



## **Crown Pastoral Land Tenure Review**

**Lease name : Mt Pisa I  
Lease number: Po 271**

**Lease name: Mt Pisa II  
Lease number: Po 272**

### **Public submissions**

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

**March 03**



Department of Botany

Division of Sciences  
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NEW ZEALAND

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OFFICIAL INFORMATION ACT

KNIGHT FRANK  
ALEXANDRA  
- 7 FEB 2002  
RECEIVED

February 5, 2002

Manager,  
Knight Frank (NZ) Ltd.,  
PO Box 27,  
ALEXANDRA.

**SUBMISSION ON PROPOSED TENURE REVIEW; MT PISA STATION**

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it. I do so with a detailed knowledge, particularly of the upper slopes of Mt Pisa Station, acquired over many years of detailed ecological research in the Central Otago region, and in particular, the inclusion of the Pisa Range in a detailed description of the high-alpine plant communities of Central Otago (Mark, A.F & Bliss, L.C. 1970. N. Z. J. Botany 8: 381-451). The Pisa Range was also included in the many areas scanned for the 1973 book on "New Zealand Alpine Plants", co-authored with Nancy Adams and now in its fourth revision. I also had some involvement with the PNA Survey of the Pisa Ecological District in 1984-85 (published by the Department of Conservation in 1994).

I have carefully read the proposal for tenure review of Mt Pisa Station and am supportive of the general outline but have serious concerns for certain aspects, as follows:

1. The split between land to revert to Crown control for conservation purposes (c. 4367 ha) and land to be freeholded (c. 4515 ha) seems reasonable but I recommend the existing "snowline" fence (which has been based on important Land Capability differences) be used throughout for this purpose. Note: The two locations where "new fencing" is indicated on the map, I believe, are too high and should revert to the existing line.
2. Of the two blocks of conservation land shown for continued grazing (for 21 yrs) the "Crows Nest" is accepted but "Breakneck" should be substituted for the "Back Block" in relation to the relatively very high biodiversity, including avifauna (banded dotterell and a rare breeding colony of black-fronted tern) and a range of invertebrates, and associated nature conservation values in this latter block. Extensive wetlands and the best stands of slim snow tussock (*Chionocholea macra*) grassland on the property persist in this block, which would likely benefit most from immediate cessation of stock grazing.
3. The 21 year (three 7-yr) term for a grazing concession on an area in excess of half of the conservation land, is unacceptable in relation to the conservation values here and the likely benefits from early cessation of grazing. I recommend no more than a three-year term for such a grazing concession, with stock numbers being reduced, as proposed, at one-year intervals. The "easement concession" (Item 1 (ii)) should be similarly reduced to no more than three years, for farming purposes. The concession to "use and occupy the musterers hut" (Item 1 (iv)) should be similarly reduced to a three-year period.
4. Public access, being of critical importance through this property, given its central location on the eastern slope of the Pisa Range (and likely future Pisa Conservation Park), some improvements are warranted. In this respect, the proposed walking access beyond the proposed car park (which is acceptable), should lead from the lower Tinwald Burn up on to the lower Breakneck Spur rather than the proposed route up the bed and slopes of the Tinwald Burn which is both more difficult terrain and with less commanding views. The Proposed "easement c--d" in favour of Mt Pisa Station would then move to the fence line on the upper slopes of the same (Breakneck) spur. In addition, the Cardrona-Cromwell Packtrack, which is of major

importance for public access, should be formalised as the "legal road" as an adjunct of this tenure review and thus be freely available as year-round access across the Pisa Range.

5. Within the area to be freeholded, two covenants are recommended. These are: a) a no-burning covenant on the area which is described in the report (item 3.3, para3) as "a small area of tall tussock grassland that was identified as part of a larger area containing significant inherent values"; and b) a landscape protection covenant on the areas to be freeholded that lie on the impressive, largely solifluction-derived slopes above the extensive terrace land. These impressive slopes should be protected against any significant landscape modification such as exotic afforestation or subdivision for lifestyle blocks.

In conclusion, while I assume and trust the tenure review of Mt Pisa Station will proceed, I am concerned that the existing proposal is much too favourable to the present lessee, under the terms of the Crown Pastoral Land Act, 1998. Given the undoubtedly very high potential economic value of the area proposed for freeholding, I feel the changes and modifications I have recommended are reasonable and should be accepted in view of the very high nature conservation/biodiversity and landscape (inherent) values present on this currently Crown-owned property, as outlined in this submission.

Yours sincerely,



Alan F. Mark. FRSNZ.  
Emeritus Professor

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3rd February, 2002

The Commissioner of Crown Lands,  
C/- Frank Knight (NZ LTD),  
P.O. Box,  
ALEXANDRA.

KNIGHT FRANK  
ALEXANDRA

- 7 FEB 2002

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Dear Sir

Re: Mt Pisa tenure review

I do not support the proposal to allow continued grazing of the tops of the Pisa Mountains.

The proposal to freehold around 4,500 ha of low altitude land in this review is commendable as is the suggestion that around 4,300 ha be transferred to DOC and become conservation land. I had high hopes that both conservation and high country farmers would benefit from the tenure review agreements but in this instance feel that conservation is going to lose out if you continue with the proposal of leasing some of the latter land back to the present lessee. The tops of the Pisa Range with its high altitude alpine cushion fields, tussock grasslands, slim-leaved snow tussock, many of which are quite unique are special places. It is also an area where pied oystercatchers and banded dotterels nest. These birds are indigenous to New Zealand but though they nest in the South Island also migrate to the North Island so that we can all experience seeing them on our beaches. Continued grazing is a threat to their habitat and poses problems for their future existence.

We have at long last had the opportunity to protect these tussock grasslands and alpine herb fields plus their associated flora and fauna. Now is the time to discontinue grazing what is essentially public land. DoC needs to respect this opportunity and neither consider or countenance re-leasing any of the land being transferred to their care.

Yours faithfully,

P271/P272/1.

Nelson/Tasman Branch,  
24 Jessie Street,  
Mapua,  
NELSON.  
7 February 2002.

KNIGHT FRANK  
ALEXANDRA  
11 FEB 2002  
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FOREST AND BIRD  
ROYAL FOREST AND  
BIRD PROTECTION  
SOCIETY OF  
NEW ZEALAND INC

The Commissioner of Crown Lands,  
c/- Knight Frank (NZ Ltd),  
PO Box 27,  
ALEXANDRA.

Dear Sir,

**RE: Draft proposal for tenure review of Mt Pisa Station.**

Thank you for the opportunity to comment on the draft proposals for the tenure review of Mt Pisa Station.

The Nelson/Tasman Branch of the Royal Forest and Bird Protection Society has a policy of commenting on specific tenure review proposals which we believe involve significant opportunities for nature conservation, back-country recreation and public access, especially when members of our Branch have a particular knowledge of, or interest in, the pastoral lease in question. All of the above criteria apply in the case of the Mt Pisa pastoral lease.

Our principal comments on the draft proposals are:

1. While we are generally satisfied with proposed division into freehold and conservation land we consider that in some places the boundary of the proposed freehold land should be lower than that contained in the draft proposal in order to (i) take advantage of existing fencelines and (ii) coincide more closely with the lower boundary of the LUC Class VIIc land.
2. We are strongly opposed to the proposal to grant a 21-year permit for summer grazing over 2140 ha. of the higher altitude land to be retained by the Crown and managed under the Conservation Act 1987. In our view tussock grassland ecosystem recovery is a much higher management priority for these lands than continued degradation by ongoing pastoral use – the more so since the proposed surrender of this land for nature conservation and public recreation is based on its "high inherent values" and almost all of the land within the proposed grazing permit area is LUC Class VIII and VIIc land.
3. We are also concerned about the adequacy of the provision made for public access to the land proposed for surrender and future management under the Conservation Act which we anticipate will become part of the proposed Pisa Range Conservation Park. The track up the valley of the Tinwald Burn to the

shoulder of Breakneck Spur would appear to provide a much more practical public access route than the one identified in the draft proposal. Accordingly, an easement for public legal access via this route should be negotiated as part of the final tenure review agreement.

We would finally like to request that we be kept informed of the progress with this tenure review. Given the distance involved, it is unlikely that any of our committee members would be able to attend any hearings held as a follow-up to this submission process and we are accordingly happy to have our views at any such hearing represented by the Society's Dunedin-based field officer (Suc Maturin).

Yours sincerely,



Andy Dennis (Dr)  
For the Committee.

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KINGSTON  
ALBERTA  
12 FEB 2002  
RECEIVED

Commissioner of Crown Lands  
c/o Knight-Frank.

Dear Sir,

Mount Pisa Tenure Review.

I refer to the proposal for a grazing concession  
over 2300 ha to extend for a total of 21 years.

I object most strongly to this proposal.

If this land and its biological diversity  
are worthy of protection that protection should  
begin now, which the politician will to enforce  
it exists.

In twenty years time this  
provision may be forgotten, and in any case  
an extra twenty years of degradation will  
be that much harder to reverse.

I request that this proposal for a grazing  
concession be declined.

Yours sincerely  
Gardner Research

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10 Jan

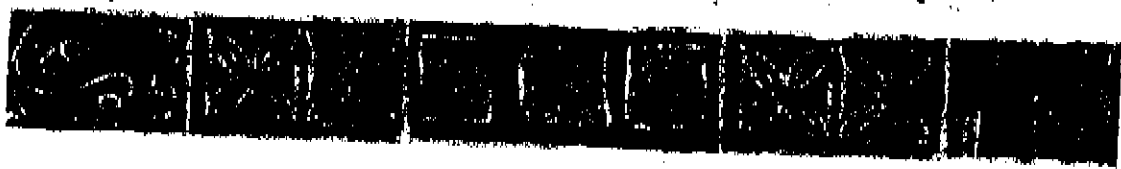
CEL  
c/o Knight Frank  
Alexandra

KNIGHT FRANK  
ALEXANDRIA  
12 FEB 2002  
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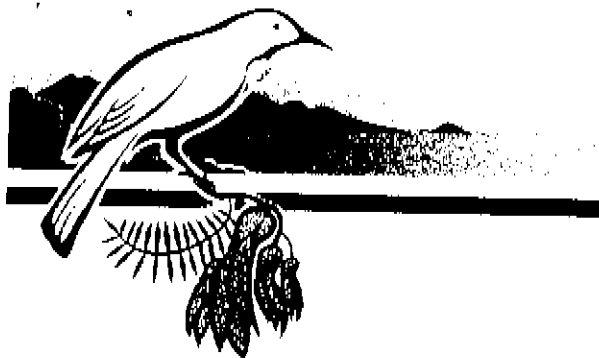
Dear Sir,  
Thank you for the opportunity to comment upon  
the Mt Pisa Review proposal.

My main concern is the first concession,  
- the grazing concession for a duration of 21 years.  
It is claimed that this period is required to put in  
place the significant management changes  
required as a result of the tenure review.

What sort of management is this, that  
requires 21 years to adapt to a change? In  
this country we have general elections every 3  
years; this can be a much larger change than  
anything in farm management. The result of  
another 21 years of grazing on the high country  
fragile vegetation will be disastrous. Please  
think again - a shorter more realistic period  
for adjustment is needed. Yours sincerely







Royal Forest and Bird  
Protection Society  
of New Zealand, Inc.

Dunedin Branch,  
PO Box 5793,  
Dunedin.

Commissioner of Crown Lands  
C/o Knight Frank (NZ) Limited  
Land Resources Division  
P.O. Box 27  
Alexandra

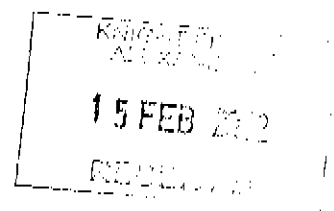
12 February 2002

Dear Sir

**Submission on preliminary proposal for tenure review of Mt Pisa**

Introduction

The Dunedin Branch of the Royal Forest and Bird Protection Society represents approximately 700 members who have a strong interest in the conservation of New Zealand's natural heritage. We organise field trips throughout Otago and Southland, and many of these are to areas of upland grassland and alpine vegetation that are or have been under pastoral lease tenure. It is clear that pastoral practices (burning, grazing, ploughing, oversowing) since the 1840s have greatly reduced the original extent and composition of the region's indigenous upland vegetation. We believe that the remaining indigenous grasslands, wetlands and cushionfields are nationally and internationally significant and deserve a high level of protection from inappropriate development and use. Our concern about management of these grasslands is reflected by our wilding tree control program, in which volunteers have removed over 58,000 wilding trees from indigenous grasslands in Otago, on lands under both private and public tenure, including pastoral leases and pastoral occupation licences. We are concerned about the sustainability of current pastoral management practices in the high country and fear that the continuation of these practices will further erode the natural condition of indigenous upland vegetation. In this respect, we support the objectives of the Crown Pastoral Lands Act 1998 (CPLA) as they relate to management and tenure review of pastoral land.



Preliminary proposal

- (1). 4367 ha to be restored to full Crown ownership and control as conservation land, subject to the following concessions:
  - (i) Grazing concession to provide for summer grazing of not more than 1500 sheep for 3 summer months over an area of approximately 2300 ha for 21 years.
  - (ii) Easement concession to allow the holder access through the proposed conservation area for farm management purposes related to the grazing concession.
  - (iii) Licence concession to allow the holder to operate a horse trekking and 4WD safari operation on the proposed conservation area, with a term of 9 years.
  - (iv) Licence concession to use and occupy the musterers hut on the proposed conservation area for 21 years, in association with the grazing concession.
- (2). 4515 ha to be disposed of by freehold disposal to the holder, subject to the following protective mechanisms:
  - (i) An easement to provide for public foot, horse, non-motorised vehicle and motor vehicle access to a carpark within the proposed freehold.
  - (ii) An easement to provide for public foot, horse, and non-motorised vehicle access from the carpark to the proposed conservation area through the proposed freehold.

Land to be restored to full Crown ownership and control

Section 24(b) of the CPLA has the objective of protection, preferably by restoration to full Crown ownership and control, of areas of reviewable land that have significant inherent values. The proposal to return 4367 ha of high altitude land to full Crown ownership and control, with management of the Department of Conservation, is consistent with Section 24(b) and is supported by the Dunedin Branch. Representatives of the Dunedin Branch have visited areas of this land and are familiar with the inherent values present.

The vegetation, while considerably modified by pastoral management, remains dominated by indigenous species, and retains high inherent value. Exceptions to this pattern are small areas associated with high points where sheep have congregated, raising fertility above natural levels and allowing exotic grasses and herbaceous weeds to invade. Remnants of tall tussock (*Chionochloa macra* and *C. rigida*) remain among the extensive heavily modified areas now dominated by *Aciphylla aurea* (golden spaniard), *Festuca matthewsii* ssp. *pisamontis* (short tussock), cushion plants and bare ground. Protection of

the remaining isolated plants and remnant populations of tall tussock, so as to provide a seed source for recolonisation, will enhance the probability of *Chionochloa* grassland returning to dominance.

Landscape values are considerable, particularly the steep eastern scarp in the northeastern area, and the gentler topography of rolling hills and incised gulleys in the southwestern area. In the latter area the topography shields one from views of major human developments, imparting a feeling of remoteness. There is considerable potential for low impact recreational use, such as walking and mountainbiking, with a hut in the southwestern area providing a base for overnight trips.

Concessions for grazing, access to grazing, and use of hut

**We do not support** the proposed grazing concession over the southwestern part of the proposed conservation land. The proposed grazing concession is not consistent with Section 24 of the CPLA.

Section 24(a)(i) has the objective of promoting ecologically sustainable management of reviewable land. It can be gathered from our earlier description that pastoral management has not been an ecologically sustainable use of the areas of the Pisa Range that are proposed for return to conservation management. Our view is supported in the preliminary proposal by the statement that in relation to this land, "...*ecological sustainability of continued extensive pastoral farming is, at best, questionable.*" On the other hand, the protection and enhancement of alpine tall tussock grasslands expected under conservation management should contribute to ecologically sustainable management of the lower altitude land that is proposed for freeholding. The ability of tall tussock grasslands to produce high water yields, including lengthy delayed flows in summer, has been verified both by experimentation and modelling (Pearce *et al.*, 1984; Campbell & Murray, 1990; Holdsworth & Mark, 1990; Fahey & Watson, 1991; Murray *et al.*, 1991). An increase in the amount of water available for irrigation of the drier lower country should help to sustain soil condition through enhancing vegetation cover. It may also allow for diversification of alternative land uses to pastoral farming.

Section 24(b) has the objective of protecting significant inherent values. Continuation of a grazing regime can only be to the detriment of the significant inherent values that remain, through continued grazing of tall tussock remnants, reduction in vegetation cover and interruption of natural nutrient flows. A marked fenceline contrast in the condition of a remnant stand of *Chionochloa macra* is apparent on the southern slopes of Mt Dottrel, testimony to the adverse effects of grazing. *C. macra* is strongly and preferentially grazed by stock (Allen & Lee, 1990; Connor, 1991). Under grazing regimes, both *C. rigida* and *C. macra* grasslands tend to decrease in stature, suffer regeneration failure, and become invaded by exotic weeds (Allen & Lee, 1990). All of these features are apparent in the remaining patches of *Chionochloa* grassland contained within the area proposed for grazing.

