

Crown Pastoral Land Tenure Review

Lease name: Allandale / Greenvale

Lease number: PS 068 / PS 067

Final Report on Public Submissions

This document builds on the Preliminary Report on public submissions. The analysis determines if an issue that was allowed, and further consulted on, is accepted or not accepted for inclusion in the Substantive Proposal and to what extent. The report complies with the requirements of Section 45 Crown Pastoral Land Act 1998.

The report attached is released under the Official Information Act 1982.

June

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FINAL ANALYSIS
OF
PUBLIC SUBMISSIONS

ALLANDALE AND GREENVALE



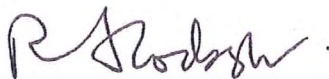
FINAL ANALYSIS OF PUBLIC SUBMISSIONS
ON PRELIMINARY PROPOSAL
ALLANDALE AND GREENVALE PASTORAL LEASES

File Ref: Ps067 and Ps068	Submission No: CH 0306	Submission Date: 23/9/2009
Office of Agent: Christchurch	LINZ Case No:	Date sent to LINZ: 23/9/2009

RECOMMENDATIONS

1. That the Commissioner of Crown Lands **notes** the receipt of this report for land held under Allandale and Greenvale pastoral leases.
2. That the Commissioner of Crown Lands **approves** the recommendations in this report to Accept or Not Accept the points raised in the submissions received.

Signed by Opus:




Bob Webster
Tenure Review Consultant
Consultant

Peer Review:



Dave Payton
Tenure Review Contract Manager

Approved/Declined by:



Name: *MATTHEW CLARK*
Date of decision: *21 / 6 / 10*

I recommend approval
R. Toller

REGINA POSORSKI
PORTFOLIO MANAGER
CROWN PROPERTY MANAGEMENT
C/O LINZ, CHRISTCHURCH

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Allandale and Greenvale pastoral leases

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1. Details of leases:

Lease Name: Allandale pastoral lease and Greenvale pastoral lease

Location: Kingston, Lake Wakatipu

Lessee: Lake Wakatipu Station Limited

2. Public notice of Preliminary Proposal:***Date, publication and location advertised:***

Saturday 8th December 2007.

- The Press Christchurch
- The Otago Daily Times Dunedin
- The Southland Times Invercargill

Closing Date for Submissions:

26 February 2008.

3. Details of Submissions received:

A total of 12 submissions were received by the closing date. One further submission was received on 28th February 2008, which was approved by LINZ on the same day for inclusion in the analysis.

A further two letters were received from clubs indicating that they did not wish to make submissions. Details of submitters are contained in Appendix 1.

4. Final Analysis of Submissions:**4.1 Introduction:*****Explanation of Analysis:***

Each of the submissions received has been numbered, and each of the points raised has also been numbered. Where submitters have made similar points these have been given the same point number.

The following analysis:

- Summarises each of the points raised along with the recorded number (shown in the appended tables) of the submitter(s) making the point.
- Provides a discussion of each point.

- Indicates whether the point was allowed or not allowed for further consultation.
- Indicates whether the point was finally accepted or not accepted

In the preliminary analysis of public submissions, points that were considered to be matters that could be dealt with under the Crown Pastoral Land Act 1998 (CPLA) were allowed for further consultation. Conversely where the matter raised was not seen as a matter that could be dealt with under the CPLA, the point was not allowed.

Further consultation with both the Director General of Conservation's delegate and the leaseholders has been completed on all those points that were allowed.

In this final analysis, points that will be reflected in the substantive proposal are identified as 'accepted', while points that will not be reflected in the substantive proposal are 'not accepted'. This decision has been made taking into account the views of all parties consulted and any other matters relevant to the review, balanced against the objects and matters to be taken into account in the Crown Pastoral Lands Act 1998 (Sections 24 and 25 of the Act).

4.2 Analysis:

The submissions have been analysed in the order in which they were received, and points have been listed in the order in which they appear.

Appendix II provides an alternative grouping of points by area and issues.

Due to adjustments made to the proposal subsequent to advertising, the labelling of designations has changed somewhat since the preliminary proposal. The designations referred to in this analysis are as labelled in the preliminary proposal, on which submitters commented, unless followed by an 'SP'.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
1	Greater protection is required for the area shown as CC1b.	1, 9, 11, 12, 13	Allow	Not Accept

Discussion

Submitter 1 argued that the area concerned was of sufficient visual importance to warrant its retention in the proposed conservation area. The submitter considered that pressure would be imposed in the future to have the covenant removed, resulting in a distinct 'straight line' of forest and pastureland.

Submitters 9 and 13 also advocated the retention of this land in conservation area CA, or alternatively that the covenant should allow sheep grazing only. They submitted that cattle and deer would be likely to prevent regeneration.

Submitter 11 suggested that the higher part of this area (shown in their amended designation plan) should be retained as part of the conservation area. If this was not to be the case they suggested that area should be grazed only lightly by sheep. This submitter also suggested that only sheep grazing should be allowed for the remainder of the area, and that erecting new fences should require the Minister's approval.

Submitter 12 suggested the description of the values in CC1b be changed to “natural character, in particular the general absence of unnatural forms, colours and shapes.” The submitter also suggested the covenant should be restricted to sheep grazing and that new fencing should be prohibited.

The point relates to the protection of landscape qualities, which can qualify as significant inherent values. Section 24(b) of the CPLA identifies the protection of significant inherent values as an objective of tenure review, so this point was allowed for further consideration.

Further advice on this area was sought from the Department of Conservation and a further site visit was carried out. A covenant under the Reserves Act 1977 was again confirmed as the appropriate tenure, given the somewhat modified nature of the vegetation, the very limited presence of any rare species, and the much wider occurrences of those species on other areas that are proposed for Crown retention. Landscape was confirmed as the primary value for protection across this slope, but the natural vegetation types are also listed for protection in the covenant. It was noted that since earlier inspections the woody vegetation on the footslope had been sprayed, thus reducing the vegetation values of this area. Given that landscape is seen as the principal value, and since the vegetation values that do exist are generally limited to rock bluff communities not accessible to stock, it was concluded there was no need to impose specific stock restrictions. To protect the identified values, the covenant sets in place specific controls for the upper slope (CC1b - SP) and the footslope (CC1c - SP) on any further structures, including fencing, tree planting, and on cultivation and earthworks. In addition, burning, the removal of vegetation, and spraying will all be prohibited on the upper part of the covenant (CC1b - SP), where vegetation values exist, but the same restrictions will not now apply to the footslope (CC1c - SP), due to the now highly modified vegetation of that area. The covenant also provides controls seeking to minimise any further hard line boundaries developing between these two covenant sub parts.

Overall, we conclude that greater protection is not required for this area relative to the protection proposed in the preliminary proposal, and the point is therefore not accepted.



