

Crown Pastoral Land Tenure Review

Lease name : MT CREIGHTON

Lease number : PO 107

Analysis of Public Submissions

This document includes information on the public submissions received in response to an advertisement for submissions on the Preliminary Proposal. The report identifies if each issue raised is allowed or disallowed pursuant to the Crown Pastoral Land Act. If allowed the issue will be subject to further consultation with Department of Conservation, or other relevant party.

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

**ANALYSIS
OF
PUBLIC SUBMISSIONS**

MT CREIGHTON



ANALYSIS OF PUBLIC SUBMISSIONS**Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act 1998****MT CREIGHTON TENURE REVIEW NO 137****Details of lease**

Lease name:	Mt Creighton pastoral lease.
Location:	On the eastern side of Lake Wakatipu, approximately 28kms north-west of Queenstown on the Glenorchy-Queenstown Road.
Lessee:	Mt Creighton Station Limited.

Public notice of preliminary proposal

Date advertised:	10 May 2014.
Newspapers advertised in:	
- The Press	Christchurch
- The Otago Daily Times	Dunedin
- The Timaru Herald	Timaru.
Closing date for submissions:	7 July 2014.

Details of submissions received

Number received by closing date:	15
Number of late submissions received/accepted:	Nil
No late submissions were received.	
Cross-section of groups/individuals represented by submissions: Six submissions were received from national or regional non government organisations, two submissions were received from local clubs, four submissions from local individuals, and three submissions from other individuals.	
Number of late submissions refused/other:	Nil.

ANALYSIS OF SUBMISSIONS

Introduction

Each of the submissions received has been reviewed in order to identify the points raised and these have been numbered accordingly. Where submitters have made similar points, these have been given the same number.

The following analysis:

1. Summarises each of the points raised along with the recorded number (shown in the appended tables) of the submitter(s) making the point.
2. Discusses each point.
3. Recommends whether or not to **allow** the point for further consideration.
4. If the point is **allowed**, recommends whether to **accept** or **not accept** the point for further consideration.

The points raised have been analysed to assess whether they are matters that are validly-made [i.e relates to the right property and tenure review], relevant to the tenure review and can be properly considered under the Crown Pastoral Land Act 1998 (CPLA). Where it is considered that they are the decision is to **allow** them. Further analysis is then undertaken as to whether to **accept** or **not accept** them.

Conversely where the matter raised is not a matter that is validly-made or relevant or cannot be properly considered under the CPLA, the decision is to **disallow**. The process stops at this point for those points disallowed.

The outcome of an **accept** decision will be that the point is considered further in formulation of the draft SP. To arrive at this decision, the point must be evaluated with respect to the following:

The objects and matters to be taken into account in the CPLA; and

Whether the point introduces new information or a perspective not previously considered; or

Where the point highlights issues previously considered but articulates reasons why the submitter prefers an alternative outcome under the CPLA, or

Is a statement of support for aspects of the Preliminary Proposal which can be considered by the Commissioner when formulating the designations for a Substantive Proposal.

How those accepted points have been considered will be the subject of a Report on Public Submissions which will be made available to the public. This will be done once the Commissioner of Crown Lands has considered all matters raised in the public submissions in formulating a Substantive Proposal.

Analysis

The submissions have been numbered in the order in which they were received and the points have been arranged so similar points are grouped together.

Appendix III provides a table of the points raised by the various submitters.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Statements of support for aspects of the proposal	1, 2, 3, 4, 5, 6, 8, 9, 14	Allow	Accept

Various submitters made specific statements of support for either the entire proposal or particular aspects of the proposal, as follows:

Submitter 1 provided unqualified support for the designations RR1, CA, CC1, CC3, OSC, and the proposed farm management access easements, continuation of existing easement and continuation of a right of way, and the proposed public and management access easements. They offered qualified support for RR2-Exch, the land to be freehold, and CC2 which will be considered under subsequent points.