We cannot agree with the DOC assessment that the adverse effects will be minimal and acceptable. No evidence is provided to support this statement. Neither do we agree that the grazing concession is necessary to allow the lessee to put in place new management practices. The land that is to be returned to Department of Conservation management suffers strong constraints on productivity because of its higher altitude and modified condition. In contrast, the proportion of productivity available to stock on the lower country has probably increased in recent years due to the effects of RCD on rabbit populations. Freehold tenure of the lower country will allow the holder to undertake a much wider range of economic uses than are allowable under pastoral leasehold tenure, consistent with the intention of Section 24(a)(ii) of the CPLA, which aims to free land capable of economic use from management constraints under pastoral lease tenure. The proposed grazing concession over the proposed conservation land increases the management constraints imposed by pastoral lease tenure and is not consistent with Section 24(a)(ii).

Thus Section 24 of the CPLA provides no basis for the retention of a grazing regime on the high altitude areas of land that are to be returned to full Crown ownership and control. Tellingly, the preliminary proposal provides no justification for the grazing concession when it considers the proposal in relation to the Section 24 of the CPLA.

We reiterate our **unqualified opposition** to the proposed concessions for grazing.

Consequent to our opposition to the grazing concessions, the proposed concessions for an access easement (shown as e-f in the preliminary report) and a concession to occupy the hut, become unnecessary. We therefore also **oppose** the granting of these concessions.

#### Concession for horse trekking and 4WD safari

Commercial horse trekking and 4WD safari operations are likely to detract from some of our members' enjoyment of the area proposed for designation as conservation land. Conversely, these trips might provide an enjoyable means of access for other members. As described earlier, the southwestern part of the area has value for its more remote feel. Because of this, it is the area that our members are most likely to visit for peaceful recreation, especially given the presence of the hut allowing for overnight trips. The potential for conflict between those engaging in commercial versus non-commercial recreation could be reduced by zonation, either in space or time. We see two ways in which this might be achieved. The first option would be for the proposed horse trekking and 4WD safari concession to be restricted to the areas north of Mt Dottrel. Alternatively, the concession could be restricted to operating only during working weekdays in the area southwest of Mt Dottrel, keeping weekends and statutory holidays free from commercial activity. The Dunedin Branch would **not oppose the concession if either of these two conditions were met**, although the first is our clear preference.

Land to be designated as freehold

We support this proposal, including the proposals to create two easements to enable public access and parking.

We thank you for the opportunity to comment on the preliminary proposal for tenure review of Mt Pisa Pastoral Leases, and request notice of the final outcome when this becomes available.

Yours sincerely,



Kelvin Lloyd  
(Chairperson, Dunedin Branch, Forest & Bird)

References

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Safari Excursions - Wild Flower Walks  
41 Glencarron Street  
Alexandra  
TELEPHONE 03 448 7474  
E-mail [jdouglas.als@xtra.co.nz](mailto:jdouglas.als@xtra.co.nz)

4 March 2002

Commissioner of Crown Lands  
c/- The Manager  
Knight Frank (NZ) Ltd  
PO Box 27  
ALEXANDRA

Dear Sir

### **MOUNT PISA TENURE REVIEW - PRELIMINARY PROPOSAL**

The Commissioner of Crown Lands has advertised a proposal to freehold high altitude land of some 4367 ha of high conservation and landscape values at altitudes of up to 1896m on the Pisa Range, an area which mainly overlooks the Upper Clutha Valley / Lake Dunstan.

#### **Concessions**

##### **(i) Grazing Concession**

**AGAINST** the grazing concession of any summer grazing once freehold has been granted. There should be no interim concession granted at all.

Most of the high altitude land above 1400m is totally now **unsuitable for sustainable pastoral use**. The ecosystems of these high altitudes are threatened and been damaged by introduced grazing stock and overgrazing. Damage to New Zealand alpine plant species is both been threatened by grazing the flowering plants preventing regeneration as well as bringing unwanted exotic plants - sheeps sorrel, hieraceum, into the high country

Past management practices of tussock burning off and overgrazing has increased high country erosion and adversely affected the downstream water quality and ecology, and increases the flooding risk to communities in the water catchments.

- Continued grazing use of high altitude land (much of which is LUC Class VIII) does not "promote the management of reviewable land in a way that is ecologically sustainable" (CPLA 1998, S.24).
- The main objective of terminating grazing is to restore the snow tussock cover, and allow other mountain vegetation communities to recover from the adverse effects of grazing. This recovery should be allowed to start as soon as possible.
- The termination of grazing would have a number of beneficial effects: -
  - (i) The regrowth of snow tussock cover will enhance productive use of lower altitude land by enhancing water supply in summer.
  - (ii) The recovery of all mountain plant communities and seeing fields of flowering plants will add to the diversity and visual experience of recreational users of the new conservation lands. Most walkers do not like to see sheep grazing at high altitude and in remote places.

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**(ii) Easement Concession**

As not providing for a grazing concession there is no requirement for an easement concession.

**(iii) Licence Concession for recreation use**

The lessee has been operating a legitimate horse and 4WD trekking business on his pastoral lease for some time using a recreation permit issued by the Commissioner of Crown Lands.

No objection though any new concessions to operate a similar business on new conservation land should be under the terms of a concession to be issued by DOC.

**(iv) Licence Concession to use mustering Huts**

No objection though any new recreation concessions issued can also have the right to use and occupy the mustering huts under the terms of a concession to be issued by DOC.

**Protective mechanisms under Section 40 (2) (c) CPL Act**

- (i) Agree that a car park to be provided within the proposed freehold.
- (ii) **An easement for all foot and transport – horse, non-motorised and motor vehicles, from the car park to the proposed conservation area through the proposed freehold.**

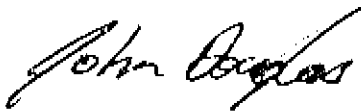
There is great difficulty in walking from the car park to the summit of Pisa Range and to spend some hours on the summit walking and exploring the wonders of the range.

The 4km uphill walk to the proposed conservation area takes 3 to 4 hours for the average person with another 2 hours walk for a fit person to get to the summit which only allows for a late lunch break before heading back down. Impossible to appreciate the summit values as the vast summit tops has its treasures scattered in pockets along or close along the top.

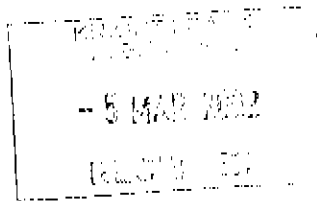
One other option is for the Cromwell – Cardrona Pack track (south end of the range) that is on or close to the Legal Road alignment be recognized as the Legal Road as an outcome of tenure review.

Thank you for the opportunity to comment on the Mount Pisa Preliminary Proposal and wait for your reply.

Yours sincerely



John Douglas  
Manager / Guide



4  
"RELEASED UNDER THE  
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**COMBINED  
4WD CLUBS**  
P O BOX 13 218  
CHRISTCHURCH

The Commissioner of Crown Lands  
C/- Knight Frank (NZ) Limited  
PO Box 27  
ALEXANDRA

4/02/02

**MOUNT PISA TENURE REVIEW**

Dear Sir,

This submission represents the wishes of the 530 members and their families of the 7 Christchurch based 4WD clubs.

Members of our 4WD clubs regularly visit Central Otago at holiday periods to drive interesting remote tracks with great views. The track along the top of the Pisa Range is a favourite and was used in December 2000 by the Canterbury Land Rover Owners Club with a convoy of approximately 20 vehicles. They were required to pay an access fee to Mt Pisa Station to cross their land. There was no objection to paying this fee.

- Our clubs wish to be able to continue to be able use the existing 4WD tracks up to and along the top of the Pisa Range and the connecting track from Mt Pisa to Waiorau Station at Cardrona.
- We believe that the concession for operating 4WD safaris in the conservation area must not be an exclusive one.
- There must be provisions set down in the easement to provide for motorised vehicle access to the conservation area through the proposed freehold land. By not providing for this right at the beginning it has caused considerable strife with access problems later on in other conservation areas.
- We have no objection with the principal of being required to obtain a permit from the Department of Conservation to drive these tracks or paying a small track maintenance fee to cross the freehold land.
- Our clubs are willing to talk with the department to mutually agree on conditions of use of the tracks through the conservation area.

If we were required to obtain a permit to use these tracks we can provide the department with the following information:

1. Club name.
2. Trip leader, contact address and phone number.
3. Approximate number of vehicles on trip. It is usually not possible to give exact numbers or vehicle registration numbers before the trip.
4. Condition of the track. We could fill out a questionnaire provided by the department so that they have some informed information as to the track condition.

At any hearing process we wish our views to be heard and wish them to be conveyed by one of the local Otago 4WD clubs.

Yours faithfully

Ken Sibly  
Access Officer

**INCORPORATING:**

CANTERBURY LAND ROVER OWNERS CLUB - CHRISTCHURCH 4 WHEEL DRIVE CLUB - CANTERBURY JEEP CLUB  
NORTH CANTERBURY FOUR WHEEL DRIVE CLUB - PEGASUS BAY LAND ROVER OWNERS CLUB - SUZUKI 4WD CLUB  
SOUTH ISLAND NIVA DRIVERS ASSOCIATION



Dunstan 4WD Club,  
C/o 32 Chutha St,  
Alexandra.

05 March 2002.

The Commissioner of Crown Lands,  
C/o Knight Frank (NZ) Ltd.,  
Land Resources Division,  
PO Box 27,  
Alexandra.

Dear Sir,

**Subject: Crown Pastoral Land Act, Mt Pisa Tenure Review, Preliminary Proposal.**

We wish to record that our club has enjoyed 4WD day trips along the Pisa Range, usually with a lunch stop at Lake MacKay, on a semi annual basis for a number of years and that our next trip has been organised for 21st April of this year.

The Dunstan 4WD Club has a current membership of approximately 60 and is itself a member of the international 'Tread Lightly' organisation. It organises for its members, some 20 - 4WD trips per year. These vary in difficulty and length from a half to three days with the majority of trips being located in Central Otago.

The club regards the Pisa Range route as important to its Trip Calender because:

1. it is located central to its predominantly Queenstown-Alexandra membership.
2. access has readily been given by each of the stations along the route.
3. the track surface is such that the trip has seldom been required to be postponed.
4. it is a good trip for lesser experienced club members and those with 'shiny' vehicles.
5. It provides panoramic views over to the north and over Lake Dunstan.
6. interesting countryside and rock formations are encountered on the route.
7. a scenic and sheltered lunch stop is available at L. MacKay.
8. It is readily able to be linked to nearby routes to provide an optional weekend trip.

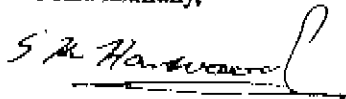
We the committee having read the "Preliminary Proposal", noted the ODT press release of 12 Jan. 2002 stating DoCs intention to designate the retired 4367 ha of land a Conservation Park in order to restrict future 4WD access, and having noted the intention to grant Mt Pisa Station Ltd a Licence to conduct 4WD tours across the same area are unable to support the current proposal in full.

The Dunstan 4WD Club requests that changes to reflect the following, be incorporated into the various documents to safeguard the interest of bona fide 4WD recreation groups and for those who wish to partake in organised events on occasions in order to try their vehicles and experience the normally inaccessible back country in a controlled and safe manner:

- a) that future Conservation Park documentation be required to provide for summer access to recognised 4WD Clubs, affiliated to "Tread Lightly" and Community organisations running non profit fund raising events along the Pisa Range, each on an annual basis.
- b) that Mt Pisa Station Ltds concessions and licences be amended to recognise the above as a permitted activity during summer months.
- c) that Mt Pisa Station Ltds approval for free access not be unreasonable withheld and be subject to normal high country and grazing considerations being respected, eg - track and weather conditions, lambing, gates, fires, rubbish.

The club wishes to be heard in respect of these aspects at any hearings that may be called and wishes to thank you for the opportunity to comment on the proposal.

Yours faithfully,



Garry Harwood,  
President.



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

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- 6 NOV 2002  
9:02:00 AM

24 February 2002

Commissioner for Crown Lands  
C/- Knight Frank (NZ) Ltd.  
PO Box 27  
ALEXANDRA

Dear Sir

**Re: Preliminary Proposal for Tenure Review: Mount Pisa Station**

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 13,000 members of tramping, mountaineering, climbing and other outdoor recreation 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 formalise and enhance recreation opportunities, to protect significant inherent values, and to ensure public access on high country pastoral leases through the tenure review process.

FMC fully supports the aims of tenure review: "to promote the management of reviewable land in a way that is ecologically sustainable... .. to enable the protection of the significant inherent values of the reviewable land... .. and to make easier the securing of public access to and enjoyment of reviewable land" (Crown Pastoral Land Act 1998, S.24).

FMC is grateful for this opportunity to comment on the preliminary proposal for Mount Pisa Station.

**THE PRELIMINARY PROPOSAL**

The following are included in the proposal:-

1. 4367 ha to be designated as conservation land, subject to 4 concessions:
  - (i) Grazing concession to provide for summer grazing of not more than 1500 sheep for 3 summer months over an area of approximately 2300 ha for 7 years, up to 1000 sheep for the next 7 years and up to 500 sheep for a further 7 years.
  - (ii) Easement concession to allow the holder access through the proposed conservation area for farm management purposes.
  - (iii) Licence concession to allow the holder to operate a horse trekking and 4WD safari business on the proposed conservation area.
  - (iv) Licence concession to use and occupy the musterers hut on the proposed conservation area for 21 years in association with the grazing concession.
2. 4515 ha to be disposed of by freehold disposal to the holder; subject to the following easements:
  - (i) To provide for public foot, horse, non-motorised vehicle and motor vehicle access to a

carpark within the proposed freehold.

(ii) To provide for public foot, horse, and non-motorised vehicle access from the carpark to the proposed conservation area through the proposed freehold.

### FMC POSITION

FMC supports the general principles of tenure review and also supports the general thrust of the changes proposed for Mount Pisa Station. We are pleased to note that some of the items discussed at an Early Warning meeting (May 1996) and additional matters recommended in the previous FMC submission (January 1998) have been negotiated as part of this tenure review. For your information we enclose a copy of the 1998 submission. In particular FMC is pleased to note that improved access provision, using the track going up the spur on the margin of the Tinwald Creek catchment (route b - c in the preliminary proposal), and parking provision at the base of the hill slope, has been proposed.

In the main FMC supports the terms of the preliminary proposal as these go some way to fulfilling the objects of the Crown Pastoral Lands Act 1998; *"to promote the management of reviewable land in a way that is ecologically sustainable.....and to enable protection of the significant inherent value of reviewable land."* They also go a long way towards achieving good conservation and recreation outcomes, but there are important exceptions which we will deal with below.

### Grazing Concession

Our first point concerns the proposed 21-year grazing permit. Most of the land in the Crows Nest and Back Blocks is above 1400m, and it extends up to 1700m. Over 1000 ha of this area is classified as LUC Class VIII land, totally unsuited to sustainable pastoral use (see FMC Report Figs 13, 15 and 16) and therefore not capable of supporting ecologically sustainable pastoral use. Although we recognise that grazing pressure on the land has been low, the ecosystem would undoubtedly benefit from an immediate cessation of grazing. In particular, the fine leaved snow tussock would have a chance to recover its vigour in the complete absence of grazing stock, while even light grazing is keeping it suppressed.

It should be noted that the preliminary proposal document (in the section headed "The Proposal in relation to the Objects of Section 24 of the Crown Pastoral Land Act 1998") gives a justification for designating land as conservation area *"where the ecological sustainability of continued extensive pastoral farming is, at best, questionable"*. There is however, no justification for allowing an exception in the form of a grazing concession. Such a concession would merely perpetuate the negative nutrient and energy flows which have resulted in past depletion. Flows would be balanced if grazing was terminated, so the aim should be to achieve this as soon as possible.

FMC arguments for the cessation of grazing at the time the tenure review is implemented are as follows:-

- Continued grazing use of high altitude land (much of which is LUC Class VIII) does not *"promote the management of reviewable land in a way that is ecologically sustainable"* (CPLA 1998, S.24).
- The main objective of terminating grazing is to restore the tussock cover, and allow other mountain vegetation communities to recover from the adverse effects of grazing. This recovery should be allowed to start as soon as possible.
- The termination of grazing would have a number of beneficial effects:-

(i) The regrowth of tussock cover will enhance productive use of lower altitude land by enhancing water supply in summer.

(ii) The recovery of all mountain plant communities will add to the diversity and visual appearance of recreational users of the new conservation lands. Most trampers do not like to see sheep grazing at high altitude and in remote places.

The Preliminary Proposal contains a proposal for a concession to provide summer grazing for a period of up to 21 years. This is totally unacceptable to FMC as it conflicts with S.24 of the Crown Pastoral Land Act as indicated above, and does not allow the vegetation to start recovering from past adverse effects for an unacceptably long time. You will note that this submission is consistent with the position taken by FMC in 1998. Only as a last resort should any transitional period be allowed, and then only for a one year period with provision for 2 renewals, subject to satisfactory results of monitoring (ie a maximum of 3 years).

The preliminary proposal makes provision for a licence concession for the use and occupation of the musterers hut in association with the 21 year term of the grazing concession. FMC points out that if the grazing concession is excluded or is shortened to say 3 years it would be appropriate to exclude or limit the licence concession to the same length of time.

Similarly, the easement concession to allow the holder access across the proposed conservation land for farm management purposes should also be excluded or limited to the same duration.

### Horse Trekking and 4WD Safari Concession

FMC appreciates that the lessee has been operating a legitimate horse and 4WD trekking business on his pastoral lease for some time. We understand that was permitted under a recreation permit issued by the Commissioner of Crown Lands. Any concession to operate a similar business on new conservation land should be under the terms of a concession to be issued by DOC, with the application to do so being open for public submissions.