Figure 1. CC1b (SP), upper bluffy faces, and CC1c (SP), modified footslope in pasture.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
2	The hill land west of CC1b should be retained as conservation area.	1, 11	Allow	Not Accept

Discussion

The submitters contended that the slopes immediately to the west of the area shown as CC1b also warranted landscape protection. Submitter 1 suggested the boundary should be either the spur descending to the south-west from point ‘c’, or running across the contour to approximately point ‘A’ on the preliminary proposal plan. Submitter 11 suggested a mid slope conservation boundary, as shown in the plan attached to that submission, to provide greater protection of the snow tussock landscape above this line, and to avoid a fenceline effect emerging in the snow tussock zone.

The point relates to the protection of landscape qualities, which can qualify as significant inherent values. Section 24(b) of the CPLA identifies the protection of significant inherent values as an objective of tenure review, so this point was allowed for further consideration.

In reviewing this issue it was confirmed that the landscape of this face has been significantly compromised by forestry activities and does not warrant any specific protection within the tenure review proposal. The point is therefore not accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
3	Farm management easement ‘f-d’ should be more restrictive.	1	Allow	Not Accept

Discussion

The submitter contended that the proposed easement concession ‘f-d’ should be only be used in relation to stock movement, and should be restricted to horses. The submitter was concerned that other activities could be carried out under the terms of ‘farm management’.

Tenure review includes determining the appropriate terms of an easement concession, taking into account the protection of significant inherent values under section 24(b). The point was therefore allowed for further consideration.

In reconsidering this point, it was noted that the easement is along a 4 wheel drive track, and it is considered appropriate that the easement concession allow for the use of motorbikes or 4wd vehicles, along with foot or horse access. The easement already limits the Holders use of the track to farm management purposes. It is therefore not proposed to impose greater restrictions on the use of this easement concession, and the point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
4	Statements of support for the proposal.	2, 3, 4, 5, 8, 9, 10, 13	Allow in part	Accept in part

Discussion

Many submitters specifically made statements in support of the proposal, including the proposed distribution of conservation and freehold land, the covenants, and access easements and easement concessions.

Submission 10 provided unqualified support for the retention of the area shown as CA, and the covenants and easements. The other listed submitters made statements of support of the overall

outcome, while also advocating various other modifications which are covered by other points in the analysis.

Some of these submissions suggest that the conservation area should be added to the Eyre Mountains Conservation Park.

Points both in favour and in opposition can be considered. Making easier the securing of public access and enjoyment of reviewable land is an object of tenure review, as stated in section s24(c)(i) CPLA. The protection of significant inherent values such as landscape or other conservation values is indicated as an object of tenure review under section 24(b). However, the addition of the proposed land to the Eyre Mountains Conservation Park is a matter for consideration by the Department of Conservation after tenure review. Therefore the point was allowed in part.

The thrust of these submissions was in favour of conservation protection of values. After review of all points allowed for further consideration, the proposal has only been modified slightly, generally towards greater protection of values, including the retention by the Crown of some further small areas. The point has therefore been accepted in part, to the extent that the point was allowed for further consultation.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
5	Public access should be provided across the proposed freehold on the existing track from near Robert Creek up to point 'f' or to Mitchells hut near point 'F'.	2, 5, 8	Allow	Not Accept

Discussion

The track is across proposed freehold. Submitter 2 sought to enable recreational hunters to transport harvested wild animals out from the new conservation area using vehicular access, up to point 'f' and beyond. The route beyond point 'f' is covered in point 6.¹

Submitters 5 and 8 suggested that public access should be provided up the same route except that they suggest it should go to Mitchells hut near point 'F'. These submitters suggested that accessing the new conservation land from Robert Creek would otherwise be a difficult proposition. Submitter 8 suggested a foot access easement, and it appeared that submitter 5 was also not necessarily proposing public motorised vehicle access.

The provision of public access is an object of tenure review, as indicated in s24(c)(i) CPLA and therefore the point was allowed for further consideration.

The whole issue of public access to the proposed conservation land up the Roberts Creek valley was reviewed. The use of the track indicated was considered to be unattractive from a public use perspective, since it traverses through highly modified farm country, would inevitably require track closures related to farm activity, and would be likely to result in ongoing tensions between the farming activity and public use. The track was also not seen as being of a sufficient standard to warrant general 4 wheel drive public access, and to upgrade it and maintain it for such use would not be warranted. Good alternative public foot access was identified using Roberts Creek riverbed

¹ Note point 'f' in advertised proposal is now 'd' in current proposal (Fig 2). Point 'F' in advertised proposal was a point near Mitchells Hut.

and marginal strip, then passing directly into the conservation land. Once in the conservation land, direct and practical access to the higher country is then available up the existing cleared fenceline which will become the conservation boundary. This situation is displayed in Figure 2. The point has therefore not been accepted.

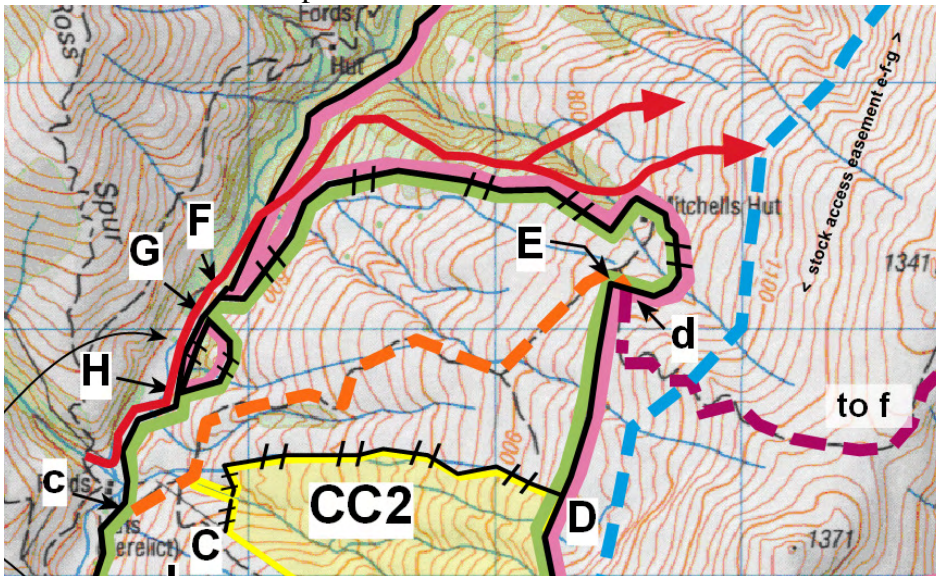


Figure 2. Public access routes to proposed conservation land in Roberts Creek (red), showing proposed Conservation area (edged pink) and proposed freehold (edged green). Conservation management access is proposed along track c-d, and farm access along d-f.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
6	Vehicular access for recreational hunting should be allowed in the proposed conservation land along route 'f-d' ² , and also up the track from near Kingston towards Mt Dick.	2	Disallow	Not Accept

Discussion

Submitter 2 was concerned with enabling recreational hunters to transport harvested wild animals out from the new conservation area using vehicular access. However, the routes indicated would be across areas that will be public conservation land, or is public conservation land already. The management of conservation areas for public use is a matter for the Department of Conservation to consider after tenure review, and is not something for consideration as part of tenure review. The point was therefore disallowed for further consideration within the tenure review, and has therefore not been accepted. However, the Department of Conservation may wish to take the views into account in determining future management.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
7	Huts should not be demolished or removed from the area being retained for conservation.	2	Disallow	Not Accept

Discussion

² 'f-d' in the advertised proposal was the route across the proposed conservation land up to the proposed holding pen on the stock access route. This remains as route 'd-f' in the current proposal and as displayed in Fig 2.

