

Crown Pastoral Land Tenure Review

**Lease name : Eastburn
Lease number: Po 257**

**Lease name: Waitiri Station
Lease number: Po 270**

Public submissions

These submissions were received as a result of the public advertising of the preliminary proposal for tenure review.

March 03

CENTRAL OTAGO WHITEWATER (INC)

**P O BOX 41
ALEXANDRA**

KNIGHT FRANK
ALEXANDRA

- 8 AUG 2001

RECEIVED



8 August 2001.

Commissioner of Crown Land
C/- Knight Frank
PO Box 27
ALEXANDRA

Dear Sir/Madam

RE: EASTBURN WAITIRI STATION TENURE REVIEW

It came to our attention on 31 July 2001, that this review process includes consideration of options for the "natural bridge" area in the Kawarau Gorge used as access for white water recreation users in particular kayaker's and river surfers. We now write this submission to support our view that this area should become a recreation reserve.

1. Location:

The natural bridge area is located alongside the state highway beside the Kawarau river immediately upstream of the Roaring Meg creek confluence in the Kawarau Gorge at the southern end of the Pisa mountain range.

2. Kawarau River

The Kawarau river is the most important white water kayaking river in Central Otago. Its outstanding kayaking qualities are recognised in the Water Conservation (Kawarau) Order 1997. The most heavily used stretches of the river are the following grade 3 and 4 sections:-

- (a) the Dog Leg section located at the western upstream end of the Kawarau Gorge, from the Arrow river confluence to the bottom of the Chinese Dog Leg rapid near Gibbston; and
- (b) The Roaring Meg section located at the eastern downstream end of the Gorge from the "natural bridge" downstream approximately 6 kilometres to the end of the white water rapids approximately 2 kilometres upstream from the Kawarau Gorge Mining Centre footbridge.

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Between the Dog Leg and Roaring Meg sections are found three large rapids, Nevis Bluff, Citroen (Waitiri) and Retrospect rapids. The "natural bridge" rapid is also kayaked at high flow. The large volume of water, its central location and ease of access means the Kawarau river rapids are used extensively by the kayaker's from the local area and from throughout New Zealand and overseas.

3. Natural Bridge

Up until approximately 130 years ago, the Kawarau river at this point flowed underneath a natural rock arch and today the river still siphons underground at low flows (less than 150 cumecs) at this point. Access from the highway is by a gravel vehicle track to a flat area which is bisected by a fence in its western half. Over that fence there is a rough walking track to the cliffs enabling a view down into the natural bridge.

4. Kayak history and usage

The Kawarau river has been used regularly by kayaker's since the mid 1970's. At that time kayaker's from Southland and Dunedin began to travel to the area for kayaking following the loss of rivers in the MacKenzie basin due to hydro schemes. Usage of the Roaring Meg section has been continuously increasing as kayaking skill levels and participant numbers have increased over the years.

The rapids between the "natural bridge" and the Roaring Meg Creek have been used for two National Slalom Championships in 1990 and 1998. This rapid and the downstream rapids were used for the third World Cup down river race in 1999. This is a bi-annual three race series and the series in New Zealand was the first time it had been held outside Europe. In addition there have been a number of regional events held on the river. The overwhelming value of this river is, however, its natural big volume whitewater for recreational kayak trips.

5. Current Kayak Usage

From the start of summer daylight saving in October until its end in April, the Roaring Meg section is used regularly and during the summer months of December, January, February and March the river is used on a daily basis, often by numerous different groups of kayakers. Local Central Otago kayaker's principally from Alexandra, Cromwell, Wanaka and Queenstown meet to run the river every Tuesday evening during daylight saving and have done so for the last 15 years. Over the last 20 years there have been countless people who have learnt their kayaking skills on this stretch of water. The standard of a white water kayaker's ability is often defined by which Kawarau river rapids they have paddled and how often.

6. Site enhancement

In 1989, local kayaker's applied for and received a Clyde Dam amenity grant which funds were used to clear scrub, tree planting, terrace and level the car parking area, improve and seal part of the access road, construct a walking track from the car park along the left bank of the river to the Roaring Meg Powerhouse and construction of long drop toilets.

Maintenance of the improvements is occasionally carried out and the original work and subsequent maintenance has involved countless volunteer man hours. The most important maintenance has been the grading of the access road organised by the kayakers with roading contractors working in the vicinity on a charitable community

basis. Those improvements have suffered damage on a number of occasions when the highway above the area has suffered slip damage and the roading remedial work has involved pushing the fill over the side of the highway damaging the improvements made by the kayaker's.

7. **River surfing**

The use of the Roaring Meg section for river surfing is now well established. River surfing groups travel from Wanaka and Queenstown and use the "natural bridge" access and facilities. During the summer months there would be two or three separate groups of approximately seven people each on the river most days.

8. **Use by Other Parties**

Kayaker's would see very few other people in the "natural bridge" area. There are occasional campers, usually cycle tourists and the area has been used as a base for recreational miners. We are only aware of a Ngai Tahu presence once, when the river access was being developed as a Lord of the Rings film set with Ngai Tahu providing security services.

9. **Recreational Reserve**

The kayaker's have clearly established themselves as the prime users of this area and have undertaken a custodial role to manage this important recreational resource and to ensure that the access remains usable so that unrestricted public access is freely available.

To enable the kayaker's initiative to continue and be formalised, the "natural bridge" area needs to be designated as a recreational reserve in order to enhance and educate the public of its features which we list as follows:

- (a) **Recreational**
The whitewater attractions of the river which we have covered in the submission.
- (b) **History.**
The natural bridge was used by Maori to cross the Kawarau river. Although we have little information on this long historical use, we are aware it was used during the musket wars in the 1830's by Puhoi and his raiders when they travelled from Tasman Bay to Southland. This area is also immediately upstream of the Roaring Meg creek used as a route for early miners in the 1860's travelling across the Pisa range to Arrowtown and the Skippers Goldfields.
- (c) **Geological**
The "natural bridge" remains an unusual feature where the Kawarau river goes underground at low flows and it is still possible to cross the river by foot from one bank to the other.
- (d) **Botanical**
We have little information on the vegetation but note that the area does have native flora including native broom and blue tussock. There are also fruit trees which may have survived from being planted by early gold miners.

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(e) **Flood Levels**

In recent times there have been spectacular floods and the Roaring Meg powerhouse has been inundated by flood waters on two occasions, most recently in 1999.

We believe that these various features of the site could be used for its enhancement as a picnic and recreational area enabling travellers to stop and view display boards showing the geological, historical, recreational, botanical and flooding features.

10. **Where to from here**

Our vision of the area is as follows:-

- (a) The area becomes a Department of Conservation recreation reserve with the kayakers having an advisory role.
- (b) The access road from the highway is formed and sealed.
- (c) The area is sign posted on the highway to encourage travellers to visit.
- (d) The track to view the natural bridge is upgraded.
- (e) A display board area is installed with information on the features of the area.
- (f) A link with the Central Otago goldfields area could be developed with information and a possible walking track up the Roaring Meg.

11. **Conclusion**

In conclusion we wish to make it clear to the Commissioner that we support any decision which will ensure the free and continued access to the "natural bridge" area for river users. This is a beautiful and unique place and its features are worthy of protection for all people.

Please contact us if you have any questions, otherwise we await your advice.

Yours faithfully



Gordon Rayner
River Protection Officer
DDI 03 448 9671

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ROYAL FOREST & BIRD PROTECTION SOCIETY OF NZ INCORPORATED

UPPER CLUTHA BRANCH

PO BOX 38
LAKE HAWEA

KNIGHT FRANK
ALEXANDRA
- 7 AUG 2001
RECEIVED

7th August 2001

The Commissioner of Crown Lands
C/o The Manager
Knight Frank
Box 27
ALEXANDRA

Dear Sir

PROPOSAL FOR TENURE REVIEW, WAITIRI / EASTBURN

We thank you for you for forwarding us a copy of this proposal and seeking our submission. We have inspected the properties and wish to comment as follows. You will be aware we did make submissions on 20th April 1998 on a previous proposal for these two properties.

(1) While our society is a nation wide organisation we in the Upper Clutha branch have a particular interest in these two properties; situated as they are on a major highway between Queenstown and Wanaka. We are in a position to make informed comment. It is extremely important that these exchanges be done properly in accordance with the Crown Pastoral Act 1998. For the farmer, that the land disposed of to him or her, is **ecologically sustainable**, and that the land with **inherent conservation values** is retained by the Crown and protected.

(2) These two pastoral runs, are, after the exchange is completed going to play a very important part in the welfare of tourist and recreational interests in the area.

(3) This proposal is good, (apart from two points which we will address later) as it will be a valuable addition to the conservation estate of a block of comparatively clean, mid to high altitude tussock country, in a reasonably good state of preservation.

(4) These two properties positioned as they are at the lower end of the Pisa range - which already has land secured to DOC estate by way of tenure exchanges - will be a good connecting link with the Cardronna blocks to the north, and the Glencoe country to the west, which is also under review.

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(5) It is important that this corridor over the Crown range from Queenstown to Wanaka be given high priority for protection as there is very little of this type of tussock country left on main highways which can be viewed by passing motorists. Apart from Porters Pass, the Lindis Pass, and small patches on the Pigroot and the Mossburn to Te Anau highways there is virtually none.

