

Crown Pastoral Land Tenure Review

Lease name : MT CREIGHTON

Lease number : PO 107

Public Submissions

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

These submissions are released under the Official Information Act 1982.



**Otago Fish and Game Council Submission
Mt Creighton Station, Tenure Review.**

1. In this submission we present our views and recommendations in the same format as the preliminary proposal quoted above.
2. *Proposal 2.1.1 Approximately 4 hectares to be designated as land to be restored to full Crown ownership as Recreation Reserve 'RR1' under section 35(2)(a)(ii) Crown Pastoral Lands Act 1998.*

Otago Fish and Game supports this proposal in full. The Council agrees that this area is part of a significant landscape corridor which also contains important regenerating shrubland and broadleaf forest.

3. *Proposal 2.1.2 Approximately 120 hectares to be designated as land to be restored to full Crown ownership and control as Recreation Reserve 'RR2 - Exch' under section 35(2)(a)(ii) Crown Pastoral Lands Act 1998.*

Otago Fish and Game supports the recognition of this parcel of land as a reserve but strongly recommends it should be designated Scenic Reserve to conform with the adjacent Mt Creighton Scenic Reserve.

4. *Proposal 2.1.3 Approximately 10,337 hectares to be designated as land to be restored to Crown control as Conservation Area 'CA' under section 35(2)(b)(i) CPL Act 1998 subject to easements to be reviewed below.*

We note the many and various outstanding natural values described under the headings -landscape, biological, historic and recreational. This is clearly an area of enormous natural value which is proposed for addition to the public conservation estate to be respected and enjoyed by all New Zealanders of present and future generations, as well as by increasing numbers of international visitors. Such wild and scenic areas are increasingly valuable as tourism comes more and more to dominate the use of our more accessible backcountry while kiwis continue to seek out the wide open and remote wilderness areas.

Otago Fish and Game supports this proposal in full and congratulates the runholders and administrators running this tenure review process in coming up with this outstanding recommended outcome.

5. *Proposal 2.1.3 'CA' is proposed to be subject to a 20m wide easement for farm management access as follows:- 'e-f-g-h', 'f-m', and 'g-l', to be issued to the holder.*

Otago Fish and Game supports this proposal.

Statutory managers of freshwater sports fish, game birds and their habitats

Otago Region

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6. *Proposal 2.1.3 The continuation of an easement for access to the automatic climate station in the head waters of Wire Creek.*

Otago Fish and Game supports the granting of this easement to NIWA.

7. *Proposal 2.1.4 Approximately 5,342 hectares is designated as land to be disposed of by Freehold Disposal to the Holder as a person specified under Section 35(3) CPL Act 1998 and labelled FH on the plan, and subject to Protective Mechanisms and Qualified Designations.*

Otago Fish and Game has some concerns that the areas of LUC 7 and 8 land in this proposal are not capable of sustaining long-term pastoral use, but on the whole, we support this proposal.

8. *Proposal 2.1.4.2 CC1 – 1,136 ha 24 Mile and 25 Mile bush.*

Otago Fish and Game supports this proposal.

9. *Proposal 2.1.4.3 CC 2 – 590 ha Lake Luna Basin*

Lake Luna supports a small rainbow trout fishery, and whilst Otago Fish and Game supports the covenant proposal, we have concerns that the covenant is not suitably stringent enough to protect the lake from any land use intensification.

10. *Proposal 2.1.4.4 CC 3 1,337 ha Moke and Moonlight areas.*

Otago Fish and Game supports the terms and conditions of this Covenant, particularly the access clauses.

11. *Proposal 2.1.4.5 OSC - 370 ha Lower Lake Faces.*

Otago Fish and Game supports this open space covenant.

12. *Proposal 1.2.4.6 Public and management access easements*

Otago Fish and Game endorses and supports these public access easements

13. *Proposal 1.2.4.7 Existing right of way easement*

Otago Fish and Game supports the continuation of these existing rights of way.

Yours faithfully,

Peter Wilson
Environmental Officer
Otago Fish and Game Council

The Commissioner of Crown Lands,
Land Information New Zealand,
Crown Property and Investment,
Private bag 4721,
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9 June 2014

Dear Sir,

Mt Creighton Tenure Review

Submission from the Royal Forest and Bird Protection Society

Introduction

Forest and Bird is a national organisation comprising over 80,000 supporters and members in 56 branches throughout New Zealand. The main object of the Society is to take all reasonable steps within the power of the Society to preserve and protect New Zealand's remaining flora and fauna, and natural features of New Zealand, for the benefit of the public including future generations. This submission represents the views of the Society, and focuses on the areas where we seek amendments to the proposal.

Choice of Protective Mechanisms –Conservation Covenants and Return to Full Crown Ownership and Control

1. The importance of protecting SIVs ahead of free holding in tenure reviews is asserted in the Act. There is a clear hierarchy in S24 Objects. Co-primacy is accorded to promotion of the management of reviewable land in a way that is ecologically sustainable and the protection of significant inherent values of reviewable land. These objects are more important than the freehold disposal of reviewing land. The Object of managing land in a way that is ecologically sustainable is more important than freeing land from management constraints.
2. The Crown Pastoral Lands Act 1998 (CPLA) does not specify when a particular protective mechanism should be used, except that it should be by restoration to full Crown Ownership as the first preference, and the PP should provide reasons for the choice of the mechanism. It seems likely that the intention of the CPLA is that the mechanism chosen should match the SIV's present, as this would achieve Part 2 object of protection of the SIVs of reviewable land. . Where the statutory preference for restoration to full Crown ownership and control is not followed, and instead protective mechanisms are proposed as here, the purpose of the protective mechanism is to enable the protection of the significant inherent values of reviewable land.
3. The CPLA does not define protection, and relies on the definition in the Conservation Act. In this Act protection includes not only maintenance in its current state but also includes restoration and enhancement or expansion

S 2 Conservation Act 1987

"protection, in relation to a resource, means its maintenance, so far as is practicable, in its current state; but includes—

- a. (a) its restoration to some former state; and*
- b. (b) its augmentation, enhancement, or expansion"*

Proposed CC1

4. It is clear from the Conservation Resources Report that the Values of CC1 meet the criteria for significant inherent values. The question is what protective mechanism will meet the Objectives of the CPLA.
5. The values of the land are set out in Schedule 1. The values specified include extensive montane beech forest, expanding areas of beech, manuka and mixed shrublands, alpine shrubland and, narrow leaved tussock grasslands.
6. Deliberate grazing is not permitted, but stock may wander as the area is unfenced.
7. The creation of a covenant here necessitates an easement, which will require the creation of a new track in the landscape which will detract from the significant landscape values and damage significant inherent ecological values that are to be protected under the CPLA. There is already an existing formed track that adjoins a formed track on the legal road, that would provide the necessary access through to Moonlight Creek and beyond. Return to full Crown ownership and control of CC1 would avoid the need to damage the values that require protection under the CPLA, and is therefore the best mechanism to achieve the Objects of the CPLA.

Proposed CC2

2. It is clear from the Conservation Resources Report that the Values of CC2 meet the criteria for significant inherent values. The question is what protective mechanism will meet the Objectives of the CPLA.
3. The values of the land are set out in Schedule 1. The values specified include expanding pockets of beech, manuka and mixed shrublands, alpine shrubland, lake edge vegetation, narrow leaved tussock at high altitudes -1300m, dense narrow leaved tussock grasslands.
4. Grazing by sheep only is permitted at a stocking rate to be determined by the Minister that does not adversely impact on the values. Special Condition 1 Schedule 2.
5. This is to be monitored in the case of the forest areas every 5 years or at some other interval agreed between the parties. Monitoring frequency for the other values is

not specified.

6. The documents available to the public do not contain information that allows submitters to examine the question as to whether the proposed covenant will enable the protection of the significant inherent values of reviewable land, including their augmentation, enhancement or expansion, or promote sustainable management and whether the proposed covenant and easements provide secure public access and makes easier the enjoyment of the reviewable land, as is required under the CPLA.
7. The Commissioner must be in receipt of advice that enables him to be certain that the proposal will achieve the above in accordance with the CPLA.
8. The land is described as largely unimproved tussock grassland and ranges in altitude from 810m to over 1400m. Continued grazing without inputs of fertiliser causes a net annual loss of all major plant nutrients. However the addition of fertiliser reduces the cover and/or diversity of native vegetation and is associated with increasing soil acidity. Our appendix One attached sets out the reasons why the alternative outcome of full restoration to crown ownership and control is the outcome that would fulfil the objectives of the Crown Pastoral Land Act.
9. Forest and Bird submits that full restoration to crown ownership and control of CC2 is necessary to protect the values, ensure sustainable management and secure public access and enjoyment, and that this can not be achieved under the proposed covenant for the reasons outlined in Appendix One..

Monitoring

10. The proposed monitoring is insufficient to ensure that the proposed covenant protects the values, and thus fails to fulfil the requirements of the CPLA. Monitoring relies on a subjective monitoring method that is always arguable. Appendix Two sets out a monitoring method that would provide a better outcome; more in line with the Objects of the CPLA should the proposed covenant proceed.
11. Walker et al.,¹ set out suggestions as to what is required of a responsible monitoring program. These include:
 - a. Measurable goals
 - b. Clear quantifiable definitions of measurable triggers that require particular stipulated actions in response
 - c. Method that measures structural and compositional changes with full lists of vascular plants.
12. The proposed monitoring provisions do not meet these requirements. The stated objectives of the Covenant are not expressed in measurable terms. There is no vegetation map to describe location and extent of the vegetation communities.

¹ Walker, Susan; Lee, William, G.: 2010. Proposed protection for indigenous ecosystems on Balmoral Station under the Crown Pastoral Land Act. Landcare Research Contract Report: LC0910/105

13. The proposed monitoring neither fails to specify monitoring of tussock grasslands including their regeneration— nor is a monitoring frequency prescribed.
14. The health of the shrublands in particular their natural regeneration is not specified.
15. Expanding forest and scrublands are values that are not listed as being monitored.

Public Access CC1 and CC2

16. Neither of the Covenants proposes wander at will within them and the public is to be restricted to the easements. The use of covenants and easements will severely restrict public enjoyment of these areas and curtail the development of recreation routes, and does not provide the best mechanism for achieving the objects of the CPLA. The potential for the Moonlight Trail is noted and endorsed, however there are opportunities for round trips to Lake Luna over Big Geordie which would afford magnificent views over Lake Luna and surrounding country and Lakes that is not achievable under the current proposal. This opportunity does not appear to have been investigated.

Proposed CA

17. Forest and Bird supports full restoration to crown ownership and control of the area described as CA. The significant inherent values described for this area warrant immediate protection as a scenic reserve under the Reserves Act, as it contains such qualities of scenic interest, and beauty and natural features and landscapes that their protection and preservation is desirable in the public interest. The PP describes the area as having high natural values, iconic landscapes, and wild and rugged gorges. The Objects of the CPLA would be better met by this area having a higher level of protection as would be provided by a scenic reserve status.

Public Access

Moke Lake to CA

18. It is not clear from the proposed maps that there is unfettered legal public access from Moke Lake to a in CC3 or to the CA beyond Williamson Spur and the right and left hand branches of Moke Creek. The CRR on page 38 refers to Moke Lake Road providing legal access to the south —eastern side of the property but reverts to a private farm track near Moke Lake where there is a locked gate. This point is likely to be one of the most popular entrances at this end of the property due to the camping ground and high recreational use of Moke Lake. Access here needs to be secure and will enable enjoyment of this portion of the proposed CA.

Mt Creighton

19. The CRR refers to the significant recreation possibilities which include opportunities provided by the long length of the road boundary adjacent to Lake Wakatipu.

However virtually none of these are realised in the proposal.

20. Mt Crichton is an obvious attractive high point, however there is no easy access to it from the west off the main high way, despite the OSC meeting the CA at some points. There is need for further access easements from the Wakatipu road to the proposed CA, especially to provide access to Mt Creighton.

Pylon Road

21. The Pylon road has potential for a cycle trail which would add to the enjoyment of this reviewable land. It is easy terrain for biking, and enables views of magnificent lake side scenery, and passes through remnant beech forests and regenerating shrub lands. This does not appear to have been considered.