The submitter was unsure what huts existed on area shown as CA, but considered that if there were any huts, they should be available for public use.

This point relates to post tenure review management by the Department of Conservation. It is not a matter to be taken into account in tenure review. The point was therefore disallowed for further consideration within the tenure review, and has therefore also not been accepted, but the Department of Conservation may wish to take the views into account in determining future management.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
8	Clear signage should be installed to indicate entry points for public access.	3	Disallow	Not Accept

Discussion

The provision of signage is a matter for the Department of Conservation to determine after the tenure review. It is not a matter to be prescribed within the tenure review proposal itself. The point has therefore been disallowed for further consideration within the tenure review and has therefore also not been accepted. However, the Department of Conservation may wish to take this view into account in their implementation of the proposal.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
9	There should be adequate provision for vehicle parking at the beginning of routes.	3	Allow	Not Accept

Discussion

The provision of parking may involve specific designations within the tenure review. The submitter did not identify any particular locations where the proposal needed to provide parking, and indeed the advertised proposal provided no additional public access across proposed freehold. However, the point was taken as a general view to be taken into account in any further adjustments to the proposal. Since parking relates to access and the enjoyment of the reviewable land, as indicated under section 24(c)(i), the point was allowed for further consideration as the review progressed.

The issue of public access was reviewed, but it has still not been found appropriate to add any specific public access routes within the land to be freeholded. Parking for the existing public access routes would be outside the land under review. The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
10	Ensure there is good public access between Kingston and the existing and future conservation land.	4, 7, 9, 11, 12	Allow in part	Accept in Part

Discussion

Submission 4 noted that there was a legal road between Kingston and the Glen Allen Scenic Reserve, and also stated that there was an existing track that was not well formed, and which may not match the legal road. The submission stated that the local community was interested in improving the existing route and/or the legal road as a trail, possibly all the way to Fairlight.

Submission 7 also stated that access to the Glen Allen Scenic Reserve across what would become freehold needed to be addressed. Since the advertised proposal made no specific allowance for public access, it was assumed from this comment that the submitter supported the provision of such access.

Submitters 9 encountered a locked gate somewhere near Kingston, which they considered would make access difficult. Submitter 11 was also disappointed to find a locked gate on what was thought to be legal road, and considered that public access across the leasehold land should be established, which should allow for horses and possibly for vehicles, until or unless the council could provide practical access along the road reserve.

Submitter 12 suggested the creation of an easement for walking and mountain bike access.

The provision of public access across land under review is a matter that can be taken into account in tenure review under section 24(c)(i). However, existing conservation land or land which is currently legal road is not included in the tenure review, and the upgrade of any tracks across the review land is also outside the review process, being a post tenure review matter. To the extent that this point related to the consideration of appropriate public access across the land under review, the point was allowed for further consideration.

The Department of Conservation has advised that a perfectly adequate track on a legal road alignment is already available along the routes indicated, from Kingston to the Glen Allen Scenic Reserve. This directly adjoins additional land proposed to become Conservation Area through this tenure review. The Department has noted that some signage and structures such as stiles may be necessary along this route, but this matter is outside the domain of the tenure review. Apart from this matter, it is clear that there is good public access in the area indicated, and the point has therefore been accepted in part.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
11	Allandale and Greenvale pastoral leases have mineral potential which should be recognised. Provision should be made for mineral prospecting activities to continue to be undertaken. Arrangements should be put in place to ensure that future mineral explorers and developers have the right of access to Crown and freehold land on reasonable terms.	6	Disallow	Not Accept

Discussion

The submitter pointed out that the Allandale and Greenvale area was of considerable interest with respect to potential mineral wealth, and that there was a current prospecting permit (permit no 39322 – Glass earth NZ Ltd) which covered the entire area under review.

The submitter acknowledged that transferring land to the Department of Conservation or to freehold ownership does not preclude prospecting, exploration, or mining, and that access arrangements over any such land can be sought under section 61 of the Crown Minerals Act 1991. However, the submitter considered that gaining such rights would become more difficult where the land was

administered by the Department of Conservation, due to the fact that the land was managed for conservation objectives.

Mineral wealth, or gaining access to prospect or mine, can only be taken into account in tenure review if it is relevant with respect to the objects set out in section 24 CPLA. Section 24 (a)(ii) indicates an object of the CPLA is to “enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument.” However, subsurface mineral wealth is outside the domain of the land under review. Tenure review applies only to the land itself. Subsurface mineral wealth is controlled under the Crown Minerals Act 1991, and it’s ownership is not affected by tenure review. In addition, the management constraints referred to in section 24(a)(ii) are those that relate to pastoral lease tenure, not mining activities. Taking mineral wealth into account would therefore appear to have no relevance with respect to section 24(a) CPLA.

In addition, section 24(b) CPLA identifies the protection of significant inherent values as an object of tenure review. However, mineral wealth would not appear to be an inherent or a significant inherent value as defined in section 2 CPLA.

Consequently it was considered that the point is not relevant with respect to the objects of tenure review as defined in section 24 CPLA, and therefore the point was disallowed, and therefore has also not been accepted.

However, it was considered likely that the current Prospecting Permit that applies to this area would not be affected by the tenure review outcome. In addition, applying for access for further prospecting or mining in the future, whether over conservation or freehold land, is enabled via the Crown Minerals Act 1991.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
12	Objection to the stated maximum of 800 ewes indicated in covenant CC2. The proposal should also clearly prescribe a full boundary fence, allow for stock access points, and allow the landowner to monitor water quality.	7	Allow	Accept

Discussion

The submitter (the leaseholder) was concerned with the detail of covenant CC2. The covenant is designed to protect significant inherent values, and the submitter’s point related to enabling that protection, while freeing up land capable of economic use from pastoral constraints. As such, the point relates to sections 24(a)(ii) and section 24(b) of the CPLA and was therefore allowed for further consideration.

Subsequent consultation with the leaseholder and adjustment of the covenant document has resolved all the issues raised under this point. The Holder was concerned with the limitation on stock numbers, but it was pointed out that the 800 ewes could be exceeded for short periods of time, since the figure was on a per annum basis.