FMC believes that while the commercial horse and 4WD safari operation may be acceptable on the northern half of the proposed new conservation land, the southern half is likely to get more public usage. Because public use of the Cromwell - Cardrona Pack Track is increasing, and mountain bike use is becoming more popular, we argue it would be appropriate to keep the southern part of the new conservation land (ie the Crows Nest and Back Blocks) free from commercial horse and 4WD safari use and maintain a remote experience area for private recreational use only.

### Landscape Protection

In the Preliminary Proposal there is no provision for the protection of landscape values on the proposed freehold land on the front face of the range. We argue that because of the high visibility and scenic importance of this face, land above about 500m should be protected under a binding covenant against the adverse effects of inappropriate developments (see FMC Report Figs 1 and 12). FMC is not satisfied that landscape protection provisions under the District Plan will be sufficiently robust or durable to achieve the desired level of protection for the high landscape values of the front faces of Mount Pisa Station. A formal Covenant registered on the freehold title would be appropriate. This submission is consistent with the position adopted by FMC in 1998.

### Legal Road Alignment

Our final point concerns the status of the Cardrona-Cromwell Pack Track. We understand that most of this track is on or close to the Legal Road alignment. We seek assurance that the actual formation of the Pack Track will be recognised as the Legal Road as an outcome of tenure review.

### Report to FMC on Recreation and Related Public Interest Values on Mount Pisa Station

A Report was commissioned in 1997 by FMC to assess the recreational and related public interest values of Mount Pisa Station. These would now be referred to as significant inherent values.

recreational use and potential of Mount Pisa Station and of other related public interest values, and because it detailed the arguments why these should be made available for public enjoyment. A full version of that Report could be made available if required.

### Conclusions from the FMC Report

We reproduce here the conclusions from the Report (in italics) together with our commentary on how those conclusions relate to the preliminary proposal for tenure review of Mount Pisa Station.

*Major gains for recreation and conservation are possible as outcomes of tenure review on Mount Pisa Station. The main points are as follows.*

- *Because of the increasing numbers of visitors to Central Otago and the Lakes District it is highly desirable to increase the range of recreational opportunities available to the public. This would also reduce the risk of over crowding on the more popular tracks.*

FMC accepts that the terms of the preliminary proposal will increase the recreational opportunities in the area, but there is room to increase the quality of recreational experience by restricting the area available for commercial safari trekking operations.

- *The existing and historical access route from Cromwell to the Cardrona over the southern end of Mount Pisa Station should be formally recognised allowing year-round access across the range and providing opportunities for cross-country skiing.*

FMC seeks assurance that the actual alignment of the pack track will be formally recognised as the legal road alignment through tenure review.

- *Additional foot access to provide for round trips, and to provide safe exit routes off the range tops in the event of bad weather, are needed down suitable spurs such as that south of Mitre Rocks and Packspur Gully, and on Breakneck Spur.*

We understand that the Cardrona-Cromwell Pack Track occupies the Packspur route to the range crest from Lowburn, but we were not satisfied (in 1998) that the northern foot access route via the Tinwald Burn was practical. FMC is pleased to note that that a much better and more practical route following an existing farm track is included in the 2002 preliminary proposal, as suggested in our 1998 submission.

- *In order to enhance the use of the historic pack track in summer, and to provide much needed shelter for skiers, and for use in emergencies in adverse weather, public use of the Deep Creek Hut should be negotiated.*

We recognise that the lessees have given permission for the public to use this hut in the past and have no reason to doubt that they will continue to do so during the period of the grazing concession. There is however, no guarantee that any other lessee would be accommodating of public wishes. Furthermore, and for other reasons, we consider the grazing concession period is far too long and ask that negotiations seek a shortening of that period to a maximum of 3 years.

- *Conservation and recreation values are very high on the least modified parts of the Pisa Range above about 1000 to 1100m. This would include all LUC Class VIII land and most of the Class VIIe land susceptible to erosion on the steep scarp face of the range. These areas should be transferred to DOC for management as conservation land and grazing should be terminated.*

FMC accepts that very considerable conservation gains will be made by the proposed transfer of some 4000 ha to DOC. However, recovery of the vigour of the vegetation would be enhanced by the complete cessation of grazing. The proposal to permit grazing on the Crows Nest and Back Blocks (which are largely LUC Class VIII and VIIe land) for 21 years is totally unacceptable.

- *Parts of the front faces described above have high landscape and scenic values, not only in their own right but also because of their commanding position on the front faces of the range. These dominate the landscape seen from Cromwell and the major tourist routes between Christchurch, Queenstown, Wanaka and the west coast (State Highways 6 and 8). These faces deserve protection under a binding covenant, against the adverse effects of inappropriate development.*

There is no mention of a landscape covenant in the preliminary proposal so FMC seeks the addition of a binding landscape covenant to provide the desired protection described above. Such a covenant should protect the landscape from the adverse effects of inappropriate development and subdivision.

- *To preserve landscape integrity across the front faces the boundary between the intended freehold and the new conservation land should be thoughtfully sited in relation to boundaries already decided on neighbouring properties.*

FMC accepts that the freehold boundary at about 1100m on the Lochburn boundary will achieve the landscape integrity discussed above.

### CONCLUSIONS

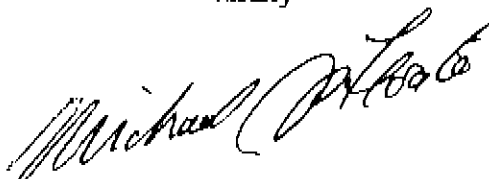
The preliminary proposal for the tenure review of Mount Pisa Station contains good clauses which will result in valuable gains for public recreation and conservation, and go some way towards implementing the objects of the Crown Pastoral Lands Act 1998. We do not believe that the proposed 21 year grazing concession is consistent with the object to "promote the management of reviewable land in a way that is ecologically sustainable." Preferably grazing should be terminated at the time tenure review is completed. The maximum permitted transition period should not exceed 3 years.

FMC also believes that the outcomes would be even better if some additional matters could be negotiated. We urge the agents to negotiate for improved outcomes for the benefit of the New Zealand public.

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

Finally, we appreciate this opportunity to comment on the draft proposals for the tenure review of Mount Pisa Station, and wish to be heard in support of this submission if a hearing is held. We would be happy to be involved in further discussions regarding any of the issues discussed in this submission.

Yours faithfully



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

COPY

12 January 1998

The Manager  
Knight Frank (NZ) Ltd.  
PO Box 27  
ALEXANDRA

Dear Sir

**Re: Draft Proposal for Tenure Review: Mount Pisa Station**

I write on behalf of Federated Mountain Clubs of NZ Inc. (FMC) which represents some 15000 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 formalise and enhance recreation opportunities, to protect public interest values, and to ensure public access on high country pastoral leases through the tenure review process.

FMC fully supports the aims of tenure review to promote sustainable land management and to protect public interest values in conservation and recreation.

FMC is grateful for this opportunity to comment on the draft proposal for Mount Pisa Station.

**THE DRAFT PROPOSAL**

The significant outcomes which have been negotiated as listed in the Draft Proposal are as follows:-

- (1) The freeholding of approximately 4900ha to the current lessees.
- (2) Transfer of approximately 4000ha of high altitude land to the Department of Conservation as conservation land.
- (3) A Grazing Permit terminating in 21 years for a limited number of stock at market rental to the current lessees, over approximately half of the proposed conservation land.
- (4) An access easement in favour of the public giving practical walking access to the conservation land.
- (5) A right of way easement in favour of Mount Pisa over the DOC land to provide access to the grazing permit area.

**Knight Frank Recommendations**

The following specific recommendations are made in the Submission to the Commissioner of Crown Lands. We list these recommendations here, and will comment on them in the sections that follow.

- (1) That you accept surrender of Po 271 and Po 272 under Section 145 of the Land Act, 1948.

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- (2) That approximately 4000ha of high altitude land be retained by the Crown and created as a conservation area under the Conservation Act, 1987.
- (3) That a permit under Section 68 (a) of the Land Act, 1948 be granted in favour of the current lessees on 2140ha. This will be a 7-year term with two rights of renewal. DOC in consultation with the permittees to establish photo point monitoring of vegetation within this permit area.
- (4) An access easement under Section 7 (2) of the Conservation Act, 1987 in favour of the public be created up the north-eastern boundary of the property and then up the Tinwald Burn to the proposed conservation land boundary foot access only.
- (5) That a right of way easement in favour of Mount Pisa be created over proposed conservation land to provide access to the grazing permit area.
- (6) The freeholding of approximately 4901ha of Po 271 and Po 272 with its preferential allocation to the current lessees.

### **FMC POSITION**

FMC supports the general principles of tenure change and also supports the general thrust of the changes proposed for Mount Pisa Station. We are pleased to note that some of the items discussed at an Early Warning meeting (May 1996) have been negotiated as part of this tenure review. For your information we enclose a copy of the notes submitted to that Early Warning Meeting.

In the main FMC supports the recommendations to the Commissioner of Crown Lands as these go a long way towards achieving good conservation and recreation outcomes, but there are exceptions which we will deal with below.

The first of these is that the proposed boundary between freehold and conservation land is too high in places (see Appendix Fig 1).

Our reasons for opposing the proposed alignment are as follows:-

- The lower boundary of Class VIIe land lies between about 1000 and 1100m.
- The boundary of the RAP Pisa A3 conforms with an existing fenceline which approximately corresponds to the LUC Class VIIe land boundary. Even this rises to 1400m in the southern corner of the Basins Block.
- The existing "snowline" fence (at about 1100m) was sited according to soil and water conservation policies and principles (see Appendix Fig 1).
- The proposed fence line (Basins Block) does not appear practical in the steep sided gullies of the upper tributaries of Tinwald Burn (see Appendix Fig 2). If a bulldozer was to be used in fence construction it would create a long-lasting and highly visible scar on the landscape.
- The cost and soil disturbance of constructing a new fenceline seems unjustified when an existing fenceline is closer to the Class VIIe land boundary.
- There is less need for the summer grazing at high altitude since the arrival of RCD to control rabbits.

Our second point is that recreational access is not well provided for. We are not satisfied that the proposed foot access via the northern boundary and thence up the Tinwald Burn is a practical route (see Appendix Fig 3). It is certainly not the best route. We understand that the lessee is amenable to public use of the track



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which leads from the valley of the Tinwald Burn up to the shoulder of the Breakneck Spur (Appendix Figs 4 and 5). This would be a much better public access route for walkers and mountain bike users. It would also allow for round trips from the Cardrona Pack Track via the conservation land along the crest of the range. An easement to allow public use of the existing farm track which leads to the head of Breakneck Spur should therefore be sought. It would also be highly desirable if the public were also able (with the land owner's permission) to take vehicles to the foot of the spur (Appendix Fig 6).

Our third point is that there is no provision for the protection of landscape values on the proposed freehold land on the front face of the range. We argue that because of the high visibility and scenic importance of this face, land above about 500m should be protected under binding covenant against the adverse effects of inappropriate developments (see FMC Report Figs 1 and 12). FMC is not satisfied that landscape protection provisions under the District Plan will be sufficiently robust to achieve the desired level of protection for the high landscape values of the front faces of Mount Pisa Station.

Our fourth point concerns the proposed 21-year grazing permit. Almost all of the land in the Crows Nest and Back Blocks is above 1400m, and it extends up to 1700m. Most of the land in these blocks is classified as LUC Class VIIe land, and over 1000ha of it is Class VIII land, totally unsuited to sustainable pastoral use (see FMC Report Figs 13, 15 and 16). Although we recognise that grazing pressure on the land has been low, the ecosystem would undoubtedly benefit from a cessation of grazing as soon as possible. We also recognise that a transition period is reasonable to allow the lessee to adapt his farming system. The proposed 21-year period is far too long and we would suggest a 1-year transition period.

Our final and fifth point concerns the status of the Cardrona-Cromwell Pack Track. We understand that most of this track is on or close to the Legal Road alignment. We seek assurance that the actual alignment of the Pack Track will be recognised as the Legal Road as an outcome of tenure review.

### Commentary on the Knight Frank recommendations

Recommendation (1): Accepted by FMC

Recommendation (2): Accepted in part by FMC. If the boundary between freehold and conservation land can be re-negotiated (for example following the existing fenceline in the Basins Block) the area will be larger.

Recommendation (3): FMC considers that the proposed 21-year term is too long. Grazing should cease straight away on LUC Class VIII land (some 1000ha). Ideally grazing should cease immediately throughout the Crows Nest and Back Blocks but we recognise the need for a transition period. We propose a 1-year transition period, which could be renewed for a further 1 year if the lessee can prove inability to accommodate the small increase in stock units on the proposed freehold land. We are pleased to note that protection for an alpine bog north of Mt Dottrel will be provided in the grazing permit area. We approve of the proposal that renewal be subject to satisfactory monitoring of vegetation using photo points. These should concentrate on sensitive areas such as seepages, flushes and stream margins. There should also be monitoring of, and comparison with, adjacent control areas where there is no grazing.

Recommendation (4): FMC is not satisfied that the proposed foot access route via the Tinwald Burn is practical. We understand that the lessee is amenable to public use of an existing farm track to the head of Breakneck Spur. We propose that an easement for public foot and mountain bike use over the farm track be sought.

Recommendation (5): Accepted by FMC

Recommendation (6): Accepted in part by FMC, subject to any variation in area due to re-negotiation of the boundary of the conservation land.

Report to FMC on Recreation and Related Public Interest Values on Mount Pisa Station

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OFFICIAL INFORMATION ACT

A report was commissioned by FMC to assess the recreational and related public interest values of Mount Pisa Station.

We enclose a copy of the report for your information, because it presents an account of the recreational use and potential of Mount Pisa Station and of other related public interest values, and because it details the arguments why these should be made available for public enjoyment.

Conclusions from the FMC Report

We reproduce here the conclusions from the report (in italics) together with our commentary on how these conclusions relate to the recommendations in the draft proposal for tenure review of Mount Pisa Station.

*Major gains for recreation and conservation are possible as outcomes of tenure review on Mount Pisa Station. The main points are as follows.*

- *Because of the increasing numbers of visitors to Central Otago and the Lakes District it is highly desirable to increase the range of recreational opportunities available to the public. This would also reduce the risk of over crowding on the more popular tracks.*

FMC accepts that the proposals in the draft tenure review will increase the recreational opportunities in the area.

- *The existing and historical access route from Cromwell to the Cardrona over the southern end of Mount Pisa Station should be formally recognised allowing year-round access across the range and providing opportunities for cross-country skiing.*

FMC accepts that this is covered by the tenure review proposals but we seek assurance that the legal and actual alignments of the pack track will be rationalised through tenure review.

- *Additional foot access to provide for round trips, and to provide safe exit routes off the range tops in the event of bad weather, are needed down suitable spurs such as that south of Mitre Rocks and Packspur Gully, and on Breakneck Spur.*

We understand that the Cardrona-Cromwell Pack Track occupies the Packspur route to the range crest from Lowburn, but we are not satisfied that the northern foot access route via the Tinwald Burn is practical. FMC considers that a much better and more practical route would follow an existing farm track. We further understand that the lessee would accept public use of this track. We ask that negotiations be re-opened to obtain foot and mountain bike access at the northern end of Mount Pisa through an easement over this farm track. It would also be highly desirable if the public were also able to take vehicles to the foot of the spur with the occupier's permission.

- *In order to enhance the use of the historic pack track in summer, and to provide much needed shelter for skiers, and for use in emergencies in adverse weather, public use of the Deep Creek Hut should be negotiated.*

We recognise that the lessees have given permission for the public to use this hut in the past and have no reason to doubt that they will continue to do so during the period of the grazing permit. However, for other reasons we consider the grazing permit period too long and ask that negotiations seek a shortening of that period.

- *Conservation and recreation values are very high on the least modified parts of the Pisa Range above about 1000 to 1100m. This would include all LUC Class VIII land and most of the Class*

*VIIe land susceptible to erosion on the steep scarp face of the range. These areas should be transferred to DOC for management as conservation land and grazing should be terminated.*

FMC accepts that very considerable conservation gains will be made by the proposed transfer of some 4000ha to DOC. However, we consider that in places the freehold boundary is too high, especially in the Basin Block and have given reasons for this in the discussion above. We seek negotiation of revised boundaries to coincide with the boundaries of the Pisa A3 RAP area, utilising the existing fenceline. The proposal to permit grazing on the Crows Nest and Back Blocks (which are largely LUC Class VIII and VIIe land) for 21 years is totally unacceptable.

- *Parts of the front faces described above have high landscape and scenic values, not only in their own right but also because of their commanding position on the front faces of the range. These dominate the landscape seen from Cromwell and the major tourist routes between Christchurch, Queenstown, Wanaka and the west coast (State Highways 6 and 8). These faces deserve protection under a binding covenant, against the adverse effects of inappropriate development.*

There is no mention of a landscape covenant in the tenure review proposals so FMC seeks the addition of a binding landscape covenant to provide the desired protection described above. Such a covenant should protect the landscape from the potential long-term scars which new fencing could cause.

- *To preserve landscape integrity across the front faces the boundary between the intended freehold and the new conservation land should be thoughtfully sited in relation to boundaries already decided on neighbouring properties.*

FMC accepts that the freehold boundary at about 1100m on the Locharburn boundary will achieve the landscape integrity discussed above.

### CONCLUSIONS

The draft proposals for the tenure review of Mount Pisa Station contain many good clauses which will result in valuable gains for public recreation and conservation. However, we believe that the outcome would be even better if some additional matters could be negotiated.