Yours sincerely

Sue Maturin
Otago Southland Field Officer

Appendix One – Overview of Scientific Literature – Management to protect SIVs and promote ecologically sustainable management

Ecologically sustainable management and protection of SIV's.

A review of scientific studies showed that in relatively unmodified tall tussock grasslands, retirement from pastoral grazing generally resulted in increases in tussock biomass, the establishment of snow tussock seedlings and a reasonably rapid increase in abundance and/or diversity of native species.²

Ability of continued grazing to protect SIVs

Grazing is a major driver of vegetation composition and pattern. Grazing affects species composition of plant communities by selecting or avoiding specific plants, reducing competitive vigour of selected plants and release ungrazed species from competition. Defoliation through grazing can reduce height and cover of grazed species, and decrease flower and seed production, either directly by eating them, or indirectly by stressing them. Grazing can also exacerbate the dispersal of weeds. Feeding, urination, defecation and death of herbivores also shifts nutrients and redeposit them unevenly across the landscape.³

Tall tussocks are poorly adapted to any sort of defoliation and are exceptionally slow to recover from it in their nutrient reserves, biomass or stature. (Walker and Lee citing O'Connor 1963; Mark 1965; Payton et al.1986; Gitay et.al 1992; and Lee et.al 2000.)⁴

*'New Zealand's grasses in general, including tussocks, show conservative nutrient acquisition and use compared to grasses international (Craine&Lee 2003). All of these traits are associated with slow-growing species adapted to low resource availability and infrequent defoliation. In addition, seedlings and juvenile plants of tall tussock are palatable: stock rabbits and hares all feed selectively on them, compromising regeneration. For example, in snow tussocks (Chionochloa rigida), Lee et al. (1993) showed that grazing reduced overall recruitment, proportions of small seedlings, seedling height and, and seedling survival at increasing distances from tussock plants.'*⁵

Surveys of montane to alpine tall tussock grasslands at sites in Canterbury, Otago and Southland have shown that exclusion of stock generally promotes tall tussock recovery, but that diversity and abundance of inter tussock species is usually reduced, Lloyd citing, Duncan et al (2001); Grove et al (2002) and Meurk et al (2002).⁶

Lloyd⁷ reports that regeneration of snow tussock grasslands can occur in the absence of fire at low grazing intensities, however recruitment is mostly confined to within 2m of the parent tussock.

² Ewans, R. 2004: Effects of removing grazing from native grasslands in eastern South Island of New Zealand. A literature Review. DOC Science Internal Series 168. Wellington, Department of Conservation

³ Walker, Susan; Lee, William, G.: 2010. Proposed protection for indigenous ecosystems on Balmoral Station under the Crown Pastoral Land Act. Landcare Research Contract Report: LC0910/105

⁴ Walker, Susan; Lee, William, G.: 2010. Proposed protection for indigenous ecosystems on Balmoral Station under the Crown Pastoral Land Act. Landcare Research Contract Report: LC0910/105

⁵ Walker, Susan; Lee, William, G.: 2010. Proposed protection for indigenous ecosystems on Balmoral Station under the Crown Pastoral Land Act. Landcare Research Contract Report: LC0910/105

⁶ Lloyd, Kelvin. 2008. Ecological processes in the South Island Pastoral High Country. Wildland Consultants, Report No 1955 for Parliamentary Commissioner for the Environment, Wellington.

⁷ Lloyd, Kelvin. 2008. Ecological processes in the South Island Pastoral High Country. Wildland Consultants, Report No 1955 for Parliamentary Commissioner for the Environment, Wellington.

Snow tussock tends not to regenerate on bare ground. *“The patchy nature of snow tussock regeneration indicates that retention of sparsely distributed snow tussocks in depleted tussock grasslands will be important to speed the recovery of such grasslands under conservation management.”*

Stock and rabbits also graze native shrubs, particularly the highly palatable native broom species, effecting their vigour and regeneration. According to Walker et al, (2003).⁸ Many of the shrublands that persist in the high country that are accessible to stock are composed of species that are relatively unpalatable to stock, e.g. matagouri, Mingimingi, *Drcophyllum uniflorum* and *Olearia bullata*. Sheep tend to use shrublands for shade and shelter and graze the ground cover resulting in loss of indigenous ground cover and increase in weedy exotic herbs and grasses.⁹

The effects of grazing cessation is mixed and less predictable on more modified short tussock grasslands, where short tussocks have largely replaced tall tussocks, and native biomass is low and where *hieracium pillosella* – now known as *Pilosella officinarum* is a major component of the vegetation. Some studies report further loss of inter tussock herbs, and sometimes fescue tussock. However, grazing cessation is likely to be appropriate to increase the biomass and stature of tussocks.¹⁰ Meurk et al (2002) found that indigenous woody species increased following the exclusion of stock and rabbits on a range of Mackenzie montane sites.¹¹

Ewans concludes that there is no single management regime that fits all scenarios. ‘However, the removal of grazing has generally been considered beneficial to the indigenous components of native grasslands, although results are variable and must be considered in context.’ Vegetation responses, he found are influenced by vegetation type, stature and density of the dominant vegetation types at the time of grazing cessation, the environment and the competitive abilities of the exotics present.

The presence of stock results in increased nutrient cycling (i.e. through the urine) which favours the more competitive adventive inter tussock grasses.¹²

Grazing for weed control

In the Mackenzie Basin Meurk et al found no evidence that removal of grazing led to increased weed invasion in fescue tussock, tall snow tussock or red tussock grasslands.¹³

Grazing for Hieracium Control

Ewans reported that many studies observed increases in frequency and/or cover of *Hieracium* spp, mostly *H. pilosella*) independent of grazing regimes. Meurk et al (2002) in their study of grazed and un grazed grasslands in the Mackenzie Basin concluded that removal of grazing in the degraded

⁸ Walker S., Wilson, J.B. and Lee, W.G. 2003: Recovery of short tussock and woody species guilds in un grazed *Festuca novae-zelandiae* short tussock grassland with fertiliser or irrigation. *New Zealand Journal of Ecology*. 27: 179-189.

⁹ Lloyd, Kelvin. 2008. Ecological processes in the South Island Pastoral High Country. Wildland Consultants, Report No 1955 for Parliamentary Commissioner for the Environment, Wellington.

¹⁰ Walker, S.; Lee, W.G.; Rogers, G.M.. 2003: Post-pastoral succession in intermontane valleys and basins of eastern South Island, New Zealand. *Science for conservation* 226. Department of Conservation Wellington.

¹¹ Meurk, C.D.; Walker, S.; Gibson, R.S.; Espie, P. 2002: Changes in vegetation states in grazed and un grazed Mackenzie Basin Grasslands, New Zealand, 1990-2000. *NZ Journal Ecology* 26:95-106.

¹² Meurk, C.D.; Norton, D.A.; Lord, J.M. 1989. The effect of grazing and its removal from grassland reserves in Canterbury. In: Norton, D.A. (ed.) *Management of New Zealand's Natural Estate*, New Zealand Ecological Society Occasional Publication No. 1. pp 72-75.

¹³ Meurk, C.D.; Walker, S.; Gibson, R.S.; Espie, P. 2002: Changes in vegetation states in grazed and un grazed Mackenzie Basin Grasslands, New Zealand, 1990-2000. *NZ Journal Ecology* 26:95-106.

fescue tussock grasslands would encourage very slow succession to canopy forming native shrublands and woodlands, creating environments less conducive to *H. pilosella* invasion.

Meurk et al reported that at one snow tussock locality grazing had exacerbated the loss of tussock cover and facilitated invasion and transition to a *H. pilosella* – dominated state, while grazing removal reversed this process. They reported that these results are consistent with other studies showing the recovery of snow tussock following the removal of grazing (Rose and Platt, 1992; Lee et al., 1993; Duncan et al., 2001).¹⁴ They suggested that the removal of both rabbit and sheep grazing will provide the best opportunities for the establishment of later-successional vegetation, such as native shrubs, the regeneration and extension of tussock canopies, and for the build-up of litter to combat *H. pilosella* invasion.

Inter tussock species richness appears to be declining in tussock grasslands irrespective of management and widespread invasion of *Hieracium*.¹⁵

Recent monitoring of the extremely degraded short tussock grassland Tekapo Scientific Reserve show that with increasing time since retirement from stock grazing and intensive rabbit control there can be a recovery of tussock grasses, inter tussock native species, shrub cover and a reduction in bare ground and *Heiracium*.¹⁶

Mouse-ear hawkweed, *Hieracium officinarum* is generally not regarded as a significant conservation weed, however *H. lepidulum* is potentially a serious threat to tussock grasslands whether managed for pastoral or conservation purposes. It should be noted that this species is not recorded in the documentation provided for Omarama Station tenure review.

Mark et. al., 2011 in a study of exclosure plots on the Old Man Range in Central Otago found that the abundance of *H. lepidulum* decreased with altitude, possibly as a consequence of frost-killing the maturing inflorescences, so reducing the availability of seed, indicating that this species is clearly less aggressive above c. 1000m. They recorded high infestations of *H. lepidulum* only in the un grazed plots that had previously been burnt 20 years ago, and very low infestation in the un grazed, un burnt plot. Vascular plant richness was generally greater than in the adjacent grazed areas, regardless of their burning history, with several native species only recorded in the plot that had been un burnt for 61 years and un grazed for 46 years. Mark et.al., concluded that protection from stock grazing and burning for a number of decades may induce the establishment of indigenous species that are otherwise rare or absent under pastoral management. They suggest light grazing by sheep may help retard its spread through grazing of seed heads.

Grazing to control wilding trees

Lloyd¹⁷ records that grazing by stock and rabbits can reduce recruitment of palatable woody weeds such as pine species, however effective control only occurs where grazing is intensive and repeated at sufficient intervals. Once a woody weed has exceeded the browse height of stock there is no further limitation by stock browse. He notes that exclusion of grazing can result in rapid release of

¹⁴ Meurk, C.D.; Walker, S.; Gibson, R.S.; Espie, P. 2002: Changes in vegetation states in grazed and un grazed Mackenzie Basin Grasslands, New Zealand, 1990-2000. *NZ Journal Ecology* 26:95-106.

¹⁵ Duncan, R.P.; Webster, Robert J.; Jensen, Carol, A.J.; 2001: Declining plant species richness in the tussock grasslands of Canterbury and Otago, South Island, New Zealand. *NZ Journal of Ecology*. 25 (2): 35-47.

¹⁶ Walker, Susan; Lee, William, G.: 2010. Proposed protection for indigenous ecosystems on Balmoral Station under the Crown Pastoral Land Act. Landcare Research Contract Report: LC0910/105

¹⁷ Lloyd, Kelvin. 2008. Ecological processes in the South Island Pastoral High Country. Wildland Consultants, Report No 1955 for Parliamentary Commissioner for the Environment, Wellington.

suppressed woody weeds.

Impact of continued use of Fertiliser

The addition of nutrients through top dressing alters natural habitat conditions favouring plant species that are adapted to higher nutrient levels enabling them to outcompete native species which are generally adapted to low resource availability. According to Craine and Lee (2003), native tussock grasses have a more low-Nitrogen strategy than non –native species and it is likely that native species are poorly adapted to being productive and/or competitive under high nutrient regimes. Introduced species are the ones that perform best in high fertility sites. Over the past 100 years, areas where fertilisation or clover growth has ceased have often reverted back to native grasses and other low N plants like bracken fern.¹⁸

A study of the effects of exclosure and management on biomass and soil nutrient pools in seasonally dry high country in Canterbury found that oversowing and fertilising significantly raised soil nitrogen and carbon levels, but had an acidifying effect on soils. Stopping grazing and oversowing and topdressing was the only treatment that maintained pH levels, stopping grazing alone did not.¹⁹ Lloyd²⁰ cites other studies of the effects of fertilising high country tussock grassland indicate that addition of fertiliser generally raises major soil nutrient and carbon concentrations, increases soil microbial biomass, acidifies the soil, and reduces the cover of bare ground and indigenous plants. However grazing short tussock grasslands in dry basins without fertiliser inputs, with or without burning has been shown to cause a net annual loss of all the major plant nutrients, while fertilising tussock grassland in a moist zone led to gains of most nutrients on sunny slopes but a decline in nitrogen on shady slopes, possibly because of nutrient transfer by stock. Lloyd concluded from his analysis of the literature that research indicates '*...that continued pastoral use of short tussock grasslands particularly in seasonally dry sites, will not be sustainable without inputs of fertiliser, but fertiliser use reduces the cover and/or diversity of indigenous vegetation and is associated with increasing soil acidity.*'

¹⁸ Craine, J.; Lee, W.G. 2003. Covariation in leaf and root traits for native and non-native grasses along an altitudinal gradient in New Zealand. *Oecologia* 134: 471-478

¹⁹ McIntosh, P.D.; Allen, R.B. and Scott, N. 1997. Effects of exclosure and management on biomass and soil nutrient pools in seasonally dry high country, New Zealand. *Journal of Environmental Management* 51: 169-186.

