

Crown Pastoral Land Tenure Review

Lease name: RIVERSLEA

Lease number: PO 178

Public Submissions - Part 2

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

July 09



FEDERATED MOUNTAIN CLUBS OF NEW ZEALAND (Inc.)

P.O. Box 1604, Wellington

1931
75
years
2006

DTZ ALEXANDRA

24 FEB 2009

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20 February 2009

The Commissioner of Crown Lands
C/- DTZ Ltd.,
PO Box 27
Alexandra

Dear Sir,

Re: Preliminary Proposal for Tenure Review: Riverslea Pastoral Lease (Po 178)

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 clubs throughout New Zealand. We also indirectly represent 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 enhance recreation opportunities, to protect natural values, especially landscape and vegetation, and to improve public access to the back country through the tenure review process.

FMC fully supports the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the more recently stated government objectives for the South Island high country especially the following:-

- to promote the management of the Crown's high country in a way that is ecologically sustainable.*
- to protect significant inherent values of reviewable land by the creation of protective measures; or preferably by restoration of the land concerned to full Crown ownership and control.*
- to secure public access to and enjoyment of high country land.*
- to ensure that conservation outcomes for the high country are consistent with the NZ Biodiversity Strategy.*
- to progressively establish a network of high country parks and reserves.*

[EDC Min (03) 5/3; CAB Min (03) 11/5 refer]

FMC appreciates this opportunity to comment on the Preliminary Proposal for the review of Riverslea pastoral lease.

For your information we attach as an appendix to this submission, the report which FMC prepared on the tenure review of Riverslea (together with Beeches I) in 2005, at the 'Early Warning' stage of the tenure review process.

THE PRELIMINARY PROPOSAL

FMC notes that the proposed designations are described as follows:-

General description of the proposal:

PROPOSAL 1. Land to be restored to Crown control (2.1.1)

An area of approximately 810 ha (labelled CA on the designations plan) to be restored to Crown control as a conservation area pursuant to Section 35(2)(b)(i) Crown Pastoral Land Act 1998, subject to qualified designations.

Qualified Designation – Easement Concession for farm management purposes (2.1.1.1)

The area is to be designated subject to the granting of an easement concession to SH Andrews and Sons Ltd. for access for farm management purposes pursuant to Section 36(1)(a) Crown Pastoral Land Act 1998.

Qualified Designation – Grazing Concession (2.1.1.2)

The area is to be designated subject to the granting of a grazing concession to SH Andrews and Sons Ltd pursuant to Section 36(1)(a) Crown Pastoral Land Act 1998, on terms and conditions as per the draft document.

Qualified Designation – continuation in force of an existing easement (2.1.1.3)

That where land within the proposed Conservation Area is currently subject to a Deed of Easement to convey water together with incidental rights in favour of Ian Fraser and Owen McDonald there will be a continuation in force of this easement pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998.

PROPOSAL 2. Land to be disposed of by freehold disposal (2.2)

Land to be disposed of by freehold disposal to SH Andrews and Sons Ltd, pursuant to Section 35(3) Crown Pastoral Land Act 1998, subject to protective mechanisms and a qualified designation. Area: 780 ha approximately and labelled FH on the designations plan.

Protective Mechanism – Proposed Conservation Covenant (2.2.1)

An area of approximately 15 ha marked CC on the proposed designations plan, to be subject to a Conservation Covenant pursuant to Section 40(1)(b) and 40(2)(a) Crown Pastoral Land Act 1998.

Protective Mechanism – Proposed Easement for Public and Conservation Management access (2.2.2)

It is proposed that the route shown as “a-b-c” and “b-d” on the proposed designations plan be subject to an easement for public access pursuant to Section 40(1)(b) and 40(2)(b) Crown Pastoral Land Act 1998. and for Conservation Management access pursuant to Section 40(1)(b) and 40(2)(b) Crown Pastoral Land Act 1998.

Qualified Designation – continuation in force of an existing easement (2.2.3)

That where land within the proposed freehold is currently subject to a Deed of Easement right to convey water together with incidental rights in favour of Ian Fraser and Owen McDonald there will be a continuation in force of this easement pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998.

FMC SUBMISSIONS

It should be noted that FMC provided a Report in April 2005, following the Early Warning meeting related to properties on the Rock and Pillar Range. That Report was entitled “*Rock and Pillar Range, North: The Beeches I and Riverslea Pastoral Leases. A Report for FMC on the recreational, landscape, historic and other conservation values on the Rock and Pillar Range (North)*”. For your information a copy of the text of that report is appended to this submission.

The details of FMC views on, and support for, or objections to, the Preliminary Proposal are presented

below and are arranged in the same format as the Preliminary Proposal quoted above.

It is pleasing to note that some of the recommendations made in the 2005 FMC Report have been followed in the tenure review process and now appear in this Preliminary Proposal. For example, the top block is now proposed to be restored to full Crown ownership and control as a Conservation Area as was recommended in the FMC Report. Disappointingly, our recommendations for access within the property have not been followed. However, the major need for access to the crest of the range, and ultimately to the Rock and Pillar Range Conservation Park appears to have been satisfied using access to and through the Conservation Area CA, (subject to clarification regarding access from Gorge Road).

PROPOSAL 1. Land to be restored to Crown control (2.1.1)

An area of approximately 810 ha (labelled CA on the designations plan) to be restored to Crown control as a conservation area pursuant to Section 35(2)(b)(i) Crown Pastoral Land Act 1998, subject to qualified designations.

FMC notes that this proposal relates to the entire top block of the Riverslea pastoral lease, covering some 800 ha of land between about 1,000 and 1,200m at the northern end of the Rock and Pillar Range. This amounts to approximately half of the property.

This proposal implements the recommendation made in the 2005 FMC Report that *“Provision should be made for this [include the tussock grassland on the upper slopes of Riverslea] in the tenure review of this property by designating most of the land above 1,000m for return to full Crown ownership and control as a conservation area”*.

The area incorporates the headwaters of the Cap Burn and consists of a tall tussock grassland and wetland mosaic. Native plant communities are generally intact with only small areas at lower altitude with a high component of Hieracium. We note that the proposal document agrees with the earlier FMC conclusion that farming within this area is considered ecologically unsustainable.