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

Finally, we appreciate this opportunity to comment on the draft proposals for the tenure review of Mount Pisa Station, and wish to be heard in support of this submission if a hearing is held. We would be happy to be involved in further discussions regarding any of the issues discussed in this submission.

Yours faithfully

Barbara Marshall  
Secretary, Federated Mountain Clubs of NZ (Inc.)



# OTAGO CONSERVATION BOARD

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- 8 MAR 2002  
RECORDED

Our ref: OCB 34

7 March 2002

Commissioner of Crown Lands  
C/o Knight Frank (NZ) Ltd  
Land Resources Division  
Box 27  
ALEXANDRA

Dear Sir

## **SUBMISSION ON MOUNT PISA TENURE REVIEW**

Following is the Otago Conservation Board's submission on the Notice of Preliminary Proposal for the Tenure Review of the Mount Pisa Pastoral Lease.

The board is generally happy with the proposed 50/50 split of Mount Pisa Station into conservation land and freehold land. It acknowledges that approval of the proposal by all parties would enable the Department of Conservation to implement part of the Otago Conservation Management Strategy (CMS) and that it would represent a significant step forward towards the establishment of a Pisa Conservation Park.

The board does have concerns about some aspects of the proposal however, viz:-

### **Grazing Concession**

The board strongly disagrees with the proposal to allow a relatively large area of potential conservation land to be grazed for 21 years and advocates a maximum five year term for such a grazing agreement.

### **Public Access**

The board advocates the formalisation of the legal road passing through the southwestern part of the property and the investigation of Breakneck Spur as a better alternative to the Tinwald Burn for public access on foot from the east.

### **Fenceline**

The board questions why the proposed new fenceline near Breakneck Spur has been chosen as a substitute for the old fenceline at a lower level, unless it is for

practical reasons which have not been made clear in the Notice of Preliminary Proposal.

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### Vegetation Burning

The board advocates a 'no burning' covenant over all of the land identified as having 'significant inherent values', including the 'small area of tall tussock grassland that was part of a larger area containing significant inherent values' (Notice of Preliminary Proposal, item 3.3, third paragraph refers). The tenure review agreement relating to the Earnsclough pastoral lease provides a precedent for this.

### Landscape Protection

The board also advocates a 'landscape protection covenant' over the area to be freeholded that lies on the slope above the extensive terraces on this part of the Pisa Range.

Yours sincerely



*Les*

Les Cleveland  
Chairperson

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ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INC

UPPER CLUTHA BRANCH

PO BOX 38  
LAKE HAWEA

7<sup>th</sup> March 2002

The Manager  
Knight Frank  
PO Box 27  
ALEXANDRIA

KNIGHT FRANK  
ALEXANDRIA  
- 7 MAR 2002  
RECEIVED

Dear Sir

PRELIMINARY TENURE REVIEW PROPOSAL - MT PISA

We thank you for supplying us with a copy of the above proposal for our comments and submission.

The Pisa block mountain system is a focal point in the Upper Clutha. This particular proposal takes in the very visible cirques on the upper part of the eastern side of the mountain range. It will be an important addition to that already retained by the Crown further to the north and to the west, from previous tenure reviews.

You will be aware that we did make a submission (dated 20.1.98) on the previous proposal you presented for comment on this property. Comparing the two, we find this proposal an improvement on the previous one, except in one matter.

*We comment as follows:*

1. Being able to take motorised vehicles from SH6 to a car park at the foot of the spur just south of the Tinwald Burn - marked b in appendix 1 - is good, and a far better arrangement than in the original proposal. While shortening the journey to the proposed DoC conservation area by 4ks, we found when proving the route that it takes between 3 and 4 hours to climb, on foot, to reach the boundary of that area. If it is intended to overnight in the area, which is essential to "Enjoy" it, a larger pack than a day pack is necessary; then the time taken would tend towards the latter.
2. The new proposed boundary fence between that portion of land to be retained by the Crown and that to become freehold, now coming down lower into the Tinwald Burn is also good. We approve of this as it now takes in a larger part of Pisa RAP A3.
3. No mention is made in the proposal of any covenant to protect the landscape. We believe there should be one as the eastern escarpment and the visual changes in the vegetation sequences is an important feature of the eastern side of the Pisa range. We would like to see a covenant in place to give some protection to these important features as the District Plan is not very robust in this matter; nor is it enduring.
4. The Cardrona to Cromwell pack track passes through the southern part of the property is shown on the map as a legal road. We would expect the actual route, or formation, being used strays from the surveyed line in parts. This should be examined and any variations corrected at the time the property is surveyed.

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5. The concessions for horse riding and 4WD excursions appear to be reasonable to us.
6. Also for the use of the hut.
7. With reference to the continued grazing of the two southern blocks. To us it would seem on a property of this size and nature, unnecessary. The loss of income from the grazing of 1500 wethers is minor when put against the advantages of freehold title being gained by the lessee.

While the stock numbers mentioned in the concession are to be reduced in steps over the 21 years, the transference of fertility from the lower more covered slopes in the block to the sheep camps at the top end of the block, and to the top of Mt Dottrel, continues. This is ecologically unsustainable.

Due to this higher concentration of stock on the higher ground the tall tussock is being eaten to extinction. The upper level of this tall tussock will become progressively lower if grazing continues.

We attach photos to illustrate our point.

- (1) Looking south from below north gateway to DoC area. Mt Dottrel on left.
- (2) Looking west across stream, true right, below ford in (1)
- (3) Grazed tussock.
- (4) Looking down on hut, where areas such as this will have fertility transferred from.

**Conclusion:**

In our opinion there should be no concession to graze sheep on the land that is to be retained in Crown control for conservation.

The concessions for 4WD safaris and horse trekking should be sufficient to ease the transition from leasehold tenure to freehold tenure.

We see this as a good exchange for both the lessee and the public of New Zealand if the grazing concession is removed.

Yours faithfully

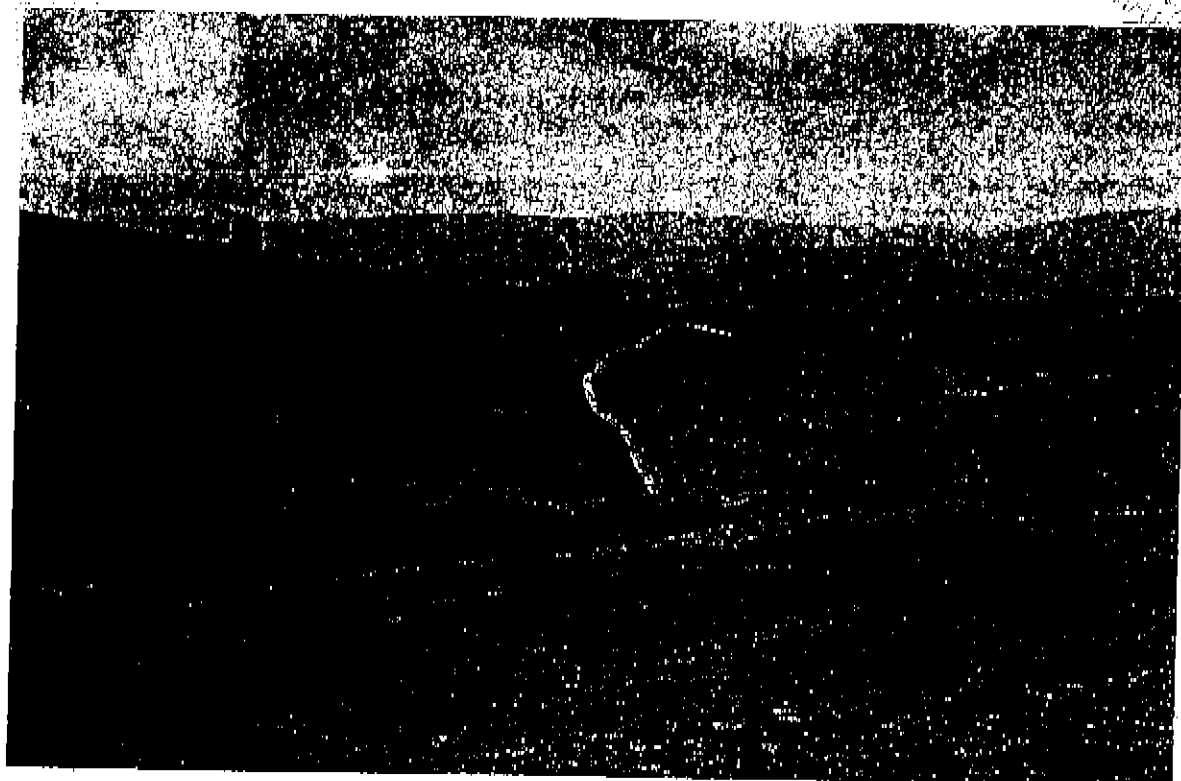


John L Turnbull

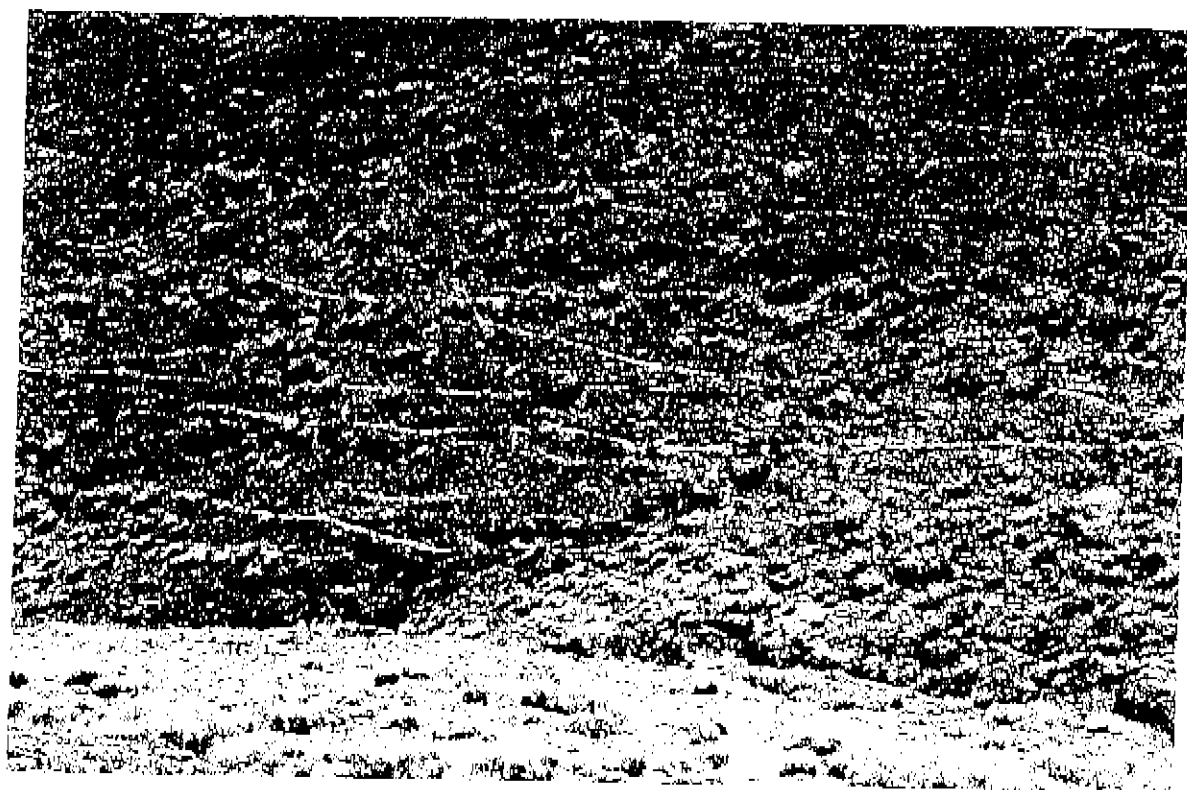
For Upper Clutha Branch

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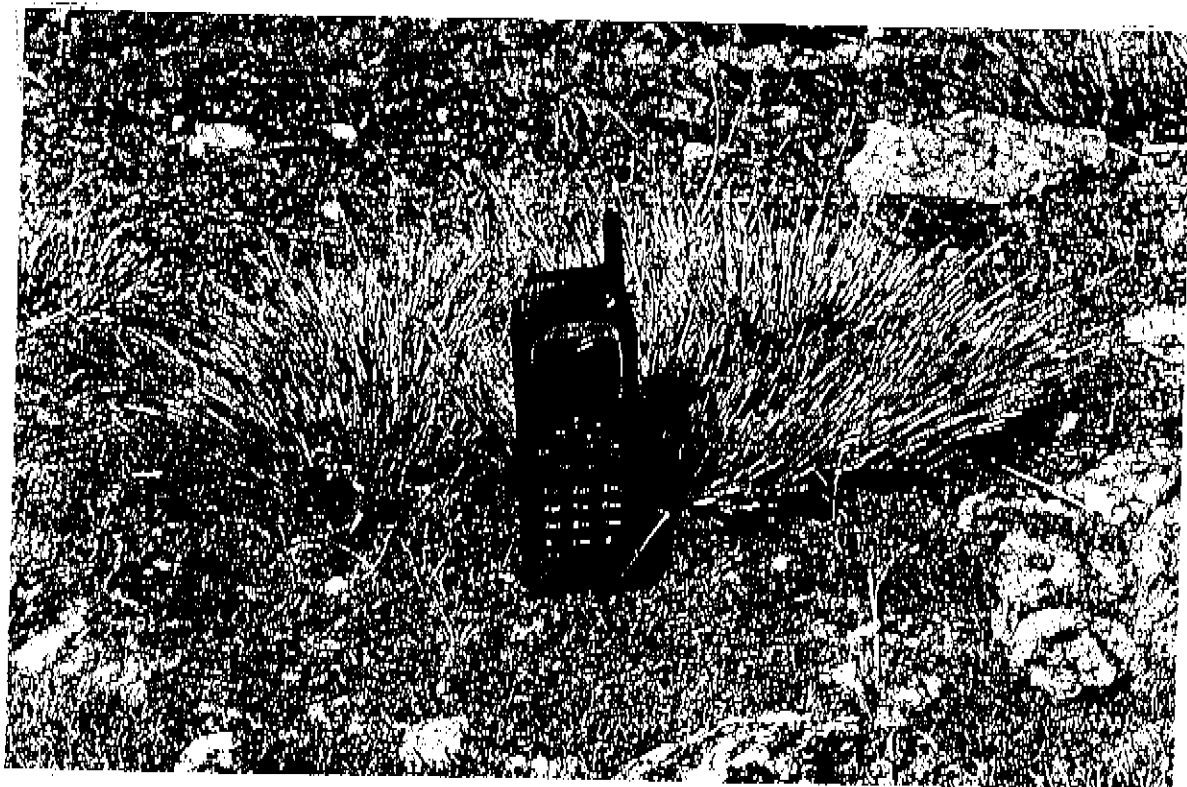
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FEDERAL BUREAU OF  
CRIMINAL INVESTIGATION

3



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8/3/02

Knight Frank  
ALEXANDRA  
11 MAR 2002  
RECEIVED

Commissioner for Crown Lands  
C/- Knight Frank (NZ) Ltd.  
PO Box 27  
ALEXANDRA

Dear Sir

**Re: Preliminary Proposal for Tenure Review: Mount Pisa Station**

I write as a

I am delighted to see the proposal to acquire two areas of Conservation Land on Mt Pisa Station. There are high conservation and recreation values on the least modified parts of the Pisa Range above about 1000 to 1100m. The acquisition of two further blocks of high country here will complement the conservation land already acquired from Waiorau Station on the Cardrona side of the range and widen the area freely available to those interested in the recreation and conservation values of the Mt Pisa Range.

The following items are included in the proposal:-

**1. 4367 ha to be designated as conservation land, subject to 4 concessions:**

- (i) Grazing concession to provide for summer grazing of not more than 1500 sheep for 3 summer months over an area of approximately 2300 ha for 7 years, up to 1000 sheep for the next 7 years and up to 500 sheep for a further 7 years.
- (ii) Easement concession to allow the holder access through the proposed conservation area for farm management purposes.
- (iii) Licence concession to allow the holder to operate a horse trekking and 4WD safari business on the proposed conservation area.
- (iv) Licence concession to use and occupy the musterers hut on the proposed conservation area for 21 years in association with the grazing concession.

I believe that the grazing concession as stated in (i) is quite unacceptable as a 21 year term and that it should be cut down preferably to 1 year and certainly no more than 3 years. Most of the land in the Crows Nest and Back Blocks is above 1400m, and it extends up to 1700m. Over 1000 ha of this area is, I understand, classified as land totally unsuited to sustainable pastoral use and therefore not capable of supporting ecologically sustainable pastoral use. The eco-system would undoubtedly benefit from a cessation of grazing as soon as possible. In particular the fine leaved snow tussock would have a chance to recover in the complete absence of grazing stock, while even light grazing will keep it suppressed.

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The easement concession in (ii) and licence concession to occupy the musterers hut should be adjusted in line with the final grazing concession and at all times during the grazing concession transition period 50% of the hut occupancy should be available to the general public

**2. 4515 ha to be disposed of by freehold disposal to the holder, subject to the following easements:**

- (i) To provide for public foot, horse, non-motorised vehicle and motor vehicle access to a carpark within the proposed freehold.
- (ii) To provide for public foot, horse, and non-motorised vehicle access from the carpark to the proposed conservation area through the proposed freehold.