²⁰ Lloyd, Kelvin. 2008. Ecological processes in the South Island Pastoral High Country. Wildland Consultants, Report No 1955 for Parliamentary Commissioner for the Environment, Wellington.

Appendix Two Terrestrial ecology monitoring for Covenants

- (a) Install and permanently mark 20, 20 x 20 m vegetation plots, in accordance with the protocol for the RECCE method described by Hurst and Allen (2007).
- (b) Install and permanently mark xx shrub-measurement sites and associated photopoints to record changes in shrubland remnants.
 - i. Shrubland photopoints will be individually located to document changes in different individual remnants of indigenous shrubland
 - ii. At each shrubland photopoint two reference points will be permanently marked by vertical metal standards extending 1.5 m above ground level, and located 25 m apart.
- (c) Install and permanently mark 20 landscape photopoints representing views across the different landform in the proposed Covenant.
 - i. Photopoints will be individually located in locations that will best record changes in general vegetation condition across the covenant, including potential invasion of wilding conifers and other woody weeds.
 - ii. At each landscape photopoint, two reference points will be permanently marked by vertical metal standards extending 1.5 m above ground level, and located 25 m apart. One standard will be labelled as the origin and the second standard will mark the centre of the view to be captured in the photograph.

20x20 Plots

- 2. At each 20 x 20 m vegetation plot, a suitably qualified botanical expert shall, between the months October to February
 - i. Record all vascular plant species present and estimate the percentage ground cover of each to the nearest 1%
 - ii. Estimate and record the % cover of nonvascular plants (mosses and lichens) and bare soil and/or rock

Shrubland Photopoints

- 3. At each shrubland photopoint, a photograph will be taken looking south, with the camera placed immediately above the northern standard with the bottom of the photo-frame defined by a point 2.5 m from the northern standard and the top of the photo-frame defined by the top of the second standard.

4. At each shrubland photopoint, each numbered shrub will be measured, recording its maximum vertical height of the foliage and the maximum width of the foliage in two orthogonal dimensions in centimetres. The average height and average horizontal area of tagged shrubs at each photopoint will be recorded.

Landscape Photopoints

5. At each landscape photopoint, a photograph will be taken from the origin standard looking towards the second standard. The camera will be placed immediately above the origin standard with the top of the second standard in the centre of the photo-frame.

Re Monitoring

6. A suitably qualified independent expert shall
 - (a) At five-year intervals, remeasure each vegetation plot, remeasure all tagged shrubs, and re-photograph each photopoint.
 - (b) Remeasurements of vegetation will be undertaken at the same time of year as the initial measurement (i.e. within four weeks), using the same sampling methodology (for plots) and lens specifications (for photopoints)
 - (c) If a formerly tagged shrub has died or cannot be relocated, a new shrub must be tagged and measured in its place. This substitution, and the reason for substitution, recorded in the data
7. Within 3 months of measurement or remeasurement, the expert shall provide the data from each 20 by 20 metre vegetation plot to the Minister and the Owner, including summaries of
 - (a) the total ground cover of
 - i. indigenous vascular plant species
 - ii. indigenous tussock
 - iii. exotic vascular plant species
 - iv. bare soil and/or rock
 - v. lichens and/or mosses
 - (b) the total number of species of
 - i. indigenous vascular plants recorded per plot and across all plots
 - ii. exotic vascular plants recorded per plot and across all plots

8. Within 3 months of measurement or remeasurement, provide the photographs from each photopoint to the Minister and the Owner.
9. Change detected in vegetation monitoring will be expressed as a proportion of the baseline (first) measurement. For example, a 20% decrease may be a change from 5% to 4% cover or a change from 1% to 0.8% cover. It may be change from an average shrub height of 1m to an average shrub height of 0.8m or change from an average shrub height of 0.2m to an average shrub height of 0.16m.
10. The trigger points for management change or action shall be
 - (a) an average decrease of 20% in the total summed ground cover of indigenous vascular plant species, or
 - (b) an average decrease of 20% in the total ground cover of indigenous fescue tussock
 - (c) an average increase of 20% in the total ground cover that is bare soil and/or rock
 - (d) a decrease of 20% in the total number of indigenous plant species recorded across the plots
 - (e) a decrease of 20% in the average height or average horizontal area of tagged shrubs recorded across the 20 shrubland photopoints
11. On recording a change (a) to (e) above will require a halving of stock numbers until such time as those changes are shown to have been reversed. Further changes of these magnitudes will require further halving of stock numbers.

3



OTAGO CONSERVATION BOARD

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Our ref: SBC-08-34
1426658

17 June 2014

LINZ – Crown Property and Investment
Private Bag 4721
CHRISTCHURCH 8140 (email to: pastoral&tenurereview@linz.govt.nz)

Dear Sirs

Review under Part 2 Crown Pastoral Land Act: Mount Creighton

The Otago Conservation Board appreciates this opportunity to comment on the Preliminary Proposal for the review of the Mount Creighton Pastoral Lease.

The Otago Conservation Board ("the Board") is appointed by the Minister of Conservation to represent the wider Otago community in advocating for the protection of biodiversity, recreational opportunities and the conservation of natural and historic resources throughout Otago. The Board takes a strong interest in tenure review and makes submissions on all proposals in Otago.

The Board is largely supportive of the proposed split of the land between freehold and full Crown ownership and control. This split appears to recognise the principles espoused in the Crown Pastoral Land Act 1998, which provides for full Crown ownership and control as the preferred method of protecting significant inherent values when land cannot be farmed in an ecologically sustainable manner and for land that is capable of economic use without compromising ecological sustainability to be freeholded.

The proposed conservation areas will provide protection for landscape values and threatened species, and provide for enhanced public recreation opportunities. In particular, the proposal recognises the significant potential of the Moonlight-Lake Luna-Meiklejohn Bay route for tramping.

The Board further believes that the allocation of land to full Crown ownership and control should recognise that Lake Luna will be a key attraction of the new tramping route, by providing for public access to the lake shore and for recreation there. This could be achieved by creation of a small recreation reserve between the lake and the track. Such a reserve along 500 metres of shoreline would only require approximately 3 hectares to be removed from the freehold.

The conditions on the covenants and easements are appropriate.

The Board supports the concerns expressed by several parties, notably the Parliamentary Commissioner for the Environment, about stewardship land. Given that stewardship land is generally awaiting an assessment of its values before being classified, and that the values of the land under review have been thoroughly assessed as part of the tenure review process, there seems little point in not immediately classifying the proposed Conservation Area. The most appropriate classification would appear to be Scenic Reserve.

In conclusion, the Otago Conservation Board is largely supportive of the preliminary proposal for the Mount Creighton pastoral lease. That notwithstanding, the Board would also like to see a small recreation reserve created so that Lake Luna may be recognised as a key attraction of the new tramping route, and **recommends** that this be given due consideration in the submissions process.

Yours faithfully

A handwritten signature in blue ink that reads "J. P. Garden". The signature is written in a cursive, flowing style.

Pat Garden
Chairperson



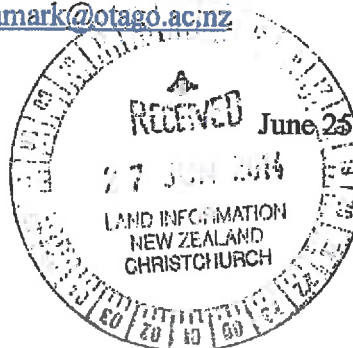
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Manager,
Land Information NZ,
Crown Property and Investment,
Private Bag 4721,
CHRISTCHURCH. 8140.



SUBMISSION ON PROPOSED TENURE REVIEW: MT CREIGHTON PASTORAL LEASE

Dear Sir,

Thank you for sending me a copy of this document and I appreciate the opportunity to comment on it based on my initial reasonable knowledge of the general area, before having a most informative day on the property, being driven through to Lake Luna from the homestead and also through to the Sheeppark Terrace via the Moke and Moonlight catchments by the property manager, Mr Bruce Douglas in late May. I would like to record my appreciation to Mr Douglas and also the owners of the leasehold for this most informative experience.

I had previously read the very informative report of the Preliminary Proposal, prepared for this important exercise, for this relatively large-sized (15,781 ha) property. The proposal is to restore three parcels totalling 10,461 ha (66%) to full Crown ownership and control, comprising two Recreation Reserves (RR1 of 4 ha and RR2 of 120 ha), plus a large, centrally-located Conservation Area (CA1 of 10,337 ha), with the remaining 5342 ha (according to the preliminary proposal (PP): note these areas given in the PP total 15,803 ha, indicating a minor discrepancy of 22 ha) to be disposed of to the Holder, Mt Crighton Station Ltd., but subject to certain protective mechanisms (discussed below).

The **proposed Recreation Reserve 1 (RR1)**, of some 4 ha is part of a significant landscape corridor located between the Wakatipu lakeshore and the Queenstown-Glenorchy road between Dooley's and Geordies Cteeks. Being the only part of the lease on the lake side of the road, and adjacent to and "indistinguishable from" the Glenorchy Road Recreation Reserve, this designation seems appropriate and is **endorsed**.

The **proposed Recreation Reserve 2 (RR2)**, of some 120 ha, however, is at the southern tip of the property opposite Rat Point, on the inland side and adjoining the highway. This area is known to have significant landscape and biological (as well as recreational) values, and, as stated in the PP, is "a natural addition to the adjoining Mt Crighton Scenic Reserve to the east". Clearly this 120 ha area **should be designated a Scenic Reserve** and merged with the adjoining established Mt Crighton Scenic Reserve, and this is my **strong recommendation**.

The **proposed ~10,337 ha Conservation Area (CA)**, but subject to easements, represents a significant part of the southern Richardson Mountains, which reaches 2126 m at Major Peak, and with its central area being designated as the Twenty Five Mile Range. Many peaks reach over 1600 m in this generally precipitous country which are the headwaters for many important catchments, the east-flowing Moonlight and Moke Creeks and west-flowing Five Mile Creeks in particular, as well as forming the higher parts of the Wakatipu Lake faces. As described in the PP, this area is

representative of the Richardson and Shotover Ecological Districts (which it spans) and has outstanding natural inherent values, particularly landscape, biological/ecological, recreational and historic values which, being close to the 'Adventure tourism/recreation centre' of Queenstown, has a significant strategic importance to future land use in the Wakatipu Basin in general. The cessation of the currently light stock grazing and generally conservative management on these mostly Land Use Class VIII and VIIe lands (implying non-suitability for productive use), with the continued absence of burning, should ensure that its ecological condition and interest should continue to improve with time. The PP clearly recognises these aspects, as well as recommending a 20 m wide easement to be issued to the 'Holder' for farm management purposes, to follow the mapped line 'e-f-g-h (which is on the northern boundary of the property), as well as 'f-m' and 'g-l'. I note that these easements are to be offered for a 200 year duration. This is an unusually long duration for such an easement but I would accept one 'in perpetuity', consistent with the term for the several covenants being proposed. But with this minor amendment, **I applaud this proposed Conservation Area and strongly recommend its adoption.**

The land to be disposed of to the present Holder by freehold disposal, comprises 5342 ha, subject to "protective measures" and "qualified designations" under the Crown Pastoral Land Act. Each of these will be discussed in turn below, as follows:

Conservation Covenant 1 (CC1): 1136 ha: being Twenty Four Mile and Twenty Five Mile bush, under S 77 of the Reserves Act 1977, being "very steep and rugged terrain dominated by a mixture of montane mixed (mostly mountain) beech forest, mixed (mostly manuka) shrubland and around the boundaries, mixed shrub - snow tussock grassland, of high landscape (including as viewed from the highway), biological/ecological, recreational and historic values, as is well described in the PP. Since the purpose of this covenant, as stated, is to let nature take its course and, moreover, it "will not be deliberately stocked", and there is a commitment to control woody plant pests such as Douglas fir, and to adequately monitor the area to ensure the intrinsic values are being maintained, begs the question as to why the area might not more appropriately, be formally reserved. However, I am satisfied, based on my discussion with the manager, that a conservation covenant is appropriate under the current management. Since the situation could change under future ownership of this proposed freehold, the preferred option in perpetuity is less obvious. However, I am willing to **endorse the current proposal**, particularly with the provisions for monitoring that are included and appropriate action that would be possible should the results of this monitoring so dictate.