Submitter 2 endorsed the potential of the Moonlight Trail, while also suggesting improvements in public access, and also supports the retention of CA, although they suggest it should be a scenic reserve. These matters are considered under subsequent points.

Submitter 3 largely supported the split of land between freehold and full Crown ownership, and the conditions of the covenants and easements. The submitter considered the outcome as being appropriate to protect significant inherent values and in the provision of enhanced public recreation opportunities. They made one suggested amendment in the Lake Luna area, which is discussed later.

Submitter 4 endorsed RR1, CC1, CC3, OSC, and applauded the proposed conservation area CA. Submitter 4 also supported the public access provisions in the proposal.

Submitter 5 supported RR2-Exch, CA, the covenants CC1, CC2, CC3, and OSC, and the public access easements, and the provision of public access in CC3 north of Dead Horse Creek.

Submitter 6 agreed with the freehold/reserve boundaries and public access provisions and suggested the proposed Moonlight- Lake Luna route will be a great addition to tramping opportunities both locally and nationwide. They considered that the public access easements proposed would be the absolute minimum that needs to be achieved.

Submitter 8 supported RR1, CC1, the proposed public access through CC1, and the other proposed easements. The submitter also supported CC3, and strongly supported the CA designation for the land concerned, due to the significant inherent values and benefits to the public. The submitter agreed with the proposed easement concession for farm access, and the continuation of the existing easement. The submitter also agreed with land proposed for freehold disposal without protective mechanisms. While they held some concerns about continued use of the higher altitude parts, they accepted that the lower land is appropriate for farming, and fencing would be difficult. The submitter provided qualified support for RR2 – Exch with their concerns covered in point 2 below, and also supported the OSC covenant.

Submitter 9 supported the proposal without reservation.

Submitter 14 considered that the Luna Valley/Moonlight track is going to be a great walk experience, and approves the protection of and access to historical mining remnants, and planning schedule for pest and weed control, including monitoring and removal of wilding trees. The submitter also approved of the Crown retention of RR2-Exch. However, they had a number of concerns about the outcome, covered under other points.

Rationale for Allow or Disallow

In providing support for aspects of the proposal, most submitters mentioned aspects related to the protection of significant inherent values, or public access. The protection of significant inherent values is identified in section 24(b) CPLA, and the making easier of public access is indicated in section 24(c)(i) CPLA. These matters can therefore be properly considered under the CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

Statements of support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. Point 1 has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2	RR2-Exch should be designated as Scenic Reserve rather than as Recreation Reserve.	1, 4, 8	Allow	Accept

Submitter 1 suggested the land RR2-Exch should be designated as Scenic Reserve rather than as a Recreation Reserve, to conform with the adjacent Mt Crichton Scenic Reserve.

Submitter 4 also suggested this area should be designated as Scenic Reserve and merged with the Mt Crichton Scenic Reserve which it adjoins.

Submitter 8 also suggested this area should be designated as Scenic Reserve, to provide more long term protection of landscape, biological and recreational values within it.

Rationale for Allow or Disallow

The submitters have proposed an alternative designation for an area of land included in the review, and the designation the submitters propose could be achieved under section 35(2)(a)(ii) CPLA. The point can therefore be considered under the CPLA so has been allowed.

Rationale for Accept or Not Accept

The appropriate designation of land under review is a matter that can be taken into account in the CPLA. The submitters have suggested an alternative outcome, and have provided a reason for this, being that a Scenic Reserve Designation would conform with the adjacent Mt Crichton Scenic Reserve. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	Concerns that LUC 7 and 8 land proposed for freehold disposal are not capable of sustaining long-term pastoral use.	1	Allow	Not accept

Submitter 1 on the whole supported the freehold disposal of the land indicated, but had concerns that areas of Land Use Class 7 and 8 land were not capable of sustaining long-term pastoral use.

Rationale for Allow or Disallow

Considering the long term sustainability of land use is a relevant matter under s24(a)(i) CPLA and the point has therefore been allowed.