On the fencing matter, the area is already partially fenced and to ensure the main area is completely fenced this proposal allows for a new fence ‘C-D’, as did the preliminary proposal. This will enable

compliance with the terms of the covenant by excluding cattle and enabling sheep grazing to be controlled to the levels required in the covenant. The new fence will include appropriate gates. Given the quite limited extent of new fencing required in the Allandale Greenvale proposal, including the extensive use of existing fencing for both new conservation boundaries and the boundary of this covenant, it has always been considered appropriate that the Crown should pay for the erection of this remaining border fence of CC2. Further justification for the Crown taking ownership of the construction of this fence can be found in point 30, which itemises public concern over the potential landscape impacts of inappropriate site preparation for fencing, and the fence ‘C-D’ in particular.

The covenant specifies that the Department of Conservation will be responsible for the technical monitoring, but that both the Department and the land owner may contribute field observations to be used in assessing water quality and its determinants. Given that the covenant is in a form which now satisfies the submitter, this point has been classified as accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
13	In relation to the water supply easement, management should be able to undertake repairs at any time to safeguard water supply to livestock.	7	Allow	Accept

Discussion

The submitter (leaseholder) referred to Appendix 4 in the actual proposal document. He pointed out that while clause 17.2 provided for an unrestricted right to undertake repairs to the water-line, clause 10 stated that the transferor may close all or any part of the easement. The submitter considered that the easement terms should make it clear that management should have the right to maintain the line at all times.

The point relates to the terms of the easement, which balances up the need to protect significant inherent values under section 24(b) with the goal of freeing up land for economic use indicated in section 24(a)(ii), and the matter was therefore allowed for further consideration.

Subsequent perusal of the easement concession document revealed that there was indeed a conflict within the document between the transferors right to close the easement, and the rights of the concessionaire to maintain unrestricted water supply. The final document clarifies that the concessionaire always has the right to access the easements to ensure water supply is maintained. Since this meets the submitters requirements, the point has been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
14	In relation to the stock access easement concession c-d-e, the rates and charges need to be specified.	7	Allow	Accept

Discussion

The submitter (leaseholder) was referring to appendix 5 in the actual proposal document. Since the submitter was concerned with the detail of the easement concession document, which needs to be determined within the tenure review, the matter was allowed for further consideration.

The Department of Conservation was consulted on this issue and they have confirmed that there are essentially no rates and charges for this access, although the grantor can review this situation in the future. The easement document specifies this. This situation is similar to a public access easement over freehold land, where neither DOC nor the public are charged for the easement.

Since the submitters concerns are satisfied, the point is accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
15	The stock access easement concession c-d-e is too narrow.	7	Allow	Accept

Discussion

The submitter (leaseholder) was referring to appendix 5 in the actual proposal document, and was advocating that the conditions be changed to allow movement of stock in a controlled manner, rather than specifying a width. Since the submitter was concerned with the detail of the easement concession, it was allowed for further consideration.

On advice from the Department of Conservation, it was felt that changing the terms to simply require stock to be moved in a controlled manner was too loose. However, it has been agreed with the leaseholder to increase the width from 50 to 100 metres. The point has therefore been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
16	Corrections are needed with respect to the depiction of the archaeological site CC1c, and the depiction and terms of the easement 'a-b'.	7	Allow	Accept

Discussion

The submitter (leaseholder) argued that the alignment of the route 'a-b' and the location of the archaeological site CC1c were not correctly shown on the plan. The submitter also requested that the easement document should make it clearer that the easement is only for the Department of Conservation, and that access is subject to discussion with management prior to use.

The point relates to the detail of the easement, which needs to be determined within the tenure review, and therefore the matter was allowed for further consideration.

A subsequent thorough archaeological investigation failed to find any evidence of the location of the Maori site referred to. However, the covenant document in the final proposal allows for the protection of this site if it is located in future.

The easement document for 'a-b' specifies that the use of the easement is restricted to employees, tenants, agents, workmen and licensees of the Transferor and/or the Transferee. This does not include the general public. The document also specifies that the Transferee is to give 48 hrs notice to the Transferor, except in civil emergency.

The final proposal reflects the submitters wishes to the extent possible, and therefore the point has been classified as accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
17	The lower boundary of covenant CC1b should be further upslope. ³	7	Allow	Accept in part

Discussion

The submitter (leaseholder) considered that the agreed lower boundary of CC1b was further upslope than indicated on the advertised designations plan. The appropriate boundary of covenants relates to the protection of significant inherent values, and the matter was allowed for further consideration.

Checking file records revealed that there were conflicting expectations about the lower boundary of this covenant. It was observed that the entire face was visible from the main road, and also that the Holder had undertaken major developments of the foot slope, with several subdivisional fences running up to the bluffs, and an extensive spray operation to remove woody vegetation. A solution was devised which includes covenant protection right to the foot of the slope to protect the landscape against further impacts that could occur from inappropriate fencing, tracking, structures, and plantings. Further controls on vegetation impacts such as burning and spraying are to apply only to the area above the foot slope, recognising that the foot slope has now effectively been brought into the developed pasture zone.

Given that the submitters wish for a higher boundary of the covenant is not going to be granted, but that the submitter (leaseholder) has accepted the solution indicated, the point has been accepted in part.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
18	Leasing of the Glen Allen Reserve flats needs to be discussed with the Department of Conservation	7	Disallow	Not Accept

Discussion

Glen Allen Scenic Reserve is not included in the land under review, so the matter was disallowed for further consideration in the tenure review. The submitter (leaseholder) did correctly point out that it would be appropriate to discuss any possible use of that land with the Department of Conservation.

Since the point was disallowed, it has also been not accepted. However, outside of tenure review the Department of Conservation and the Holder have been in discussions over the use of Glen Allen Reserve.

³ In the approved Preliminary Analysis point 17 was stated as “*The exact alignment of easement concession ‘f-d’ needs to yet be determined.*” During consultation on matters raised in public submissions it was determined that this description misrepresented the point being made by the submitter. This has been corrected in this Final Analysis. The confusion arose because the submitter referred to “Appendix 6” which in the Preliminary Proposal document was the easement concession ‘f-d’. The alignment of “f-d” was not raised as an issue by any submitter, and it has never been in dispute.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
19	The advice provided by the Department of Conservation needs to be updated with respect to the consideration of lowland biodiversity and the use of LENZ.	8, 11	Allow	Accept

Discussion

The submitters pointed out that since the initial DOC Conservation Resources Report in 1999 there had been further developments in the identification of significant inherent values, particularly relating to lowland biodiversity and the use of the Land Environments of New Zealand (LENZ) system for determining environments that are poorly protected. They argued that the lower altitude parts of the property should be reinspected with respect to such values.

This point relates to the protection of significant inherent values and was therefore related to section 24(b) CPLA. It was therefore allowed for further consideration.