The proposed conservation area retains much of its natural character and is considered to be typical of the pre-human landscape in the region. The natural character is derived from the intact landscape patterns and the visual coherence that arises from the homogeneous and intact nature of the original tall tussock grasslands and herbfields. Notable are the wide spaced high points which frequently culminate in tors. The unit is considered an integral part of the wider and more expansive high country landscape of the Rock and Pillar Range. We believe that in due course it will be a worthy addition to the emerging Rock and Pillar Conservation Park.

In general, the proposal is characterised by ecological communities with a high degree of naturalness. Increasing woodiness and improved wetland and grassland condition is expected in the absence of pastoral use. Wetland communities within the headwaters of the Cap Burn are well developed. There are areas of high species richness which make a disproportionate contribution to biodiversity on the Rock and Pillar Range.

As stated in the conservation resources report, the proposed conservation area CA contains a number of rare or threatened species including *Myosurus* and *Myosotis*.

Almost the entire proposed conservation area is considered an ‘under protected’ land environment and therefore warrants protection.

A stone cairn trig is also located within the proposed conservation area. Such trigs are unusual and considered a characteristic feature of the Maniototo area. One such trig has been the subject of recent correspondence in Otago newspapers. Minor parts of historic water race systems associated with 19th century gold mining are also present and add interest for those potential visitors with interests in Central Otago heritage values.

The proposed conservation area CA also has significant inherent values associated with recreational opportunities. As noted in the conservation resources report, the proposed conservation area is suited to a range of backcountry activities including tramping, mountain biking, and horse riding. The proposed conservation area forms part of a potential north - south traverse of the Rock and Pillar Range and therefore is considered strategically important.

All these features and values combine to provide a powerful argument for the return of this area to Crown control. This is an outcome that FMC fully supports.

FMC Submission

FMC unreservedly endorses and supports this proposal for a total of 810 ha of land to be restored to Crown control. We recommend that following the completion of tenure review the area designated CA should be added to the emerging Rock and Pillar Conservation Area.

Qualified Designation – Easement Concession for farm management purposes (2.1.1.1)

The area is to be designated subject to the granting of an easement concession to SH Andrews and Sons Ltd. for access for farm management purposes pursuant to Section 36(1)(a) Crown Pastoral Land Act 1998.

FMC notes that this easement would provide for ongoing use of the existing track for farm management movements between the two sides of the property, to which FMC has no objection.

FMC Submission

FMC has no objection to the easement concession for farm management purposes.

Qualified Designation – Grazing Concession (2.1.1.2)

The area is to be designated subject to the granting of a grazing concession to SH Andrews and Sons Ltd for pursuant to Section 36(1)(a) Crown Pastoral Land Act 1998, on terms and conditions as per the draft document.

FMC notes that this concession is limited to a term of 4 years to provide phase out grazing for a maximum of 1,500 sheep for up to 10 weeks over the summer months. We calculate that this grazing pressure is equivalent to a stocking rate of less than 0.5 SU per ha per annum. This is a low stocking rate which we note is designed to be significantly reduced by year 4. FMC believes this will have minimal impact on the natural values of the block and therefore has no objection to this concession so long as there is no provision for renewal.

FMC Submission

FMC has no objection to this concession so long as there is no provision for its renewal.

Qualified Designation – continuation in force of an existing easement (2.1.1.3)

That where land within the proposed Conservation Area is currently subject to a Deed of Easement to convey water together with incidental rights in favour of Ian Fraser and Owen McDonald there will be a continuation in force of this of this easement pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998.

FMC understands from the Proposal document that this easement grants the holders the right to convey water “over the proposed freehold”. We presume this is an error and that the rights really relate to the conveyance of water over proposed Conservation Area CA. We accept that the continuation in force of this easement is necessary for the provision of irrigation and stock water to the freehold land owned by the McDonald family.

FMC Submission

FMC has no objection to this qualified designation.

PROPOSAL 2. Land to be disposed of by freehold disposal (2.2)

Land to be disposed of by freehold disposal to SH Andrews and Sons Ltd, pursuant to Section 35(3) Crown Pastoral Land Act 1998, subject to protective mechanisms and a qualified designation. Area: 780 ha approximately and labelled FH on the designations plan.

FMC understands that this area consists of the lower sunny hill country above the Shepherds Hut workings and the lower to mid-altitude hill country in the middle of the lease. FMC noted in its 2005 Report that this area contained some 500 ha of land characterised by LUC Class VI soils “*which should be capable of being managed in a way that is ecologically sustainable*”.

It was also noted that on Riverslea this LUC Class VI land “*had significant potential to express subdued inherent natural values There are shrublands in some gullies which would rapidly recover from the effects of fire and grazing if these influences were removed*”. We are disappointed that such areas do not seem to have been considered for protection under Covenant. The only proposed Covenant area (CC) is intended to be protected because of its historic values. We submit that consideration should be given again to the designation of a Covenant to protect the best of the remnant shrublands in gullies within the proposed freehold area.

FMC Submission

FMC accepts that most of the land proposed for freehold disposal should be capable of being managed in a way that is ecologically sustainable, and is therefore suitable for freehold disposal. However we request that some valley shrublands be reconsidered for protection under covenant,

Protective Mechanism – Proposed Conservation Covenant (2.2.1)

An area of approximately 15 ha marked CC on the proposed designations plan, to be subject to a Conservation Covenant pursuant to Section 40(1)(b) and 40(2)(a) Crown Pastoral Land Act 1998.

We understand that the area is to be protected on the basis of its content of relics related to the goldmining era of Central Otago under a Conservation Covenant is currently recognised as an Historic Reserve. FMC supports this proposed designation as it contains relics of significant interest for those visitors wishing to find out more about the historic heritage of Central Otago. We accept that the area may need to be closed to the public during lambing but that this restriction is compensated by new conditions requiring the approval from the Minister of Conservation for a variety of activities which could potentially have adverse effects on the historic values. Those activities include earth disturbances, the planting of exotic trees, erection of structures, pasture improvement, burning of vegetation and the damming and/or diversion of natural water.

FMC Submission

FMC supports the proposal that some 15 ha be protected under a Conservation Covenant to protect the historic heritage values of the area of the Shepherds Hut diggings. We also support the provision for public access which is an integral part of this proposal.

Protective Mechanism – Proposed Easement for Public and Conservation Management access (2.2.2)

It is proposed that the route shown as “a-b-c” and “b-d” on the proposed designations plan be subject to an easement for public access pursuant to Section 40(1)(b) and 40(2)(b) Crown Pastoral Land Act 1998, and for Conservation Management access pursuant to Section 40(1) (b) and 40(2)(b) Crown Pastoral Land Act 1998.