Rationale for Accept or Not Accept

While the point does relate to matters that can be taken into account in the CPLA, the submitter has not introduced new information or a new perspective, and has not suggested an alternative outcome. The point has therefore not been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	The covenant CC2 is not sufficiently stringent to protect Lake Luna from any land use modification.	1	Allow	Accept

Submitter 1 noted that Lake Luna supports a small rainbow trout fishery, and while they supported the covenant mechanism they suggested it should be more stringent to protect the lake from any land use modification.

Rationale for Allow or Disallow

The submitter was concerned with the protection of the recreational value of the Lake Luna basin for fishing. Recreational attributes can be significant inherent values, and their protection is relevant under s24(b) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account under the CPLA. The submitter has also suggested an alternative outcome, being more stringent covenant terms, for the reason of protecting recreational values. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	Area CC1 should be returned to full Crown ownership and control, and concerns about public access through this area.	2, 14	Allow	Accept

Submitter 2 suggested CC1 should be returned to full Crown ownership and control, to avoid the damage to significant inherent values which would occur in association with the construction of the proposed public access easement.

Submitter 14 was also not in favour of freeholding CC1, on the basis of the potential of the area for recreational opportunities. They felt that public access should be wander at will, and that the public should be able to use the existing track, which they think may be more suitable than the new track for access methods including four wheel driving, horse riding, and mountain biking, as well as being a more manageable walk.

Rationale for Allow or Disallow

The point relates to the protection of significant inherent values and the appropriate designation of reviewable land, as is therefore a matter that can be considered under the CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account under the CPLA, suggests an alternative outcome, and has given a reason. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	All or part of CC2 should be retained in full Crown ownership and control	2, 3, 5, 8, 14	Allow	Accept

Submitter 2 suggested that CC2 should not be grazed and should be retained in Crown ownership. They contended that continued grazing without fertilizer will cause a net loss of plant nutrients and with fertilizer will cause increased soil acidity and will reduce the cover and diversity of native vegetation. Appendix One in their submission provides a review of literature on this matter.

Submitter 3 suggested the creation of a small recreation reserve of approximately 3 hectares between the track and the lake, to better facilitate public access to the lake and recreation.

Submitter 5 suggested the boundary of CA should be positioned at least 20 metres west of Dukes Tarn to allow for public use.

Submitter 8 considered that the CC2 land should alternatively be retained as a conservation area, perhaps with a grazing concession, due to the high level of significant inherent values in this area, and the marginal ecological sustainability of continued pastoral use. They also proposed a recreation reserve around the lake to enable public enjoyment of this area.

Submitter 14 also was not in favour of freeholding the CC2 area, given the recreational potential of the area and desirability of being able to wander rather than being confined to a track.

Rationale for Allow or Disallow

This point relates to the protection of significant inherent values, ecological sustainability, and public enjoyment of the reviewable land, which are all relevant matters under the CPLA, and the alternatives suggested are all enabled under the CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account under the CPLA. The submitters have suggested an alternative outcome, being full Crown ownership and control, and have given reasons, relating to the detrimental impacts of continued grazing. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	Adjustments should be made to the conditions of covenant CC2 to better protect values.	2, 4	Allow	Accept

Submitter 2 considered that the monitoring proposed for the covenant is inadequate as a means of determining whether values are being protected or not. They stated that the objectives of the covenant are not expressed in measurable terms, that the monitoring proposed uses subjective methods that will be arguable, and that the frequency of monitoring is not specified. In Appendix Two of their submission they identified quantitative methods that they regard as more appropriate.

Submitter 4 suggested that a “no burning” clause should be added to the covenant, because of the extensive areas of Class VII and VIII land on the upper slopes of the covenant, and the questionable sustainability of grazing such land. The submitter also suggested the word “adequate” should be added to the monitoring programme, given that the number or location of monitoring sites has yet to be determined.