(6) The landscape values are high, especially so on both sides of the Crown Range saddle and will require adequate protection. This can be so where it is under full DoC direction. One of our concerns is that the land to be disposed of to free hold title on the Wanaka side extends too far up towards the Crown saddle itself. We would suggest that the land to be retained by the Crown should go down at least as far as Wright's Gully. In our previous submission we suggested that a covenant, be placed over a strip of land alongside the road down as far as deaf Deaf Bill's Creek, to not allow aerial topdressing and oversowing, or other development such as forestry. This was done on the Coronet Peak and Skippers roads in the Mt Dewar tenure exchange, and could and should be done in this one also, if the Crown cannot retain full ownership and control to Wright's Gully. Enclosed photo shows typical vegetation.

The new fence on the western side of the Crown saddle should be so placed that a traveller coming up from the Crown Terrace should be able to see the whole of the basin to the west of the saddle as unmodified as is possible. The area in the vicinity of the cattle stop is a situation where stock can put pressure on the tussock in a small area.

(7) The pine plantings at the head of muddy creek could cause concern. While they do not appear to be spreading as yet, it will only be a matter of time; witness the growth of trees around the Roaring Meg powerhouse. However the issue of wilding trees has yet to be addressed in this area of high scenic values. This should be the responsibility of the Regional and District Councils.

(8) It is good to see the vegetation in the vicinity of the Kawerau or bungy bridge remaining in full Crown control instead of a covenant as was in the previous proposal.

(9) Having foot and bike access from the Roaring Meg - Cardrona track, to the Top of Mt Allen, is a major plus. This should allow for day, or extended, trips from the Crown Range saddle to either SH6 in the Kawarau Gorge or to Cardrona township via Thuoy's saddle.

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(10) We see the easements being granted to the occupant across DoC controlled land as being reasonable and workable. We note however that they are only for five years.

(11) The second matter of concern to us is the proposed new or upgraded fencing to be erected between the proposed freehold land and the proposed DoC estate, to the east of the summit of Mt Allen.

There will be a transference of fertility and plant species from the country lower down, and the heavy concentration of stock on the small area being created will cause the tall tussock to be removed. This we consider is undesirable and it will not be **ecologically sustainable**.

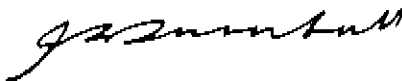
As fencing has to be erected for this exchange to take place we see no reason why it cannot be done on a better line lower down the hill, and we enclose a plan of a possible line that would be more suitable. We also enclose a photo of Mt Allen taken from the north, which speaks for itself.

Many reasons for sighting a fence in certain positions can be given, apart from containing stock or excluding stock. The first would be the ease of erection or maintenance. Sometimes ease of mustering. Snow damage is often sighted as a reason for position, but in country liable to the effects of snow this can be mitigated by an inspection of any fence after winter, and prior to putting sheep onto a block. This was once a very common practice.

In Conclusion: If these two matters, the fencing east of Mt Allen, and the protection of the landscape in the vicinity of both sides of the Crown saddle were to be addressed as we suggest, this we believe would be a very good exchange.

Thank you

Yours faithfully



John L Turnbull

for Upper Clutha Branch

Encls. 1 map
Photographs (2)

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4.8.01

Wairarapa Tramping
and

KNIGHTS HEAD
ALEXANDRIA
- 7 AUG 2001
RECEIVED

Mountaineering Club
B O Box 137
Queenstown

Knights Frank
Land Resources Division
P.O. Box 27
Alexandria

Dear Sir/Madam

Earbourn/Whitira Tenure Review

Our club members have considered
the preliminary proposal for the
above stations.

We can confirm we are in favour
of the proposal.

Yours sincerely

Flora Renshall

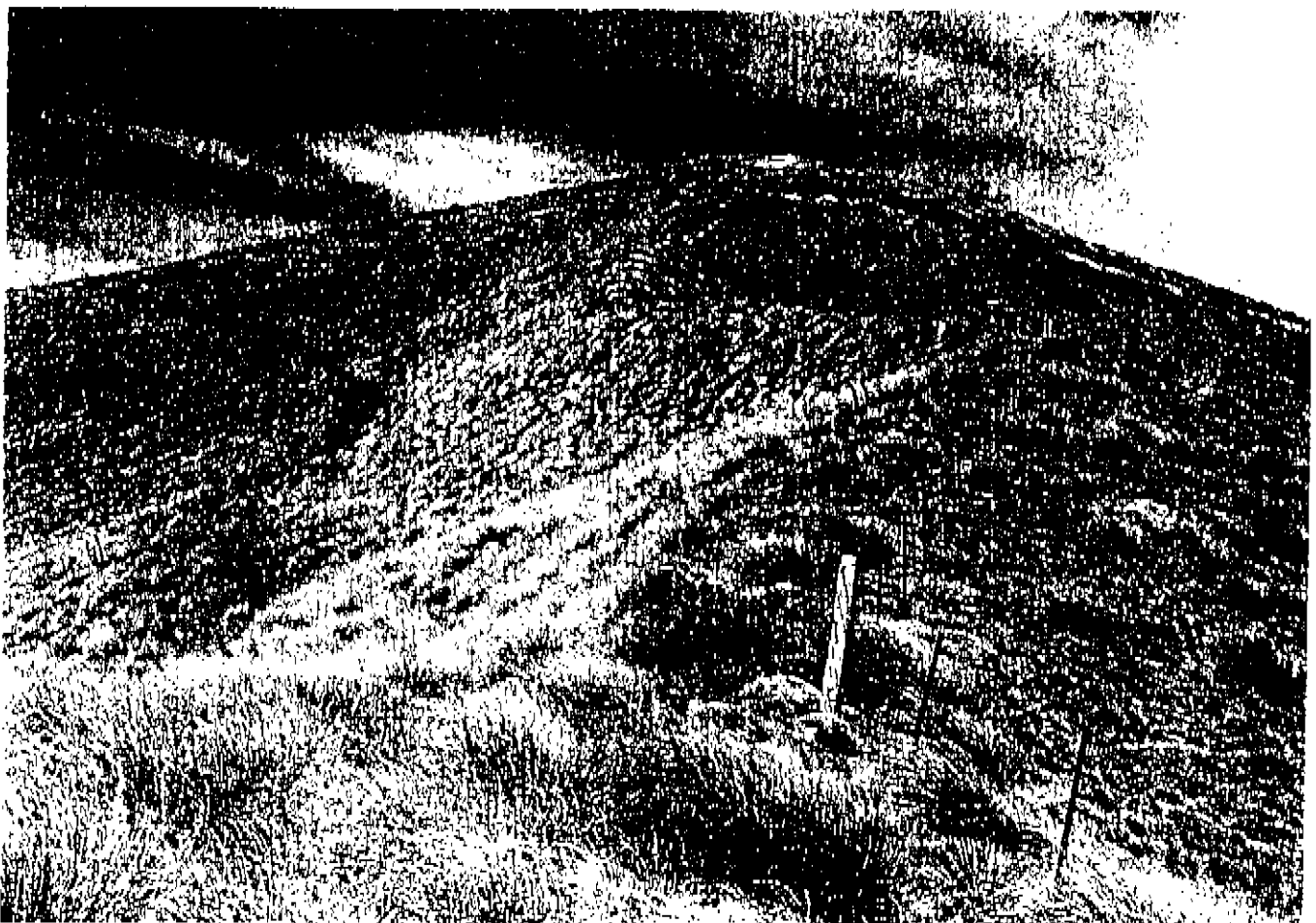
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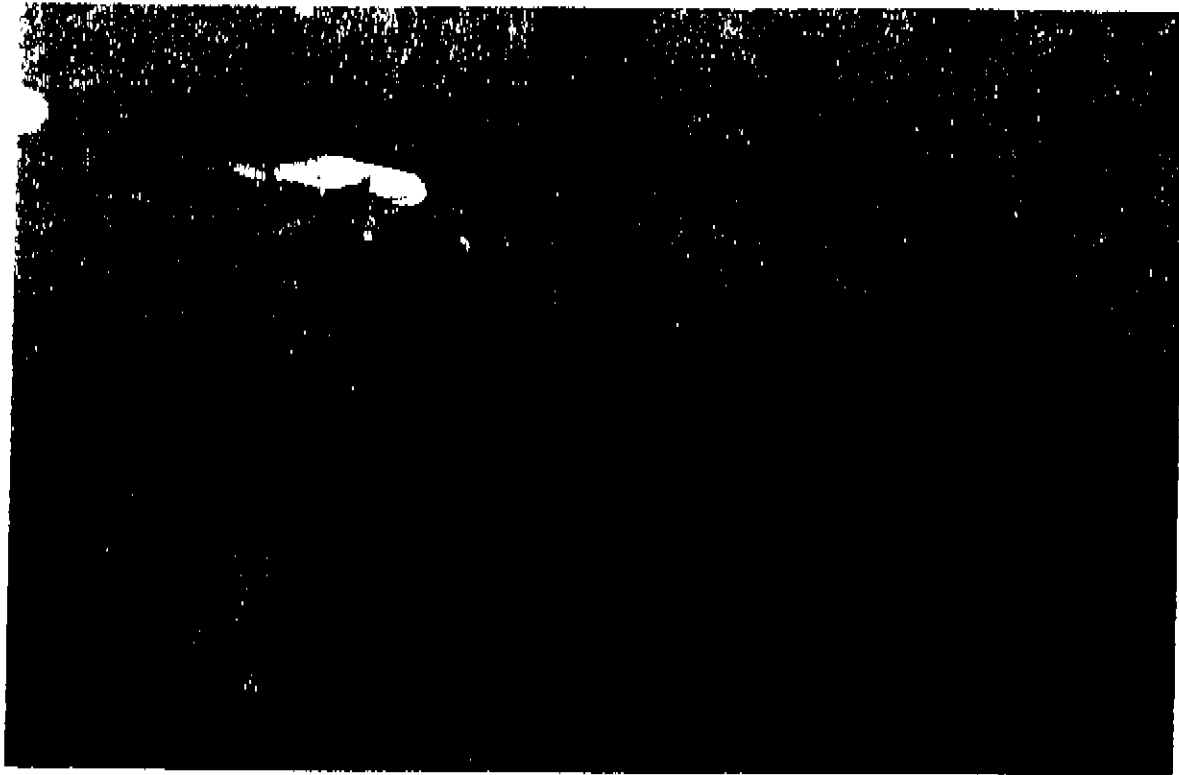