We note that the proposed recreational activities may include skiing, but that access will be restricted during the winter months May to November. We submit that if skiing is to be enjoyed, then provision needs to be made for winter access to be negotiated with the landowner.

FMC Submission

FMC is pleased to note that vehicle access, as well as foot and non-motorised public access is to be provided to the new conservation area CA. We accept the proposed restrictions which seem reasonable to us, except that there needs to be a provision for negotiated access during the winter months for skiing. Access will also facilitate public entry to the northern end of the Rock and Pillar Conservation area and eventually to the Rock and Pillar Range Conservation Park. We recognise that this long term provision is important for the full public enjoyment of the yet-to-be-established new Conservation Park.

Qualified Designation – continuation in force of an existing easement (2.2.3)

That where land within the proposed freehold is currently subject to a Deed of Easement right to convey water together with incidental rights in favour of Ian, Fraser and Owen McDonald there will be a continuation in force of this easement pursuant to Section 36(3)(c) Crown Pastoral Land Act 1998.

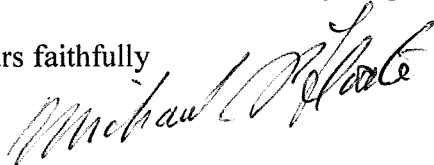
There seems to be some confusion here as this continuation was referred to above in relation to the Conservation Area CA. Perhaps the easement traverses both the Conservation land and the proposed freehold area. In either, or both cases FMC has no objection to continuation in force of the existing easement.

FMC Submission

FMC has no objection to the continuation in force of this existing easement to convey water over the proposed freehold land.

Finally, FMC thanks the Crown Agent, DTZ Ltd, for facilitating access to the property. We also thank the runholder for permission to inspect the property and the Commissioner of Crown Lands for the opportunity to comment on the Preliminary Proposal for the tenure review of Riverslea pastoral lease.

Yours faithfully



pp Phil Glasson, Secretary, Federated Mountain Clubs of NZ,

APPENDIX.1

ROCK AND PILLAR RANGE (North)

THE BEECHES I AND RIVERSLEA PASTORAL LEASES

*A report for FMC on the
recreational, landscape, historic and other
conservation values on the Rock and Pillar Range (North)*

**together with recommendations for the outcomes of tenure review
based on field inspection and other research
to assist in the Tenure Review Process**

April 2005

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LIST OF FIGURES

Fig. 1. The northern flanks of the Rock and Pillar Range are more gentle than the steep eastern face of the range and lower in elevation than the crest of the range which lies further south. This view, from the lower Pig Burn shows some gold workings on the lower slopes of The Beeches with modified grassland and scrub above. The highest slopes are characterised by more natural snow tussock grasslands.

Fig. 2. The boundary between The Beeches I and Riverslea lies just to the east of the unnamed creek which runs into a storage dam, and then via the water race below it provided water for the gold sluicings adjacent to the northern boundary of Riverslea. This view shows the modified grassland which typifies the lower slopes of both properties. Water races could provide opportunities for day walks with added interest related to their heritage values.

Fig. 3. Both properties have areas occupied by old gold sluicings and dams which are excluded from the pastoral lease. These areas and the gold mining relics they contain are of significant interest to the public. Increasingly,

people are taking an interest in heritage values and tenure review provides a great opportunity to add to the existing reserve areas. This view shows the dam at Hamiltons Diggings which, through the control structure in the foreground, now provides water for irrigation.

Fig. 4. There are two historic buildings on the Waipiata Diggings boundary of Riverslea, one of which is a cottage available for rent. From here a marked track leads up to a stone hut high in the Cap Burn catchment. This route could provide much needed public foot and mountain bike access to the northern end of the legal road along the crest of the Rock and Pillar Range.

Fig. 5. An historic stone hut (with a grey iron roof) is situated on the spur in the middle of this view, adjacent to a large rock outcrop and part of an extensive water race system. A walking track to the hut has already been developed and above the hut, a track can be traced leading to a high point on the back boundary at 1212m. It would provide good public access to the northern end of the Rock and Pillar Range. Easements are required to provide access for exploration of the extensive water race system.

Fig. 6. The track to the stone hut passes through a saddle where the water race has been lowered by putting it underground. This race is still in use to provide irrigation water for farms lower down. The extensive water race system is evidence of the huge amount of effort put in by the miners of the Nineteenth Century and now provides heritage interest for 21st. Century walkers and trampers.

Fig. 7. Complementary to the Hamiltons Diggings, there are significant examples of gold sluicing and associated water races within the pastoral lease areas of these properties. This view shows extensive workings in the lower Pig Burn on The Beeches I which should be protected as an historic reserve. Controlled grazing might be accommodated with conditions to ensure that no damage occurred to the historic heritage values.

Fig. 8. Some of the sheltered gullies on Riverslea contain significant inherent natural and landscape values. These are particularly noticeable in contrast to the more heavily modified grassland which is typical of the lower slopes, and can be seen at the left of this view. Where these sheltered gully shrublands occur as small discrete patches, protection under covenant may be appropriate.

Fig. 9. There is a delightful spot beside the ford on Gorge Road which is very close to the former gold workings on the Beeches and which would make an ideal family picnic site. A small area here should be designated recreation reserve.

Fig. 10. The provision of public access to the northern end of the Rock and Pillar Range is important because increasing numbers of people are using the Otago Central Rail Trail and many of these are looking for other places to explore while in Central Otago. Visits to the heritage sites on Riverslea and The Beeches I, as well as the reserves at Waipiata and Hamiltons, would provide just such additional recreational opportunities.

INTRODUCTION

This Report has been prepared following the Early Warning Meeting in September 2004 at which the properties entering the tenure review process in 2004 were introduced. This Report covers Riverslea and The Beeches I.