Rationale for Allow or Disallow

This point relates to the protection of significant inherent values, which is relevant under s24(b) CPLA, and ecological sustainability, which is relevant under s24(a)(i) CPLA, and the appropriate terms and conditions in a covenant, which is a protective mechanism enabled under s40 CPLA. The point therefore relates to matters that can be taken into account under the CPLA and has been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account under the CPLA, and submitters have suggested alternative outcomes, being adjustments to the covenant, for the reasons as stated above. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	Public access provisions in the Lake Luna area are inadequate	2, 4, 5	Allow	Accept

Submitter 2 considered that the restriction of public access to the designated easements through this area will severely restrict public enjoyment of these areas. They mentioned the potential for round trips over Big Geordie and the views from above Lake Luna, and noted that the covenants do not propose wander at will access.

Submitter 4 suggested there should be a right of public access throughout the covenant.

Submitter 5 suggested short additional easements to connect between the public access track and the north end of Lake Luna (W-X on Map 5 in their submission) and to connect between Lake Luna and Dukes Tarn (Y-Z on Map 5 in their submission), and that such easements should be suitably wide to allow for camping. They suggested track users will want to visit both the lake and the tarn.

Rationale for Allow or Disallow

The provision for public enjoyment of the land is relevant under s24(c)(i) CPLA and therefore the point has been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account under the CPLA, and they have proposed an alternative outcome, being less restrictive public access, for reasons of greater public enjoyment. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	Area CA should be protected as a Scenic Reserve under the Reserves Act	2, 3	Allow	Accept

Submitter 2 supported the retention in Crown ownership of CA, but suggested designating it as Scenic Reserve under the Reserves Act would offer greater protection, which they feel is warranted given the scenic qualities, beauty, and natural features and landscapes.

Submitter 3 also suggested the designation of this area as Scenic Reserve, given the values that have already been identified within it.

Rationale for Allow or Disallow

The point relates to the appropriate protection of significant inherent values, which is relevant under s24(b) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account under the CPLA, and they have given reasons for suggesting an alternative designation, as indicated above. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	Access needs to be secure to the commencement of easement at 'a', and to the Moke Creek parts of CA.	2	Allowed in part	Accept in part

Submitter 2 questioned whether there is secure access to the commencement of the easement 'a' near Moke Lake and to the Moke Creek catchments in CA. They suggested such access needs to be secure.

Rationale for Allow or Disallow

While the point relates to public access, which is relevant under s24(c)(i) CPLA, the point is at least partially concerned with land outside the review. To the extent that providing access to CA in the Moke Creek area could have implications for the land inside the review (southern end of CC3), the point is allowed.

Rationale for Accept or Not Accept

To the extent that the point is concerned with access inside the review land it is a matter that can be considered under the CPLA. The point raises a matter that may not have been fully considered, being access to CA in the Moke Lake area, and has therefore been accepted to enable a review of the access situation in this area.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
11	There should be more access easements from the Glenorchy Queenstown Road to CA.	2, 14	Accept	Allow

Submitter 2 stated that Mt Crichton is an obvious attractive high point and that there should be access to CA and Mt Creighton from the Glenorchy Queenstown Road.

Submitter 14 considered that easement n-o is inadequate access to what they regard as a renowned fallow deer area, and alternatively suggested there should be 4 public access routes to CA from the Glenorchy Queenstown Road between Geordies Creek and the northern end of the lease (see map attached to submission 14).

Rationale for Allow or Disallow

The point relates to public access which is relevant under s24(c)(i) and the point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account under the CPLA, and suggests an alternative outcome for the reasons stated above. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
12	Public access should be provided along the pylon road for cycling	2	Allow	Accept

Submitter 2 suggested public access, particularly for cycling, should be enabled along the access road to the power pylons just above the Glenorchy Queenstown Road, stating that it enables views of magnificent lakeside scenery and passes through remnant beech forests and regenerating shrubland.