**Re the status of the Cardrona-Cromwell Pack Track.**

I understand that most of this track is on or close to the Legal Road alignment. It would seem desirable that the actual alignment of the Pack Track will be recognised as the Legal Road as an outcome of this tenure review.

Thankyou very much for the chance to comment on the Review. I would appreciate being kept up to date with its further progress.

Yours sincerely

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OFFICIAL INFORMATION ACT"

25 February 2002

KNIGHT FRANK  
ALEXANDRA  
11 MAR 2002  
RECEIVED

Commissioner of Crown Lands  
C/o Knight Frank New Zealand Ltd  
Box 27  
ALEXANDRA

**Re: Mt Pisa Tenure Review**

I have reviewed the documents provided and wish to make the following submission:

**1. Grazing Concession**

Given the comments contained within the proposal that highlights the significant inherent values of this area, then I would question why it requires a 21-year summer grazing concession.

The Crown has one opportunity with this property to get the review process correct, so the sooner the resource is protected the better. I cannot believe that the runholder requires a 21-year period to put in place the "necessary significant management changes". This time period is completely unrealistic.

Although I have not been provided with specific stock carrying capacity, historical information showed the total property carrying 15,000 stock units. The grazing concession proposes to allow not more than 1,500 sheep over an area of 2,300 ha, reducing to 500 sheep. This makes the importance of the grazing concession insignificant in terms of the total management of the property.

If the grazing concession area of 2,300 ha is only capable of sustaining 1500 sheep for three months of the year, then I do not accept that reducing sheep numbers by 1500 sheep out of 15,000 requires a 21 year period of management adjustment

If the land identified for retirement is currently carrying large numbers of stock in relation to the total property then the land is clearly overstocked. Stock numbers need to be reduced immediately.

I would recommend that the grazing concession is limited to the ownership period of the current owner. When he sells the incoming owner has the opportunity to make management plans accordingly that does not include a grazing concession.

The claimed significance of the higher altitude country for grazing completely ignores the huge potential for diversification on the lower country. Diversification is clearly evident on surrounding properties.

Farmers in this location do have alternative options that allow this high altitude country to be retired from pastoral farming.

It is clear from the progressive policy of reducing the sheep numbers that the area is not capable of sustaining high stocking rates. Stock needs to be taken off this area immediately.

Continued grazing of these areas is contrary to the objectives of the Crown Pastoral Land Act. It is a continuation of the status quo and an unsustainable land use.

## 2. Concession to Use and Occupy the Hut

The proposal to allow public access on a prior booking basis is unsatisfactory. The concessionaire should not have the ultimate say over the use of a hut on public land.

I am not questioning the motives of the present owner, but there have been cases of tenure review where a landowner has subsequently made public access extremely difficult. The tenure review on the Cardrona Valley (John Lee property) has resulted

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in a totally unsatisfactory situation where the landowner actively discourages recreational use of the adjoining conservation areas and is not prepared to clearly identify the public access areas. It defeats the purpose of a tenure review if the lessee retain rights and control, especially if the public has difficulty accessing the areas that are being set aside for their use and appreciation.

Given that DOC is proposing to grant concessions for commercial operation, it is vital that the public access to the area is clearly protected. It is absolutely inevitable that if commercial objectives become the focus of the concessionaire, public rights of access become a serious nuisance.

Paterson Hut in the Old Woman Range is available to the runholder for mustering periods but at other times the hut is freely available for public use. This system works well and there is no reason why it should not be implemented on Mt Pisa.

### **3. Concession for Horse Trekking and 4-Wheel Drive Safari Operations**

In my opinion the nine-year term is too long. A shorter term, renewable with strict terms and conditions would be more appropriate. Does a nine year period suggest significant capital investment? and hence a reason to limit public access. If there is a concern about adverse effects, nine years is way too long for the concession to run.

#### **Summary**

I support the general intention of the tenure review process, and am pleased with the general public access provisions. I have skied through these areas during the winter and would like to see them protected in an appropriate way. New Zealand has a strong focus on recreation and tourism, areas previously considered remote are coming under increasing pressure. This pressure will increase. We need to have areas that are accessible, but free from intensive commercial operation. The tenure review process allows and opportunity for all interested parties to benefit. It is important that the correct mechanisms are put in place.

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OFFICIAL INFORMATION ACT  
KNIGHT FRANK  
ALEXANDRA  
11 MAR 2002  
RECEIVED

7<sup>TH</sup> March 2002

The Manager  
Knight Frank  
PO Box 27  
ALEXANDRA

Dear Sir

MT PISA - PREMINARY TENURE REVIEW PROPOSAL

I would be pleased if you would accept my comments on this proposal. I have visited the property and thank Mr McMillan for allowing us to do so.

I believe this to be a good proposal, as it takes in the highest and most very interesting part of the Pisa range. It will join up with some other properties that have completed the tenure review process. Namely, Walorau, to the West, and Mid Run, Lake McKay and Lochburn to the north. And further to the north again, Avalon, Queensbury Faces and Queensbury Ridges.

The upper eastern face of the Pisa Range with its cirques is a dominant part of the landscape in the Upper Clutha. The various sequences of vegetation on this face are also part of that landscape and should be protected from any untoward modification.

With regard to the access to the land retained by the Crown. That there is to be a carpark at the foot of the ridge just south of the Tinwald Burn, 4km from SH6 is pleasing. There is a climb of approximately 1200ms from the carpark up this ridge to the boundary of the proposed DoC conservation area. Time from the carpark to the boundary on foot is between 3-4 hours.

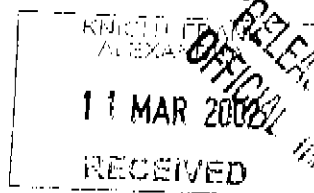
I note that the lessee is to be granted a concession for horse riding and 4WD safaris for a period of 21 years. However it is to be regretted that it is also intended to grant a concession for the grazing of sheep for 21 years on the blocks known as the Crows Nest and the Back Block - land which is to be returned to full Crown ownership and control.

The tops of these two blocks, and Mt Dottrel, have very little tall tussock left on them and the continued grazing of sheep is going to further delay any recovery. I would have thought that the concession to conduct 4WD safaris and horse trekking, together with the advantages of freehold title, would have more than compensated for any loss of income from the grazing of 1500 sheep.

This proposal will be of benefit to the present lessee, and also the public of New Zealand as it is an important piece in the jig saw needed to complete the conservation reserve on the Pisa block mountain system. However it would be an even better proposal if the concession to graze sheep were removed or even reduced.

Thank you.

Yours faithfully



# Public Access New Zealand

INCORPORATED

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www.publicaccessnewzealand.org

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

11 March 2002

Commissioner of Crown Lands  
C/- Knight Frank NZ Ltd  
P O Box 27  
Alexandra

## Submission on Mt Pisa Station Tenure Review Preliminary Proposal

### Boundary of proposed conservation area

We are generally happy with the area proposed for retention of full Crown ownership (unfortunately without full control), with one exception.

Our concern relates to the proposed boundary at the southern end of the Basins Block (refer to appended aerial photograph).

As the *Report on Consultation* (pg. 8) states, "fencing won't be easy and is likely to be expensive as it is across a steep mountain slope and numerous gullies". Fencing will be at approximately 1500m (5000 ft) asl on a leeward slope subject to considerable snow loading. We are skeptical that this can be economically maintained as a stock-proof barrier.

Map 2 of the *Conservation Resource Report* shows much of the area downslope of the proposed boundary is above the 'natural vegetation boundary'. This is within RAP Pisa A3 and is currently within the conservation covenant. Reservation of this area would be in keeping with the objects of section 24(a)(i) CPLA.

DOC records in the *Conservation Resource Report* (pp27-28) that, in regard to fencing of the northern Basins block, "high inherent values "disappear at about 1100 m...however the lessees are adamant that it is not practical to fence any higher in that locality".

DOC records (p 27) that "there may be an opportunity for a higher snow line fence of 1100-1200 m [higher than existing snowline fence] that would clearly be a demarcation line between conservation land and farmland...it is clearly desirable to establish a practical boundary line that can be established and maintained".

On page 30 '*Justification and Recommendations*' DOC reinforces the 1100 m contour as the desired boundary by stating, "new fencing may be required north of the Gordon Rocks along the 1100 m contour to the Locharburn boundary".



Because of the steep slopes and gullies proposed to be traversed by the new fence line, it is likely that benches will be required. This will create an obvious linear scar across the upper slopes of the eastern face. However, the DOC *Conservation Resource Report* (pp. 3-4) states that "the most significant visual feature on Pisa Station is the dramatic and impressive eastern fault scarp face of the Pisa Range. It overlooks and dominates the Clutha Valley, and forms an important visual backdrop to Cromwell and Lake Dunstan...this face represents a regionally, perhaps nationally, significant landscape". DOC (p30) recommends "that the priority for landscape protection on Pisa Station is the upper eastern face..."

Due to the inherent natural character of this prominent eastern escarpment, and because of the desecration of the Pisa western escarpment and crest on Waiorau, we strongly believe that the Crown has a particular obligation to maintain the eastern face in as natural state as possible by avoiding further earthworks.

In conclusion, the proposed boundary in the *Preliminary Proposal* is contrary to best local knowledge and DOC's advice to the CCL.

We submit that existing fence lines downslope from the proposed route be utilised instead. If a consequence of extending the conservation area downslope is that officials consider that grazing should be permitted over the lower slopes, we believe such use inappropriate. The slopes are severely depleted and clearly cannot sustain grazing. These slopes should be destocked and allowed to recover. That outcome would be more consistent with the objects contained in section 24 CPLA than the advertised proposal.

### **Proposed Grazing Concession**

This is the most contentious aspect of the proposed tenure review.

21 years of grazing over an area with the highest remaining natural inherent values, as a 'phase-out' mechanism, is a farce. This proposal runs counter to DOC's advice and has been proposed in the *Preliminary Proposal* only as a means of reaching a deal with the current lessee. However deals per se are not the central purpose of the CPLA. Any deal must be consistent with the objects for tenure review. This deal is not.

Continuation of grazing is ecologically unsustainable and therefore contrary to section 24(1)(a) CPLA. Much of the land is LUC Class VIII with the balance Class VII. This capability classification gives a good indication of suitability for pastoral use. In this instance the area is either unsuitable or has severe limitations for grazing.

As well, issuing grazing rights over lands of high inherent value does not afford protection of those values as required by section 24(b), and does not satisfy the requirement of full Crown ownership and control as the preferred means of protection. The proposed grazing concession has no mechanism for early termination of grazing, therefore there is no Crown control for its duration, as required by section 24(b)(ii).

This is what DOC has had to say about grazing of the Back and Crow's Nest blocks-

#### *Report on Consultation*

"...a grazing concession would not be promoted as the preferred outcome..." (p8)

"...continued grazing may restrict recovery of depleted areas."

"...DOC considers any continued grazing in the proposed conservation area will result in some level of damage to the conservation values and our preference is for total removal on settlement"...(p11)

"Grazing has the potential to impact adversely on the natural vegetation and hence the ecosystems associated with this vegetation. Grazing and burning in the past has considerably modified the cover, though it is predominantly natural and in overall healthy condition".

*Conservation Resource Report*

*Significance of the Vegetation*

"The vegetation on Mt Pisa Station above 1100 m contains high inherent values".

"The expansive southern landscape with its spectacular Tors contains some of the best ecological values on the Pisa range...these mixed tussock grasslands if destocked have the potential to recover into tall tussock grasslands and the *Chionochloa macra* stature and vigour would be enhanced" (p 26).

"outside of the cirque basin some of the best wetland communities occur on this southern area. Long-term removal of grazing is essential..." (p 27).

*DOC revised recommendations*

"it is intended that grazing be excluded" (p 1).

In the earlier Land Act tenure review, a vulnerable area of wetland/snowbank was identified northwest of Mt Dottrel. It was proposed that this be ring-fenced to exclude stock. While we appreciate the necessity of excluding stock from this area, PANZ objected to fencing as an eyesore, impractical to maintain, and a hazard for skiers. This matter is not addressed in the current proposal, but highlights the necessity of stock exclusion from the greater area.

Justification for 21 years duration of grazing is provided as this "gives Mt Pisa Station Limited the necessary opportunity to put in place the significant management changes that will be required as a result of the reduction of the size of the property by 4367 ha."

*Information on Proposed Concession (grazing) Provided by DG Conservation*

However this advice is erroneous. It is not the area of land lost to Pisa Station, but the carrying capability relative to the total stock numbers on the property that is relevant. Going by the last personal stock limitations available to PANZ, there is something in the order of 15,000 stock units on the two pastoral leases that comprise the property. By comparison, the 500 stock units proposed on the area to be retained in "full crown ownership and control" is insignificant, unlike its potential for damage to inherent values.

Even if Mt Pisa Station were to remain a traditional high country pastoral operation, without diversification into other land uses, it is ludicrous to claim that 21 years is need for adjustment in management towards total stock removal. There would have to be something very amiss with the property's management for this to be the case, and we do not for a moment believe this to be so.

With freehold ownership over the Clutha valley flats and terraces, there is going to be considerable potential for new uses such as viticulture that have potential returns far in excess of what the Crown is going to get out of tenure review. Such considerations no doubt provide the main incentive for the lessee entering into tenure review, if not for him, then for those who follow.

We submit that grazing be permitted over the Back, Crow's Nest and part Breakneck blocks for a maximum of 3 years, with provision for immediately revoking such rights without compensation if the stock limits prescribed or other conditions are breached. Such grazing rights should be personal to the current lessee: ie

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### Public access easement

As DOC advised in their *Revised Recommendations* (p 5), “there is a strong expectation that unrestricted access to public conservation lands will be provided as part of tenure review”. We would go further, that unless this expectation is translated into actual access provisions, then PANZ could not support the tenure review process.

At face value, the expectation of unrestricted access, unlike in the earlier Land Act review, has been admirably met in the current Preliminary Proposal.

The current proposal is a vast improvement on what was on offer last time round under the land Act review. All those responsible are to be congratulated, in particular the lessee for being so accommodating of this public need. The route chosen is the one we advocated last time, and being a reasonably well-graded track, provides the obvious route. In fact it is the best route up the eastern face.

We welcome use as of right for foot, non-motorised vehicle and horse. We agree that the track is unsuitable for uncontrolled 4WD use. We also welcome vehicle access from the State Highway to the base of the hill and the provision of parking.

We do not anticipate great use of this route by foot or cycle because the considerable vertical height involved in climbing to the crest of the range. The southern approach via the pack track will remain the preferred route. Uphill horse use may be greater than for other users. However the route will provide an escape route off the range and a downward option for return trips on foot or cycle.

While officially acknowledging that this will be an “as of right” access we are concerned about discussion in the *Report on Consultation* (p 10) on lambing and of possible requirements/guidance by signposting to consult the landowner prior to use. Besides being impractical for downward travelers, deterrence of public use during the Spring would conflict with one significant user group – cross country skiers, when the range is in prime condition for such activity. We believe that requiring intending users to ‘consult’ the land occupier defeats the ‘securing public access’ objective of the CPLA. That is no different from the current situation under pastoral lease. If there is a potential problem during lambing, this could possibly be dealt with by fencing and/or education. Signposting advising how to behave around lambing ewes should be considered.

PANZ is concerned about a growing tendency to discourage public use of easements resulting from tenure review. DOC signposting disappearing from Coal Pit Saddle and other signs warning of danger from shooting at the Nevis Bluff are examples. The public is entirely dependent on DOC to assert and protect their rights of use, however there appears not too much official enthusiasm for this. There is no direct legal remedy open to members of the public whom find themselves obstructed. The fiasco on Waiorau has well demonstrated the reality that easements, no matter how well drafted, will fail in the face of determined obstructers and inept or unwilling officials. What is needed are direct powers for members of the public to assert their rights of passage.

As PANZ has submitted in regard to Makarora Station access to Boundary Creek, there is no legal obstacle to dedicating public roads for specific user groups other than for motor vehicles. The Cardrona-Cromwell Pack Track, which bisects the southern part of Mt Pisa Station, is a historic example. “Pack track” has legal significance. It was created, or ‘dedicated’ for pack horses, their riders and foot travelers. There is no right of vehicle use, despite it being a legal road. This is on the basis of long-established common law. There are remedies open to the authorities if other ‘users’ use the road.

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The same mechanism could be utilised for the route proposed for public access up the eastern face of the range, with 'dedication' for foot, cycle and horse users. Such users would be assured of rights of access at all times, have legal recourse in the event of obstruction; have assurance of permanence of the access; and unlike for easements, be assured that a public process would be followed if moves were made to extinguish or 'stop' the road.

We are concerned about the 'temporary suspension' provisions of the draft easement document. This states the—  
“The transferee may close all or part of the Easement Area and suspend public access to it in the case on an easement:

- (a) Under section 7 Conservation Act 1987 if reasons of public safety or emergency require closure, or otherwise in accordance with the provisions of section 13 of the Conservation Act 1987;
- (b) under section 12 of the Reserves Act 1987 if it is necessary for the protection and wellbeing of the Easement Area, or for the protection and control of the public.”

Section 7 Conservation Act is entitled 'land may be acquired and held for conservation purposes', and contains no powers of closure.

Section 13 Conservation Act only applies to conservation areas. The easement area will be private freehold. If there are genuine reasons for closure of the conservation area that is where closures should apply. Notify closure at the commencement of the easement, however the easement itself cannot be closed under the Conservation Act.