The lease land was reviewed with respect to the more recent goals of lowland biodiversity and the use of LENZ. Three areas warranted specific focus in this regard, and these areas are covered under points 20, 21, 28 and 29 below. The proposed has been reviewed against these new criteria as suggested, and consequently the point is accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
20	The middle area of CC1a has significant inherent values that may not be adequately protected under the proposed covenant.	8, 9, 11, 12, 13	Allow	Accept in part

Discussion

Submitter 8 stated that central part of CC1a had a good cover of short tussock with a dominance of native inter-tussock herbs, and also matagouri, and that these values may not be adequately protected if grazing was allowed to continue.

Submitters 9 and 13 also indicated the occurrence of a valuable remnant of short tussock grassland in the area and suggested the covenant should only allow light sheep grazing, to control rank grass growth and weeds, in favour of short tussock. Submitter 11 held the same view, if protection of the area was to be by covenant.

Submitter 11 considered that this area, containing short tussock grassland, should be retained in the conservation area, given that it is would be enjoyed at close quarters by the public, and in view of the contribution it makes to the landscape and ecology of the area. The amended designation plan attached to the submission also suggested a small isolated area which has native shrubland in the northernmost piece of CC1a should be included in the conservation area.

If protection was to be by covenant submitter 11 considered that the covenant should prevent further fencing or structures (clause 3.1.4 should not be deleted), and further planting should be prohibited (clause 3.1.3 should not be deleted) unless with indigenous species likely to have existed there. The submitter also considered that the clause prohibiting the removal of trees, shrubs or other plants (clause 3.1.2) should only apply to indigenous species, and that burning, spraying, top

dressing or sowing of seed, cultivation, earthworks or other soil disturbance should also be prohibited (clauses 3.1.5 and 3.1.6 should not be deleted).

Submitter 12 noted that the central area of CC1a contained representative short tussock grassland, and that it was a land environment that is acutely or chronically threatened. They also considered that the area would be viewable at close quarters by the public, and that there was a need for public access through the area. This submitter believed that the area should be retained in the conservation area. The submitter argued that if light grazing was required for grassland restoration, this should be carried out under Department of Conservation management, where restoration could be the goal, rather than economic return.

This point related to the appropriate protection of significant inherent values. It therefore related to section 24(b) CPLA, and was allowed for further consideration.

This issue has required more review and consultation than any other point in submissions. The main upper terrace area has been confirmed to be classified as “acutely threatened” and the land below the terrace as “chronically threatened” at LENZ level IV. Indeed, the main LENZ unit (N3.1a) only has 2.9% of that unit still with indigenous vegetation nationally, and that percentage has been shown to be decreasing since 1997, and only 0.5% of the unit is protected. The area was ground inspected in detail and confirmed to have predominantly indigenous vegetation cover composed of hard tussock and shrublands. Gorse and exotic broom are beginning to become a threat to this area, and accidental fires from the Kingston Flyer railway line, which forms the eastern border, continue to compromise values along that margin. Given the LENZ classification, particularly the upper terrace, and the indigenous vegetation cover, the site achieves the highest level of significance in the Department of Conservation’s criteria for defining significant inherent values.

The appropriate tenure was considered. Full Crown ownership and control could be justified for this site, but there was great difficulty in achieving this over the whole area, since the area is an integral part of the lowland farm operation. Although not cultivated, the well drained rocky nature of the terrace makes it a valuable grazing site during wet periods. The possibility of multi-use via a covenant was explored, however the Holders expectations of being able to graze cattle conflicted with the conservation objectives of enabling restoration of the vegetation, including the regeneration of shrubland species. Ultimately it was determined that the issue could not be resolved through a multi-use covenant, and the matter was resolved through a split of the area into land to be retained by the Crown for conservation as historic reserve, and land to be freeholded unrestricted by any requirement to manage the grazing of the site for vegetation restoration. The solution arrived at will see the Crown retention of the acutely threatened land that adjoins other land that is already reserve or proposed Conservation area. An added benefit of this solution will be that the area of Crown retention will encompass the sites of historic and archaeological value on this terrace. This solution also makes a practical boundary for the land being freeholded, where landform and landscape protection will still be provided by covenant CC1a.

The proposed outcome will ensure the protection of some of this area. The Department of Conservation consider that the area being retained is of sufficient size to be viable in the long term. However, protection is not being proposed over the entire terrace as suggested by some submitters. The point has therefore been accepted in part.

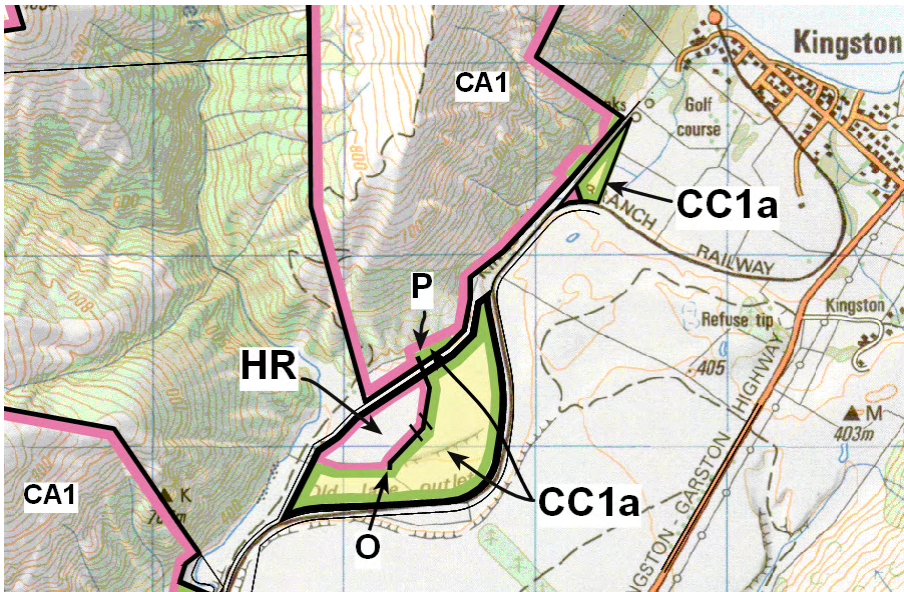


Figure 3. Terrace near Glen Allen Reserve. An additional historic reserve area (HR) is now proposed, to protect a good example of an acutely threatened land environment with indigenous vegetation, and also archaeological and historic features. Land to be retained by the Crown is edged pink, and land to be freeholded with landform/landscape covenant (CC1a) is edged green and shaded yellow.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
21	A small wetland on the valley floor near Waterwheel Creek contains significant inherent values that warrant protection.	8, 9, 11, 12, 13	Allow	Not Accept

Discussion

Submitters 8, 9, and 13 stated that there was a small wetland on the flats near Waterwheel Creek that warranted some form of protection. Submitter 13 suggested the wetland should be fenced off.