Vegetation east side of Cardrona road should be protected

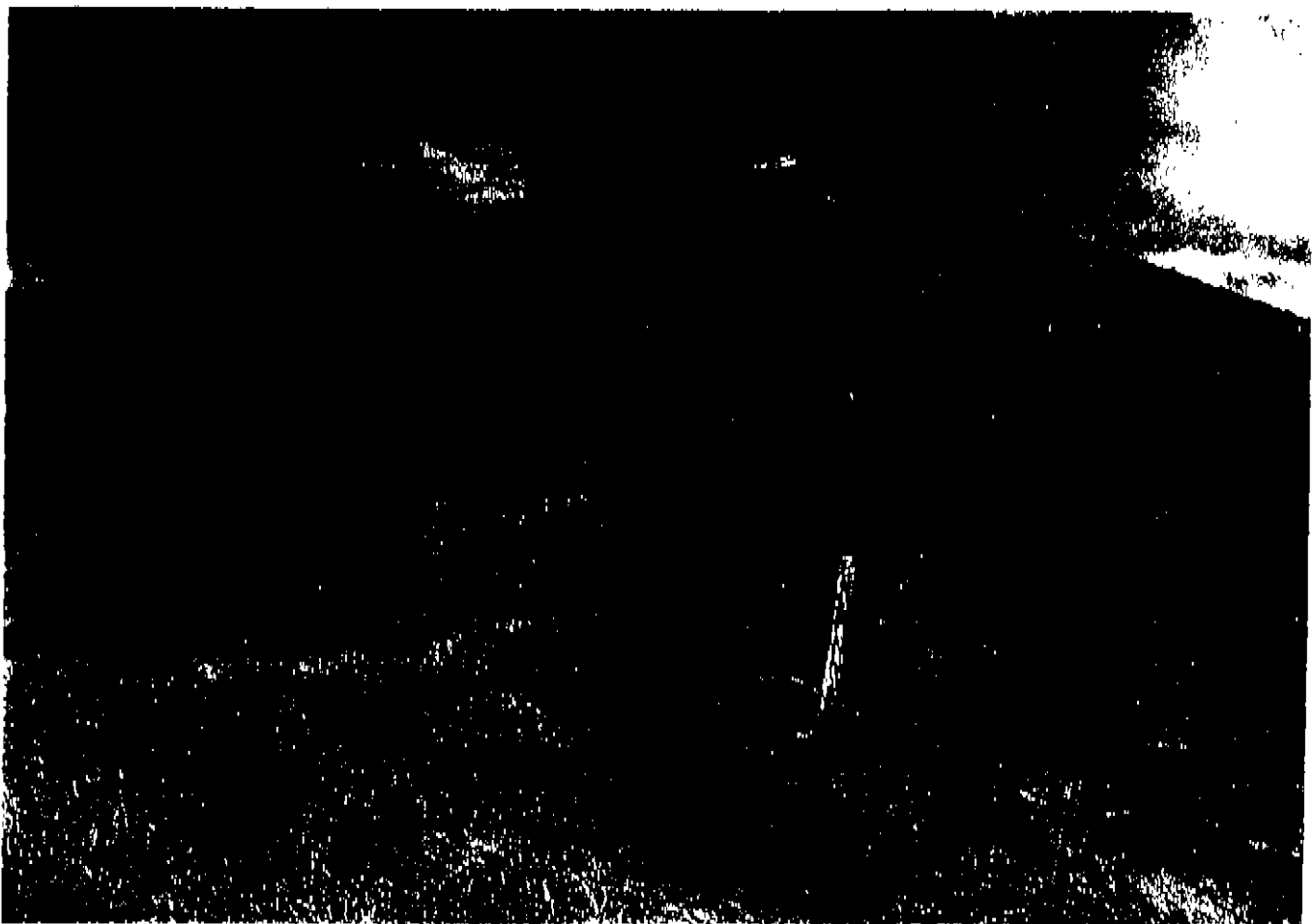


North slope of Mt. Allen - proposed Freehold on left and proposed DOC on right

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Vegetation east side of Cardrona road should be protected



North slope of Mt Allen - proposed freehold on left and proposed DOC on right

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10257/270/1



FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)
P.O. Box 1604, Wellington.

31 July 2001

The Manager
Knight Frank, Land Resources Division
PO Box 27
ALEXANDRA

KNIGHT FRANK
ALEXANDRA
- 6 AUG 2001
RECEIVED

Dear Sir

Re Eastburn/Waitiri Tenure Review

Federated Mountain Clubs of NZ Inc. (FMC) represents some 13,000 members of tramping, mountaineering, climbing and other outdoor clubs throughout NZ, and indirectly represents the interests and concerns of many thousands of private individuals who may not currently be members of clubs but who enjoy recreation in the back country.

On their behalf, FMC aims to promote and enhance public recreation opportunities, to protect public interest values, and to ensure rights of public access over former high country pastoral leasehold land which may become freehold through the tenure review process.

FMC fully supports the aims of tenure review to promote sustainable land management and to protect significant inherent conservation and recreation values. FMC is grateful for this opportunity to comment on the Preliminary Proposal for Eastburn/Waitiri.

You will recall that in January 1998 FMC submitted its views about the Eastburn/Waitiri pastoral leases in the form of a "Field Survey and Assessment of Recreation and Related Public Interest Values" of the property. That Report included 14 colour Figures illustrating various aspects of the property from a recreational perspective. In April 1998 FMC made a submission on the draft tenure review proposal for Eastburn/Waitiri.

For your information we reproduce here part of the 1998 FMC submission.

Summary of FMC Submissions on the 1998 Draft Tenure Review Proposal for Eastburn/Waitiri, and 2001 recommendations

We reproduce here the conclusions from the 1998 FMC Report *in italics*. In **BOLD TYPE** we indicate the current (2001) view of FMC with respect to the Preliminary Proposal that we have recently received regarding tenure review of Eastburn and Waitiri.

1. *Because of the internationally well known tourist and recreational attractions of the Queenstown-Wanaka area, increasing numbers of tourists and FIT travellers are coming to the area. This increase creates a need for a wider range of recreational opportunities (both summer and winter) than has been available hitherto. Not only do more people create a demand for more opportunities, but this also creates a need to ensure that the more traditional use of remote areas by New Zealanders is still catered for.*

7. *With better known opportunities for public use of the extensive backcountry on Eastburn and Waitiri Stations, a range of recreational activities could become available. These would not only be possible, but would also be likely to become popular because of the high recreational potential of the property, and because of the potentially large clientele. The kinds of back country recreational activities which Eastburn-Waitiri could provide include:- opportunities for public walking, tramping, mountain bike and horse riding on the ridge crest track to Tuohy's Gully, extended tramping over the Crown Range, cross country ski travel into the back country, following the historic Pack Track and historical interpretation of the old gold mining areas, photographic and naturalist trips, access for kayaking and rafting on the Kawarau River, and limited hunting for goat and/or chamois.*

FMC acknowledges that the proposed terms of tenure review do significantly improve recreational opportunities in the area, but attention to the following matters would greatly increase the range of recreational opportunities possible. This would be entirely consistent with Section 24(c)(i) of the Crown Pastoral Land Act 1998, which has the objective of making easier the securing of public access to and enjoyment of reviewable land.

- **There is no provision for public access to Mt Gilray, despite this being one of the matters raised at the 'Early Warning Meeting'.**
- **Although provision has been made for rafting and kayaking access to the Kawarau River in the vicinity of the cableway just south of the Roaring Meg confluence, we are not convinced that this constitutes adequate provision for river access.**
- **There is no public access south east from Mt Allen to the Gentle Annie Creek and the Mt Gilray track. If mountain bike access to Mt Gilray is available via the 4WD track from SH 6 to the translator, the access referred to above may not be required in view of the newly proposed walking route from Mt Allen to Evan Roberts Creek.**
- **No protection has been negotiated for historic sites in the Gentle Annie valley, and there is no provision for public access to them.**
- **FMC understands that PANZ has researched some interesting walking routes for day trips and through trips from the Roaring Meg Picnic Area beside SH 6. FMC endorses and supports these proposals which we agree would add significantly to the recreational opportunities available from the busy tourist route into Queenstown.**

FMC submits that these matters still need to be addressed and that if access was negotiated as indicated, more recreational opportunities could and should be created through this tenure review.