Rationale for Allow or Disallow

The point relates to public access which is relevant under s24(c)(i) and the point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account under the CPLA, and suggests an alternative outcome for the reasons stated above. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
13	Possible errors or ambiguities in proposal	5	Allow	Accept

Submitter 4 suggested there were three ambiguities in the proposal:

- (1) The area shown as RR1 is shown on Landonline as having a current purpose of Conservation by NZ Gazette 1990 p3922.
- (2) Easement 'p-q' is listed in the easement document but is not depicted on the plan.
- (3) The mode of using the public access easements shown in the easement documents differs from what is stated in the Summary of Preliminary Proposal.

Rationale for Allow or Disallow

The above matters all relate to the accuracy of the proposal with respect to the land area being reviewed, the designations plan, or the documents within the proposal. These are clearly matters that can be considered within the tenure review under the CPLA and they have therefore been allowed.

Rationale for Accept or Not Accept

The matters raised are relevant matters to consider under the tenure review, and in suggesting there may be errors in the current proposal have effectively introduced new information which warrants checking. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14	Provision should be made for camping in area CC3 along Moonlight Creek associated with easements 'c-d' and 'd-e'	5	Allow	Accept

Submitter 5 suggested that easements 'c-d' and 'd-e' should allow for camping along Moonlight Creek, due to the length and likely popularity of the public access routes proposed.

Rationale for Allow or Disallow

The point relates to public access to and enjoyment of the reviewable land, which is relevant under s24(c)(i) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to public access and enjoyment of the reviewable land under s24(c)(i) CPLA and introduces a perspective not yet fully considered. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
15	Suggested amendments or additions to the Summary of Preliminary Proposal document	5	Disallow	N/A

Submitter 5 said the Summary of Preliminary Proposal should make clear which easements allow horse and mountain bike access, and should clarify why some easements restrict public access to walking.

Rationale for Allow or Disallow

The matters raised by the submitter is not relevant and cannot be considered under this tenure review under the CPLA because the Summary of Preliminary Proposal has been completed and will not be reissued. The point is therefore disallowed.

Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
16	Better public access should be enabled in the CC3 area	7, 10, 12, 13, 14, 15	Allow	Accept

Submitter 7 sought public access to the area south of Dead Horse Creek so that the historic features can be enjoyed by the public. It is assumed the submitter was referring to the proposed freehold land contained in CC3 south of Dead Horse Creek, and that they sought similar provisions to those applying north of Dead Horse Creek, which includes wander at will access.

Submitter 10 also considered that the right for the public to wander at will in CC3 should be extended to include land south of Dead Horse Creek, since this area also contains historic features likely to be of public interest. The submitter considered this right should extend as far as Gills Creek, or at the very least as far as the slopes a little further downstream, opposite Seffertown.

Submitter 12 considered that clause 8 in Schedule 2, Special Conditions, of covenant CC3 should be removed. Clause 8 overrides clauses 2.1.3 and 4.1 in the covenant, and restricts public access to wander at will access over land north of Dead Horse. Removing that clause would mean clauses 2.1.3 and 4.1 would apply, which would create freedom of access to the public over the whole covenant without the need to gain permission from the landowner. The submitter considered such wander at will access was appropriate because of the historic mining relics in this area, mentioning in particular the Moonlight Creek/Moke Creek area and Darkeys Terrace.

Submitter 13 also referred to clause 8 of the Special Conditions in covenant CC3 and did not agree with that clause, stating that public access should remain to Moke Creek.

Submitter 14 sought more public access linkages to the CA land above CC3, and doubted 'b-j' and 'd-k' would provide good access. The submitter has shown a number of possible additional connections on the plan attached to their submission. They also thought the easement 'a-b-c' should follow the existing track, as this would make the easement usable to a wider spread of recreation activities. More widely, they considered that the entire Luna Valley/Moonlight track is going to be a great walk experience and were not in favour of freeholding this area in any form, on the basis that people should be able to wander at will.

