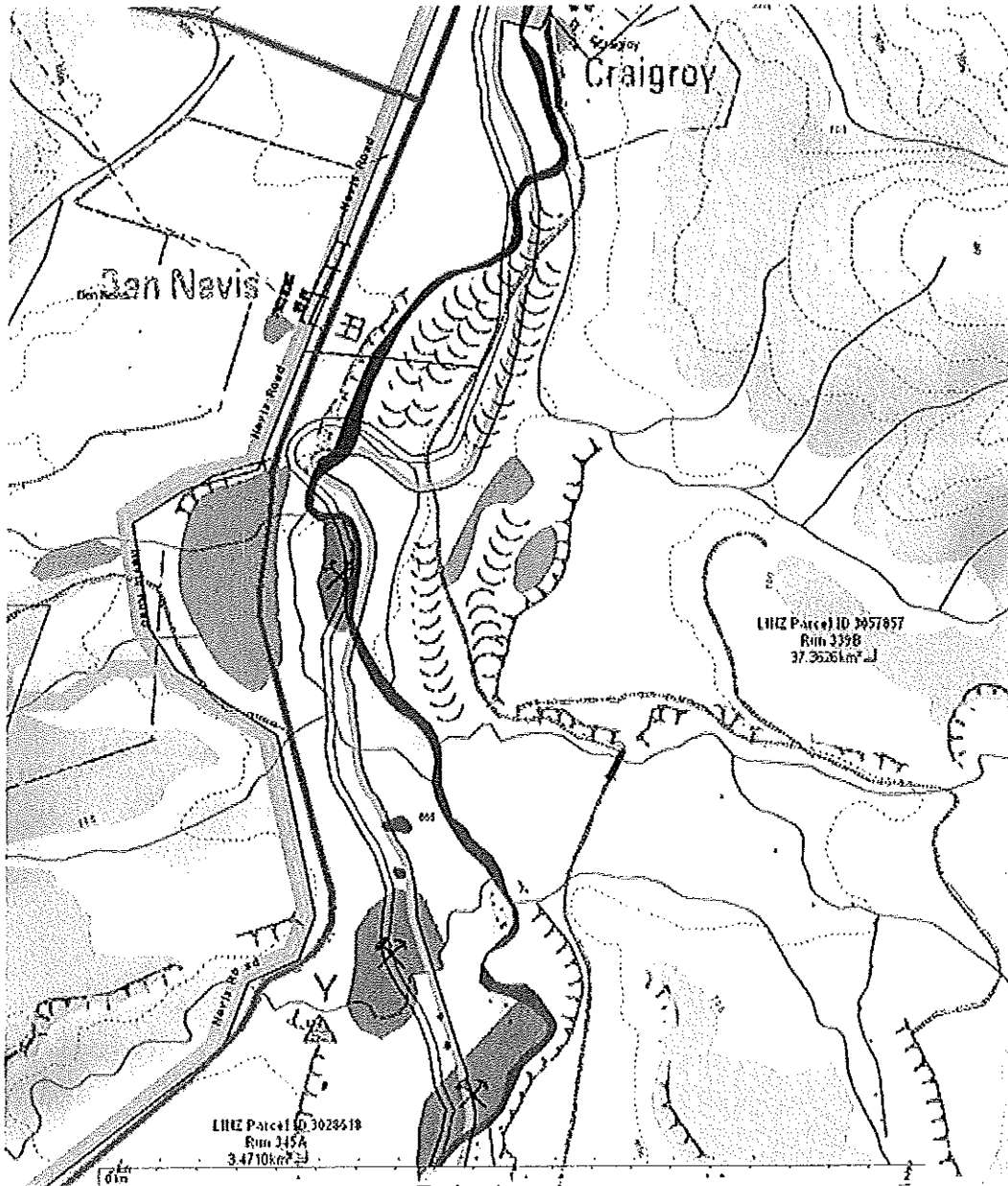
We can discern no reason in the proposal why the Commissioner of Crown Lands thinks that is a bad idea, and is to be guarded against.

CORUF submits that the existing road from "c" to "j" be placed within an easement allowing full public access along the river flats, with access to the river provided for, and access to all mining remains including those which come within the jurisdiction of the New Zealand Historic Places Trust.

(i) ... to provide public access for persons on foot, or on or accompanied by horses, or by non-motorised vehicles ...over that part of the land marked as "a-b".