3. *There is a large area of potential conservation land on Eastburn-Waitiri Station. Some 4000ha of this mainly LUC Class VIIe land has high landscape, scenic and conservation values as well as providing the resources for the recreational opportunities described above. This includes the high country (above about 1000m) around Mt Scott, Mt Hocken, Rock Peak, Mt Allen, Quartz Knoll and Queensberry Hill, which should become conservation land and be managed for conservation and recreational purposes.*
4. *No formal access without the lessee's permission has been available in the past and this has been a factor in the current low level of recreational activity on Eastburn and Waitiri Stations. A formal access easement for foot, mountain bike and horse use of the 4WD track from the Crown Range Saddle to Mt Allen and thence over Quartz Knoll and Queensberry Hill to Tuohys Gully and Cardrona is required. In addition, an easement through probable freehold land to the historic sites at the junction of the Spring Burn and Gentle Annie Creek would provide considerably more variety in recreational opportunities.*

FMC acknowledges that in the 2001 preliminary proposal the area in the vicinity of the historic suspension bridge has been included in the proposed Conservation Area. We strongly support this new initiative. There is however still a serious omission from the proposed Conservation Area. That is the land between about 1000 and 1500m on the east face of Mt Allen (in the head of the Evan Roberts Creek catchment). FMC has consistently submitted that the Conservation Area boundary should run around the contour at about 1000m and new fencing should be included to protect the area of tussock grassland between about 1000 and 1500m. If this were to be done there would be no need for the public access easement along a short section of the ridge track as this would then become Conservation Land. FMC submits that Conservation land status would provide more secure public access than the proposed easement. FMC recognises that a major gain for recreation has been achieved with the route over Mt Allen to Queensberry Hill, and access along this route should be secure.

- 5. Public access up the Mt Gilray Road would provide excellent day trip opportunities for trampers and mountain bike enthusiasts. An easement up this road would also provide access to the historic sites referred to above, and allow a through trip over Mt Allen to be completed from the Crown Range to the Kawarau Gorge. Consideration should also be given to making provision for public vehicle use of this road with the landowner's consent.*

FMC supports the new proposal for public access between Mt Allen and the Roaring Meg near its confluence with Evan Roberts Creek. We do however, still believe there would be much public gain from mountain bike access to Mt Gilray, and argue that the formed track would provide an excellent mountain bike trip. As stated above, FMC also supports the additional walking routes suggested by PANZ.

- 6. Provision should be made to recognise as formal easements, those access tracks in the Kawarau Gorge which provide access over Waitiri land for rafting and kayaking on the Kawarau River.*

It is still not clear to FMC how much recreational access to the Kawarau River will be provided by the creation of the proposed Historic and Recreation Reserves (Areas B and C respectively on Plan A of the 2001 proposals) between SH 6 and the Kawarau River. We still believe that adequate recreational access to the river should be an outcome of this tenure review. In view of the existing recreational use of the proposed Historic Reserve area, FMC submits that a more logical and appropriate classification for both Areas B and C would be Recreation Reserve.

- 7. The alignment of the Cardrona Roaring Meg Pack Track has recently been marked on the ground by DOC in agreement with the Lessees. This alignment should be recognised as the legal alignment through the tenure review process.*

It is still not clear to FMC that such formal recognition has been provided in the Preliminary Proposal. It is not clear from the summary provided to us which are the two routes referred to in (A) under the heading "Protective mechanism under Section 40 (1) (b) and 40 (2) (c) CPL Act", which in turn refers to Section 7 (2) of the Conservation Act 1987. If actual, on the ground alignment of the Roaring Meg Pack Track has not been formally recognised as legal road in the tenure review documents, FMC submits that this omission should be rectified.

- 8. It is understood that none of the waterways on the property currently have formally recognised marginal strips. Both the Gentle Annie and Roaring Meg Creeks should be considered for marginal strips during the tenure review process.*

FMC notes that there is no reference to formal recognition of marginal strips in the Preliminary Proposal. We seek assurance that the requirement to lay off marginal strips alongside all waterways of adequate size has been met by the 2001 tenure review proposals.

1. *Conservation and historic values in the Roaring Meg gorge could be protected by setting aside a wider than normal marginal strip downstream of say, the Plank Creek confluence. Alternatively these values should be protected as conservation land.*

FMC reiterates its support for inclusion of the margins of the Roaring Meg as Conservation Land under the preliminary proposal.

10. *Wrights Gully was recognised as the best example of its kind in the PNAP survey in 1984/85 and the RAP Pisa A7 should be included in the area to be retained as Crown land and managed by the Department of Conservation for conservation purposes.*

FMC is pleased to note that the values in Wrights Gully will be protected as conservation land under the preliminary proposal. FMC strongly supports this proposal.

11. *There is some severely eroded LUC Class VIII land in the Muddy Creek catchment which should be protected as conservation land. Consideration should be given during tenure review negotiations to the problem of wilding tree spread from the erosion control plantings of pines in this catchment.*

FMC is pleased to note that the entire catchment of Muddy Creek is proposed as Conservation Land in the Preliminary Proposal. We do however argue that provision should be made, as a condition of tenure review, for mandatory control of wilding trees, and that this should apply equally to Conservation and freehold land. Where freeholded land has a wilding tree problem, a duty to control this could be expressed as a protective mechanism under Section 24(b)(i) of the Crown Pastoral Land Act 1998.

12. *There is a large area of land, about half of the combined properties, in the Gentle Annie catchment, in the lower Roaring Meg, on the lower Cardrona faces and on the Kawarau faces which appears to be suitable for freeholding.*

FMC submits that there are two major exceptions to freeholding in this area. We support Conservation Land status over the shrublands in the vicinity of the historic suspension bridge, as expressed in the preliminary proposal. However, we do not accept that the eastern face of Mt Allen (in the head of the Evan Roberts Creek catchment) is suitable for ecologically sustainable pastoral farming, and therefore the proposal to freehold this area is contrary to Section 24(a) of the Crown Pastoral Land Act 1998. The upper tussock grassland slopes (>1000m) have high inherent value and should be protected by restoration to full Crown ownership and control. We advocate that a fence be constructed along the 1000m contour to protect the land above this level.

13. *The landscape values of the property are important for two reasons. Firstly, they underpin the recreational and public interests in the land itself, and secondly, as the scenic backdrop to tourism in the Queenstown-Wanaka area. It can be argued that as such, it is most important that the natural values are protected under Crown ownership and conservation management. The most important areas which should be considered for such protection are:- (i) the Crown Range Saddle area which provides the best example of intact tussock grassland for the public and overseas visitors to enjoy from a road through a high profile tourist corridor, (ii) the scenic and historic surroundings of, and the tussock grasslands bordering the Roaring Meg Pack Track, which provide an essential backdrop to the experience, and (iii) the Kawarau Gorge itself, which is recognised as a scenic corridor of national significance. The reviewer considers that (i) and (ii) should be included within areas designated conservation land, while (iii) requires more secure protection against the adverse effects of inappropriate developments than is provided by the District Plan.*

FMC is still concerned about landscape values in the Kawarau Gorge, and over the Crown

l ge Road. More secure protection for these values is needed, especially in view of their recognition as significant "wild and scenic characteristics" in the National Water Conservation Order for the Kawarau, and the increasing tourist use being made of the Crown Range Road, now that it has been sealed. FMC is aware that landscape protection issues are still not resolved in the QLDC District Plan. They are currently before the Environment Court. Because of the values recognised in the National Water Conservation Order we still believe that more secure protection of the landscape values in the Kawarau Gorge is required. Because of the increasing tourist traffic over the Crown Range more secure protection of the landscape values in the Upper Cardrona River valley is also required.

14. *Wilding tree spread poses a threat not only from the plantings in Muddy Creek, but also from the Douglas fir and Larch planted near the Roaring Meg power station. As this is within the area likely to become freehold land, provision should be made during tenure review for a solution to the problem.*

FMC has not seen any evidence that this issue has been addressed in the tenure review process. We strongly suggest that provision should be made, as a condition of tenure review, for mandatory control of wilding pines, and that this should apply equally to Conservation and freehold land.

15. *Historic mining sites at various places on the property provide considerable added interest for the general public as well as for historians. Sites at the junction of the Spring Burn and Gentle Annie Creek, in the Kawarau Gorge, and in the Roaring Meg catchment above the confluence of the Evan Roberts Creek should be protected as conservation land or historic reserves.*

FMC is disappointed that no protection has been negotiated for these historic sites and we would argue that at the very least they should be recognised and protected by a binding covenant on the freehold title.

16. *The Draft CMS for Otago states that "opportunities arising out of pastoral lease tenure reviews or other processes involving leasehold land will be taken to achieve negotiated protection of areas for their landscape or biological significance, or to achieve more efficient or integrated conservation management, or to secure access to recreational opportunities." This objective could be significantly advanced by negotiation of good outcomes on the Eastburn and Waitiri Stations.*

FMC reminds the negotiators of the considerable progress towards the attainment of Otago CMS objectives which could be made if the additional matters we have listed above could be successfully negotiated.

We consider that there is still scope for improvement in the conservation and recreation outcomes of this tenure review. If these were achieved much of the stated objectives of the CMS would also be achieved. It is recommended that negotiations be pursued to achieve these objectives.