Submitter 11 identified a wetland at grid ref 688262 (2168800 5526200) which they considered warranted protection by covenant.

Submitter 12 identified a wetland at grid ref 68522 26141 (2168522 5526141) which they considered warranted consideration for protection. Although they have not visited it, they noted the presence of wetlands birds.

It is uncertain but possible that all the indicated submitters were referring to the same wetland.

This point related to the appropriate protection of significant inherent values. It therefore relates to section 24(b) CPLA, and was allowed for further consideration.

The valley floor area concerned was subsequently reinspected. The best candidate for further protection was determined to be a small pond with associated nearby wetland vegetation near the junction of waterwheel Creek and Allen Creek. This area of approximately 20 hectares has been modified by artificial drainage ditches, levees, and contains a man made duck shooting pond. Nevertheless the area is in a “much reduced” LENZ environment, and does have some indigenous wetland vegetation, although the extent to which it characteristic of the original vegetation at the site is uncertain. It does have some value as a habitat for native water birds.

Covenant protection of this small area was seriously considered, although never really favoured by the Holders. Ultimately it was decided not to create a covenant over this area, due to the already

complex suite of covenants proposed over the land under review, causing concern over the practicality of future management amongst both Holders and the Department of Conservation. This decision was also made in the light of the modified nature and origin of this wetland, and the limited ecological value of the site due to it's small size. It was also considered unlikely that the area would be drained in future, given it's use for duck shooting. The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
22	Conservation area CA should be extended along Roberts Creek, south-west from point 'E', to include all remaining riparian beech.	9, 11, 12, 13	Allow	Accept

Discussion

The submitters identified that there was beech forest along the margins of Robert Creek, south-west from point 'E' (point 'F' in SP). They submitted that this area should be fenced and included in the area CA. They stated that some of this has recently been burnt, but would have the potential to recover if grazing was excluded.

This point related to the protection of significant inherent values, which is an object of tenure review under section 24(b). The point was therefore allowed for further consideration.

This area was reinspected, and a number of additional small enclaves of beech forest were found at the foot of the Robert Creek slopes, and it has been agreed that any notable such forest areas will be retained as Conservation area. Three such areas were identified and have been added to the land to be retained in full Crown ownership and control. The point has therefore been accepted.

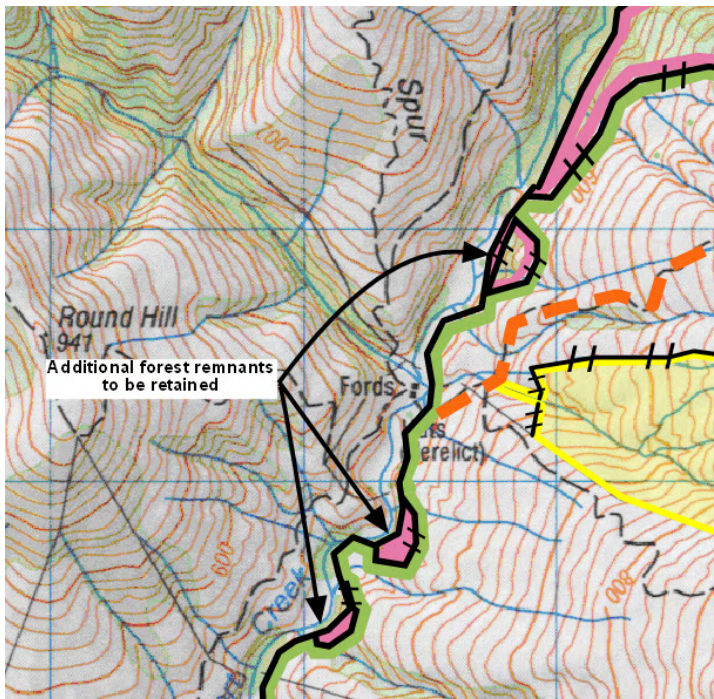


Figure 4. Additional forest remnants near Roberts Creek to be retained as conservation area (CA2).

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
23	Additional controls are needed with respect to stock movement along route c-d-e ⁴ .	9, 11, 13	Allow	Accept in part

Discussion

All three submitters expressed a view that stock should not be allowed to delay and cause grazing damage along the route.

Submitter 11 also suggested that the shape of the holding paddock at ‘d’ (‘HP’ in SP) should be related to the topography. This submitter would also like the easement concession to identify what is acceptable and unacceptable in terms of vegetation damage by stock, and to require the Concessionaire to remove weeds that are a result of stock movement.

This point relates to the protection of significant inherent values, which is an object of tenure review under section 24(b). The point was therefore allowed for further consideration.

The terms and conditions in this easement concession were reviewed. To avoid stock delaying and causing damage, the special conditions in the concession will state that Stock are to be actively driven along the route of the Easement Area, with straying stock to be mustered back on to the Easement Area. In relation to the holding paddock, it is agreed that it’s boundaries are to be determined via consultation with the Department of Conservation. In relation to what damage by stock is acceptable, the concession will state that the Grantor must not interfere with, remove, damage, or endanger the natural features, indigenous animals and plants, or historic resources on the Easement Area. Controls or exclusions are also placed on a considerable number of potentially damaging activities such as burning, and bringing materials, plants or other animals onto the land. To be more definitive about what damage would be acceptable would make the instrument prohibitively complex. In relation to introduced weeds, the concession will state that the concessionaire must eradicate or control all weeds that establish as a result of the concession activity within the Easement Area. The concession should therefore satisfy most, but not quite all, of the submitters suggestions. The point is therefore accepted in part.

Point	Summary of Point Raised	Submission Numbers.	Allow or disallow	Accept or Not Accept
24	Covenant CC2 should protect the shrublands in the gullies.	9, 11, 12, 13	Allow	Accept

Discussion

Submitter 9 considered that the covenant should provide better support to the shrublands in the gullies. Submitters 11 and 12 would like to see these values explicitly recognised in the covenant document. Submitter 11 considered that adherence to the covenant conditions prohibiting burning, spraying or topdressing and oversowing, plus the exclusion of cattle, should encourage the riparian woodland. Submitter 13 considered that the boundaries of CC2 should be extended to protect the gully shrublands.

Submitters 11 and 12 also considered that the new fence C-D should not be cleared by bulldozer as that would leave an undesirable scar.

⁴ Route ‘c-d-e’ in advertised proposal has been relabelled ‘e-f’-f1-g’ in current proposal.

This point relates to the protection of significant inherent values, which is an object of tenure review under section 24(b). The point was therefore allowed for further consideration.