The route "a-b" is clearly designed to link to the similar route in Carrick Pastoral Lease, giving access to the historical values in Carrick CC3, and to Carrick CA2.

CORUF approves of the route "a-b"



*MAP 2. Picnics beside the Nevis. A composite map derived from the TUMONZ Ltd mapping base, (vers. 4, 2008) to show some of the mix of gold mining history, river access, the old (mapped) river channel, and the present river channel.*

*The Craigroy farm access road, shown running through the centre of this map to the right of the river, is also the only formed route to Carrick lease in the south.*

*The tracks referred to in OTHER ACCESS -1, below, start on the right hand side of the map.*

*Craigroy Pastoral Lease has, demonstrably, a variable boundary relationship to the present river course (and part of the farm track is evidently situated on Ben Nevis lease).*

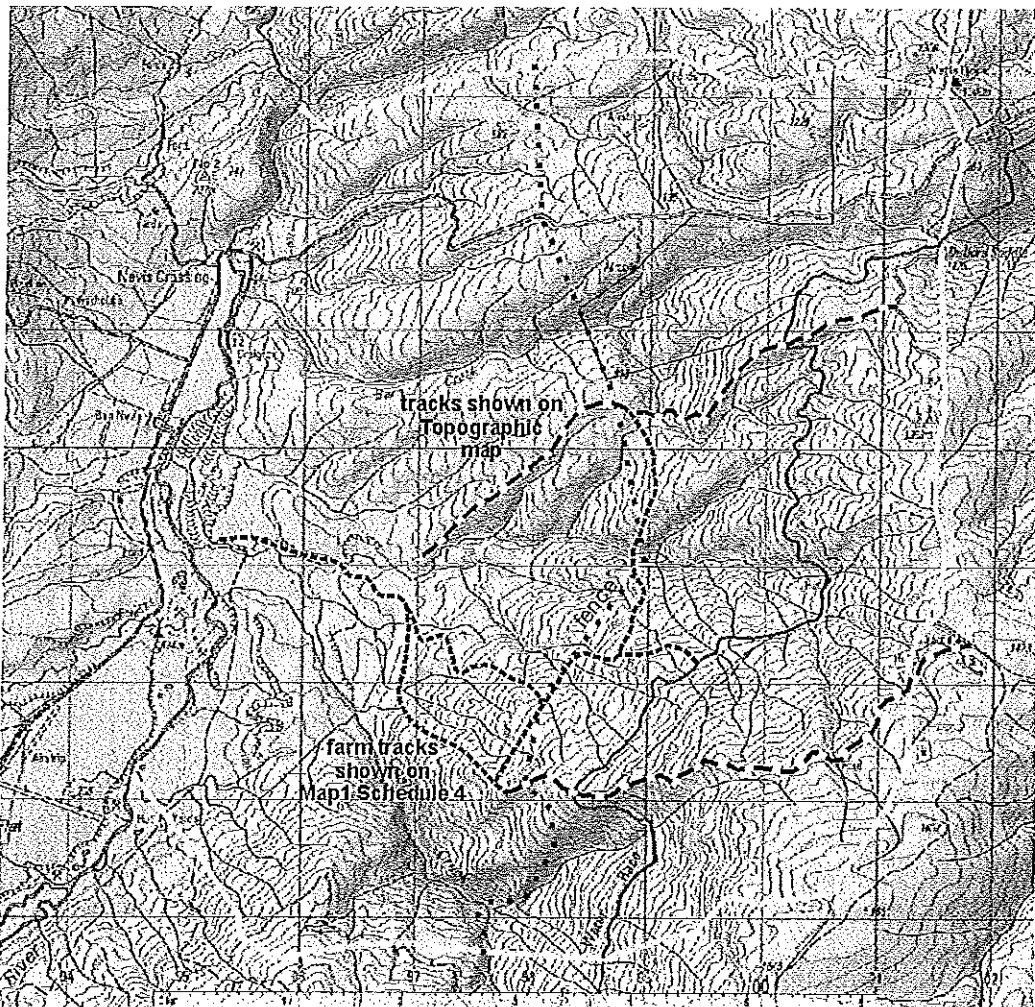
**OTHER ACCESS - 1.**

While there is a legal road onto the Old Woman Range, giving access to the upper part of CA1 by way of an established track from Duffers saddle, it is not for the faint hearted as a driving experience, nor for any vehicles other than 4WDs.