Federated Mountain Clubs of NZ (FMC) made some comment at the Early Warning Meeting and afterwards submitted some brief notes on the desirable outcomes of tenure review. Subsequently we have had an opportunity to visit and inspect parts of these properties. Following those inspections, this report was compiled from field, map and literature information. The report is offered as a contribution to the statutory consultation process undertaken by the Department of Conservation (DOC). It is a companion volume to the report entitled: "ROCK AND PILLAR RANGE (South) A Report for FMC on the Recreational, Landscape, Historic and other Conservation Values, and Recommendations for the Outcomes of Tenure Review on Carrickmore and The Homestead pastoral leases and Patearoa and Waipiata Syndicates" (April 2005),

The Report focuses on those features of the properties which are important for public recreational interests. It should be noted that while some of this interest focuses on access, the landscape and natural and historic values of these

lands are important and have a fundamental impact on the recreational value of the property. These values greatly influence the quality of recreational experience enjoyed. It is for this reason that reference is also made to these features in this Report.

In the case of these properties on the northern slopes of the Rock and Pillar Range, much of the area has significant landscape value and offers commanding views over the upper Taieri and Maniototo. It is important that the outcomes of tenure review on these properties are compatible with the outcomes already reached on other parts of the Rock and Pillar Range. It is also important that the emerging recreational opportunities and access routes on the properties under review are considered in relation to the development of a network of recreational opportunities on the range. The review should also have regard to the development of the Rock and Pillar Conservation Park which was foreshadowed in the Conservation Management Strategy for Otago (1998).

METHODS OF SURVEY AND ASSESSMENT

Site visits and field inspection of these properties were carried out in April 2005. This report is based on the field inspections and a general knowledge of the Rock and Pillar Range and its surroundings. It is also based in part, on information gathered from other sources. The other sources include studies of topographical and Land Use Capability (LUC) maps, consultation with recreational user groups and a knowledge of the landscapes acquired from other tramping and cross country skiing trips in the general area. LUC maps have been used to assess the extent of soil types and topographic areas and their significance with respect to sustainable pastoral use. A study of "Outdoor Recreation in Otago" was undertaken by Mason (1988) and published by FMC. Reference is made to this Recreation Plan for Otago in this Report. The Conservation Management Strategy (CMS) for Otago has also been used as a source of reference.

GENERAL DESCRIPTION OF PASTORAL LEASES ON THE ROCK and PILLAR RANGE (North)

The Beeches I and Riverslea are adjacent pastoral leases which together cover some 2,500ha on the northern slopes of the Rock and Pillar Range (Fig. 1). The Beeches I rises from about 500m to 1,100m while Riverslea includes more high ground and rises to a high point at 1,212m.

Beeches I lies mainly in the eastern half of the Pig Burn catchment while Riverslea occupies most of the western part of the Cap Burn catchment and includes a smaller unnamed stream which leads into the gold workings at about 600m just outside the northern boundary of the pastoral lease (Fig. 2). Both properties are noteworthy for the extensive systems of water races which were developed in the gold mining era. Some of these are still in use today for irrigation purposes.

Both leases also have exclusion areas along their northern boundaries which are occupied by the relics of gold sluicing operations including quite large storage dams (Fig. 3). Hamiltons Diggings and Cemetery are situated beside the Gorge Road adjacent to Beeches I land while the Waipiata Diggings are also located beside Gorge Road and occupy a small area of land excluded from Riverslea.

Mason (1988) has described the Rock and Pillar range as follows:- "*The Rock and Pillar Range is the easternmost Central Otago range, being a fault-bound block mountain. The Hyde Fault forms the boundary between the moderately steep eastern escarpment and the Strath Taieri basin. The western back-slope is gentle but considerably dissected at lower elevations above the Maniototo basin. The broad, gently rounded range crests average 1,370 m above sea level, with the summit at 1450 m. This is notably lower than other Otago block mountains*".

The topography of the northern end of the Rock and Pillar Range is rather more gentle and lower in elevation than further south along the main range crest (Fig. 1). The lower slopes are generally pastureland with variable amounts of scrub and occasional volcanic outcrops although none of these outcrops occur on the properties which are the subject of this report. Higher up, the vegetation is mainly unimproved tussock grassland without the sub-alpine herbfields and cushionfields which are so typical of the main range crest. The Pig Burn and Cap Burn are the main catchments at the northern end of the range and both are quite deeply incised into the generally northerly aspect of the northern slopes.

The Beeches I and Riverslea are similar in that both properties are quite small. They differ however, in the extent of land which appears to be capable of supporting ecologically sustainable pastoral use. On The Beeches I some 800ha lie below about 1,000m and are characterised by Blackstone Hill and Arrow Steepland Yellow Grey Earth soils which have been classified in Land Use Capability Class VI. This land (Fig. 2) has moderate limitations for pastoral use and should be capable of being managed in a way that is ecologically sustainable and therefore suitable for freeholding. Riverslea on the other hand has only about 500ha of similar Class VI land and even this has significant potential to express subdued inherent natural values. There are shrublands in some gullies which would rapidly recover from the effects of fire and grazing if these influences were removed.

The higher ground on both properties is mainly characterised by Teviot Hill and Dunstan Steepland High Country Yellow Brown Earth soils which have been classified LUC Class VII due to climatic limitations and potential for erosion damage. These mainly unimproved tussock grasslands (Fig. 1), lying generally above 1,000m, are unlikely to be able to support ecologically sustainable pastoral use because nutrient losses through burning and removals of animal products usually exceed inputs. This imbalance might be corrected by the use of fertiliser, but because pasture production is limited by climate, the small growth response makes such fertiliser use uneconomic. On the other hand, the natural values of the tussock grassland is high and the upper slopes of these properties would be better considered for return to full Crown control for conservation purposes and added to the developing Rock and Pillar Conservation Park.

RECREATIONAL USE AND POTENTIAL NEW OPPORTUNITIES

There has traditionally been very little recreational use made of the pastoral lease properties on the northern end of the Rock and Pillar Range. There is a small cottage for rent adjacent to the Waipiata Diggings (Fig. 4) with a signposted track up the slopes of Riverslea leading to an historic stone hut. This track appears to have been developed to enable guests to take a day walk up to the old hut (Fig. 5). The track also allows exploration of parts of the water race system which leads to a storage dam and the diggings adjacent to Gorge Road. This water race system is still in use for irrigation and is of interest because the route to the stone hut passes through a saddle where the level of the race has been lowered by putting it underground (Fig. 6). When this modification was made to the system is not known to the author of this report.

The major issues for recreation on these two pastoral leases are public access to the northern end of the Rock and Pillar Range, and public access to the historic gold mining workings and water races.