Closure under section 12 Reserves Act for “for the protection and wellbeing of the Easement Area” is ultra vires the Minister's powers. Section 12 relates to acquiring interests over private land “for the purposes of a reserve or for the improvement, protection, or extension of or access to an existing reserve”. The Easement Area is not a reserve and the “wellbeing” of this land relates to farming or other private uses. This is a change in wording from other tenure review easement documents to date. If this is deliberate it signals a conscious move to subvert the public purposes of the CPLA in regard to securing public access.

### **Skeleton Hut**

We are disappointed that no 'as of right' public use of this hut is proposed despite official advice to the contrary—

*Conservation Resource Report (pg. 28)*

“The musterers hut would become a DOC hut available for recreational use. This hut already receives a moderate degree of recreational use especially over the winter months as it is a good stepping off point for ski touring. With time it will become popular for walkers using the pack track and back country users enjoying the broad tussock tops and tors.”

Considering that the purpose of hut occupation solely relates to three months grazing over the surrounding land, we do not agree that 'occupation' rights should be year round. We submit that the condition of use, namely prior booking, only apply for the duration of grazing.

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**Cardrona-Cromwell Pack Track**

We note that, while the importance of this legal road is frequently noted in official advice, no specific recommendations concerning it have been made in the Preliminary Proposal. We trust this means that no moves will be made to stop or close this road?

**Locharburn bed missing from tenure review**

Despite being within the boundary of Po 271, a rectangular part of Run 731 has been omitted from the tenure review. This may have relevance to the creation of marginal strips.

The *Opus Land Status Report* advises that there are "no streams over 3 m". This advice may be incorrect in regard to the banks of the Locharburn. In any event this advice is legally incorrect. The requirements of section 24 Conservation Act relate to the beds or rivers and streams of "an average width of 3 metres or more". This is yet another instance of generic misapplication of the marginal strip provisions, which I have previously submitted on.

Yours faithfully

Bruce Mason  
Researcher

Appendix: Air photograph of boundary fence-lines southern Basin Block  
(a jpg file can be supplied on request for printing of copies)

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Public Access New Zealand is a charitable trust formed in 1992. 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 supported by a diverse range of land, freshwater, marine, and conservation groups and individuals.

PANZ is committed to resist private predation of the public estate.

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March 12, 2002

The Manager  
Mr Ken Taylor  
Knight Frank  
Box 27  
Alexandra

Dear Ken Taylor

**Submission to Mount Pisa Station Proposed Tenure Change**

Thank you for the opportunity to comment on this proposal.

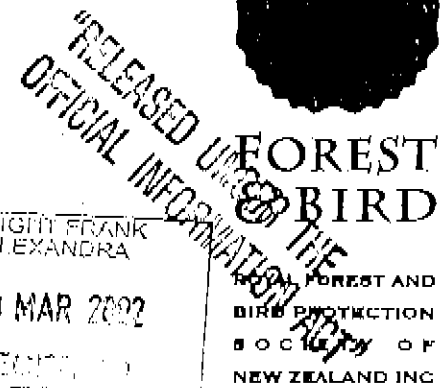
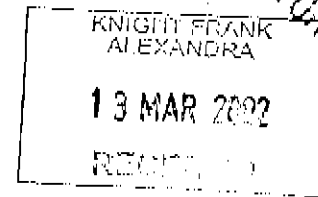
I write on behalf of the Royal Forest and Bird Protection Society, which represents over 45,000 members nationwide in 56 branches. The Society has been an active advocate of the protection and conservation of New Zealand's natural and physical resources since 1923.

Forest and Bird previously submitted a written submission with color photographs attached. I am assuming that you will still have the color photos and have only included black and white copies with this submission.

**Mt Pisa - Preliminary proposal as Presented**

(1). 4367 ha to be restored to full Crown ownership and control as conservation land, subject to the following concessions:

- (i) Grazing concession to provide for summer grazing of not more than 1500 sheep for 3 summer months over an area of approximately 2300 ha for 21 years.
- (ii) Easement concession to allow the holder access through the proposed conservation area for farm management purposes related to the grazing concession.
- (iii) License concession to allow the holder to operate a horse trekking and 4WD safari operation on the proposed conservation area, with a term of 9 years.
- (iv) License concession to use and occupy the musterers hut on the proposed conservation area for 21 years, in association with the grazing concession.



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(2). 4515 ha to be disposed of by freehold disposal to the holder, subject to the following protective mechanisms:

- (i) An easement to provide for public foot, horse, non-motorised vehicle and motor vehicle access to a carpark within the proposed freehold.
- (ii) An easement to provide for public foot, horse, and non-motorised vehicle access from the carpark to the proposed conservation area through the proposed freehold.

### **Summary**

Forest and Bird is disappointed with this proposal and do not believe that it fulfils the principles of tenure review. Mount Pisa Station is a key part of the Pisa jigsaw, however we do not believe that the transfer of land to the Department of Conservation should be achieved at any cost. The proposal as outlined does not offer substantive conservation gains and we hope that this can be rectified. We are particularly disappointed that our earlier substantive submission covering the impacts of continued grazing on the Pisa tops has been ignored and that this new proposal also provides for a 21 year grazing permit for the blocks shown as shaded on the attached map. We consider this unacceptable.

We are concerned about the practicality and the landscape impacts associated with the proposed new fence lines. We also believe the landscape values have been largely ignored and that the mid slopes of the range warrant a landscape covenant.

We are pleased to note the provision for a car park, and better more practicable foot accesses and believe these are substantive improvements.

### **Land to be restored to Full Crown Ownership and Control**

Forest and Bird supports the proposal to return 4367ha to crown ownership and control. As the Conservation Resources Report describes this land has significant conservation values, including considerable landscape and recreational values which will be an important addition to the Conservation estate.

### **Grazing Concession**

We do not support the 21-year grazing concession and ask that this be excluded from the final proposal. Continued grazing of wetlands and *Chionochloa macra* is not consistent with Section 24 CPLA.

This view is supported by numerous statements in the original conservation resources report as well as in the Report on Consultation. For example:

*"Although a grazing concession would not be promoted as the preferred outcome it has been arrived at after extensive consultation" P8 Report on Consultation.*

"DoC considers any continued grazing in the proposed conservation area will result in some level of damage to the conservation values and our preference is for total removal on settlement." P11 Report on Consultation.

"The slim snow tussock remnants showed obvious signs of grazing mainly in the high altitude basins on the eastern slopes of the Pisa range" Conservation Resources Report p 9.

"Outside of the cirque basin some of the best wetland communities occur on this southern area. Long-term removal of grazing is essential but in the interim continued restricted grazing will be necessary to achieve what is a very considerable outcome...." P 27 Doc's Conservation Resources Report.

It is clear from these statements that DOC are only accepting continued grazing as they view it as the compromise that is necessary to achieve the total outcome.

In our previous submission we detailed the impacts of continued grazing and I reproduce them here.

The Back Block contains some of the best remaining stands of *Chionochloa macra* on the Pisa Range. These stands are at high altitude, often above 1600m and are patchy in distribution. Merino sheep tend to preferentially graze *C. macra* ahead of *C. rigida*, as it is more nutritious. *C. macra* has higher organic matter digestibility and metabolisable energy than *C. rigida*.<sup>1</sup> Thus even though the *C. rigida* is more dense at lower altitudes, the sheep will no doubt climb to the *macra*. *C. macra* is much more sensitive to grazing pressure than *C. rigida*, and grazing can significantly effect the regeneration of *macra*. Rose and Platt<sup>2</sup> in a study of the regeneration of *C. macra* in 10 montane-subalpine sites in the Harper Avoca catchment, subjected to different sheep grazing and hare browsing found that on areas subject to about 80 years of sheep grazing that most snow tussocks had been destroyed and that remaining tussocks were predominantly senescent and seedlings were infrequent. In contrast the stands retired from sheep grazing for 34 or 21 years were characterised by low proportions of senescent tussocks and high proportions of seedlings and juveniles, suggesting the onset of increases in tussock abundance. Population structures inside and out side a 10 year old enclosure showed that browsing by hares alone was capable of inhibiting *C. macra* recovery. Significantly they found that although depleted by past grazing, snow tussock populations in retired stands showed signs of considerable recovery. Senescent tussocks were infrequent and tussocks were taller than in other stands, high proportions of seedlings and juveniles and decreasing proportions of individuals in successively larger diameter classes, indicated increased seedling recruitment since retirement.

We noted that many of the high altitude tussocks had been severely grazed, almost down to their stumps. It has been said that this is in part due to grass hoppers. While we accept that grasshoppers and hares exacerbate the impacts of ruminant grazing, we find it

<sup>1</sup> Fenner et al., 1993. Chemical features of *Chionochloa* species in relation to grazing by ruminants in Southland, New Zealand. *NZ Journal Ecology* 17 (1).

<sup>2</sup> Rose, A.B., and Platt, K.H., 1992. Snow tussock population responses to removal of sheep and European hares, Canterbury, New Zealand. *NZ Journal of Botany*. Vol 30: 372 -382.



hard to believe that they are the reason for the depleted tussock grasslands on Mt Pisa Station.

An assessment of the impacts of grasshoppers was carried out by White, <sup>3</sup> on 10 alpine tussock grassland sites through out the South Island. White found evidence that the highest grasshopper grazing pressures may commonly occur towards the upper vegetation limits where the vegetation is already severely degraded. Towards these limits grasshopper grazing is most certainly a critical factor in the continuing survival and stability of vegetation. However it is in the lightly and moderately depleted vegetation that herbivore grazing pressures are most likely to produce significant changes in the vegetative ground cover, and the present data apply to large areas of the South Island tussock grassland in this depleted condition. This is because grass hopper densities are high and /or the available crop of vegetation and its productivity are low

These studies indicate that grazing of macra will effect the conservation values and will significantly delay the restoration of the grazed area. Grass hopper grazing can not be controlled, but it has more severe impacts in grasslands, which are already depleted. Thus continued sheep grazing is likely to further deplete the tussock grassland and increase it's vulnerability to damage from grass hoppers and hares. The proposal for a further 21 years grazing on these blocks is in our view unsustainable from a conservation perspective and is unacceptable as part of this tenure review.

Forest and Bird finds it difficult to believe that a 21 year term can be justified on the basis of the runholder needing a full 21 years in order to put in place significant management changes as a result of tenure review. In our earlier submission we accepted that for pragmatic reasons and the need for a short transition grazing could be granted for upto 5 years over the two middle blocks but not over the Mt Dotterel Block which we believe has the highest and most vulnerable conservation values. However we made this submission in February 1997 and it is now 5 years later. We believe the lessee has had ample time to plan for changes in management that may be associated with the tenure review.

### **New Fence Lines**

Forest and Bird is surprised that the proposed new fence line which is above 1000m is considered practical, and we imagine it will require rock blasting and suffer continual maintenance problems due to snow damage. We submit the existing fence line should be used.

### **Landscape Covenant**

The rippled slopes of the Pisa range are a dominant landscape feature in Central Otago and are prominent on the route between Cromwell and Wanaka, which is a major tourist highway. We have no confidence in landscape values being adequately protected on freehold land through the QLDC District Plan. Further District Plans are subject to 10 yearly reviews. A landscape covenant is needed to protect the open

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<sup>3</sup> White, E.G., 1975. A survey and assessment of grasshoppers as herbivores in the South Island alpine tussock grasslands of New Zealand. *N.Z. Journal of Agricultural Research*, 18: 73-85.

space values of the mid to upper slopes by preventing the establishment of forest or any kind of exotic planting, tracking and subdivision.

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### **Skeleton Stream Hut**

The public has greatly enjoyed the use of this hut, and the existing lessee has generally been very happy for recreationists to use the hut. However we can not assume that the existing lessee will remain the lessee for the next 21 years. Further more without any contract for maintenance the public could not be assured of securing a well maintained hut after 21 years. The hut is in an excellent location for people using the Cadronna Pack Track. It would be a considerable recreational asset. Given that we are recommending no grazing concession we also recommend that the hut revert to DOC upon settlement of the tenure review.

### **Concession for Horse Trekking and 4wd Safari**

This submission supports the proposals outlined in the submission by the Otago Branch of the Society. We believe that it is highly preferable that the horse trekking and 4wd safari routes be restricted to the northern end of the range and that the Mount Dotterel area should be protected as a remote backcountry area in part for its recreation values but also because this is where the dotterels breed and where there are more extensive sensitive wetlands and seepages.

### **Conclusion**

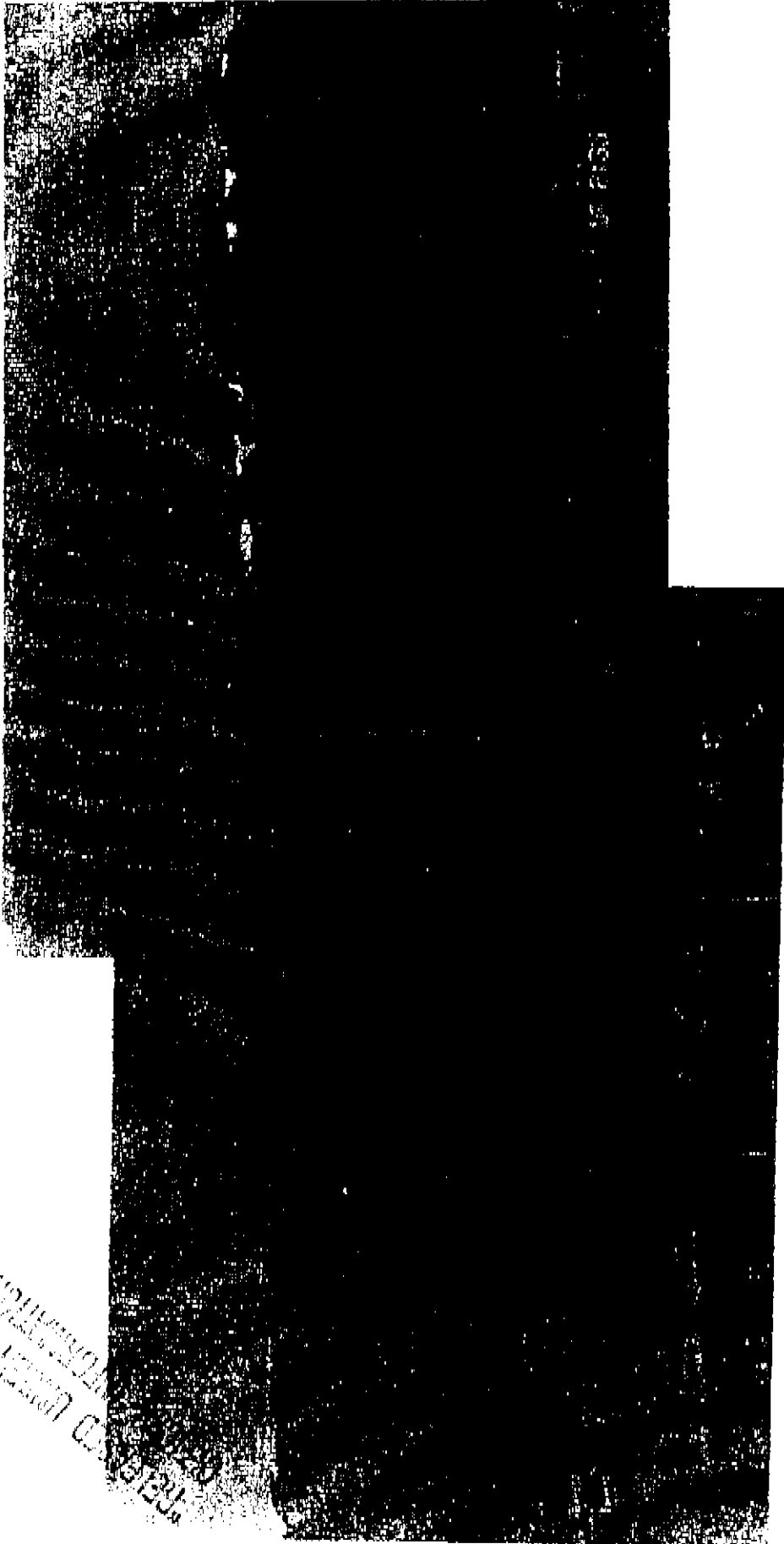
The proposed addition of the high altitude lands of the Pisa Range to the conservation estate, provided they come without a 21 year grazing permit, and the 4wheel drive and horse trekking over Mt Dotterel, and that a landscape protection covenant is put in place over the mid to upper slopes to be freshholded would be strongly supported and celebrated.

We would be pleased to discuss these issues further.