Conservation Covenant 2 (CC2): 590 ha, Lake Luna Basin. This proposed covenant area extends up from the lake at 810 m to ~1400 m on much of its perimeter, involving the Richardson Range to the north and the Twenty Five Mile Range to the southeast. Apart from a stand of mountain beech adjacent to its eastern shore, where a hut is also located, the covenant area comprises various types of tussock grassland, with intermixtures of shrublands and prominent rock outcrops, all in a generally remote setting. Both biologically/ecologically and recreationally, this area is of extremely high inherent value. While the lower slopes of this proposed covenant, up to about 1050 m, comprise areas classified as Land Use Capability Class VI, and thus capable of sustaining pastoral use, the higher slopes have been classed as LUC Classes VIII or VII, and thus are considered unable to sustain productive use. However, since according to the manager, much of the northwestern boundary of the proposed covenant is fenced and a modification has been made to the proposal with a new fence to be built down a ridge from near spot height 1245 m into Crush Creek (with the boundary then extending down this creek to where it meets Luna Creek), there is little alternative to accepting the conditions stated in the PP: sheep grazing only and at a rate which "does not adversely impact on the values, introduced woody weeds and feral animals to be controlled, and a vegetation monitoring programme to be established and maintained". **I strongly recommend a "no burning" condition be added** (because of the presence of extensive areas of the Class VII and VIII lands on the upper slopes of this covenant), along with a **right of public access throughout the covenant.** The word "adequate"

should be added to the monitoring programme (since I note the details of site locations and numbers for the monitoring programme have not yet been finalised).

The presence of a 4WD track from the homestead to the lake is an important feature, but apparently this will not be available for public use as far as near Dukes Tam (because of likely disturbance to stock being driven along its generally tortuous route). Rather, a new route for public access is to be constructed through mostly beech forest, on obviously rugged terrain, some distance above the true right side of Twenty Five (or Simpson) Creek (as shown on the Maps 1 & 2 accompanying the PP). The effort (and cost) to construct this proposed access track would appear to be relatively high, but presumably the Department of Conservation has budgeted for this exercise.

Conservation Covenant 3 (CC3): 1337 ha, Moke and Moonlight areas. This is an area with a very highly convoluted upper boundary, apparently determined by the local topography, so as to provide a workable stock boundary with the Conservation Area above (apparently the area has been somewhat reduced [by about 50 ha] and added to the CA along the upper boundary between Fen and Gills Creeks, to obtain a more appropriate stock buffer), so as to restrict stock to the covenanted area below. My inspection of this area and discussion with the Manager, generally confirm the practicality of this proposal, based on a natural stock boundary. Moreover, most of the proposed covenant is <1050 m elevation and classified as Land Use Class VI, indicating suitability for sustained pastoralism. Also, the area is an interesting mix of landforms: valley floors, fans and terraces as the PP describes, and with many notable landscape (lower Fan Creek and Sheeppark Terrace are each spectacular), geopreservation (Moonlight Fault exposed in Fan Creek), biological/ecological as described in the PP), recreational (a network of strategically important walking tracks), and historical ("a superb mining landscape"). The **purpose and conditions stated** for this covenant, including a 'no-burning' condition, are appropriate and are **endorsed** as is the **covenant as a whole**.

The proposed **Open Space ("Mt Crichton QE II") Covenant (OSC):** 370 ha, Lower Lake Faces. This proposed QE II Open Space Covenant is designed to protect the the natural values of the mixed remnant mountain beech and regenerating native broadleaved forest stands which are essentially continuous along the lower lake faces on the up-slope side of the Queenstown to Glenorchy Road along much of the property frontage, between Rat Point and Bennetts Bluff. This covenant (as worded on the CD provided with the PP), is a very comprehensive document, clearly designed to to protect the several heritage values identified (and described in considerable detail: e.g., the presence of the shrub *Leonohebe cupressoides*: "naturally endangered", the yellow mistletoe *Alepis flavida*: "declining" and, surprisingly, the rock wren), in perpetuity. The Queenstown to Glenorchy transmission line and accompanying vehicle track, do not seriously degrade the value of this proposed covenant. Fire is recognised as a potential threat from the bracken-dominated slopes above the proposed covenant (which apparently explains its highly irregular upper boundary). Importantly, public access is not to be discouraged. This proposed QE II Open Space Covenant, as presented, is **strongly endorsed**.

I am impressed with the general provision for public access contained in this proposed tenure review, particularly in relation to its general proximity to the tourist centre of Queenstown, and also in relation to the route between the Moonlight across the crest of the southern Richardson Mountains and down the Twenty Five Mile catchment to the Queenstown – Glenorchy road: (route e-f-g-h-i on the Map Sheets 1 & 2). I understand this route may also become part of the "Long Pathway (Te Araroa Trail)" from Cape Reinga in the far north to Bluff in the country's far south. In addition, the several new public access easements: "a-b-c", "b-j", "c-d-e", "d-k", "h-i", and "n-o" will be important in providing public access on foot, mountain bike and/or horse, over land which is being proposed for freehold disposal, as well as vehicle access for management purposes. The proposed access routes "a-b-c-d-e", "e-g", "g-h" and "h-i", towards or across the central Conservation Area will also provide secure public access to this important conservation area. The public "wander-at-will" being proposed

above Dead Horse Creek is also an important provision in relation to the interest in investigating the numerous historic mining relics and workings in the upper Moonlight catchment. All of these access proposals are strongly endorsed. Continuation of the existing right-of-way easements, including one to NIWA, and also the ORC resource consents, as described in the CD attached to the PP are also endorsed.

I trust that this response and its recommendations will be given serious consideration. I also thank you again for the opportunity to assess and comment on this important proposal for tenure review, based on an excellent visit to the property and discussion with its manager, and I look forward to the outcome.

Yours sincerely,


Alan F. Mark, FRSNZ KNZM. Emeritus Professor.

EA1098545

5



WALKINGACCESS
ARA HĪKOI AOTEAROA

27 June 2014

Commissioner of Crown Lands
Land Information New Zealand
Crown Property and Investment
Private Bag 4721
CHRISTCHURCH 8140



**Preliminary Proposal for Tenure Review of Mt Creighton Pastoral Lease, Po107.
Submission from the New Zealand Walking Access Commission**

Thank you for the opportunity to comment on the Preliminary Proposal for the tenure review of the Mt Creighton pastoral lease (PL). As you will appreciate, this is the first opportunity that the New Zealand Walking Access Commission (Commission) has had to comment on this proposal.

The following submission should be considered as new information as, to-date, the tenure review planning, extensive discussion and consultation have been undertaken without input from the Commission – the statutory body established in 2008 to lead and support public access negotiations.

The Commission's public access statutory role is described below, in section **A. Introduction**, and the detailed submission on the tenure review proposal is presented in section **B. Submission**.

In summary, the Commission

notes:

- the following three ambiguities in the preliminary plan need to be addressed:
 - The area shown as RR1 to be restored to full Crown ownership is already shown in Landonline with a statutory action showing current purpose of Conservation by NZ Gazette 1990 p3922, (see Map 4 and Appendix 1 in this submission);
 - easement 'p-q' is included in the grant of easement but is not depicted on the plan, and
 - mode of using the public access easements is not correctly stated in the Summary of Preliminary Proposal – differing significantly from the deed of easement drafts.

supports:

- the areas:
 - RR2-Exch being restored to full Crown ownership and control as Recreation Reserve;
 - CA being restored to Crown Control as Conservation Area;
- the areas CC1, CC2 and CC3 being established as conservation covenants over part of the areas to be freeholded;
- the area OSC being established as Open Space Covenant over part of the areas to be freeholded;

- the public access easements 'a-b-c-d-e', 'b-j', 'd-k', 'h-i', and 'n-o', and
- having public access provided for within the conservation covenant CC3, north of Dead Horse Creek.

seeks to have:

- additional public access easement 'Y-Z' (see Map 5 in this submission) to provide a link from the public access track, within the freehold area, to the Lake Luna marginal strip (southern end) and Dukes Tarn (within conservation area CA);
- additional public access easement 'W-X' (see Map 5 in this submission) to provide link from the public access track, within the freehold area, to the Lake Luna marginal strip (northern end);
- provision for camping within suitably wide easements 'Y-Z' and 'W-X';
- the freehold boundary, immediately west of Dukes Tarn, to be positioned at least 20m west of the Tarn to allow for increasing public usage within the conservation area;
- provision for camping within the area CC3, along Moonlight Creek, associated with the easement 'c-d' and 'd-e', and
- the Summary of Preliminary Plan and maps:
 - amended, if required, to ensure the current status of parcel RR1 is correct (Landonline shows it as Conservation land);
 - confirm if easement 'p-q' is going to be created, and its location;
- clarity and consistency between the statements in the Summary of Preliminary Proposal and the special conditions in the Grant of Easements in respect to public access over 'a-b-c', 'b-j', 'c-d-e', 'd-k', 'h-i', and 'n-o', and
- clearly identify in the Summary of Preliminary Proposal which public access easements are available to be accessed on horseback and mountain bike, in addition to walking, and clarify what the issues are that restrict access to just walking on some sections of the proposed easements, and
- explain why access is restricted to walking only on some sections of the proposed easements.

A. Introduction

Purpose, Objective and Functions of the NZ Walking Access Commission

The Walking Access Act 2008 (WA Act) (sections 3, 9 and 10) sets out the purpose, objective and functions of the NZ Walking Access Commission.

Central to its role is the Commission's leadership functions in negotiation and provision of free, certain, enduring and practical access to the outdoors for New Zealanders and visitors.

Focus of Submission is Public Access

The Commission's submission on the Preliminary Proposal for Mt Creighton is designed, as envisaged by the WA Act, to support the negotiation of free, certain, enduring and future-focused public access in this area of New Zealand.

The Commission's submission reinforces the objectives of the Crown Pastoral Land Act 1998 (CPL Act), in particular section 24(c), which is to make easier the securing of public access to and enjoyment of reviewable land. Specifically, our submission addresses the public access and public enjoyment matters provided for in the protection mechanism in subsections (2) (c) and (d) of section 40 of the CPL Act.

The Commission was not consulted during the preparation of this preliminary proposal, nor has it had the opportunity to undertake a ground inspection.