Public access needs to be considered in the context of the future Rock and Pillar Conservation Park. The aim should be to provide routes which enable east-west and north-south traverses to be made over and along the range. Access to the edge of the park will be required from east and west and from north and south. Some of these accessways already exist and provisions made during the current reviews will need to complement existing legal access. Although there is a legal road line up the valley of the Pig Burn on The Beeches this does not appear to be practicable access for high level recreational use; it would however provide useful foot access to old gold workings in the Pig Burn valley. The Pig Burn valley is very steep and rugged at its southern end and no well formed track seems to have been developed in the valley. Particularly for mountain bike use, a practicable route linking to the legal road further south along the crest of the range is required. Riverslea offers more scope for a practicable public access route to the crest of the range (Fig. 5). This will be discussed further in the section on public access.

There is increasing public interest in heritage matters and there are very significant historic remains on both The Beeches and Riverslea. The main workings at Waipiata and Hamiltons have been excluded out of Riverslea and The Beeches respectively, but there are still major workings and extensive water races which are of both public and recreational interest within the pastoral lease areas (Fig. 7). Water races make good routes for easy day trips and their historic association adds to the interest and enjoyment for recreational users. Unlike most other significant inherent values, controlled grazing can often be accommodated within historic reserves.

FMC believes that the recreational importance and value of leases in the tenure review process should be assessed not only on its present usage but also on its potential. This is because current usage is significantly less than its potential for a number of reasons. Unlike some other pastoral leases undergoing tenure review, and notably other leases further south on the Rock and Pillar Range, public use of Riverslea and The Beeches has been minimal in the past, but there

is significant potential for greater use. It is the full range of possibilities for recreation including foot and mountain bike access to the northern end of the range and exploration of old water race systems and other gold mining relics which should be considered during this tenure review.

SIGNIFICANT INHERENT VALUES AND THEIR IMPORTANCE FOR RECREATION

This report focuses on those features of the northern part of the Rock and Pillar Range which could be important for public recreational interests. It should be noted that while some of this interest focuses on access, the natural and historic values and particularly the landscapes have a fundamental impact on the recreational value of the back country.

Most of the lower slopes of The Beeches is pastureland which has been heavily modified by oversowing, topdressing and grazing with the result that there are few natural conservation values below about 1,000m (Fig. 2). There are areas of scrub which might revert to native shrublands but there are better examples on Riverslea. Where there are significant areas of tussockland on the higher slopes and shrublands in gullies (Fig. 8) which should be considered for protection. The CPL Act states a clear protection by return to full Crown ownership and control but there are areas on Riverslea where protection of small discrete areas under covenant may be appropriate.

The historic remains of goldmining, including some significant sluicings (especially on The Beeches), extensive water races, historic buildings and other relics provide added interest for recreational visitors, and indeed are the reason some people might wish to visit these properties. Most of the historic sites are in close proximity to the Gorge Road or in the lower Pig Burn valley and some provision for visitors to have access to an historic reserve (or reserves) should not interfere with management and privacy issues for the holder. It should also be possible to develop protocols for controlled grazing such that damage to historic workings and water races does not occur. A condition of any grazing concession should be that monitoring does not show any adverse effects.

AREAS TO BE PROTECTED

On The Beeches I the old gold workings (sluicings and tailings) in the lower Pig Burn and its major tributary within a few hundred meters of Gorge Road should be protected as historic reserve(s) (Fig. 7). The Reserve(s) should have public access from Gorge Road but may be able to accommodate controlled grazing. Grazing should be subject to monitoring and if this shows any deterioration of the historic values the conditions should be appropriately modified. The conditions of grazing should provide for such modification and specify appropriate stocking rates.

There is a delightful spot beside the ford on Gorge Road which is very close to the former gold workings and which would make an ideal family picnic site (Fig. 9). A small area here should be designated recreation reserve.

On Riverslea there are much more extensive areas of good tussock grassland than on The Beeches. It is likely that the proposed Rock and Pillar Conservation Park will ultimately extend to the northern end of the range (Fig.1) and should include the tussock grassland on the upper slopes of Riverslea. Provision should be made for this is in the tenure review of this property by designating most land above about 1,000m for return to full Crown ownership and control as a conservation area. Access through this area would also enable a foot and mountain bike link to be established to the northern end of the range and the legal road which provides a north-south traverse of the Rock and Pillars.

ACCESS REQUIREMENTS

We note that "*the securing of public access to and enjoyment of reviewable land*" is one of the statutory objectives of tenure review. Although there have been few problems with recreational access in the past, there is no guarantee that this would continue to be the case under some new freehold ownership. Provision needs to be made to deal with these situations during tenure review of the pastoral leases on the Rock and Pillar Range.

Public access needs to be considered in the context of the future Rock and Pillar Conservation Park. The aim should be to provide routes which enable east-west and north-south traverses to be made over and along the range.

The primary requirement for public access in these two reviews is to designate a satisfactory and practicable route

from Gorge Road to the crest of the Rock and Pillar Range. Because a walking track from the Waipiata Diggings to an old stone hut at about 900m in the Cap Burn catchment has already been established (Figs. 4 and 5), this would be the logical route to designate for public access. From the hut, the track to the high point at 1212m would be appropriate (Fig. 5). So long as the upper slopes of Riverslea do become a conservation area this section of the public access route should be secured. In case the upper part of the route suggested above is not included in any new conservation area, then an easement over that route will be required. In order to allow exploration of some of the historic water races, easements will also be required along some of them for foot and mountain bike travel. In particular, an easement along the race which has its intake at about 750m in the Pig Burn, and leads down to the Hamilton Diggings, would permit an interesting and rewarding round trip.

Public access to the proposed historic reserve(s) on the lower country on The Beeches and in the Pig Burn will also be required. This should be easily provided from Gorge Road to the major diggings. In the Pig Burn the legal road should be confirmed through tenure review so that access to the gold workings in that valley is secured.

Provision of public access to the northern end of the Rock and Pillar Range is important because increasing numbers of people are using the Otago Central Rail Trail (Fig. 10) and many of these are looking for other places to explore whilst in Central Otago. Visits to the heritage sites on Riverslea and The Beeches I, as well as the reserves at Waipiata and Hamiltons, would provide just such additional recreational opportunities.

CONSERVATION MANAGEMENT STRATEGY (CMS) FOR OTAGO

There are important statements in the Conservation Management Strategy (CMS) for Otago, in which the Rock and Pillar Range is recognised as a Special Place. The objective for this area, which includes all the properties described in this report is:-

“To nurture and encourage study of the natural processes to allow healing of the vegetation after grazing and fire and to improve landscape values. To continue to document the values and permit research where it will lead to conservation benefits. In the case of the Rock and Pillar Range, to extend the protected area along the summit and to take in altitudinal sequences and secure access where opportunities arise”.