Walking along the tops at this altitude, in the level of exposure to the weather that is common on that range, will most certainly create difficulties for the unprepared public user. No other access into CA1 has been provided for, other than setting out from the Nevis Road, and there is no obvious track along the rim of the water race.

CORUF recommends that a new, lower access route be opened up, using existing farm tracks. We understand that the New Zealand Walking Access Commission has identified this route, and we fully support their recommendation.

The proposed walking route circumnavigates the unnamed stream catchment that lies between Barn Creek and Coal creek, as shown on the map below. It should be possible to arrange with the farm to use two of the routes shown, one on each side, to make a loop track for public walking benefit, to access CA1 from below.



MAP 3. A selection of possible walking routes around unnamed creek catchment.

The tracks / farm roads shown already exist. It should not be difficult to make the necessary small connections, and given the low stocking rates of the Covenant CC (Landscape); a signed track with low usage would be of little hindrance to the farm and would provide a quality recreational experience, using two sides of a stream catchment and linking at the top to CA1.

CORUF supports the temporary closure of formal tracks, with signed and dated advice on closure limits, for the period in spring when lambing takes place.

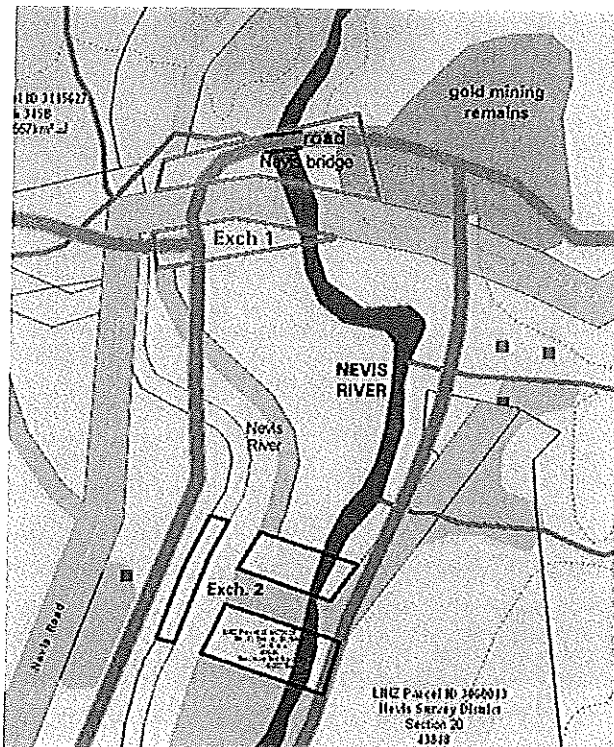
**OTHER ACCESS - 2.**

The area north of Nevis Crossing bridge has clean piles of stacked stone left from gold workings, they have high legibility and are of ongoing public interest.

CORUF recommends that the area concerned (indicated in brown on Map 4) be reserved to public use as part of the Recreational / Scenic / Historic reserve we have proposed, and are thus made available for walking and exploring in.

As an alternative to a wander-at-will right to visit the historic mining remains, CORUF requests that a public walking easement be pegged and signposted, allowing access from the Nevis Crossing bridge, north, to views of the Nevis Gorge a few hundred metres beyond, and continuing north to the Carrick lease boundary, to link with the mining remains there in Potters Creek.

It is a reasonable supposition that these remains are connected to the Chinese mining camp in Potters creek on Carrick lease. Some of those remains have been protected in a proposed Conservation Covenant, and submitters have asked for the whole mining area to be included in the designation. These stacked stone remains on Craigroy belong within a wider pattern.



*Map 4. Land around Nevis Crossing bridge.*

*To the north east is a mapped approximation of the mining remains.*

*To the south are the five small "exchange blocks" which we discuss below.*

No access to the Nevis Gorge has been identified in this Preliminary proposal, we identify this as an omission. The gorge has significant inherent values, it is a striking, natural landscape with high amenity values.

CORUF requests that this Review identifies enduring public, legal access to the significant inherent values of the Gorge, by way of its rim north of Nevis bridge.