This submission should be considered as new information provided by the Crown agency with statutory responsibility¹ for leading and supporting the negotiation, establishment, maintenance, and improvement of –

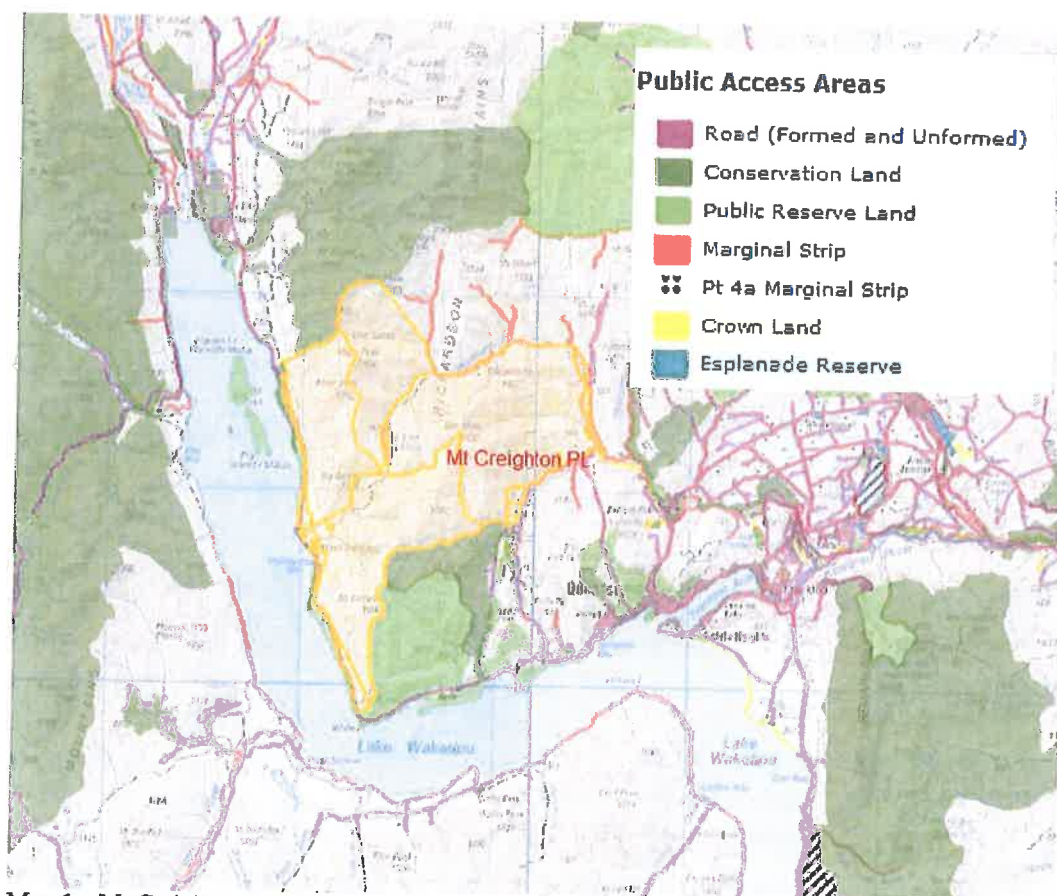
- walking access (including walkways, which are one form of walking access) over public and private land, and
- types of access that may be associated with walking access, such as access with firearms, dogs, bicycles, and motor vehicles.

B. Submission

Background

Mt Creighton pastoral lease is approximately eight kilometres northwest of Queenstown. The Glenorchy-Queenstown Road defines its western boundary and Moke and Moonlight Creeks define it to the east. Small areas of conservation land abut its southern and northern boundaries and the property includes the southern end of the Richardson Mountain range (see Map 1).

The Queenstown area is internationally renowned with high numbers of local and international visitors seeking scenic, recreation and historical heritage (particularly gold mining related) experiences. With appropriate public access, all these values may be experienced within this pastoral lease.



Map 1 – Mt Creighton pastoral lease is located towards the head of Lake Wakatipu [snip from wams.org.nz]

¹ Section 3(b) Walking Access Act 2008

Existing public access

The Glenorchy-Queenstown Road provides legal access along the western boundary of the pastoral lease.

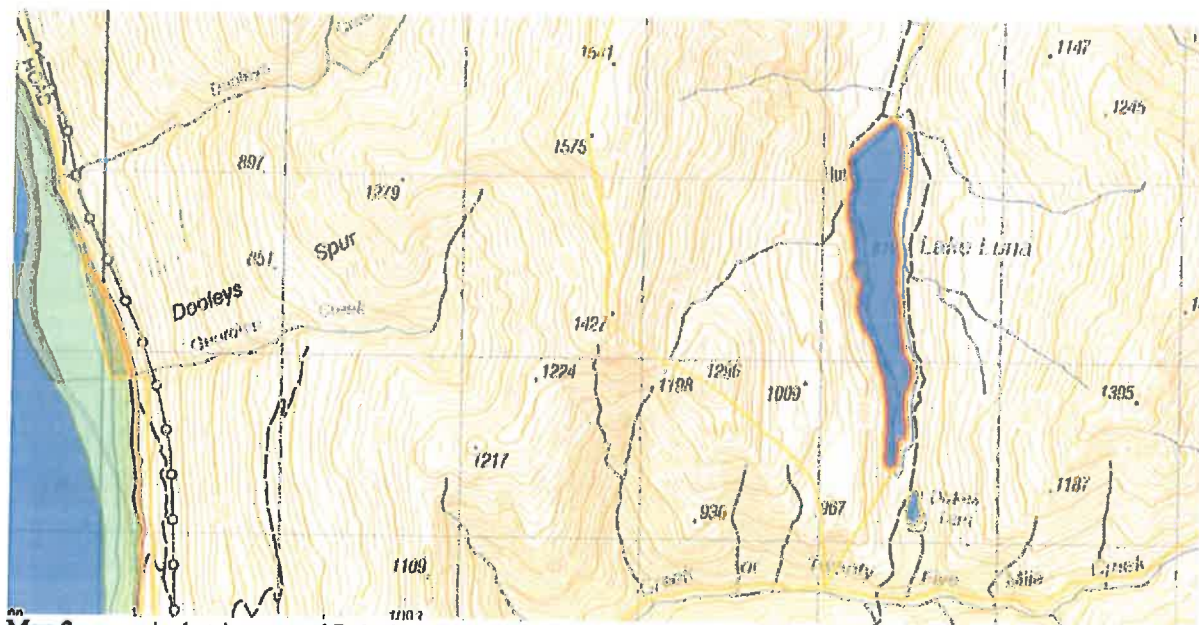
The northern boundary of the lease does not have legal access, apart from where it adjoins the conservation areas.

Legal road and marginal strips provide public access to the south-eastern boundary of the pastoral lease, northwest of Moke Lake (see Map 2 below).



Map 2 – Existing legal access at southeastern boundary of pastoral lease [snip from wams.org.nz]

Crown Land reserved from sale (20m marginal strip) exists around Lake Luna but not around Dukes Tarn (see Map 3 below)

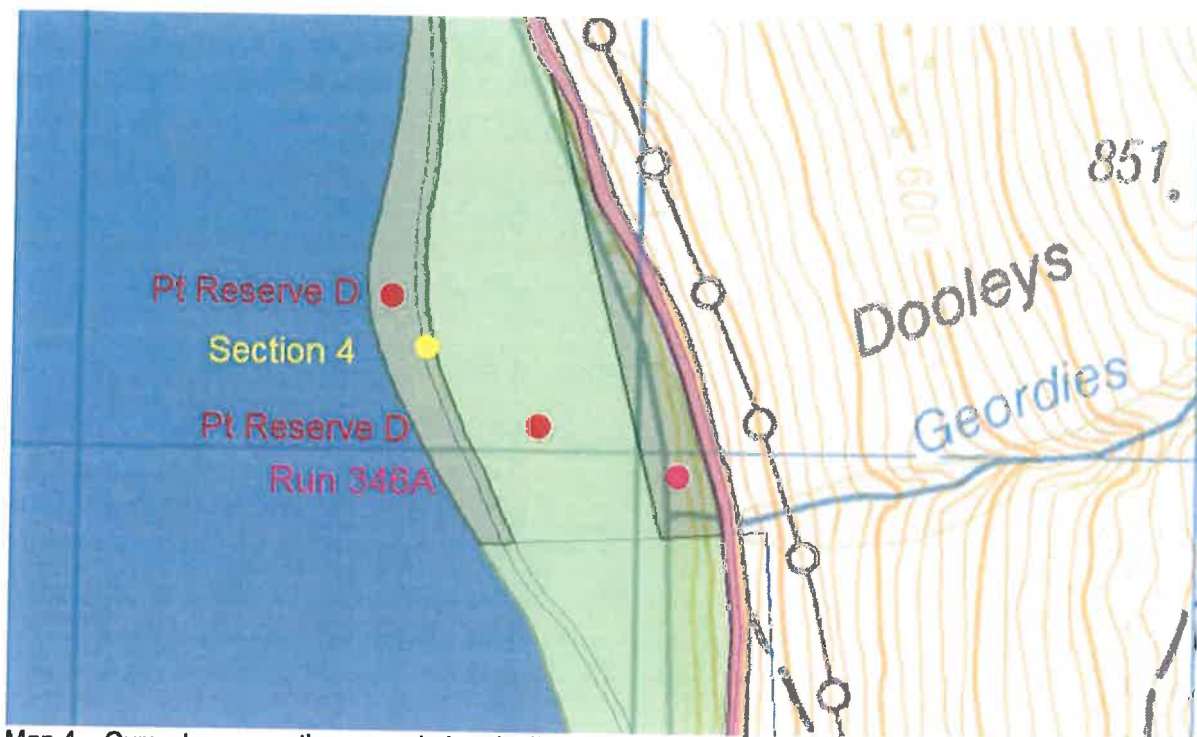


Map 3 – marginal strips around Lake Luna

Public access proposed in the Preliminary Proposal

In this proposal, the land to be restored to the Crown includes the areas 'RR1', 'RR2', and 'CA'.

The Commission notes, however, that the area 'RR1' is already identified as Conservation areas in Landonline. See Map 4 below and also Appendix 1. This ambiguity needs to be clarified.



Map 4 – Current conservation areas in Landonline

There are potential, outstanding recreational routes that exist within this pastoral lease. Two routes are proposed in the Preliminary Proposal and will provide significant recreational, scenic and heritage experiences. The lengths and popularity of the routes will be such that camping along the routes, at appropriate places, will be keenly sought by the users. Camping is noted in the Preliminary Proposal and should be provided for actively.

The proposed easement labelled on the Preliminary Plan, as 'i-h' from Glenorchy-Queenstown Road, through Lake Luna over the proposed freehold land, and labelled 'e-d-c' along Moonlight Creek over the proposed freehold land, will enable a nationally significant route to be developed over freehold and conservation land from Lake Wakatipu through to Arthurs Point.

In addition to this specific route, public access is also enabled across the freehold area (Covenanted Area CC3), but restricted to being over the land north of Dead Horse Creek to enable the public to view the significant, historic gold mining relics.

The proposed route, labelled on the Preliminary Plan as 'a-b-c', from Moke Lake to Moonlight Creek will ensure enduring public access is available from Moke Lake to either Arthurs Point or Lake Wakatipu via Lake Luna.

The proposed easements 'b-j' and 'd-k' will provide public access from the Moke and Moonlight Creeks, across the freehold land, to the Conservation Area (CA).

The proposed easement, shown 'n-o' on the Preliminary Plan, will provide enduring public access from the Glenorchy-Queenstown Road, up Shepherds Hut Creek at the northern boundary, to the Conservation Area CA.

The draft Grant of Easement in the Preliminary proposal also provides for an easement 'p-q' but

this route is not depicted on the Preliminary Plan. This ambiguity in the Preliminary Proposal needs to be clarified.

The Summary of the Preliminary Proposal notes that the easements 'a-b-c', 'b-j', 'c-d-e', 'd-k', 'h-i', and 'n-o' will generally provide for public access on foot, on or accompanied by horses, or by non-motorised vehicle powered by a person or persons. However, this does not appear to be the case when interpreting the special conditions within the Grant of Easements. This needs to be clarified in the proposal to ensure that the public are not misled and miss out on an opportunity to query the proposal.