This objective will be achieved through a number of implementation activities including:- *“(a) Pastoral lease tenure review on properties on the Rock and Pillar Range will provide opportunities to achieve protection of areas of significant landscape, scientific, natural and historic resource and recreational value. Overall management of these new areas with the existing reserve will confer net conservation and management benefits (eg, fencing efficiencies), and will provide extensive recreational opportunities. Management of contiguous areas will be integrated and public awareness developed through the concept of a Rock and Pillar Conservation Park”.*

Finally it should be noted that the priority for the Rock and Pillar Special Place was stated as:-

“Negotiation, principally through pastoral lease tenure review, of an extended protected area along the crest of the Rock and Pillar Range will be a priority in this Special Place”.

The tenure review of this group of properties on the Rock and Pillar Range offers a significant opportunity to make progress with the implementation of the objectives and priority expressed by DOC in the CMS for Otago.

CONCLUSIONS

The tenure review of these properties at the northern end of the Rock and Pillar range is important as it provides an opportunity to secure public use and enjoyment over an area of historic, scenic and recreational value.

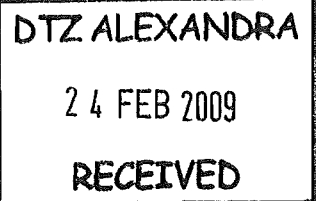
The main conclusions reached by this report are as follows:-

1. It is important that the outcomes of tenure review on these two properties are compatible with the outcomes already reached on the eastern slopes, particularly with regard to recreational opportunities and access routes.

2. Recreational opportunities and access routes on the Rock and Pillar Range need to be considered as a network with the proposed Rock and Pillar Conservation Park in mind: North-South and East-West traverses should be planned for.
3. When the concept of the Rock and Pillar Conservation Park is finally realised, public access will ultimately be required with vehicle access to its margins, and public foot, horse and mountain bike access within the Park.
4. The natural values of the tussock grassland are high and the upper slopes of these properties (especially Riverslea) should be returned to full Crown control for conservation purposes and, at an appropriate time, added to the developing Rock and Pillar Conservation Park.
5. The major issues for recreation on these two pastoral leases are public access to the northern end of the Rock and Pillar Range and public access to the historic gold mining workings and water races.
6. The historic remains of goldmining, including some significant sluicings (especially on The Beeches), extensive water races, historic buildings and other relics provide added interest for recreational visitors, and indeed are the reason why some people might wish to visit these properties.
7. On The Beeches I the old gold workings (sluicings and tailings) in the lower Pig Burn and its major tributary within a few hundred meters of Gorge Road should be protected as historic reserve(s). Reserve(s) should have public access from Gorge Road but may be able to accommodate controlled grazing.
8. There is a delightful spot beside the ford on Gorge Road which is very close to the former gold workings and which would make an ideal family picnic site. A small area here should be designated recreation reserve.
9. It is likely that the proposed Rock and Pillar Conservation Park will ultimately extend to the northern end of the range and should include the tussock grassland on the upper slopes of Riverslea. Provision should be made for this is in the tenure review of this property by designating most land above about 1,000m for return to full Crown ownership and control as a conservation area.
10. The primary requirement for public access in these two reviews is to designate a satisfactory and practicable route from Gorge Road to the crest of the Rock and Pillar Range. Because a walking track from the Waipiata Diggings to an old stone hut at about 900m in the Cap Burn catchment has already been established, this would be the logical route to designate for public access.
11. Public access to the proposed historic reserve(s) on the lower country on The Beeches and in the Pig Burn will be required. In the Pig Burn the legal road should be confirmed through tenure review so that access to the gold workings in that valley is secured.
12. In order to allow exploration of some of the historic water races, easements will also be required along some of them for foot and mountain bike travel. In particular, an easement along the race which has its intake at about 750m in the Pig Burn, and leads down to the Hamilton Diggings, would permit an interesting and rewarding round trip.

ACKNOWLEDGEMENTS

FMC is grateful for assistance from the runholders, and the Crown agents in making this assessment possible. The site inspection was carried out in April 2005 and FMC is grateful to the runholders for granting permission for access, and to DTZ New Zealand staff for making the appropriate arrangements.



NORTH OTAGO TRAMPING AND MOUNTAINEERING CLUB
PO Box 217
Oamaru 9444

21 February 2009

Commissioner of Crown Lands
C/o DTZ New Zealand Ltd
PO Box 27
Alexandra

Dear Madam/Sir

Tenure Review – Riverslea

I refer to DTZ's letter Po178/1 of 5 December 2008 and attachments.

The interests of the North Otago Tramping and Mountaineering Club in this matter lie in access to the Rock and Pillar Range for tramping and the quality of the tramping experience which, of course, includes the flora and fauna.

The proposed designations include provisions for access, both to the higher country forming the proposed Conservation Area and to the proposed covenant area containing historic gold diggings, which seem excellent and are supported.

The proposed Conservation Area itself is more problematic. The Summary of Preliminary Proposal frequently uses the term "is considered" without any referencing or evidence. Considered by whom? On what evidence? Even if there is indeed "an expanding consensus" that "pastoral farming on unimproved tussock grasslands is ecologically unsustainable", surely there is an obligation to test that hypothesis on the specific area in question. Has it been significantly degraded by grazing to date? As somebody trained in science and a former policy adviser, I personally find the whole justification sloppy and unconvincing. I would also note that the creation of conservation areas does not magically prevent wilding tree spread as implied in the Summary!. Our members can point to many examples of that.

On the other hand, the objective of a publicly accessible north-south traverse of the Rock and Pillars is very attractive to the members of this Club and is strongly supported. The only question is whether the optimal means of achieving this is by designation as a conservation area. If the proposed designation is confirmed in this case, we would suggest that the possibility of continued limited grazing by sheep be left open.

Yours sincerely

A handwritten signature in cursive script, appearing to read "John Chetwin". The signature is written in dark ink and is positioned above the typed name.