CONCLUSIONS

The Preliminary Proposals for the tenure review of Eastburn and Waitiri Stations contain some good clauses that will result in gains for public recreation and conservation. However, significant improvements in the terms of the deal are possible and we urge the parties to re-open negotiations with the aim of furthering the public interest in recreation and conservation values on these properties. In particular, public recreation and access could be significantly improved by adopting the recommendations we have suggested.


FMC view is that all significant recreation, conservation and public interest values on Crown Land should be retained in Crown ownership and made available for public enjoyment through the tenure review process. Where economic uses coincide with significant inherent values, the hierarchy within Section 24 of the Crown Pastoral Land Act 1998 demands that the inherent values be protected by restoration to full Crown ownership and control, with the economic use allowed by way of a concession from the Department of Conservation. Recreational values on freehold land could be protected by formal access agreements or easements.

For these reasons we urge that negotiations be re-opened with the lessee to seek an improved arrangement that would address the matters we have detailed above.

FMC formally requests that we be notified of the details of any decisions taken regarding the outcome of the Preliminary Proposal for the tenure review of Eastburn/Waitiri.

Finally, FMC thanks Knight Frank, acting on behalf of the Commissioner of Crown Lands, for this opportunity to comment on the Eastburn/Waitiri tenure review Preliminary Proposal.

Yours sincerely



Dr Michael J S Floate

pp Barbara Marshall, Secretary, Federated Mountain Clubs of NZ Inc.

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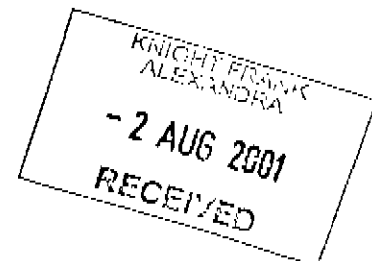
INCORPORATED

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www.PublicAccessNewZealand.org

Phone & Fax 64-3-447 3554
panz@es.co.nz

2 August 2001

Commissioner of Crown Lands
 c/- Knight Frank (NZ) Ltd
 P O Box 27
 Alexandra
 Fax 448 9099



Submission on Eastburn-Waitiri Preliminary Proposal for Tenure Review

The tenure review for this property has the potential for a very good outcome for the public interest. PANZ is generally supportive of the proposals however the following areas need attention and improvement. The shortcomings we have identified appear to be either unnecessary compromises, or oversights. The opportunity for public comment has provided a welcome opportunity to contribute towards a better recognition of the Crown's interest in these lands.

PANZ would welcome opportunity for discussions, particularly over our new access proposals. We would gladly assist in further refining access routes, and in assisting in the marking and development of them.

With amendment, as indicated below, this review would be an excellent result.

Mt Allen freeholding

We believe that the proposed freeholding of the eastern face to the summit of Mt Allen is far too high. This is still predominantly tussock grassland of similar landscape character to that to the north and south, even if it's fence subdivision and sheep encampment has resulted in a greater exotic component than other areas proposed for public reservation. It is Land Use Capability Class VII. It has severe limitations for pastoral use, this being an inherent limitation of country at this altitude. We fail to see how allowing continued grazing satisfies the Crown Pastoral Land Act's objective of ecological sustainability.

Public Access New Zealand is a charitable trust formed in 1992. Our objects are the preservation and improvement of public access to public lands, waters, and the countryside, through retention in public ownership of resources of value for recreation. PANZ is committed to resist private predation of the public estate. PANZ is supported by a diverse range of land, freshwater, marine, and conservation groups and individuals, totaling approximately 200,000 New Zealanders.

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Although DOC expresses a view that vegetation is "the most important" factor in determining what should be restored to full Crown ownership and control, this is not the only determinant. Landscape and recreational/cultural aspects are also relevant. We believe that a 'vegetation only' view is contrary to the objects of both the Conservation and Crown Pastoral Land Acts. There are (welcome) major anomalies in this proposal in terms of other highly modified areas being proposed for public reservation (e.g. the Roaring Meg valley wall and the hillside above the Kawarau suspension bridge). To argue that the summit of Mt Allen doesn't qualify for Crown ownership on vegetative grounds is to be highly selective and contradictory.

It appears that the presence of existing fences has been the prevailing influence on boundaries selected for the conservation area. This may have been regarded as an economy measure, however substantial upgrading will be required. This is acknowledged in the 1998 tenure review proposal, which recorded that these fences were in poor condition and would require upgrading to boundary fence standard. Upgrading will be required over approximately 3 km of existing fence, whereas a new fence cutting across the eastern face lower down would be approximately 2.25 km in length. The construction cost of this alternative could be the same or less than upgrading existing fences, with maintenance costs likely to be lower due to reduced snow damage.

We note from the DOC conservation resources report of November 1996 (Part 4, pg 21) that "a more practical line probably exists lower down the hill" ("at 1000m where the conservation values grade out").

We also note that with part of the proposed freehold boundary along the range crest, unlike for the rest of the crest from the Crown Range saddle northwards which will become conservation area, public access along the existing track for approximately 0.5 km will be dependent on an easement over freehold.

We have greatly diminished faith in easements or other legal agreements over freehold land as a result of the continual fiasco of non-compliance on Waiorau and ineffectual official action to enforce their terms. Easements are very much a second best to public land ownership. Under some future hostile land ownership, the public could find access blocked along a short section of the range.

While PANZ agrees with the general principle that existing fence lines should be selected for public land-freehold boundaries, this approach has been taken too far in this instance.

PANZ is happy with the other boundaries selected for conservation areas, but we have reservations about those in the upper Cardrona Valley and the Roaring Meg (further comment below).

Landscape protection along Cardrona Valley road

The landscape importance of the Crown Range road environs is very high, being one of very few remaining opportunities in the South Island for the motoring public to experience snow tussock grassland. The section of the road that is proposed to be publicly reserved either side of the saddle is relatively short, being equivalent to just a few minutes driving time. In our view, this is not enough given the rarity of this experience.

Because of the close confines of the upper Cardrona valley, there is an intimate experience of tussock hillsides as viewed from the road. Any developments such as structures, earthworks or changes to vegetative character will have a major impact on the public experience.

We believe that landscape values should be protected down the Cardrona Valley at least as far as Deaf Bills Cre There should be a management regime that encourages tussock regeneration, particularly of the snow grass.

As the DOC conservation resources report stated in 1996, "the Crown Range Saddle area is one of the few Central Otago alpine passes with intact tussockland. The Crown Range road is increasingly used as a high profile tourist corridor and provides the opportunity for the public and tourists to experience and appreciate this landscape". Recent sealing of the road has greatly increased use.

Also on page 23 of the above report: "State highways that traverse through tall snow tussock grasslands are rare and protection of this landscape is important from a cultural viewpoint. While the stature and density of this grassland has been modified, removal of stock should allow the area to recover into tall tussock". These comments were made in relation to the road frontages of Roadmans and Tyre Gullies. However this equally applies to the road frontages of Tyre Gully to Deaf Bills.

The current proposal for a conservation area extends down the Cardrona Valley only as far as the mouth of Tyre Gully. It appears that the only reason it has not been extended further down valley is that the lower slopes of Wrights and Deaf Bills have been modified by oversowing and topdressing subsequent to Recommended Areas for Protection being identified in these catchments. The removal of strict ecological reasons for protection of these lower slopes has not negated the cultural reason of tussock grassland landscape protection in this locality, just as the proposals recognise for the highly modified slopes further upvalley.

We understand that the lessees may sell off this area of proposed freehold, so it appears not to be critically important for farm viability. Therefore there is opportunity to negotiate better protection of these road frontages. In PANZ's view, protection of this area is at least, and possibly more important, than the backdrop to the Kawarau suspension bridge.

Public access to Mt Allen from the east

Because of the size and elongated nature of the proposed 'alpine' conservation area, with public access only from either end, we believe that it is essential that access be provided from the east to the mid-point Mt Allen area.

The main issue is what is the best route. Originally DOC proposed access up the Gentle Annie, but this was discarded after objection from the lessees. Their concern was the potential for disruption to farming operations by having public access up the centre of the Waitiri property. The Gentle Annie is a very narrow valley, with most stock movements funnelling into the valley and then to the homestead area. Having inspected this route, I agree that public access could be disruptive. It would be best to have any public access in peripheral areas of the proposed freehold, out of the Gentle Annie catchment.

To this extent we agree that the alternative proposed for an access easement from Mt Allen into Evan Roberts Creek would be preferable, however it will only serve as an alternative to travel along the tops for north-south access. This is because it would be necessary to travel as far north as Plank Creek before joining the Roaring Meg pack track. If anyone wishes to use this route for a Roaring Meg to Crown Range trip it would require backtracking from Plank Creek, probably adding another 2 hours to the walking time.

We support the proposed easement as a year-round access, with a welcome extension of use for horse travel. However we believe that the proposals overall should embody a far better focus on recreational opportunities in the Roaring Meg than just utilising the pack track which mainly lies outside of Waitiri.

Terms of public access easement

The terms of the public access easement do not specify a width. What will this be, and will the width be specified in any survey office plan?

We are pleased that use is for foot, horse and non-motorised vehicle, including no doubt bicycles and possibly perambulators, "at any time". However we are perturbed by DOC's fixation with frustrating public recreation through provision for temporary suspension of access.

We note the express exclusion of the rights and powers contained in the Ninth Schedule of the Property Law Act, but not of those in section 126G which enable modification or extinguishment of easements through the Courts.