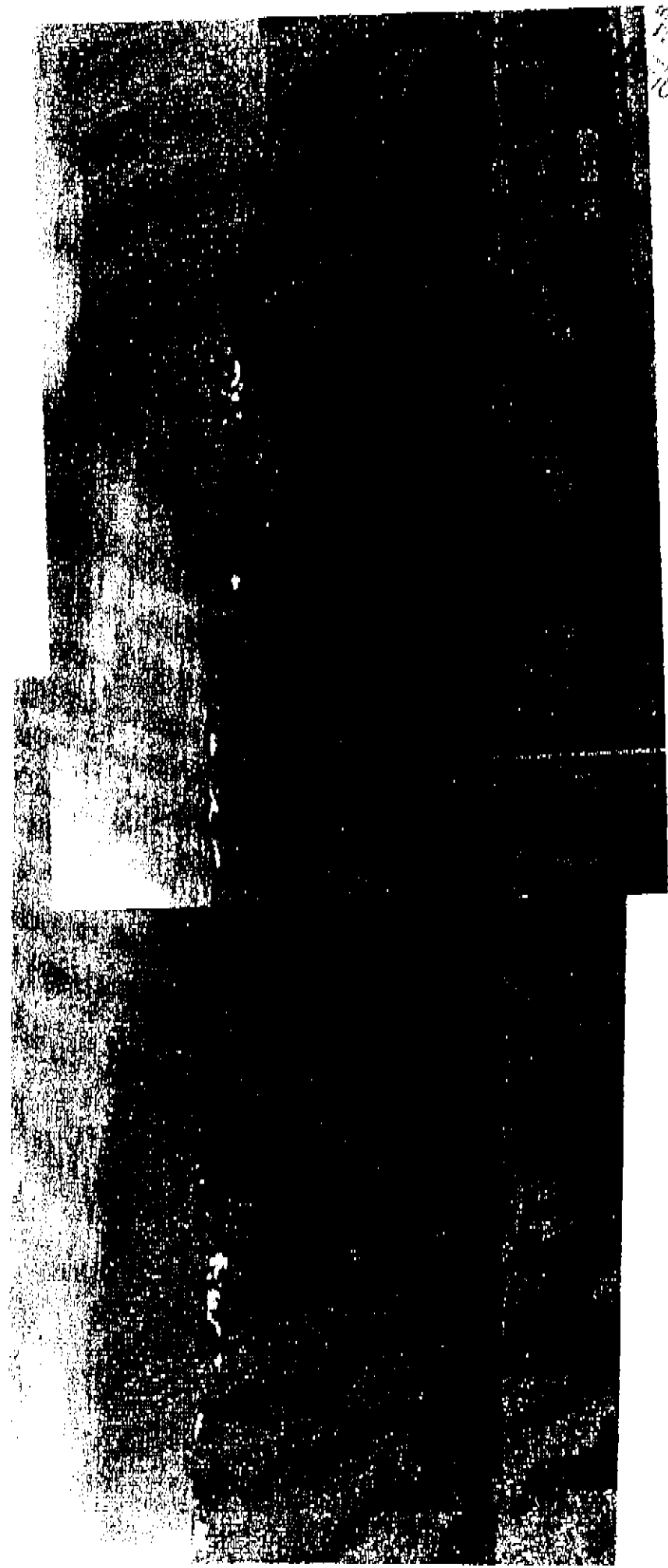
Yours sincerely



Sue Maturin  
Southern Conservation Officer

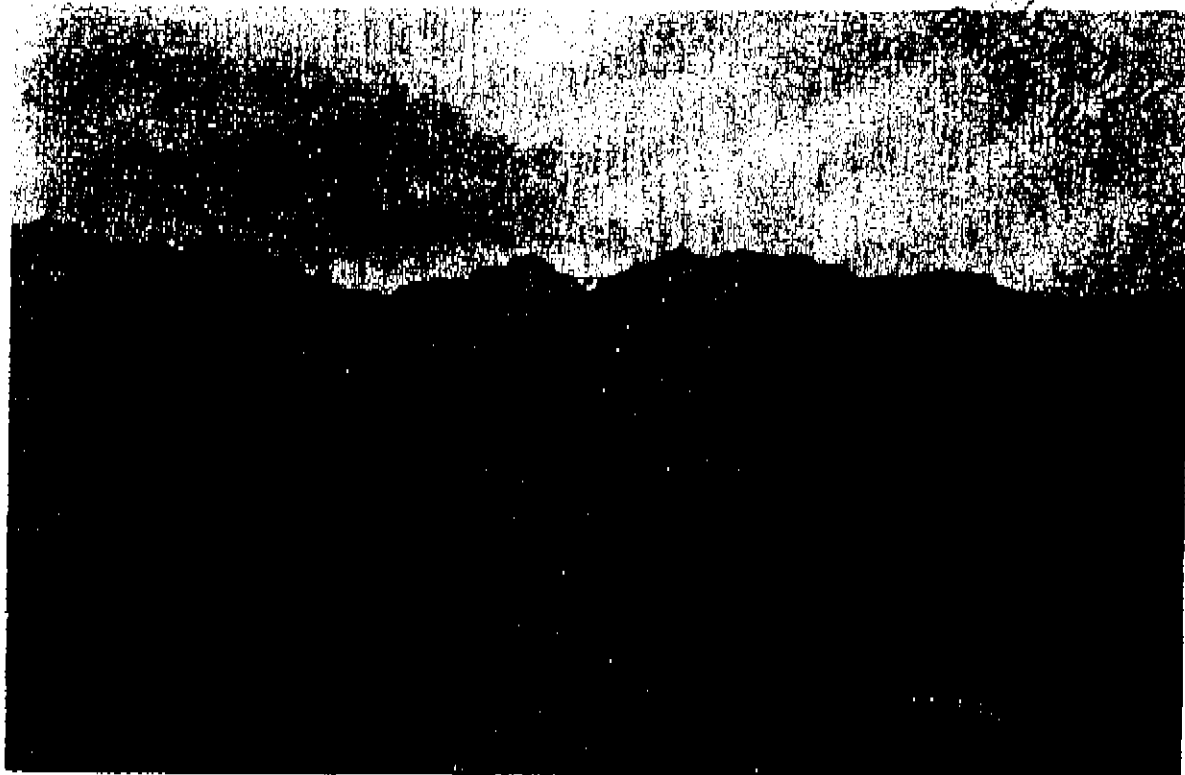


Mt Pisa Station from the main road. The mid slopes are worthy of a conservation covenant to protect the open space and homogeneous vegetation colours and textures.

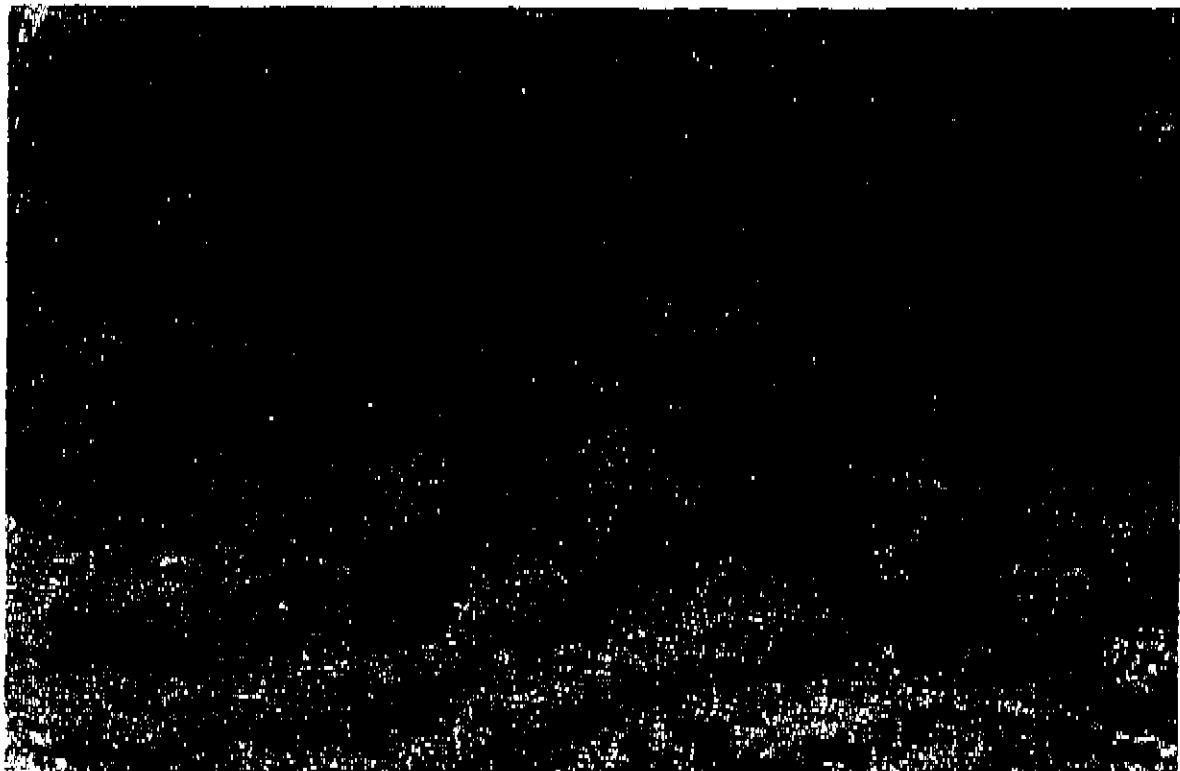


Mt Pisa Station from the main road. The mid slopes are worthy of a conservation covenant to protect the open space and homogeneous vegetation colours and textures.

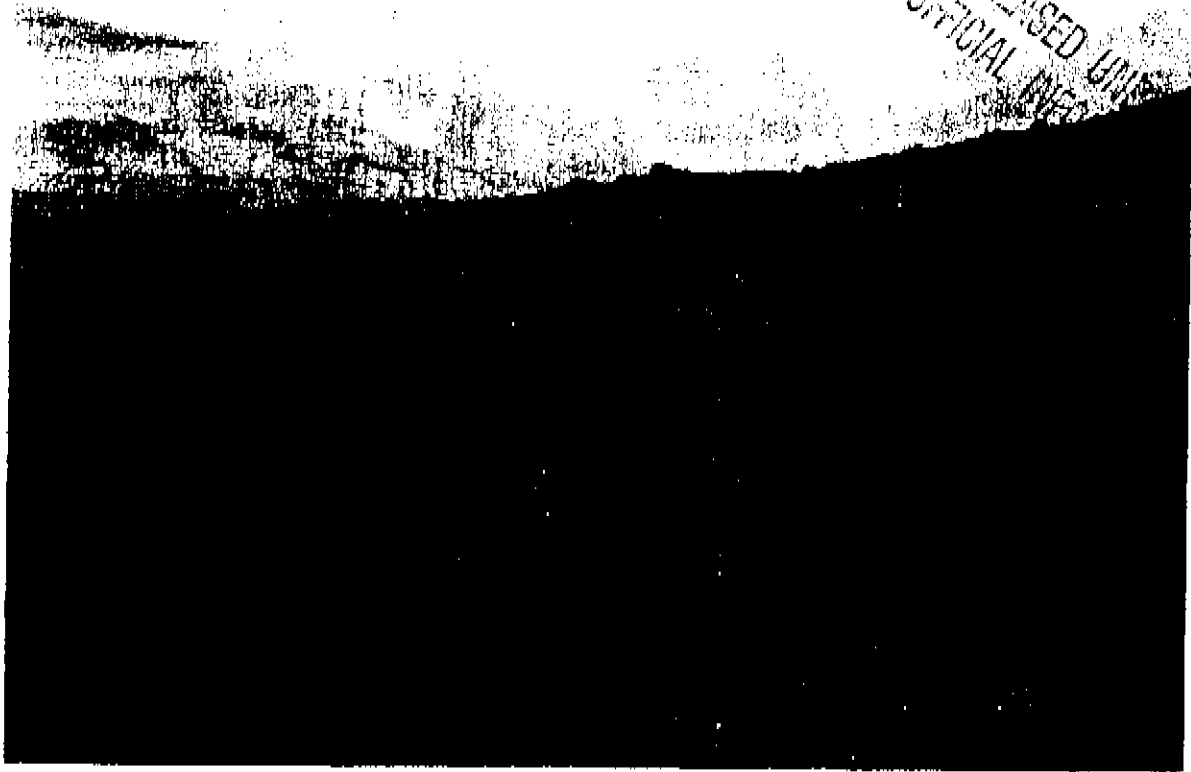
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Proposed access up the Tinwald Burn. Top showing exit point from the creek up the spur in green. The purple line shows the proposed new fence line at the bottom of the Basins. Photo below looks down into the proposed Tinwald Burn creek access. An impenetrable jungle of predominantly briar.



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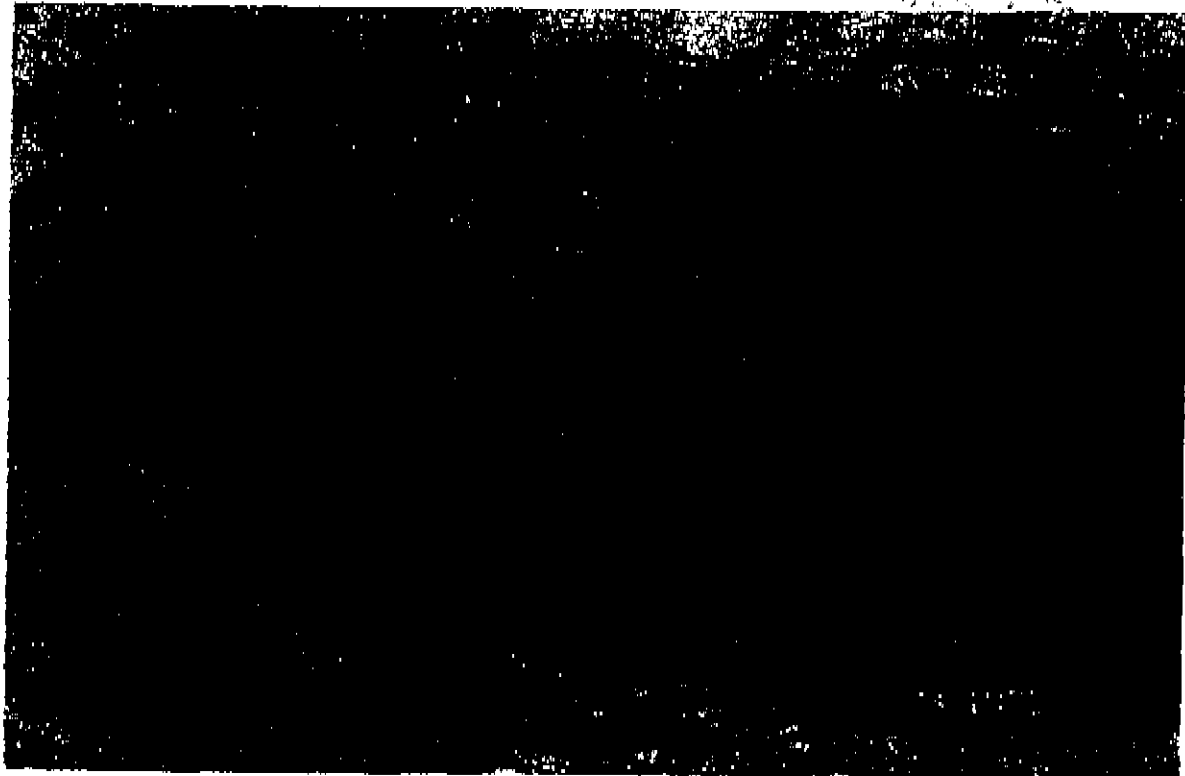


Looking across the top of the Breakneck block towards Gordon Rocks , at about 1500m. This area is proposed to go to DoC. It is included in the area we suggest should be grazed instead of the better condition Back Block. Bottom photo is looking across the top of the Crows Nest block, which is proposed to be grazed for 21 years. There is very little grazing values over extensive areas of this block.