Submitter 15 also questioned clause 8 in the Special Conditions of covenant CC3, which restricts the public access in CC3 to wander at will north of Dead Horse Creek. The submitter stated that such a restriction reduced the potential for people to experience and discover historic goldmining sites and linkages along these interconnected waterways and within this heritage landscape setting. They also considered that further research on historic values would help determine further access requirements (see point 20). The submitter stated that the link between Moke Lake and Moonlight Creek has been well used and should remain open to public use. It is not clear whether the submitter considers the proposed public access easement a-b-c-d-e does not meet this requirement, or whether they have overlooked this.

Rationale for Allow or Disallow

The point relates to public access and enjoyment of the reviewable land, which is an object of tenure review under s24(c)(i) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account in the CPLA, as discussed above, and the submitters have articulated alternative outcomes, being what mostly amounts to wander at will public access south of Dead Horse Creek. While none of the submitters have explained why the proposed public access easement through this area would not provide sufficient access, they have suggested a change to the proposal for the reason of enabling people to visit mining features. The point has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
17	Ensure that public access routes are on viable lines for cycling	10	Allow	Accept

Submitter 10 considered that the proposed trail through from the Moke Lake area to Twenty Five Mile Creek should be on a line suitable for cycling. The submitter is particularly concerned that

appropriate access be enabled through the Moonlight Gorge upstream from Sheepyard Terrace, where further access could possibly be needed through CC3.

Rationale for Allow or Disallow

The point relates to public access, which is an object of tenure review under s24(c)(i) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be considered under the CPLA, and the submitter has in part provided support for the proposal, while also suggesting a possible adjustment, being a potential need for an extra easement section for the reason of providing cycling access. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
18	There are access routes in the valleys between Moke Lake, Darkys Terrace, and Sheepyard Terrace, that should be formalised as legal roads.	10	Disallow	N/A

The submitter contended that there are access routes along these valleys that have historically been used for access and on which Council funds have been spent for maintenance. The submitter also stated that there are land locked properties in this area which have no legal access. For these two reasons the submitter suggests that there are access routes in this area which should be surveyed and registered as legal roads.

Rationale for Allow or Disallow

The submitter was concerned with roading anomalies and the formalisation of legal roads which are not matters that are appropriately dealt with in tenure review under the CPLA. The point has therefore been disallowed.

Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
19	Marginal strips should be defined for the entire length of Moke, Moonlight, Luna, and Twenty Five Mile Creeks	10	Disallow	N/A

The submitter suggested that marginal strips should be created along qualifying waterbodies, in accordance with Part 4A Conservation Act 1987.

Rationale for Allow or Disallow

Marginal strips will be created on qualifying waterbodies upon disposition of land associated with tenure review outcomes. However, this process is carried out under Part 4A Conservation Act 1987 and is not a matter that can be considered as part of tenure review under the CPLA. The point is therefore disallowed.

Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
20	Greater protection should be provided for areas of historic significance.	11, 14	Allow	Accept

Submitter 11 stated that the Moonlight Creek Water Race and the mining remains on Sheeppard Terrace as well as the landscape down to the junction of Moke Creek and Moonlight Creek are of national significance as one of the most outstanding water race and mining complexes remaining in the country, and should be retained as Crown land with historic reserve status.

The submitter considered the reserve should have a management plan, with public access through the reserve available via the Moonlight Track, Moke Creek Track, and Lake Luna Track, creating a heritage walking circuit. They considered that the CC3 covenant will not provide adequate direct management and protection of the cultural heritage sites in this area.

Submitter 14 considered that cattle should be excluded from historic areas.

Rationale for Allow or Disallow

The point relates to cultural and historic values, which can be significant inherent values, the appropriate protection of those values, which is an object of tenure review under s24(b) CPLA, and public access and enjoyment of the land, which is an object of tenure review under s24(c)(i) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account in the CPLA as discussed above, and suggests an alternative designation for the reason of providing greater protection of the historic values of the area. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
21	Further information is needed on historic values.	11, 15	Allow	Accept

Submitter 11 considered that the information provided for the tenure review on historic values is inadequate, and should be more fully surveyed particularly with regard to mining, pastoral, and Maori cultural heritage sites. They considered this should include photographs, historic records and mapping, as well as NZAA Site Record Forms. They considered that without this information, recommendations cannot be made on how historic values could or should be managed.