We note mechanisms for resolving disputes between the Transferor and the Transferee, but there is no provision for public notification or objection to any changes to the terms of the easement. We welcome the easement being pursuant to section 7 (2) Conservation Act, which should require section 49 public notice procedures if any disposition of the Crown's interest in the easement is proposed. However there is too much scope for official discretion as to whether or not a change that may be detrimental to public access is deemed to be a disposition. Given that "any member of the public" is included within the definition of "Transferee", but excluded from any settlement of disputes, we think it only proper that there be an express requirement for s49 Conservation Act procedures whenever any change, or extinguishment, to the terms of the easement is proposed.

We are concerned at the discretion for DOC to agree to locking four gates (two on Mt Allen and two in Evan Roberts Creek). This would prevent horse access despite such having a right of use at all times. We submit that any locking of gates be prohibited.

The gates concerned are to be "not less than 1 metres in width". We have consulted horse trekkers who advise that 1 metre is too narrow for horses with pack gear. A minimum of 1.5 metres is required. We ask that all gates be this minimum width.

Make the Roaring Meg a focus for recreational walking

We believe there is an excellent opportunity to make the Roaring Meg a focus for public walking of varying length and difficulty. There is a small, attractive picnic area beside the State Highway that could become the starting point for both through and round trips. The existing benched hydro electric pipeline on Waitiri could be utilised for access up and down valley quite independent of the pack track on the opposite side of the valley.

Hopefully, after any tenure review on Lowburn Station, the two routes could be legally linked, so enabling short and medium-length round trips from the picnic area. There is a public need for this, as I met two groups of walkers looking for such connections while I was inspecting this area. However, until a review proceeds on Lowburn such opportunities will have to wait.

PANZ proposes that as part of the Waitiri tenure review, round trip access via Mt Gilray, with a connection to the proposed access easement in Evan Roberts Creek, should be negotiated. This should not be disruptive to normal farming operations as all public activity would be confined to ridge crests or faces on the periphery of the central farming area.

Mt Gilray round trip

Mt Gilray provides an impressive viewpoint of the Kawarau Gorge, and a panorama of the Roaring Meg catchment, with vistas of mountains beyond. I have checked out the route on foot (notwithstanding "man-eating" scrub in parts) and it is all capable of development without too much effort. The main requirement is for good route selection and marking, with limited areas requiring track clearance through almost impenetrable scrub - of the very prickly variety. I am sure that PANZ could rustle up volunteers for this task.

PANZ proposes that a track be cleared from the State Highway (starting point 40 m upvalley from the vehicle entrance to the power station), then beside or near the pipeline. This is a steep overgrown hillside, however a zig zag route is possible avoiding all bluffs, while maintaining a reasonable grade (being no steeper than that developed by DOC from the picnic area to the pack track). This is on Crown Land.

Once on the benched pipeline route this provides easy walking through Waitiri to short of the upper power station. From a suspension section of the pipeline a track needs to be cleared for a few hundred metres to connect to the benched pipeline route to the upper weir.

From downvalley from the weir, a route would need to be marked across the hillside to the spur above the mouth of Evan Roberts Creek. From this point the route would climb over easy tops to the airstrip at 1010m and then to the summit of Mt Gilray. Existing farm tracks could be utilised for much of the distance.

At the spur above Evan Roberts Creek, we propose that a connection to the Mt Allen easement be provided. This would consist of a slide into a southern tributary of the creek and over a low saddle (has existing gate and track) and then by the most convenient route onto the easement. This connection would provide a shorter and more convenient route for foot through-trips between Roaring Meg and the Crown Range saddle than the pack track-Plank Creek route. It is therefore likely to attract greater use.

The return loop from Mt Gilray to the Meg picnic area could pick its way down an interesting rocky ridge to Mt Colin, with spectacular views of the Kawarau Gorge. Good route finding will be required to make the most of the views and avoid obstacles, however very interesting walking would ensure. From below Mt Colin a route would need to be marked, with some scrub clearance down the broad spur-end, back onto the pipeline and hence to the picnic ground.

We propose that outside of the proposed Roaring Meg conservation area the access be in the form of a year round easement for public foot access only.

Conservation area in Roaring Meg

The upper boundary of the proposed conservation area in the Roaring Meg appears ill defined. It most certainly should include the benched pipeline formation so that the best walking route is included in the conservation area. Also the objectives for this area are unclear. If it is to protect the landscape, why is the upper boundary an arbitrary line across the hillside? Why not encompass all the steeper faces and the gorged entrance to Evan Roberts Creek?

Proposed historic and recreation reserves beside Kawarau River

While we welcome the reservation of two areas between the main road and the river margin, the proposals appear confused and contrary to the purposes of both the Reserves and Crown Pastoral Land Acts.

Part of the area, near the natural bridge, already receives some public attention, and periodically, considerable use from kayakers. Generally the area is scruffy and undeveloped, but with limited development, and signposting, has the potential to be a major stopping point for travelers through the gorge.

The only development to date, which benefits everyone, has been by Central Otago Whitewater (canoe club) who instigated vehicle access to the site, carparking areas and toilets. They used money provided by ECNZ, given in mitigation for losses of whitewater due to construction of the Clyde Dam.

Immediately downstream of the natural bridge is the only convenient access to the river for kayaks and rafts. The site has been used for national slalom and wildwater competitions three times at least, lastly in 1998, when there were up to 200 competitors, including 30 from Australia. The 'Roaring Meg run' is in itself a very popular run for kayakers visiting Central Otago and is probably one of the top 10 intermediate grade runs in the country.

Other than the occasional person who knows about the natural bridge and is prepared to push through the scrub to view it, all existing use is by river recreationists. There are no 'historic' sites on the area now proposed for historic reserve classification. DOC's conservation resources report does not identify this as an historic area, merely repeating a comment made by Jill Hamel in 1991 that "the major site of great importance (to iwi) is the natural bridge and the land around it".

In 1998 the "natural bridge and the land around it" was vested in the control of Ngai Tahu as part of a "full and final settlement" of various proven and disproven claims against the Crown. If the adjoining area now in question was of such importance to Ngai Tahu that it also required their control, the Crown should have previously purchased the lessee interest, as it did elsewhere. The fact that this did not occur indicates that the 1998 action was then considered sufficient.

We have great difficulty seeing that there are any applicable 'principles' of the Treaty of Waitangi that sanction the effective privatisation of control over a public reserve. There are no outstanding land claims involving this area, and if there were they have already been roundly dismissed as invalid by the Waitangi Tribunal (i.e. the 'hole on the middle' claim of the Kemp purchase).

PANZ strongly objects to the proposed classification of this reserve. The whole area is primarily of recreational significance and its reserve classification should reflect this.

The critical issue is that this land is required under the CPLA to be restored to "full Crown ownership and control". Vesting control, to a private body with no public accountability, and with discretion under the Reserves Act to close the reserve or even charge for entry, is a direct affront to democratic principles and the rights of all citizens to be treated fairly and equally by the State.

The whole reserve area should be managed by DOC, hopefully with some modest development or at least assistance to those groups who have already put effort in that is of public benefit. At least under DOC's control

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there are political and legal remedies available for members of the public who may be aggrieved by any maladministration. There are no effective remedies when under private control. As a recreational reserve there is far greater statutory assurance of public rights of access and enjoyment than as a privately controlled historic reserve.

The incoherent nature of this deal is demonstrated by proposed recreation reserve classification of an area upstream of the natural bridge that has almost no recreational value, as the river is inaccessible and the only flat area has become a dump for road spoil. Whereas an area with considerable recreational value is misclassified as "historic".

Communications installation on Mt Colin

There is a radio installation on Mt Colin that no one appears to have identified in the scoping report for the tenure review. This will require regularisation.

In conclusion we request that the Commissioner exercise his discretion under s 47(2) of the CPLA to hear oral submissions from us.

Yours faithfully



Bruce Mason
Researcher and Co-Spokesman

Appendices

1. Map showing proposed walking routes
2. Proposed walking routes (7 photographs)
3. Panorama from Mt Gilray (4 photographs)
4. East face of Mt Allen (1 photograph)
5. Upper Cardrona Valley landscape (3 photographs)

PS. If you would like digital copies of any of the above photographs please email me (approximately 1 MB each)