John Chetwin
Secretary

DTZ ALEXANDRA

24 FEB 2009

RECEIVED

23rd February 2009

UPPER CLUTHA BRANCH
Denise Bruns: Secretary
4 Stonebrook Drive
WANAKA 9305

The Commissioner of Crown Lands
C/o DTZ
PO Box 27
ALEXANDRA 9340 www.dtz.com/nz

Dear Sir

Tenure Review [- Preliminary Proposal - RIVERSLEA - Po 178

We thank you for sending us a copy of the Preliminary Proposal for this property. .

As you will no doubt be aware our branch of the society has been involved with the process of tenure review for many years now. We fully support the process of Tenure Review as per the Crown Pastoral Land Act 1998, and also the later Government objectives; (Please refer to EDC Min 5/3; CAB Min (03) 11/5) These are:-

- ☞ To promote the management of the Crown's high Country in a way that is ecologically sustainable.*
- ☞ To promote the significant inherent values of reviewable land by the creation of protective mechanisms; or preferably, by the restoration of the land concerned to full Crown ownership and control.*
- ☞ To secure public access to and enjoyment of high country land for the public to enjoy. To progressively establish a network of parks and reserves*

We have inspected the property. We would like to take this opportunity to thank the lessees for allowing us to do this. We have also studied the Conservation Resources Report.

We see this as a good proposal in that a considerable area of the lease is being returned to the Crown for protection and added to conservation land lying further to the south on the Rock and Pillar Range.

1.0 Introductory Comments:

- ③ This property being at the north end of the Rock and Pillar Range lies well to the sun which indicate it is warm for stock. The north facing gullies carry a certain amount of woody vegetation.
- ③ The land above about 1000 masl is typical Rock and Pillar Country carrying a good cover of relatively unmodified tall tussock.
- ③ That 4WD access is available to the public for the drier months of the year the proposed conservation is most gratifying.

We wish to submit as follows:

2.0 The Proposal:

2.1 General Description:

That an area of approximately 810 hectares is to be returned to the Crown for control and protection as a conservation area pursuant to Section 35(2)(b)(i) CPL Act 1998, subject to a qualified designation under Section 36 CPL Act 1998. We see this as a good move, we fully support adding this area of relatively unmodified tall tussock to the other conservation land on the Rock and Pillar Range.

The tussock on this upper area of the property is very well preserved, it still has a natural appearance typical of the upland tor rock tussock country of Central Otago

The fence to be upgraded pretty well follows the 1000 metre contour which approximates the lower level of the tall tussock. We would not like to see a grader being used at the time of the fence upgrade.

2.2 Qualified Designation - easement concession for access for farm management (c-e on the map).

We have no problem with this.

2.3 Qualified Designation - grazing concession.

We see this as reasonable, provided that if SH Andrews and Sons Ld sell the property during the term of the concession the concession is not on sold.

2.4 Qualified designation - Continuation in force of an existing easement in favour of Ian. Frazer and Owen McDonald to convey water for irrigation.

We see no reason why this cannot continue.

2.5 Land to be disposed of by freehold disposal to SH Andrews and Sons Ltd pursuant to Section 35(3) CPL Act 1998 subject to protective mechanisms and a qualified designation - and area of 780 ha approximately.

This area below about 900 ms is considerably more modified than the land above the fence to be re-conditioned It has a Land Use Classification of Class VI and is suitable for moderate pastoral use. It has been over-sown and top dressed and if this is continued it should be ecologically sustainable. We believe an attempt should be made to protect some of the woody vegetation present on some of the back faces in this area by way of a covenant..

-3-

2.6 An area of approximately 15 ha (CC on the designation map) to be subject to a conservation covenant pursuant to Section 40(1)(b) and 40(2)(a) CPL Act 1998.

A covenant to protect an area containing high historic values adjacent to Shepherd Hut Diggings, currently an historic reserve. That the area is to be closed to the public through the period of lambing from 1st October to 15th November is reasonable.

The historic values contained in this area will be a valuable asset to the district, we fully approve of this.

2.7 Protective mechanism - proposed easement for public and conservation management purposes.

This easement to provide access for the public and for conservation management we see as very positive in that it will also give public access per 4WD vehicles between 1st November to 1st May. Having 4WD access available right to a very important conservation area close to the city of Dunedin. Is very positive. That DoC is to have jurisdiction over the road is also positive. While the proposal suggests that it will be used by cross-country skiers we do not think this is quite accurate given the dates the track is available to 4WD vehicles.

2.8 Qualified designation - continuation in force of an existing easement.

An easement in the name of Ian, Frazer and Owen McDonald to convey water for irrigation - we see no problem with this.

3-0 In Conclusion:

We thank you for allowing us to make these comments on this very good proposal for Riverslea and we await the outcome with interest.

Yours faithfully

Denise Bruns
Secretary

Per JL Tturnbull
Chairman

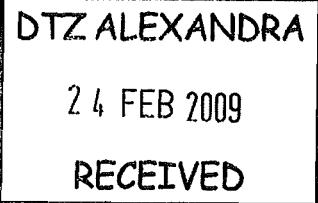


New Zealand Deerstalkers' Association Incorporated

Level 1 45 – 51 Rugby Street P O Box 6514 Wellington
 Phone: 04 801 7367 Fax: 04 801 7368
 Email: deerstalkers.org.nz
 Website: <http://www.deerstalkers.org.nz>

23 February 2009

Commissioner of Crown Lands
 C/o The Manager DTZ NZ Ltd
 Land Resources Divn
 Box 27
 Alexandra
 Email: alexandra@dtz.co.nz



Dear Sir:

NZ Deerstalkers' Association Submission: Riverslea Tenure Review, Rock and Pillar Range Central Otago

Greetings. The New Zealand Deerstalkers' Association (NZDA) makes the following submission on the Crown land resulting from this expired Pastoral Occupation Licence (POL).

NZDA is the national association of deerstalkers and other big game hunters, with 50 branches and hunting member clubs throughout New Zealand. NZDA has 7500 members, and has been actively advocating for recreational deerstalking and hunting, running hunter training courses, trips, conferences etc since 1937. NZDA sets and maintains ethical standards for hunting.

A number of NZDA Branches have an interest in hunting in this part of the Rock and Pillars, of which this access and surrender will open the way. They include Otago (Dunedin), North Otago (Oamaru), Southern Lakes (Queenstown & Alexandra), South Otago (Balclutha). Other branch members and independent recreational hunters will also be interested. There are an estimated 60,000 big game recreational hunters in New Zealand.