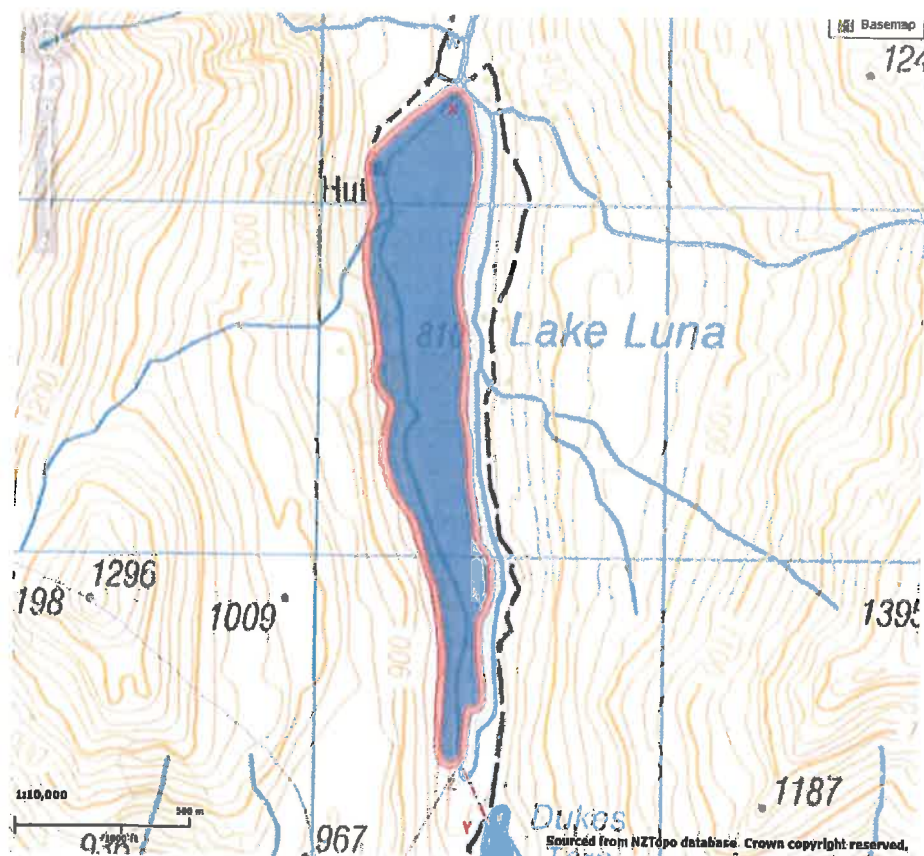
The tracks where public access on bicycles and horseback is permissible need to be clearly identified in the proposal and also depicted on the plan. The proposal also needs to clearly state the reasons why access (eg horse or mountain bike) other than by walking, is forbidden.

Additional public access sought

- i. The proposed easement 'i-h' from the Glenorchy-Queenstown Road to Lake Luna passes close to Dukes Tarn which is located within the proposed Conservation Area CA.

But the Preliminary Proposal indicates that the track will be within the freehold area as the easement is not identified as being broken by the Conservation Area.

Users of the track about the area 'Y' on Map 5 below will want to visit both the tarn and also the lake. Therefore, the Commission seeks additional public access from the proposed track easement ('i-h') to the southern extent of the marginal strip around Lake Luna and also to the boundary of the Conservation Area in the vicinity of Dukes Tarn, as generalised by the line 'Z-Y' on Map 5 below.



Map 5 – Additional access sought between Lake Luna and Dukes Tarn

The width of this recommended public access, 'Z-Y' needs to be of sufficient width to allow

for appropriately managed camping as well as public access.

- ii. Further, the topography of the land between the northern end of Dukes Tarn and southern end of Lake Luna, as indicated by the topo map, is of more gentle gradient than the surrounding area, suggesting that there is an ideal opportunity for of this area to be available for recreation.

The Commission seeks to ensure that the freehold boundary, immediately west of Dukes Tarn, be positioned 20m west of the tarn to allow for increasing public usage of the are once the public tracks are established.

- iii. Similarly, the Commission seeks additional public access from the proposed track easement ('i-h') to the northern extent of the marginal strip around Lake Luna, as generalised by the line 'W-X' on Map 5 above.

The width of this recommended public access, 'W-X', needs to be of sufficient width to allow for appropriately managed camping as well as public access.

- iv. The Commission seeks easements for appropriately managed public camping areas within the freehold area subject to the Conservation Covenant CC3, north of Dead Horse Creek.

Conclusion

The Commission:

supports:

1. *the areas:*
 - a. *RR2-Exch being restored to full Crown ownership and control as Recreation Reserve;*
 - b. *CA being restored to Crown Control as Conservation Area;*
2. *the areas CC1, CC2 and CC3 being established as conservation covenants over part of the areas to be freeholded;*
3. *the area OSC being established as Open Space Covenant over part of the areas to be freeholded;*
4. *the public access easements 'a-b-c-d-e', 'b-j', 'd-k', 'h-i', and 'n-o', and*
5. *having public access provided for within the conservation covenant CC3, north of Dead Horse Creek.*

seeks to have:

6. additional public access easement 'Y-Z' (see Map 5 in this submission) to provide a link from the public access track, within the freehold area, to the Lake Luna marginal strip (southern end) and Dukes Tarn (within conservation area CA);
7. additional public access easement 'W-X' (see Map 5 in this submission) to provide link from the public access track, within the freehold area, to the Lake Luna marginal strip (northern end);
8. provision for camping within suitably wide easements 'Y-Z' and 'W-X';
9. the freehold boundary, Immediately west of Dukes Tarn, to be positioned at least 20m west of the Tarn to allow for increasing public usage within the conservation area;
10. provision for camping within the area CC3, along Moonlight Creek, associated with the easement 'c-d' and 'd-e', and
11. the Summary of Preliminary Plan and maps:
 - a. amended, if required, to ensure the current status of parcel RR1 is correct (Landonline shows it as Conservation land);

- b. confirm if easement 'p-q' is going to be created, and its location;
- 12. clarity and consistency between the statements in the Summary of Preliminary Proposal and the special conditions in the Grant of Easements in respect to public access over 'a-b-c', 'b-j', 'c-d-e', 'd-k', 'h-i', and 'n-o', and
- 13. clearly identify in the Summary of Preliminary Proposal which public access easements are available to be accessed on horseback and mountain bike, in addition to walking, and clarify what the issues are that restrict access to just walking on some sections of the proposed easements, and
- 14. explain why access is restricted to walking only on some sections of the proposed easements.

Thank you for the opportunity to make a submission on the Preliminary Proposal for tenure review of the Mt Creighton pastoral lease.

We request timely advice as to how all the points we have raised have been analysed and what amendments, if any, are subsequently proposed to the Preliminary Proposal designations.

Yours sincerely



Mark Neeson
Chief Executive

Appendix 1

Landonline Statutory Action associated with parcel RR1



View Statutory Action

Parcel Run 346A
Current Purpose Conservation Purposes

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
New Zealand Gazette 1990 p 3922	Gazette Notice	31/03/2000	Create	Current
Statute				
Purpose	Conservation Purposes			
Name				
Comments				

*** End of Report ***



Wakatipu Tramping Club

P O Box 137

Queenstown

www.wt.org.nz

1/07/2014

Commissioner of Crown Lands

Land Information New Zealand

Dear Sir

SUBMISSION ON MT CREIGHTON TENURE REVIEW – PRELIMINARY PROPOSAL

The Wakatipu Tramping Club wish to strongly support the Preliminary Proposal, as shown on the Land Status Plan and Public Access Easement Management Protocol (Schedule 2).

Even though it is right on our “doorstep” only a small number of our members have been fortunate to get permission to walk the Moonlight – Lake Luna route. To have such a scenic and historically significant walk opened up and developed for public access will be a great addition to tramping opportunities both locally and nationwide.

We agree with the public easement alignments a-b-c-d-e, b-j, d-k, h-i, n-o shown on the Land Status Plan.

We also approve the layout of Freehold/Reserve boundaries shown on the above plan.

In conclusion, we believe that the proposed public easements are the absolute minimum outcomes that need to be achieved with this tenure review.

Yours faithfully

Wakatipu Tramping Club

-----Original Message-----

From: Elaine [<mailto:elaine.mcdonald@extra.co.nz>]

Sent: Sunday, 6 July 2014 10:14 p.m.

To: pastoral & tenure review

Subject: Objection of non access to Mt. Crieghton - Queenstown District

Commission of Crown Lands

Dear Commissioner

I wish to object to public access being denied to land south of Dead Horse Creek in the Mt. Crieton area.

This area is of great historical interest as several thousand people lived there during the gold mining era.

The area is especially important to the descendants of these families to be able to access these historical sights.

I have lived and been associated with the district for the last 80 years and know a lot of people who are associated with the area in question therefore feel passionate about keeping public access to this Historical Area.

Yours sincerely

Bill McDonald

6 Lake Avenue

Frankton

Queenstown

Sent from my iPad

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Dunedin Branch
PO Box 5793
Dunedin 9058

The Commissioner of Crown Lands,
Land Information New Zealand,
Crown Property and Investment,
CBRE House, 112 Tuam Street,
Private Bag 4721,
CHRISTCHURCH 8140



30.6.14

Dear Sir,

I enclose these submissions on the preliminary proposal for Mt Creighton Pastoral Lease on behalf of the Dunedin Branch of Forest and Bird.

Thankyou for the opportunity to make submissions on this proposal and for arranging permission for us to inspect the lease.

Yours sincerely

Janet Ledingham
For the Management Committee of the Dunedin Branch, Forest and Bird Protection Society

Email jledingham@xtra.co.nz
622 Highgate, Maori Hill, Dunedin 9010.
Phone 03 467 2960

Submission on the Preliminary Proposal for Mt Creighton Pastoral Lease

On behalf of the Dunedin Branch Forest and Bird Management Committee.

This submission is written on behalf of the Dunedin Branch of the Forest and Bird Protection Society which has approximately 1500 members, many with strong interests in the High Country values and recreational opportunities as well as in botany and natural history in general. Many of the members enjoy active recreation in the back country and are very aware of the need to ensure the protection of natural values, vegetation and landscape, historical sites and to improve public access through the tenure review process.

The submission is written with reference to the objectives of tenure review as set out in the Crown Pastoral Land (CPL) Act 1998, and the government objectives for the South Island high country, especially the following:-

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

This submission is made on the basis of an inspection trip in late May when three of us were ably transported and guided by the Manager, Bruce Douglas. We have also consulted the Conservation Resources Report (CRR). The writer has visited the Lake Luna area before, but many years ago.

Introduction

Mt Creighton is west of Queenstown, bounded by Moke Creek and Moonlight Creek extending west to Lake Wakatipu and including part of the Richardson Mountains.

The lease is typical of mountain lands west of Queenstown with steep, rugged and very broken and dissected mountains. Dark gorges and rugged tributaries containing mixed beech forest with subalpine shrubland and tussock higher up are features of the lease.

The proposal:

2.1 Land to be restored to Crown Control

Recreation Reserve RR1 -

Approximately 4 hectares to be restored to full Crown ownership as Recreation Reserve RR1 under section 35(2)(a)(ii) CPL Act 1998.

As the proposal states - RR1 comprises a small area of land between the lakeshore and the Glenorchy Road between Geordies and Dooleys Creeks and is the only part of the lease on the lake side of the road. Since it is indistinguishable from the adjoining Glenorchy Road Recreation Reserve the proposed designation for RR1 is logical. This area is undoubtedly part of a significant landscape corridor which also contains regenerating shrubland and broadleaved forest of note.

We fully support this designation for RR1

Recreation Reserve RR2

Approximately 120 hectares to be restored to full Crown ownership and control as Recreation Reserve 'RR2 - Exch' under section 35(2)(a)(ii) CPL Act 1998.

RR2 is at the southern tip of Mt Creighton Pastoral Lease, opposite Rat Point and the Queenstown - Glenorchy Road Recreation Reserve. It is indeed a natural addition to the adjoining Mt Creighton Scenic Reserve

We agree wholeheartedly with the proposal description of the landscape, biological and recreational values of this area and support its designation as a Reserve. We note that the proposal provides an additional public access route into Mt Creighton Scenic Reserve.

However, since RR2 is adjacent to Mt Creighton Scenic Reserve we believe it should rather be designated as Scenic Reserve; this would give its natural values more statutory protection than would the proposed Recreation Reserve designation.

We strongly support the restoration of RR2 to full Crown ownership but recommend that as it adjoins the Mt Creighton Scenic Reserve the designation of Scenic Reserve rather than Recreation Reserve would be more appropriate since it would provide more long-term protection for the landscape, biological and recreational values within it.

Conservation Area CA.

Approximately 10,337 hectares to be designated as land to be restored to Crown control as Conservation Area 'CA' under section 35(2)(b)(i) of the CPL Act 1998 subject to easements.

As stated in the proposal this proposed CA comprises the southern end of the Richardson Mountains and includes the central high altitude country in the lease including the Twenty Five Mile Range and the headwaters of all the creeks draining from that range, and the ridge north and south of Major Peak with the Wire Creek and Luna Basin catchments as well as the headwaters of the creeks draining to the west. It is largely rugged mountainous country with outstanding landscape values and much of it is visible from the Queenstown-Glenorchy Road. As well as the high alpine areas it has tussock grasslands and sub-alpine basins with high levels of intactness. The Moonlight Gorge is a wild place indeed.