**1.4 1.72 hectares Local Purpose Reserve to be designated as land to be disposed of by way of exchange for the area labelled R1 (Scenic) on the plan to Pioneer Generation Limited (labelled "Exch 2" on Plan) under section 38(1)(c) Crown Pastoral Land Act 1998.**

**1.5 1.65 hectares Conservation land to be designated as land to be disposed of by way of exchange for the area labelled CA 1 on the plan to Pioneer Generation Limited (labelled "Exch 1") under section 37(1)(c) Crown Pastoral Land Act 1998.**

CORUF does not agree that these small blocks have "no conservation values".

As Map 4 shows, four of the five blocks lie across the river itself, at the bridge in Exch.1, and on the flats at Exch.2.

Added together as public land, together with the surveyed river bed and the survey line of the Nevis Road, which are also public land, they make up a considerable area that could and should be joined to a public reserve.



*PHOTO 2. High amenity value. Old Craigroy homestead and barn from Nevis Crossing, The river flats here are all either public land (road reserve plus Exch. 1 blocks) or are in Craigroy Crown Pastoral Lease. The Exchange 2 blocks are to the right of the photo.*

The Nevis Crossing Road Bridge is arguably the most used stopping place on the entire journey through or to, people pull over there, to look into the river and gorge, get the gear out for the day, rest, meet, have a cup of coffee or a picnic, plan what they are going to do next. Exchange 1, in particular, can only become a public reserve. It is a beautiful natural spot above the rushing pools and at the

start of the gorge. It has a high degree of naturalness and significant values, SIVs.

The lands in Exch.2 include the river itself, river banks, river flats, and congeniality as part of the whole recreational ambience of this part of the valley. They are also in the vicinity of gold workings, and a brief look at the map will reveal that the legal road running east-west between the Exch. 2 blocks may signal the location of the original river crossing,

CORUF submits that the Exchange blocks have demonstrably high value in terms of present and future public use, and together with the land in legal road that runs through them, should rightfully be retained in the public estate.

## OTHER MATTERS

It is very difficult to properly discuss the Lease in the face of anomalies in the Cadastral mapping.

The Nevis River, for example, has little relationship to the legal river bed which is an anomalous stretch separating the two Lease boundaries, but is not related to the actual river. The river itself, being wider than three metres, must also have a river bed and water margin reserves on it (not mapped), and so there are in fact two river reserves here?

The proposal has made no attempt to address the issue of the cadastral mapping, nor does it offer any guidance on how these anomalies might be dealt with in terms of the Reviewable Land.

We would have been happier to have the Survey resolved before the Proposal was advertised, so that submissions we make may have a basis in accuracy.

If there is any "tidying up" of the map base by a new LINZ survey, and alterations to Lease boundaries and to the location of public land consequent on that, we request that surplus public land be added to the Reserves we have proposed. We also request that we be notified please, together with permission to revisit this Submission to assess the effects.

we request that we be notified please, together with permission to revisit this Submission in order to assess the effects.

Finally, CORUF submits that the Nevis Road should be confirmed as a fully legal road-way on its present road bed.

Thank you for the opportunity to comment on this Pastoral Lease.

Yours faithfully,

Jan Kelly,

Secretary, Central Otago Recreational Users Forum

30 November 2009.

ADDENDUM.

We protest and oppose the presence in this Preliminary Proposal of clause 6 on page 9 of Schedule 2 to the Landscape Covenant CC, starting "*The Minister [Minister] acknowledges that ...*," together with the outcomes associated with that paragraph, which have served to potentially devalue the public submission process.

The Clause refers to potential hydro-electric development on the Nevis River.

We were first informed that should we even mention the contents of this paragraph in our submissions to the Preliminary Proposal, the Commissioner of Crown Lands would "throw out" our submission in its entirety. We then learned, through a report in the Otago Daily Times, that only paragraphs referring directly to the paragraph would be disallowed. There has been considerable discussion since, but we are still not certain of the status of this paragraph, nor what its intention is, or what effects it might have on the viability of submissions.

Pioneer Generation's potential plans have no reality at present because they have not been notified. If a proposal is put forward, then a normal Consent process will follow.

In addition, the River is presently under consideration by a Tribunal, to have its status reassigned within the Kawerau River Protection Order, and open discussion of outcomes is inappropriate while that legal process is being completed.

The outcome for CORUF is that this submission has been difficult to write, and we have held back on matters which we might otherwise have confidently discussed.

Central Otago Recreational Users Forum.