Summary:

Riverslea is a north-facing lease situated on the northern end of the Rock and Pillar Range, south of Waipiata and Ranfurly. The lease is of 1590 Ha. 810 Ha (CA) is proposed for surrender to conservation area, is on the southern, higher part of the lease, rising from 900 m to almost 1200 m. CA is subject to a grazing concession to phase out grazing over 4 years. It consists of tall tussock and herbfields, and wide-spaced high points with tors.

Most drainage of CA and the proposed freehold is into the Cap Burn. There is also an easement to the grazer linking two parts on CA. It is likely to form part of a more extensive conservation area, as Tenure Review proceeds. CA provides recreational opportunities for recreational hunting (pigs, goats, possibly deer, rabbits, hares, some gamebirds), tramping, mountain-biking, horse riding, limited 4WD-ing etc.

The remaining 780 Ha is proposed for freeholding, subject to a 15Ha covenant, and a public access easement, including vehicle access from 1 November to 1 May. It forms part of a possible north-south traverse of the Rock and Pillar Range, so is strategically important.

Public Access and recreation:

Access easement a-b-c and b-d gives public access up the western boundary by a farm track, from

the end of a tracked legal road, for public foot, horse, and with a firearm and dog, and non-motorised vehicle access to CA. A special easement condition will allow public vehicle access from 1 November to 1 May. A locked gate will require a key from DOC Alexandra.

NZDA promotes the concept of a Rock and Pillar Conservation Park, of which CA is a part, which will protect the Rock and Pillar range for the recreational pursuits mentioned in this proposal. The area is near to Dunedin, and so is an opportunity for the people of Dunedin to experience the untamed back-country environment for which the Rock and Pillars is well known. NZDA supports the remaining leases in the area proceeding through Tenure Review.

Conclusion: NZDA supports the Preliminary Proposal. It has been fully researched, and looks to the future. Allowing public vehicle access 6 months of the year, subject to conditions is a sensible approach that NZDA applauds. Unlike many PPs, the public access provisions are sensible and fair.

NZDA's only concern is that the public have no rights to contest change or disputation of public access, and the agreements are solely between DOC and the freehold owners, with no involvement rights for the public, should disputes occur, or should DOC and the owner agree to vary the access easement. These are generic faults of the Crown Pastoral Lands Act, and its paternalistic approach, rather than this PP.

Thank you for the opportunity to comment. Please contact me for any additional information

Yours truly

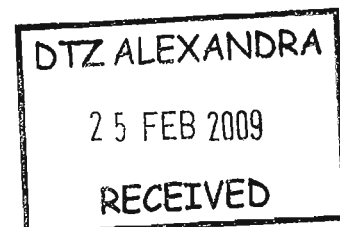
Dr Hugh Barr
National Advocate

CENTRAL OTAGO RECREATIONAL USERS FORUM

25 February 2009

The Commissioner of Crown Lands
c/o DTZ Ltd.,
PO Box 27
Alexandra

Attention: Ken Taylor



Dear Mr Taylor,

Attached is a brief submission on the Riverslea Pastoral Lease, PO 178, on behalf of the Central Otago Recreational Users Forum.

By their invitation, I attended the visit to Riverslea PL arranged by Dr Floate for Federated Mountain Clubs, and for the Upper Clutha and Dunedin Branches of the Forest and Bird Society, on January 28th this year.

Thank you for arranging permission with them for the inspection of the Lease.

I have not had an opportunity to speak with Mr Andrews, but will write to him to say that I was there.

Yours sincerely

Jan Kelly
secretary
Central Otago Recreational Users Forum.

186 Faulks Road, RD 2, WANAKA 9382.
Phone: 03 443 4337
E-mail: ejkelly@clear.net.nz

CENTRAL OTAGO RECREATIONAL USERS FORUM

25 February 2009

Address for Service:

186 Faulks Road,
RD 2,
Wanaka 9382.

Name:

Jan Kelly, Secretary of CORUF, for CORUF members.

To:

The Commissioner of Crown Lands
c/o DTZ Ltd.,
PO Box 27
Alexandra

Submission to Preliminary Proposal,
Riverslea Pastoral Lease PO 178.

Central Otago Recreational Users Forum

This Submission is written by the Central Otago Recreational Users Forum which represents about 60 recreational clubs and groups. A significant part of our brief is to interact on behalf of public outdoor recreation on public lands, to the statutory managers of those lands. We also seek to find a middle way that provides acceptable conditions to differing interests.

A fundamental principle guiding us is the belief that public lands should be accessible in some way to the public. The associated principle is for due care and respect, to the land, the landscape, natural and historical values, and to the private landowners whose properties have easements on them as access to conservation land.

The Central Otago Recreational Users Forum makes the following submission.

Land to be restored to Crown Control

Conservation Area CA1. *That an area of approximately 810 ha. (labeled CA on the Proposed Designation Plan) be restored to full Crown ownership and control as a conservation area pursuant to Section 53(2)(a)(1) of the Crown Pastoral Land Act subject to qualified designations.*

CORUF supports the return to full Crown Control of Conservation Area CA, the entire top block of Riverslea Pastoral Lease, as shown on the Map in the preliminary proposal.

We also note that the areas of land below the boundary line for the area CA have good natural values, as far as the valley floor.

A regret is that the line demarking the Conservation Area will be a straight line across a very attractive hillside, we suggest that the edge of the conserved block be varied according to contour, to preserve the integrity of the shape of the natural landscape on this long slope.

We also recommend that an altered boundary should enclose some of the high quality lower-valley vegetation towards the Cap Burn, either as an adjustment to or addition to the Conserved land CA, or by way of Conservation Covenants with grazing concessions on them, on pieces to be selected.

We very much appreciate the high natural values of this upper block, and note that for us it will be a welcome and quality addition to the quantum of conserved public land on the Rock and Pillar Range.

We appreciate that the area of conserved land so created by the Preliminary Proposal will be enjoyed by a variety of recreationists, for low-impact visits.

We recommend that the block CA be added to the existing Rock and Pillar Conservation Area.

Access.

CORUF supports the creation of the Access Easement a-b-c, b-d, to be used for foot access, access on horseback, motorised access, and non-motorised access.

Conservation Covenant.

CORUF supports the creation of a Conservation Covenant to protect historical Shepherds Hut Diggings and associated remains, in the area shown in yellow on the Designation Plan.

Thanking you,

Jan Kelly
for the Central Otago Recreational Users Forum