We note the good examples of the plant communities representative of the Shotover and Richardson ecological districts and the fact that the CA contains 14 plant species listed as threatened. We note the presence of the nationally endangered kea and rock wren along with the eastern falcon and yellow-crowned parakeet, both in gradual decline.

All in all the proposed CA is rich in significant inherent values and well worthy of protection by return to Crown ownership and control.

We absolutely endorse the creation of this CA for the protection of all the significant inherent values (SIVs) as listed in the proposal and the CRR. It should certainly be restored to full Crown ownership and control. The creation of this CA will be appreciated by many people with diverse interests, trampers, botanists, those with an interest in the mining history of the Moonlight area and would be a major gain for the Conservation Estate.

Easements

'CA' is proposed to be subject to a 20m wide easement for farm management access as follows:- 'e-f-g-h', 'f-m', and 'g-l', to be issued to the holder.

We have no problem with the easement concession to enable the continued use of the stock route from the Luna Basin to Sheeppark Terrace under the conditions listed in the proposal. The time frame of 200 years would be better described as 'in perpetuity'.

The continuation of an easement for access to the automatic climate station in the head waters of Wire Creek.

We have no objection to the continuation in force of the easement providing helicopter access to the NIWA weather station in Wire Creek catchment.

2.2 Land to be disposed of by Freehold Disposal

Approximately 5,342 hectares is designated as land to be disposed of by Freehold Disposal to the Holder as a person specified under Section 35(3) CPL Act 1998 and labelled FH on the plan, and subject to Protective Mechanisms and Qualified Designations.

Approximately 1,903 hectares are proposed for freehold disposal with no protective mechanism. The area is restricted to the Lake Wakatipu faces and includes all of the currently developed farm land and areas with bracken or manuka regrowth that are planned for or have potential for development. We note that it excludes all significant areas of beech and/or regenerating broadleaf.

Pre-inspection, we were concerned that there is higher land included, up to 1300m, which is classified as LUC Class VII or VIII and therefore theoretically is unlikely to be capable of being managed in an ecologically sustainable manner and not suitable for freeholding.

However, the area on the lake faces that lies below 900m is characterised by soils classified in Land Use Capability (LUC) Class VI or better, and is likely to be capable of being managed in a way that promotes ecologically sustainable land use. It is therefore suitable for freeholding. After inspection we concede that there would be major difficulties in fencing off the high land and that any attempt at fencing would cause adverse effects on the landscape.

We endorse this area to be freeholded but do have regrets that the higher LUC class VII-VIII land is included - but understand why this is so.

CC1 1,136 ha 24 Mile and 25 Mile bush.

This covenant covers a steep and rugged area in the catchments of Twenty Four and Twenty Five Mile Creeks and is dominated by extensive beech forest remnants. The SIV's within the covenant, landscape, biological, historic and recreational are well described in the proposal, the covenant document and the CRR. The access track to Lake Luna runs through the upper part of the covenant

The purpose of the covenant is stated to be to retain and enhance the beech forest and we do believe that the ideal way to achieve this would be to add CC1 to the CA. It is stated that the area will not be deliberately stocked and we believe that the aims for this covenant are achievable under the current management but wonder how this will be achieved into the future if the land ownership changes to those who are less sympathetic to protection of the beech forest. We endorse the comprehensive covenant conditions as being well designed with monitoring set up to detect any adverse changes and provision for fencing in the future should this be deemed necessary.

We were also made aware that allowing public access up the current 4WD track, which would continue to be the stock route up to Lake Luna, could be a problem given the narrowness and steepness of the track in many places.

We note the proposal for public access up a new track on upper CC1 which will run through the Twenty Five Mile bush area and provide access to Lake Luna and link with the track from Lake Luna down Moonlight Creek and through the Gorge to Arthurs Point and agree that this is a good solution for access.

Given the need for the stock route to Lake Luna and the provision for the new foot access to Lake Luna we do endorse the proposal for CC1. However, should the proposed Lake Luna covenant not be created then the SIV's within it would dictate that CC1 should become part of the CA.

CC 2 590 ha Lake Luna Basin

As described in the proposal, Lake Luna is nestled in a small montane valley between the Richardson Range to the north and the Twenty Five Mile range to the southeast at about 810m. It is set within a predominantly tussock landscape, but includes expanding pockets of beech, and manuka and alpine shrubland. Dukes Tarn is not far from the lake. The multiple SIV's, landscape, geopreservation, biological and recreational are well described in the proposal, the covenant document and the CRR.

We do recognise that the land around Lake Luna on the valley floor and the lower slopes is classified as LUC Class VI and thus has significant pastoral values and is therefore important to the farming operation. However, the higher ground around the basin is classified LUC Class VII or VIII and thus pastoral production is therefore marginal or unsuitable for pastoral use. In the terms of the CPL Act this higher land is not capable of supporting ecologically sustainable pastoral land use and is therefore unsuitable for freeholding.

We suggest that the Luna Basin CC2 should really be added to the CA but would have no objection to a grazing concession over it under the currently proposed covenant conditions, i.e. sheep grazing only and at a rate which does not adversely impact on the values, introduced woody weeds and feral animals to be controlled, and a vegetation monitoring programme to be established and maintained. We note that the proposed new fence to be built down a ridge from near spot height 1245 m into Crush Creek and then extending down this creek to where it meets Luna Creek would deter stock from getting on to most of the higher ground.

Given the high level of SIV's within CC2 and the unsustainability for pastoral purposes of the higher ground we believe that a CA designation is warranted, with a grazing concession added to the current comprehensive covenant conditions and the prohibition of all burning.

Since Lake Luna is a delightful spot and a logical stopping place for walkers/trampers we think a recreation reserve round the lake should be created to allow the enjoyment of this place and that the whole of CC2 should be public 'wander at will'.

CC 3 1,337 ha Moke and Moonlight areas.

This covenant covers the proposed freehold areas in the Moke and Moonlight Valleys. It includes the valley floor, terraces, fans and the more open slopes of the Moke and Moonlight Valleys, terraces, fans and generally more open slopes with significant pastoral values, being LUC Class VI, mainly occurring below about 1,000m.

The SIV's within CC3, landscape, geopreservation, historical, biological and recreational are again well described in the proposal and the CRR. We understand that a further 50ha between Fan Creek and Gills creek will be added to the CA to achieve a better stock buffer.

The landforms on this CC are fascinating ranging from the Fan Creek where the Moonlight fault is exposed through to Sheepyard Terrace and all the mining history is fascinating to explore. We absolutely endorse the wander at will provision above Dead Horse creek for this amazing area full of mining history and spectacular landscape.

We note that cattle will not be permitted above Dead Horse Creek to ensure that there is no damage to any mining sites.

We note that the track through the Moonlight will link the track from the Twenty Five Mile through to Arthurs Point and that this may become part of the Long Pathway (Te Araroa).

We unreservedly support the terms and conditions of this Covenant.

OSC Open Space Covenant 370 ha Lower Lake Faces.

This QE II Covenant is designed to protect the natural values of the mountain beech remnants and regenerating hardwood low forest on the lower Lake Faces above the highway along the Glenorchy Road between Rat Point and Bennetts Bluff.

The Covenant seems to be a very comprehensive document, designed to fulfil, in perpetuity, the protection of the values, landscape and biological which are well described in the proposal. We particularly noted with interest the presence of the shrub *Leonohebe cupressoides* (naturally endangered), the yellow mistletoe *Alepis flavida* (declining) and the presence of the rock wren. We note that the most significant features of the landscape and biological values in the proposed Covenant area are listed in the Summary of the PP

We support the proposed QE II Open Space Covenant over the regenerating hardwood low forest and gully beech and note that the covenant conditions should indeed provide protection for the values within it.

Public and management access easements

The public access easements:- "a-b-c", "b-j", "c-d-e", "d-k", "h-i" and "n-o" seem adequate to secure public access on this lease and are fully supported..

Existing right of way easements in lower 25 Mile Creek

We have no objection to the continuation in force of these existing easements.

Acknowledgements

We would like to thank the lessees for allowing us to inspect the lease and the Manager, Mr Bruce Douglas for providing transport and valuable discussion in the course of the inspection.

Thank you for the opportunity to comment on this preliminary proposal.

Janet Ledingham

For Dunedin Branch, Royal Forest and Bird Protection Society

30.6.14.

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Wednesday, July 2, 2014
Commissioner of Crown Lands
Crown Property & Investment
CBRE House, 112 Tuam Street
Private Bag 4721 CHRISTCHURCH 8140
To Whom it may concern

Chris Pearson
18 Rewa St
Dunedin

I would like to make the following submission for Preliminary Proposal for the Tenure review of the Mt Creighton Station which is undergoing tenure review under the Crown Pastoral Land Act 1998. I have no significant concerns about of this tenure review.

There are several aspects of the tenure review that I wish to support. The plans for the Moonlight track are admirable because they give some indication for DOC's plans for the area. The Moonlight Track is important as a valuable recreation resource in its own right and because it gives the public an assurance that public access easements will be managed to provide practical access (which has not always been the case in other tenure reviews). The conservation covenants CC1 2 and 3 seem quite strong and should provide sufficient protection for the natural values of the land they cover. The one thing they do not provide is wander at will access but they are well provided with easements and most important areas for public back country access is in the CA zone. I particularly am please to see the side routes b-j and d-k access to the remote back country to those who want a more wilderness back country experience.

So I strongly support this tenure review going forward without any reservations.

Sincerely yours,

Christopher Pearson



George Wilson

P.O.Box 396 Queenstown, 9348, New Zealand.

Phone:- 0274347801; email:- georgewilson.qtn@hotmail.com Date:- 4-7-14

to:- The Commissioner of Crown Lands.
 L.I.N.Z. Crown Property
 CBRE House, 112 Tuam St
 Christchurch, 8140.
 email:- pastoral&tenurereview@linz.govt.nz

Submission in relation to the:-

**TENURE REVIEW of Mt CREIGHTON STATION
Pastoral Lease "Po 107" as advertised.**

There are some issues I would like to see, and believe must be, addressed within this review process. All of which relate to Access.

1. The Trail as marked "a" thru "i" on the maps provided by LINZ.
2. The section of "legal road" down Moke Creek that is missing on Cadastral maps and needs to be surveyed and registered in the Cadastre to give Legal Road access to freehold properties in McConnachie and Dead Horse Creeks that are currently effectively Landlocked.
3. That "Marginal Strips" be defined for the entire length of Moke, Moonlight, Luna & Twenty five mile creeks, and Lake Luna, as required under Part 4A. 24(1)(c) of the Conservation Act 1987.
4. Right to wander at will over the CC3 area, restriction to only "north of Dead Horse creek".

pg 2.

1. Trails

I support the proposal to provide walking and cycling Trails as defined on the maps provided. Although I ask that care be taken to ensure that:-

- a. By my reading of it the section e-f-g-h as shown on the maps provided is not defined within the side tables to these maps as "public access" because that section is within the area to revert to the Crown?
Please ensure that any Survey definition of a Trail is on a viable, practical, line for a continuous cycle Trail from Arthurs Point to Moke Lake, and from either, to the twenty Five Mile. Including in particular, but not restricted to, the area around the old water-race thru the Moonlight Gorge upstream from Sheepyard terrace.
The old water race line thru the gorge is not a safe or viable option without a lot of work done on it. There is a high probability that an Engineers report would recommend the only real alternative, which is the old pack trail (from the 1,800's), and latterly stock route, more or less along the line f-m-l-g on the maps.
It may well be that a viable line can be achieved outside of the CC3 area, but until a line is actually confirmed, there is the possibility that it may have to cross the northern / upstream end of the CC3 area to achieve it. I believe that either, a viable line should be confirmed, or provision for a line to cross that part of CC3 needs to be made.
These would make fantastic "Round the Mountain" Trails and be a great public asset in these days of cycling upsurge, let alone what may be in the future, 50 years? 100 years?
What comes out of this process determines public access rights to what is currently Crown land, essentially, forever.
 - b. That there is a right preserved, probably in the name of the Queenstown lakes District Council and/or The Wakatipu Trails Trust(?) for future upgrading to a Cycle Trail of the standard of those constructed elsewhere in the District by the Trails Trust. Including the right of vehicle and machinery access for construction and maintenance.
- I am of the opinion that it would be seriously remiss of the Minister and others involved to not make the provisions I have outlined. There was an extremely questionable decision, for example, within the Tenure Review of Motatapu Station (Shania Twain / Mutt Lange) wherein what was clearly a public road -- the first overland route into the Wakatipu, a good back country road formed and maintained for many years by public effort and public funding, was closed in favour of a goat track trail along the high ridges, suitable only for very fit persons. the Motatapu road is now open to the Public for one day a year for the purposes of a Marathon & cycle race, even this is only by the good graces of the Landowners.
I regret not getting involved in that at the time and I am determined to do what I can to see that an injustice of such permanence is not repeated right in the backyard of Queenstown.

pg 3. **2. The section of "Legal Road" down Moke Creek that is missing on Cadastral Maps.**

There are several Freehold properties in the McConnachie's Creek and Dead Horse Creek area's that are currently land-locked, in so far as the run-holders deny, or significantly restrict, vehicle access over their farm road and have blocked the pre-existing, formed for motor vehicles, Legal road, and beyond that the long time County Council maintained 'informal' road further down Moke Creek to, and beyond, Seffertown, up onto Darkies Terrace, down & up again at Dead Horse & onto Sheepyard Terrace. The Moke and Moonlight roads were the access for a thriving mining community over quite an extended period including some quite large scale efforts.