Submitter 15 considered that more research and an archaeological assessment of the CC3 land south of Dead Horse Creek would provide more context with which to assess the true values of that area and review public access requirements.

Rationale for Allow or Disallow

Significant inherent values includes historic resources, and the protection of significant inherent values is a relevant object of tenure review, under s24(b) CPLA. The point relates to the adequacy of advice on such resources to enable appropriate decisions about protection under s24(b). The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to matters that can be taken into account in the CPLA as discussed above. The possibility of a further historic resources survey has not been previously considered. The point has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
22	Other changes proposed by CORUF	14	Allow in part	Not accept

The maps included in submission 14 by the Central Otago Recreational Users Forum show a number of modifications to the proposal which are not explained in the text of their submission including the suggested full Crown ownership of extensive areas indicated for freehold disposal in the preliminary proposal above the Glenorchy Queenstown Road south of Geordies Creek, a label in CA "stating no safari or trophy farms. Full open hunting and tramping climbing access", an adjustment in the legend next to CA stating "no easement concession", and a label next to RR2-Exch stating "Support with carpark". Also in their submission they stated that monitoring should take place more often than every 5 years.

Rationale for Allow or Disallow

To the extent that the above suggested adjustments relate to possible designation boundaries or changes to terms and conditions in protective mechanism documents they could be regarded as relevant for consideration in tenure review under the CPLA. However, the future management of area CA is not a tenure review matter. These points are therefore allowed in part.

Rationale for Accept or Not Accept

While the allowed matters relate to changes that could be made in tenure review under the CPLA, they have provided no reasons for any of the above changes, so cannot be evaluated as to whether they relate to the objects and matters to be taken into account in the CPLA. In addition, in these matters the submitter has not really introduced new information, a perspective not previously considered, given any reasons for an alternative outcome, or provided any statements of support. The points are therefore not accepted.

Summary

Overview of analysis:

Overall, the submissions generally supported the proposal. Public access was the main concern of the submitters, with also some concern as to whether covenants were appropriate for some areas. It was interesting to note that the Moke Creek/lower Moonlight area came in for as much attention as the perhaps more dramatic and scenic Lake Luna area, possibly reflecting a relatively high level of personal experience of the Moke Creek/lower Moonlight area.

Appendix III lists the points raised by each submitter.

Generic issues:

A common thread through many of the submissions was a concern that public access through the covenant areas was going to be restricted to linear routes, in areas where submitters considered wander at will access would be more appropriate.

Gaps identified in the proposal or tenure review process:

Two submitters suggested further work should be done to locate and fully identify historic values. Some submitters also appeared to have some trouble interpreting what is of necessity quite a complex proposal.

Risks identified:

The protection of or access to important historic values may not be adequately provided for if in fact the survey of historic values is not adequate.

General trends in the submitters' comments:

If there is any general trend in submitters comments, it would probably firstly be of general support for the proposal, but that public access was sub optimal.

List of submitters:

A list of submitters is included in Appendix II and a summary of the points raised by submitters is included in Appendix III.

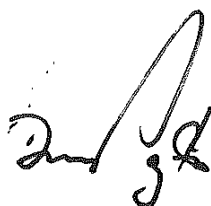
I recommend approval of this analysis and recommendations:



Bob Webster – Tenure Review Consultant

Date: 6/8/2014

Peer reviewed by



David Payton – Opus Tenure Review Contract Manager

Date: 6/8/2014

Approved/Declined

Commissioner of Crown Lands

Date:

Appendices:

- I Copy of Public Notice
- II List of Submitters
- III Points Raised by Submitters
- IV Copy of Annotated Submissions