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Doc
for
of

PT BUN 632

PT BUN 718

Area A

Area I

Area C

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
APR 11 1964

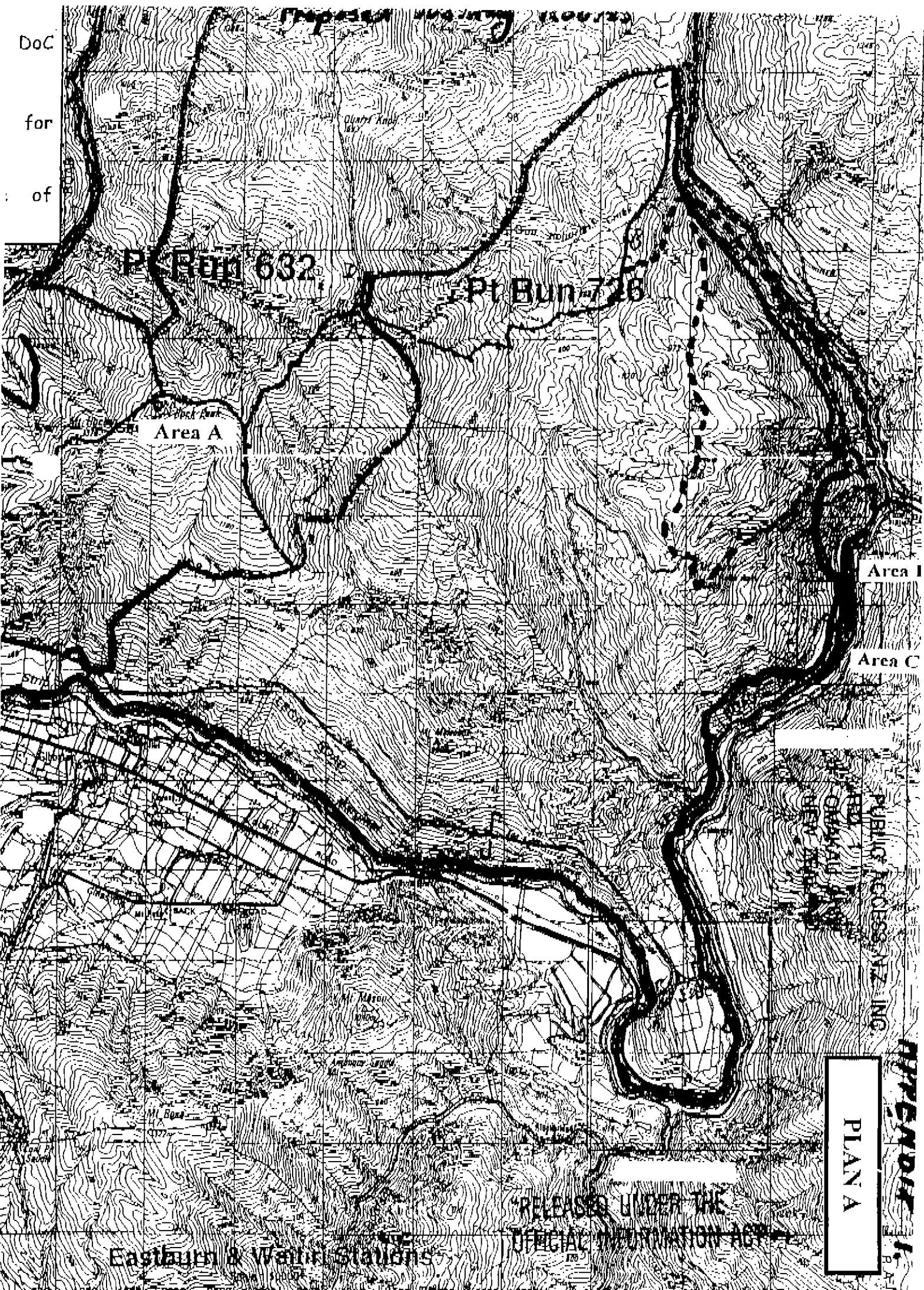
PUBLIC PROCESS, INC.

APPENDIX I

PLAN A

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Eastbay & West Stations



1000/1/12/11
RECEIVED
17 JUL 2001
SECRET

The Commissioner of Crown Lands
C/o Knight Frank (NZ) Ltd
Box 27
Alexandra
Central Otago

16-July 2001 YR

Eastburn/Waitiri Tenure Review

Dear Sir,

Thankyou very much for the detailed copy of the preliminary proposal on the above two Pastoral Leases namely Eastburn and Waitiri which border the Kawarau river on the southern part of these runs.

I am writing in this instance because I am familiar with these leases after working on them some years ago as a farm worker and also my association with them whilst working for the Otago Catchment Board and later the Otago Regional Council as Land Manager.

I wish to submit the following comments in respect of your proposal:

Summary of The Proposal

1. Conservation area	5162.0000ha
2. Recreation reserve	10.0000ha
3. Historic reserve	9.0000ha
4. Freehold ownership	5900.0000ha
5. Exchange with other land in proposal	2428ha

approx total	11081.2400HA

In summary this equates to 53% of a large block of Pastoral land being transferred to Freehold ownership which leaves the balance of 47% being transferred to Crown ownership in its various forms.

This is a cause of concern as this property has a large area of shady country and requires the balance of sunny faces as well as the higher altitude land for summer grazing. It is considered that your proposal will split up the enterprise and make it very difficult to farm with now three blocks of land namely on the lower Crown Terrace, lower Cardrona Valley land from Wrights Gully to Rodies Gully and the larger block of mainly Waitiri Stn.

It is difficult to understand why there is not a contiguous block of land from the Crown Terrace block through Mt Scott to the Main road across to Mt Hocken-Rock Peak to the proposed Freehold block at Wrights Gully.

The question needs to be asked as to how easy it will be to shift stock between these three blocks and with Crown land surrounding all the Freehold the impact this DOC land will have on the management.

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Furthermore, Mr John Cook the former lessee who understands the management of these two properties commented to me "that the balance of country for this sheep grazing enterprise to be successful is dependant on having a reasonable area of summer country most of which is now removed under your proposal".

The other matter that John raised was in relation to the difficulty in wintering sheep. "This proposal will place more pressure on the winter country now and the question needs to be asked as to whether the new freehold unit could be sustained economically under the terms of this proposal".

Furthermore, the number of winter paddocks will be greatly reduced with all the subdivision proposals around the old Waitiri homestead. This will mean a major reduction in the number of stock that will be able to be carried on the property and basically stuffs up what could be an economic unit.

Nevertheless, I support the removal of erodable areas such as Muddy Creek from grazing and would strongly recommend that DOC consider further planting (of willows and pines similar to that done by the OCB in the 1980s) on the lower catchment area in the future to minimise detritus and erodable material from entering the Kawarau river system.

Finally, I would question the overall proposal as it presented as it appears to be a major land swap to the Crown which will force the remaining freehold land to be all subdivided up(as the only way to remain economically viable).

I would strongly recommend that you review this proposal to provide a more balanced land management outcome.

Yours sincerely

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Proposed info of public access easement:



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APR 2000

to
Gilroy
↑

Mt. Colin

R.D. 1
OMAKAU 9182
NEW ZEALAND

Proposed walking track/route (red) from Roaring Meg to Mt. Colin + Gilroy.

28.7.2001

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NY 646

Proposed walking route from pipeline to NY 646
by valley warning route between pipeline.

28.7.2001

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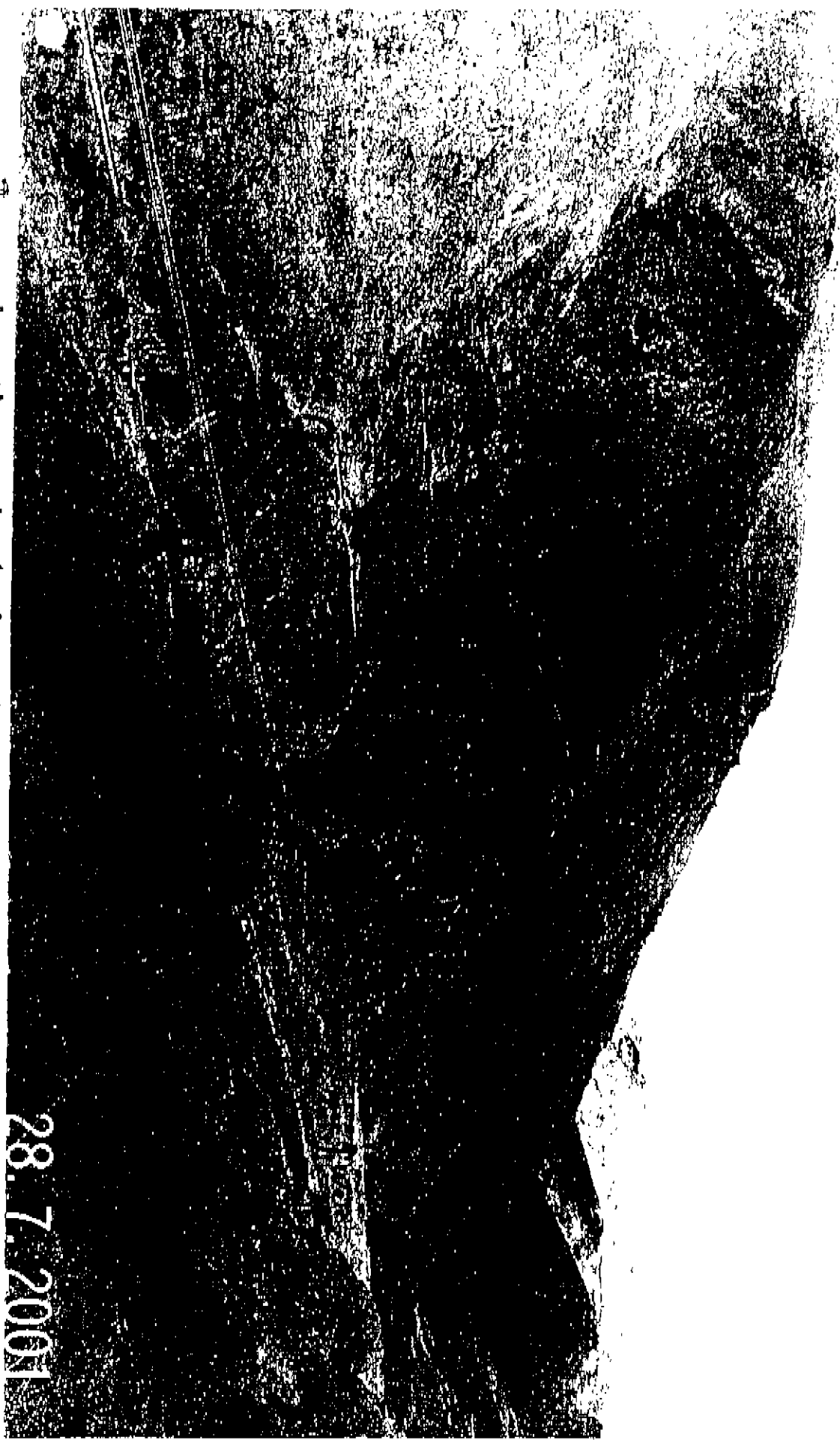
Ridge from Mt. Gilroy to Mt. Cofe



7-2001

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Proposed walking route to Avon Trench's ridge.