The description of values in the covenant document has been updated to recognise the riparian values in the area, which are already included within the covenant area. It will now include a statement that the “tributary beds contain riparian mixed shrublands, including manuka, hoheria, hebe, flax, spaniard, coprosma and matagouri species, as well as beech forest remnants.” It is considered that the conditions within the covenant will adequately protect the riparian values. Relevant controls that will protect those values include the restriction of stock type to sheep under a limited stocking rate, no burning or spraying, and no oversowing and top dressing within 20 metres of streams. In relation to the proposed new fencing, site preparation and fence construction details are defined within the implementation specifications for the tenure review, and it is a requirement that these specifications minimize earth disturbance and landscape impact.

Given that the matters raised will be met by the final tenure review proposal, the point is accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
25	Some additional land use controls are needed over the land proposed to be freeholded in the Robert Creek catchment.	9, 11, 12, 13	Allow	Not Accept

Discussion

Submitter 9 considered that it was likely that conifers would be planted in the proposed freehold in the Roberts Creek catchment, and was concerned that this could create wilding spread into the conservation area. They sought some control measures to prevent this happening.

Submitters 11 and 12 were concerned that an unnatural division in the landscape may emerge along the edge of the new conservation area. They proposed a 300 metre wide buffer zone along the margin of the conservation area where oversowing and top dressing (submitter 11), and burning and spraying (submitters 11 and 12) not allowed, to encourage a visual transition into the conservation land, and to limit the risk of damage to vegetation in the conservation land.

Submitter 11 also suggested that further plantation forestry should not be permitted past the larger tributary coming off point 1426, and that the top margin should relate to natural landform rather than being in straight lines. Submitter 12 also suggested that the covenant should protect against straight line boundaries between forestry and the conservation land. Both submitters 11 and 12 suggested that there should be a grazed buffer between any forestry land and the conservation area, and submitter 12 suggested a bond should be attached to the covenant for wilding tree control.

Submitter 13 considered that it was critical that conditions be established pertaining to the control of wilding tree spread.

Since the point related to the protection of significant inherent values, as indicated in section 24(b), it was allowed for further consideration.

These landscape matters were referred to the Department of Conservation for consideration. While the Department acknowledged the concern, on subsequent field inspection they advised that further landscape protection of this face could not be justified. It was observed that the landscape was already highly compromised, with forestry, recent burning, and recent tracking right up to the proposed boundary fence. Consequently the area no longer had landscape attributes that qualified as

significant inherent values warranting protection. The Holder advised that he had obtained consents for all developments undertaken.

The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
26	There has been an excessive amount of development on the pastoral lease land in Robert Creek.	11	Disallow	Not Accept

Discussion

The submitter was concerned that consent must have been granted for an extensive amount of tracking and fencing in the Roberts Creek area of the lease land.

The granting of development consents is outside the tenure review process as defined under the CPLA and the point was therefore disallowed. However, both LINZ and DOC may wish to take note of the submitters comments and photographs.

Since the point was disallowed it has not been accepted. However, LINZ and DOC are now aware of the developments in the Robert Creek area and of the concerns raised.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
27	Horse and 4WD access should be allowed to trig 102 and No 102.	11	Disallow	Not Accept

Discussion

Trig 102 and No 102 are points inside the proposed conservation area. While public access is generally allowed in such land, any specific controls of conservation land are really a post tenure review matter for the Department of Conservation. The point was therefore disallowed, and has correspondingly not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
28	The conservation boundary in the area of 'B' and 'G' needs to be adjusted to better protect wetland areas.	11	Allow	Not Accept

Discussion

The submitter considered that the lines shown on the designation plan may not adequately protect a wetland area. This point related to the protection of significant inherent values and is thus relevant under section 24(b). The point was therefore allowed for further consideration.

Further site investigation confirmed that the advertised boundary and designations for this area were appropriate. The large wetland area that does exist will fall within the proposed conservation land. Outside of that area, any existing wetland areas are very small and have been compromised through pastoral development. The conservation boundary shown for this area on the advertised designation plan provides a more accurate delineation of the values than the line drawn onto the aerial photo in submission 11. The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
29	A terrace riser parallel to Cainard Road contains native shrubland which should be protected by covenant and fenced off from stock	11, 12	Allow	Not Accept

Discussion

The point relates to the protection of significant inherent values. This is an objective of tenure review, as identified in section 24(b) CPLA, so the point was allowed for further consideration.

Review of this terrace riser area identified that it fell within LENZ environments classed as “acutely threatened”. This triggered a detailed site investigation of this shrub and tree covered slope. Close investigation revealed that while there were a few native *Olearia lineata* and beech trees, the site was plagued by exotic weed species including sycamore, cotoneaster, scotch broom, rowan, gooseberry, and hawthorn. The site lacked vegetation with a sufficiently indigenous component to warrant it being regarded as having significant inherent values worthy of protection. The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
30	Ensure fences are sensitively and practically sited.	11, 12	Allow	Accept in part

Discussion

The submitters were concerned with landscape sensitivity. Submitter 12 made a general comment that bulldozers should not be used to clear fencelines, and that landscape architects should review all proposed fencelines and oversee contractors during fence construction to ensure fences are sensitively and practically sited. This submitter specifically suggested that fenceline C-N (D?) should not be bulldozed.

Submitter 11 likewise suggested that fenceline C-D should not be bulldozed, and suggested a different conservation boundary in the CC1b area, to avoid an upslope-downslope fenceline effect in the snow tussock zone. Consideration of the CC1b area is covered in point 2.

The point relates to landscape protection, which can form a significant inherent value. The protection of significant inherent values is an object of tenure review as defined in section 24(b), and therefore the point was allowed for further consideration.

Concern over potential landscape impacts related to fencing is shared by both Land Information New Zealand and the Department of Conservation. Careful sighting of fences is now required, with a minimum of earth disturbance. A report is now required to be submitted along with the final proposal, providing detailed specifications for the fencing operation, and demonstrating how landscape impacts will be minimised. Where necessary a landscape architect is engaged at that point to provide relevant advice, although this has not been necessary on this review. The worst landscape impacts associated with fencing are often associated with across slope fence lines that are benched. On the current tenure review there are no significant lengths of across slope new fencing to be created, and fence alignments have been selected that require minimal clearing, by hand methods only.

In relation to fenceline ‘C-D’, while this is only a covenant boundary, by taking responsibility for the erection of this fence the Crown can exercise due control over the operation to minimise landscape impact. See also point 12 for further discussion of this issue.

While the outcome of this review should in general meet the submitters wishes, a landscape architect has not been engaged on this review, and the alternative fenceline suggested by submitter 11 has not been adopted, as it is not seen as an appropriate or practical fenceline, and may have greater landscape impact than the proposed line. The point has therefore been accepted in part.

4.3 Summary of submissions:

Most submissions were in general support of the proposal. A number of the submitters contended that one or two of the areas proposed for freeholding with covenants have a wider range of values than identified in the proposal, and suggested those areas required a higher level of protection.

There was notable interest in the issue of public access. It is of note that the proposal itself does not include any specific new public access provisions. Rather, it relies on the direct connections that will exist between proposed conservation land and existing legal access.