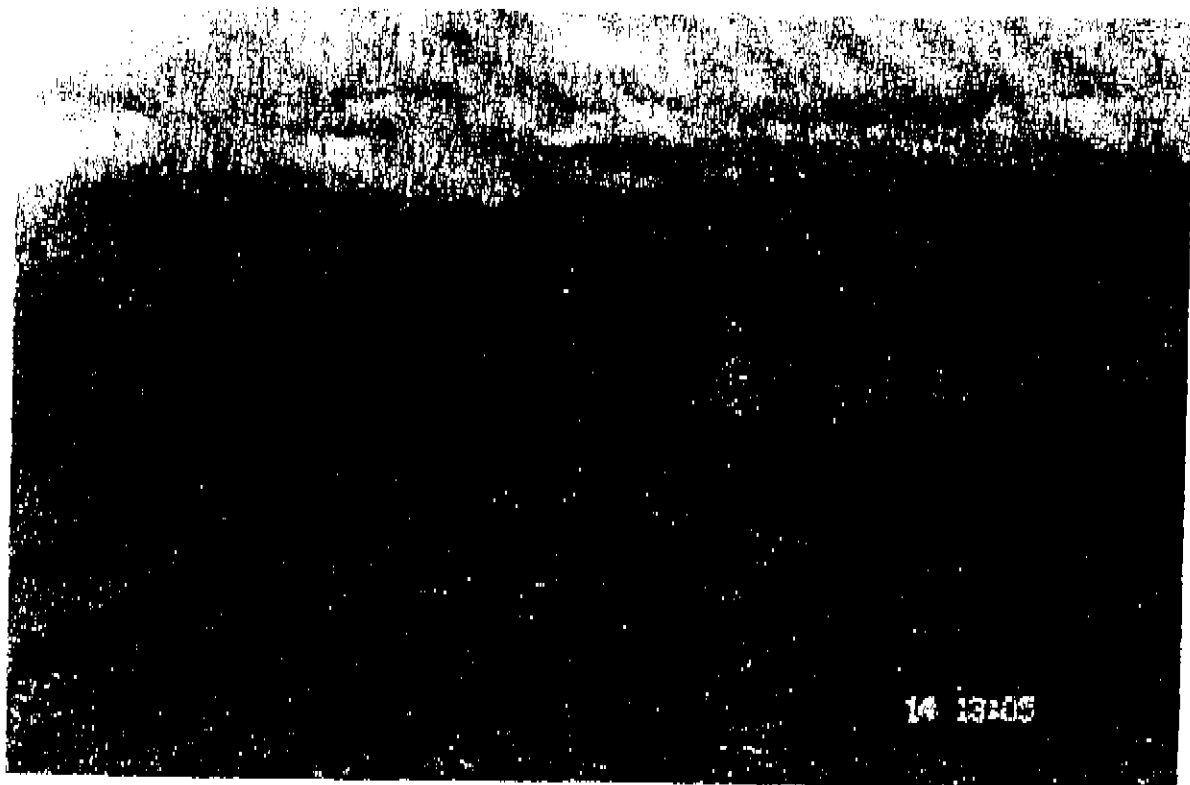


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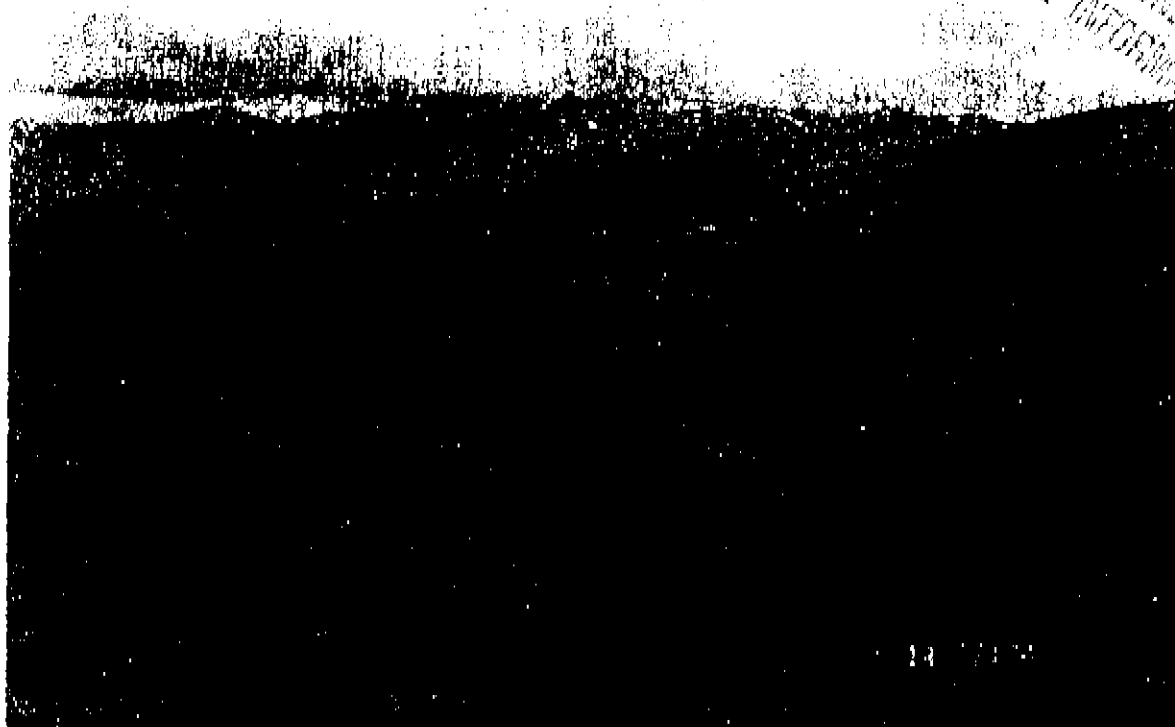


Looking from Gordon Rocks across Breakneck, and the proposed boundary between the freehold and conservation land. The purple line shows the proposed new fence line and the red the existing fence line, which we believe should be the boundary. Note that this is the extent of the developed country and that above the red line it is predominantly covered in indigenous vegetation. Bottom photo shows part of the top of Crows Nest looking towards the Cadronna Ski Field.

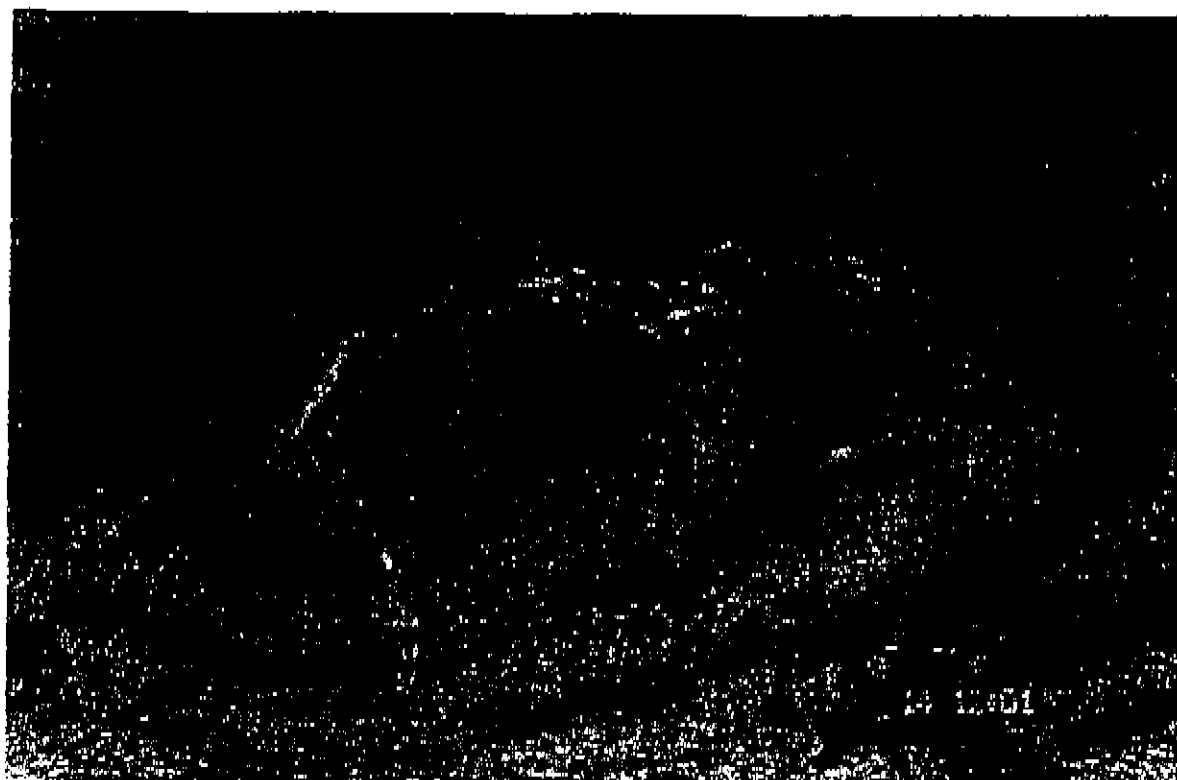


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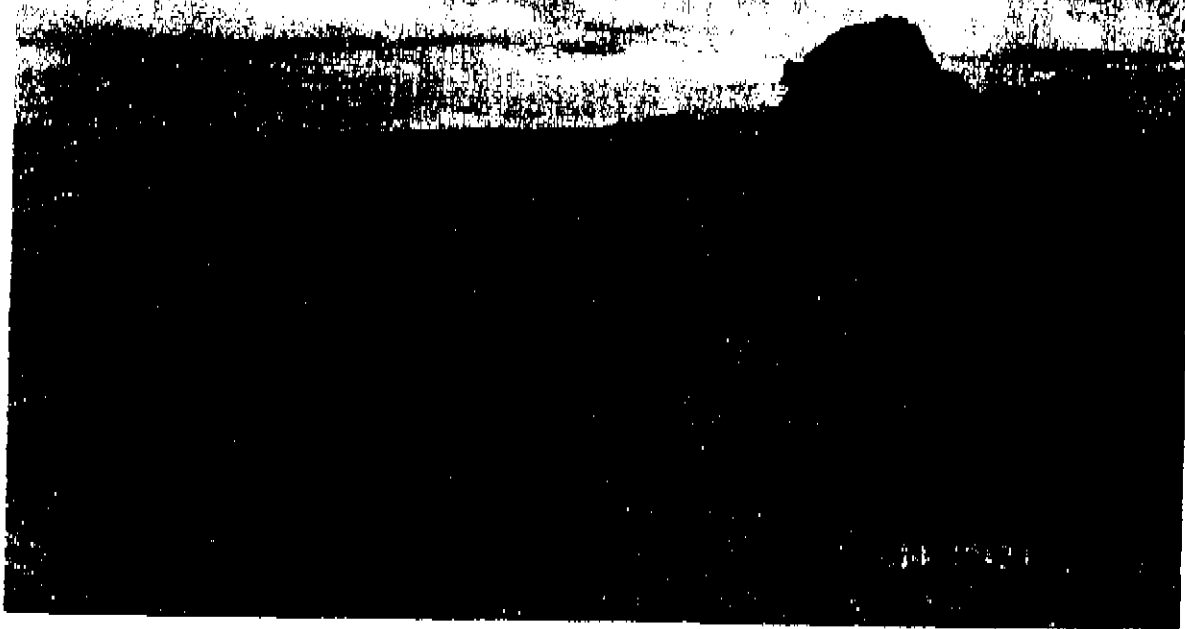


Looking across Breakneck block from just below Gordon Rocks. This area is proposed to be grazed for 21 years. The snow tussock is generally scattered and the vegetation is dominated by spear grass and *Dracophyllum* and small alpine herbs. There are quite extensive areas of bare ground. It is very difficult to see how the Crown can justify continued grazing of this high altitude, depleted alpine herbfield and tussock grassland.

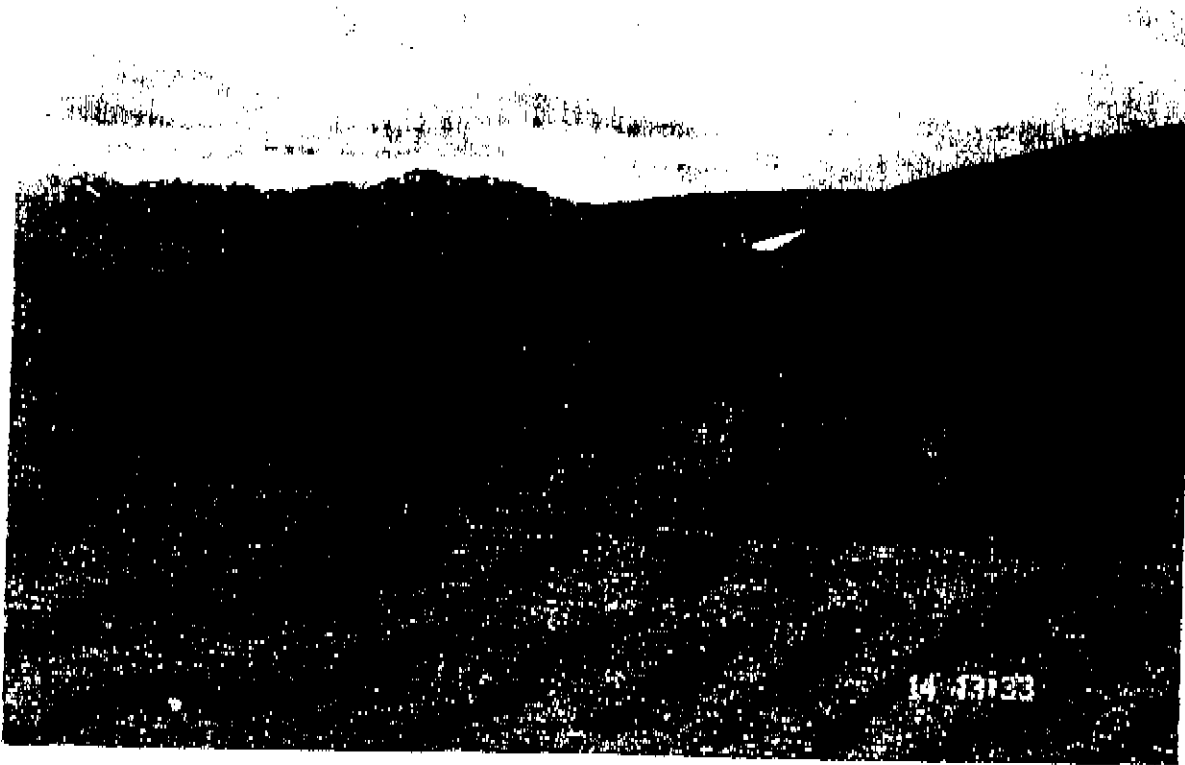




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




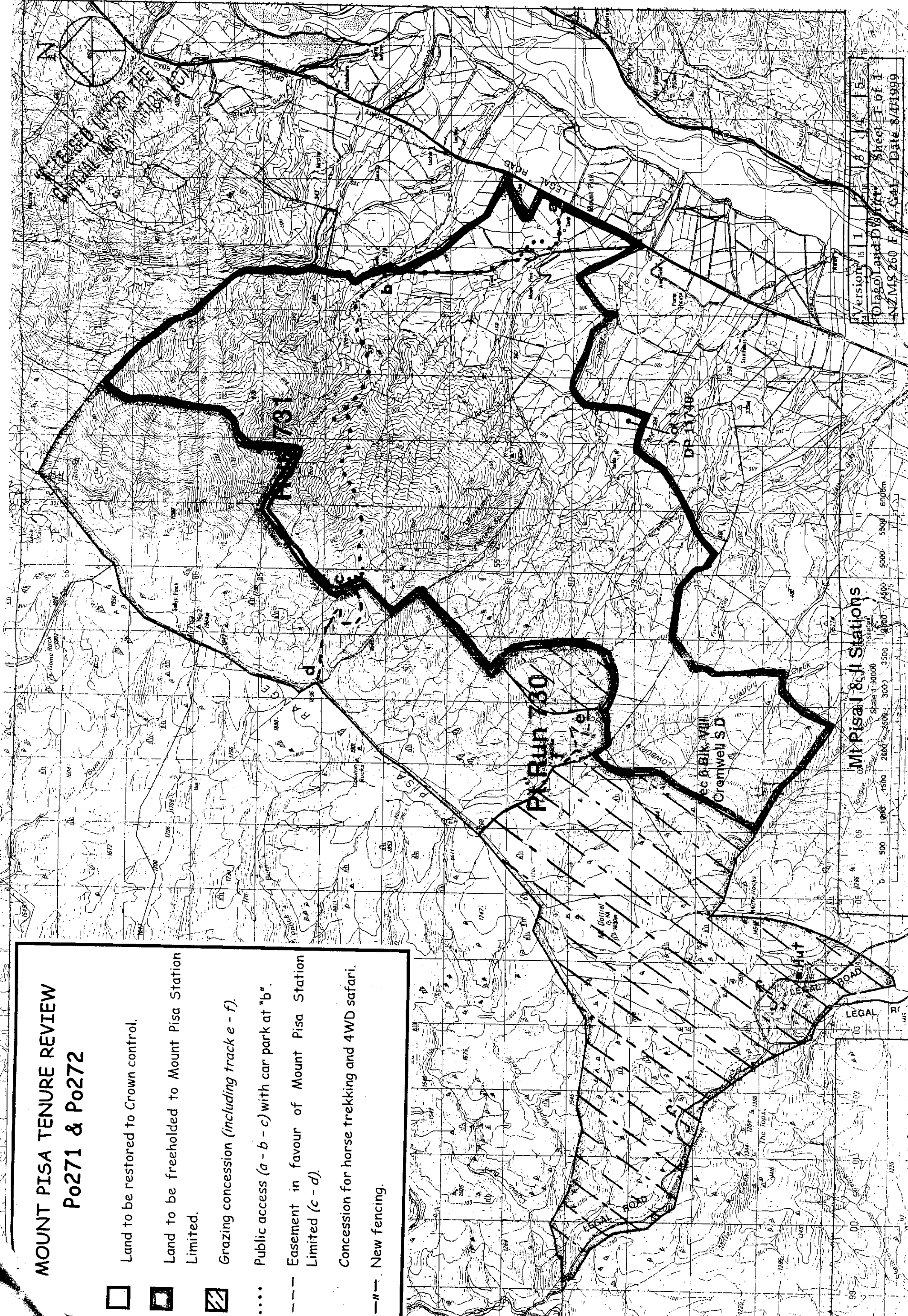
*Chionochloa macra* stands behind Mt Dotterel. These are some of the better stands. The vegetation is mostly blue tussock, *Dracophyllum muscoides*, *Celmisia sessiliflora*, *Gentiana bellidifolia* and other cushion field plants.



14 43133

# MOUNT PISA TENURE REVIEW Po271 & Po272

-  Land to be restored to Crown control.
-  Land to be freeholded to Mount Pisa Station Limited.
-  Grazing concession (including track e - f).
-  Public access (a - b - c) with car park at "b".
-  Easement in favour of Mount Pisa Station Limited (c - d).
-  Concession for horse trekking and 4WD safari.
-  New fencing.



Version 1  
 Diago Land District Sheet 1 of 1  
 NZMS 260 E 1/50000 Date 8/11/1999

Mt Pisa I & II Stations  
 Scale 1:30000  
 2000 3000 4000 5000 6000

Wakatipu Tramping and Mountaineering Club  
P O Box 137  
Queenstown

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11 March 2002

K R Taylor  
Knight Frank  
41-43 Tarbert Street  
Alexandrc

Ref: Po 2271/Po 272

Dear Sir

Tenure Review - Mt Pisa

Thank you for given us the oppurtunity to comment on the above proposal.

We are generally in favour of the proposal.

However the prospect of 150 horse trekking or 4 WD safari trips up to Mt Pisa concerns us. As these trips will be carried out over a relatively short time of the year we fear that damage to the vegetation and the soil can occur over the area marked D to the top of Mt Pisa. The vegetation in these area is very fragile and needs all the protection it can get.

We like to see that the Spccial condition no: 4 is monitored on a early basis.

Yours sincerely,



Hans Arnestedt  
Secretary