28.7.2001

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Comment west of unmarked section above lower red power station.
Marked with a cement in south. No further gradient could be
seen. (possibly GRINE SEPT. 6)

28

← Roaring Meg

← To 'Birdship' + Mt Gilroy

To Mt Alben peak
across eastward

↗ Even Roberts Creek

28.7.2001

FIG. 1
OMAKAU 9182
NEW ZEALAND

Researchable



Panorama from Mt. Gihng (1 of 4)

26-7-50



Panorama from Mt. Gilroy (2 of 4)

9672001



Pondora from Mt. Cithroy (3 of 4)

MT. CITHROY

QUARTZ KNIFE

Quartzite Mt

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Panorama from Mt. Olympus (A of 4)



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1
AKAU 9182
ZEALAND



Et '90e Mt. Baker from vicinity of 1010m

26-7-2001

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Condren Valley from airstrip between Raurimu & Tyne Gullies.
Approx. fence shown shown. Tussock / landscape protection sheets
extend to 700' from fence

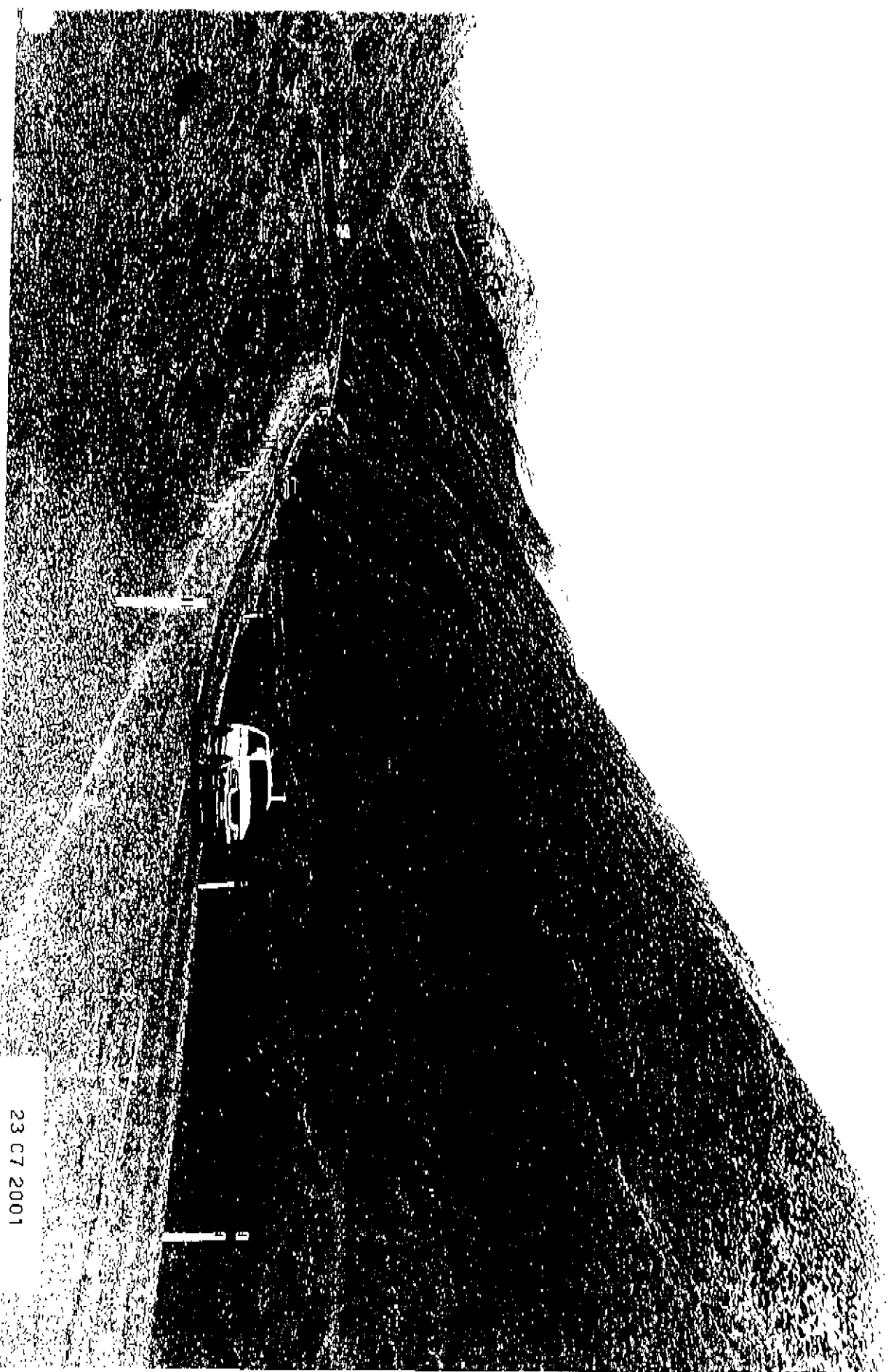
23 07 2001

Exposure of 11' site on 1940s prepared by American...
The point of snowdrifts will be managed in eastern... 1940s...

23 07 2001

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Thursdays 10:00 AM - 12:00 PM
Sundays 10:00 AM - 12:00 PM
Close range and view area.



23 07 2001

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Our Ref: Po257, Po270/1

29 October 2001

LAND RESOURCES DIVISION

Minister of Conservation's Delegate
Department of Conservation
P O Box 5244
DUNEDIN

Knight Frank House
41 - 43 Tarbert Street, Alexandra
Telephone: (03) 448 6935
Facsimile: (03) 448 9099

ATTENTION: JEFF CONNELL

Dear Sir

RE: EASTBURN/WAITIRI TENURE REVIEW - SECTION 45 CPLA INFORMATION

Please find attached the following information provided in accordance with Section 45 CPL Act 1998:

- (i) A summary of all matters raised by the Iwi authority during consultation on the Preliminary Proposal under Section 44:
- (ii) A statement as to the extent to which objections to and comments on the proposal contained in the written submissions relating to the proposal received by the Commissioner (*from any person or organisation*) on or before the day specified in the notice given under Section 43 have been allowed or accepted, or disallowed or not accepted.
- (iii) Copies of all the submissions annotated to provide a reference to the summary of submissions.

The Commissioner is yet to make a decision concerning the submission from the Ngai Tahu pursuant to Section 45 (a) (ii) CPL Act 1998.

Yours faithfully
KNIGHT FRANK (NZ) LIMITED

P H Murray
for Manager, Alexandra

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Postal Address:
P O Box 27, Alexandra

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INTERNATIONAL PROPERTY CONSULTANTS

(i)

INFORMATION PURSUANT TO SECTION 45 CPL ACT

Summary of Matters Raised by Iwi Authority during Consultation on Preliminary Proposal:

The following matters have been raised by Ngai Tahu:

- Ngai Tahu have a cultural interest in the lands under review, particularly the areas proposed for designation as recreation and historic reserves.
- Note that the Roaring Meg was a traditional trail used by Maori travelling between Lake Wanaka and Murihiku. Also up the Cardrona River between Wanaka and Wakatipu Basins.
- The spiritual links to the area near the Roaring Meg trail are significant and require suitable recognition.
- A "cultural site/accidental discovery protocol" is suggested as a way of protecting future accidental discoveries of archaeological sites within the proposed freehold.

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REPORT PURSUANT TO SECTION 45 CROWN PASTORAL LAND ACT
CONSULTATION OF PRELIMINARY PROPOSAL FOR THE
EASTBURN AND WAITIRI PASTORAL LEASES.

- (1) Pursuant to Section 45 (a) (i) and (ii) of the Crown Pastoral Land Act, I must prepare to five to the Minister of Conservation,
- A statement as to the extend to which objections to and comments on the proposal raised during the consultation have been allowed or accepted, or disallowed or not accepted; and
 - A statement as to the extent to which objects to and comments on the proposal contained in the written submission relating to the proposal received by the Commissioner (*from any person or organisation*) on or before the day specified in the notice given under Section 42 at the address specified in the notice have been allowed or accepted, or disallowed or not accepted; and
- (2) I must also give the Minister of Conservation copies of all those submissions pursuant to Section 45 (b) CPLA.
- (3) The following report contains the information to be provided to the Minister under Sub-Sections 45 (a) (ii) and (iii) and 45 (b) CPLA.

Signed:

David Gullen
Commissioner of Crown Lands

Date: _____

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