In addition to the 13 submissions, on 20th Feb 08 a letter was received from the Canterbury Land Rover Owners Club Inc. A letter was also received from the North Otago Mountaineering Club after closing date, on 5th March 08. Neither letter stated support for nor opposition to the proposal, and each stated that they were not making a submission. Consequently, those letters have not been treated as submissions.

All allowed points have been reconsidered, with further site inspections. Points related to ecological values were reviewed with site inspection by both tenure review staff and a Department of Conservation botanist. The above discussions and assessments of significance of such values have been informed by subsequent advice received from the Department.

The most significant readjustment of the proposal relates to the review of land with respect to LENZ units, with the proposal now providing additional protection for part of a terrace area east of Glen Allen Reserve that is classified as “acutely threatened” in the LENZ system (point 20). Some small beech forest patches in Roberts Creek will also be protected in the conservation estate (point 22). A few minor matters raised in a submission of the Holders have been resolved, and there have also been some minor adjustments to concession and covenant documents in favour of greater protection of values. Public access was again reviewed, but found to be satisfactory without the need for any further public access easements within the review land.

APPENDIX I

List of Submitters

Submitter number	Date received	Submitter	Representative	Address
1	12 Feb 08	Geoff Clark		10 Smacks Close, Papanui, CHRISTCHURCH 8051.
2	12 Feb 08	New Zealand Deerstalkers' Association Incorporated	Dr Hugh Barr, National Advocate	Level 1, 45-51 Rugby Street, PO Box 6514, WELLINGTON
3	18 Feb 08	Backcountry Skiers Alliance	John Robinson, Secretary.	PO Box 168, ALEXANDRA
4	21 Feb 08	Queenstown Lakes District Council	Ralph Henderson, Senior Policy Analyst	10 Gorge Rd, Private Bag 50072, QUEENSTOWN
5	22 Feb 08	Stephen Parry		24 Trent St, INVERCARGILL
6	25 Feb 08	Ministry of Economic Development	Rob Robson, Manager, Petroleum and Minerals Policy	33 Bowen St, PO Box 1473, WELLINGTON 6140
7	25 Feb 08	Rimanui Farms Ltd	Kevin Lowe	Level 8, 57-59 Symonds St, Private Bag 92142, AUCKLAND
8	25 Feb 08	Federated Mountain Clubs of New Zealand Inc.	Barbara Marshall, Secretary	PO Box 1604, WELLINGTON
9	26 Feb 08	Royal Forest and Bird Protection Society, Dunedin Branch	Janet Ledingham	PO Box 5793, DUNEDIN
10	26 Feb 08	Otago Conservation Board	Hoani Langsbury, Chairperson	Box 5244, DUNEDIN
11	26 Feb 08	Royal Forest and Bird Protection Society, Upper Clutha Branch	Anne Steven, Executive Committee Member	PO Box 38, LAKE HAWEA
12	26 Feb 08	Royal Forest and Bird Protection Society, Southern Office	Sue Maturin, Otago Southland Field Officer	PO Box 6230, DUNEDIN
13	28 Feb 08	Alan Mark		Division of Sciences, PO Box 56, DUNEDIN
<u>Additional letters received (not treated as submissions):</u>				
	22 Feb 08	Canterbury Land Rover Owners Club Inc.	M A Moodie	PO Box 13-275, CHRISTCHURCH
	10 Mar 08	North Otago Tramping and Mountaineering Club	John Chetwin, Secretary	PO Box 217, OAMARU 9444

APPENDIX II

Points Raised by Submitters

(grouped by areas and issues)

Point	Submission number								Detail of point raised
Robert Creek faces - general									
22					9	11	12	13	Conservation area CA should be extended along Roberts Creek, south-west from point 'E', to include all remaining riparian beech.
25					9	11	12	13	Some additional land use controls are needed over the land proposed to be freeholded in the Robert Creek catchment.
26						11			There has been an excessive amount of development on the pastoral lease land in Robert Creek.
12				7					Objection to the stated maximum of 800 ewes indicated in covenant CC2. The proposal should also clearly prescribe a full boundary fence, allow for stock access points, and allow the landowner to monitor water quality.
24					9	11	12	13	Covenant CC2 should protect the shrublands in the gullies.
Robert Creek faces – access issues									
3	1								Farm management easement 'f-d' should be more restrictive.
5		2		5		8			Public access should be provided up the existing track to point 'f'.
6		2							Vehicular access for recreational hunting should be allowed in the proposed conservation land along route 'f-d', and also up the track from near Kingston towards Mt Dick.
14				7					In relation to the stock access easement concession c-d-e, the rates and charges need to be specified.
15				7					The stock access easement concession c-d-e is too narrow.
23					9	11		13	Additional controls are needed with respect to stock movement along route c-d-e.
Mataura River faces and CC1b									
1	1				9	11	12	13	Greater protection is required for the area shown as CC1b.
2	1					11			The hill land west of CC1b should be retained as conservation area.
17				7					The lower boundary of covenant CC1b should be further upslope

Kingston / Allen Creek flats - general													
13					7								In relation to the water supply easement, management should be able to undertake repairs at any time to safeguard water supply to livestock.
18					7								Leasing of the Glen Allen Reserve flats needs to be discussed with the Department of Conservation
20						8	9		11	12	13		The middle area of CC1a has significant inherent values that may not be adequately protected under the proposed covenant.
21						8	9		11	12	13		A small wetland on the valley floor near Waterwheel Creek contains significant inherent values that warrant protection.
28									11				The conservation boundary in the area of 'B' and 'G' needs to be adjusted to better protect wetland areas.
29									11	12			A terrace riser parallel to Cainard Road contains native shrubland which should be protected by covenant and fenced off from stock
Kingston / Allen Creek flats – access issues													
10			4		7		9		11	12			Ensure there is good public access between Kingston and the existing and future conservation land.
16					7								Corrections are needed with respect to the depiction of the archaeological site CC1c, and the depiction and terms of the easement 'a-b'.
27									11				Horse and 4WD access should be allowed to trig 102 and No 102.
General points – area non specific													
4	2	3	4	5			8	9	10			13	Support for the protection of conservation values and recreation opportunities provided by the proposal.
7	2												Huts should not be demolished or removed from the area being retained for conservation.
8		3											Clear signage should be installed to indicate entry points for public access.
9		3											There should be adequate provision for vehicle parking at the beginning of routes.
11					6								Allandale and Greenvale pastoral leases have mineral potential which should be recognised. Provision should be made for mineral prospecting activities to continue to be undertaken. Arrangements should be put in place to ensure that future mineral explorers and developers have the right of access to Crown and freehold land on reasonable terms.
19							8			11			The advice provided by the Department of Conservation needs to be updated with respect to the consideration of lowland biodiversity and the use of LENZ.
30										11	12		Ensure fences are sensitively and practically sited.