Wage records exist for Lake County Council funds spent on this road.

The Topographical base map upon which this Tenure review proposal is marked out, shows "Moke Lake Road" running pretty much the entire length of Moke Creek. As I understand things, this is actually a farm road on Ben Lomond Station. Mt Creighton Station also use this road for vehicle access to this side of the Run, but I have no idea by what arrangement. There is no public access to this road, locked gate and fences all around.

The Legal road as shown on Cadastral maps runs for less than one third of this distance and is on the other side of Moke creek along the boundary of the area marked as CC3. It actually borders the surveyed blocks within the CC3 area by the outlet to Moke Lake which I think are Freehold Titles?

I believe that the original survey line for much of the Legal road that has been surveyed is actually, currently, within the bed of Moke Creek, making the sections of legislation outlined below particularly relevant.

Any road that is defined in this regard needs to be on a reasonable and viable line from a construction perspective. As Ben Lomond Station is still Crown land the "Farm Road" may be the answer?

It is my belief that the only reason the rest of this road was never surveyed and entered into the Cadastre, is that, as it was Crown Land there was no pressing need. With the intent that when sufficient need arose the job would be completed.

Section 110 The Public Works Act 1928:- Definition of Road.

Throughout this Act the word "road" means a public highway, whether carriageway, bridle path, or footpath; and includes the soil of---

- (d) lands over which a road has been or is in use by the public which has been formed or improved out of the public funds, or out of the public funds of any former province, or out of the ordinary funds of any local authority, for the width formed, used, agreed upon, or fenced, not being more than (10 metres) on either side of the middle line thereof, and a sufficient plan whereof, approved by the Chief Surveyor of the land district wherein such road is situate, has been or is hereafter registered by the District Land Registrar or the Registrar of Deeds of the district against the properties affected by it; and the said Registrars or either of them, are hereby authorised and required to register any such plans accordingly, anything in any other Act notwithstanding, when presented for registration by or on behalf of the minister.

Section 124 Public Works Act 1928:- Access to land to which there is no road.

- (1) Where land purchased from the Crown has no existing access by road and access can only be gained by passing through adjoining land the owner of the first-mentioned land may if such land is the property of the Crown serve upon the minister a notice claiming that a way of access by road from and to the nearest public road shall be laid off through such adjoining land, and it shall be the duty of the minister to direct that such way of access be provided.

pg 4.

The sections listed below also support my contention that between them, the Commissioner, the Minister of Public Works (or modern equiv?), and Q.L.D.Council, have the authority, the mechanisms, and are legally obligated, to address this access anomaly.

Section 30, Public Works Act 1928:-	Taking Land for Road.
Section 112, Public Works Act 1928:-	Minister may make Roads.
Section 121, Public Works Act 1928:-	Powers to construct & maintain.
Section 125, Public Works Act 1928:-	Road or Street to give access.
Section 134, Public Works Act 1928:-	Unformed Roads or Streets.
Section 129B, of the Property Law Act 1952:-	Reasonable Access may be Granted.
Sub-Part 3 of Part 6, Property Law Act 2007:-	sections 326, 327 & 328.
Section 321, Local Gov't Act 1974:-	Road Access.

In the 1970's and early 80's myself and a partner held a mining license over the area of Moke Creek from the confluence with McConnochies Creek to the confluence with Moonlight Creek. At this time our access was a County maintained road more or less along the defined legal road line and well beyond. From the True Left, downstream, end of the open flats downstream from the surveyed section of road at the Moke Lake end of Moke creek, the road ran down the Creek itself, from memory it was 23 river crossings to our base camp at Seffertown. Where we lived by arrangement with, and with the blessing of, the then runholders Lin & Alexa Herron.

This road was still at that time the vehicle access for both Ben Lomond Station and Mt Creighton Station and all of the mining activities over the previous hundred years and more.

It was maintained annually by the Lakes County Council right up until the mid 1980's when the then new owners of Ben Lomond Station (the Roy family) contracted Darrell McGregor to build the current farm road, shown on the maps supplied with the documentation for this process as "Moke Lake Road", and between them Ben Lomond Station and Mt Creighton Station (at that time owned by Aaron Radford.) perpetrated a colossal bluff on the public by erecting the still existing fence across the Legal road right by Moke Lake, denying all vehicle access to this day with no foundation in law. Since the erection of this fence of course the Council have only maintained the road as far as Moke lake.

Up until some time in the late 1960's the Lakes County Council maintained the road annually as far as Seffertown. Gerrard Murphy, whose father was a mechanic for Lakes County Council, and his uncle was the grader driver, tells of going in as a schoolboy with his father to fix trucks just below Seffertown, and with his uncle on the grader & Loader working on parts of this road. I could arrange for affidavits to this effect if required.

Sometime in the late 60's or early 70's Roy Murdoch was the runholder of Ben Lomond and he put a very heavy steel gate with a protected locking mechanism over this road near Gills Creek, thereby denying public access beyond that point. From this time on the County only maintained the road as far as this locked gate. Bill Swan now of Arrowtown (still living) and Ray Ratana (deceased) were working for Lakes County Council and were usually the ones who did the annual maintenance run to the locked gate by the time I was in there mining from 1977 to 1982. We did our own maintenance from the locked gate to Seffertown.

I myself have sighted Lakes County Council wages & time sheets well back into the 19th century showing work paid for out of the public purse on the Moke Road and the

pg 5.

Moonlight Road. These were in the basement storage area of the Arrowtown Museum when I saw them, I believe they are now in the Hocken Library in Dunedin.

All of the above is verifiable and if necessary I would be prepared to undertake to seek affidavits and copies of historic documents.

From my reading of Sections 110 and 124 of the Public Works Act 1928 I believe there is a strong obligation on the Crown to sort out this access situation before the Freeholding of either Mt Creighton or Ben Lomond Stations can be consummated.

The properties in question are owned by members of families that have been resident in the Wakatipu for Generations.

On behalf of the McLean family who own Freehold Title to some 22ha in McConnachie's Creek and the owners of the Freehold Titles around Darkies terrace and Dead Horse Creek I request that this lack of reasonable, functional, Legal access be resolved. Clearly this would also improve access for the general public.

Brett Mills bought his property from Queenstown Lakes District Council, so there are obligations there on both the Crown, from whom it must originally have been Freeholded, and QLDC as both the vendor & the Local Authority.

The McLeans bought their property from the then Run Holder of Ben Lomond and I believe the current Runholder inherited the obligations inherent in the sale, making for obligations here on the Part of the Runholder of Ben Lomond & upon the Crown.

3. That "Marginal Strips" be defined for the entire length of Moke, Moonlight, Luna & Twenty five mile creeks and Lake Luna.

I believe that each of these creeks meet the threshold under **Part 4A 24 (1) (c) of the Conservation Act 1987:-** "being a bed that has an average width of 3m or more" that requires a strip of 20m either side of these Creeks to be recorded as "Marginal Strip" as described in **24D of Part 4A of the Conservation Act.**

"We" now have a responsibility to the citizens of the future to protect and preserve public access as prescribed by law for the purposes of recreational access as defined within **24C of Part 4A of the Conservation Act.**

I have heard some anecdotal comment that these Runs have Riparian rights. But I struggle to see that Riparian rights can pertain to Leasehold Land.

My understanding is that these only apply to the very earliest Freehold Titles in this country that were issued before Queen Victoria decreed that the "Queens Chain" be reserved for public access.

I am also of the understanding that any property that does have Riparian rights will lose such rights upon resurvey for any reason, or subdivision. Both of which should reasonably apply to the land that is the subject of this Tenure review process

My view is that the only reason Marginal Strips are not already shown on the Cadastral maps is that they have yet to be surveyed and registered. This Tenure Review process dictates that now is the time to address this. This is actually required to be done as defined within **24F of Part 4A of the Conservation Act.**

pg 6.

4. Right to wander at will over CC3 area north of Dead Horse creek.

I note that within the special conditions relating to the Covenant over the area defined as CC3, section 8 restricts the Public Right to wander at will to the land north of Dead Horse creek only:- "to enable them to inspect the historic values".

I make the observation that there has been as much historic mining activity south of Dead Horse Creek as there was to the north.

I would consider that rewording of this to read " north of Gill's creek would be a far more realistic and reasonable provision here.

At the least, all of the catchment of Dead Horse Creek, Darkies Terrace and the slopes facing onto the Moke as far upstream as about opposite Seffertown should be included in this "right to wander" if we are serious about preserving access to historic mining sites.

Thank you for your consideration.

Sincerely:- George W Wilson.

54 Old School Road, RD1 Queenstown, 9371.

Phone:- 0274347801

georgewilson.qtn@hotmail.com

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MOONLIGHT.

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M O O N L I G H T. **FROM OUR OWN CORRESPONDENT.**

March 19.

Since my last the weather here has been anything but settled. However, we have every reason to be thankful we were not visited with such floods as is reported from down country.

The mining industry has not looked so brisk in this locality for a long time as it does at present—chiefly amongst the Chinese. One party is bringing in a large water race from Dead Horse Creek to work the outside terrace on Moonlight. It will, when finished, command all the ground to the junction of Moke Creek. A party have applied for four acres on Simpson's Terrace with the intention, I believe, of bringing Stewart's Creek on to it for sluicing purposes, and another party are trying a terrace above Jones' with a tunnel, while another party have taken up a claim at the head of Moonlight Gorge. In fact, all the ground that is possible to be taken up will soon be in the hands of the Chinese. There is, I hear, a dissolution of partnership pending between Hopper and Co. as they cannot agree about the working of their claim at Stewart's Creek.

Mr Goodbody is carrying out his contract upon our tract in a very efficient manner—

at least so much of it as we can call our own. If report speaks true—and strange as it may appear—we have no legal outlet at the lower end of Moke Track as it now stands. although contracted to be kept in repair out of the County rates as well as the legal portion.

We hope the County Council will see their way clear to give us foot bridges over the Moke and Dead Horse Creeks before the winter sets in. The former has had nothing whatever done to it since the boy was lost off it; the latter was taken away altogether with a heavy flood.

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HERITAGE NEW ZEALAND
POUHERE TAONGA

Our Ref: 22015-001

Your Ref: PRY-C60-12459-TNR-Pol107

6 July 2014

The Manager
LINZ
Crown Property & Investment
CBRE House, 112 Tuam St
Private Bag 4721
CHRISTCHURCH 8140

Dear Sir/Madam

RE: MT CREIGHTON TENURE REVIEW

1. Thank you for your letter of 8 May 2014 concerning the above. Heritage New Zealand's Southern Regional Office in Christchurch has forwarded it to the Otago/Southland Area Office for a response.
2. Heritage New Zealand has contributed staff resources to tenure review site inspections and assessments previously, and understands the significant inherent values approach for tenure review. These reviews offer a 'one off' opportunity to ensure the Crown's commitment to the identification, and where warranted the protection, of heritage values located on pastoral lease land is met.

Mt Creighton Pastoral Lease

3. Heritage New Zealand has undertaken a desktop check, supported by Heritage New Zealand fieldwork in 2009, for the area covered by the Mt Creighton Pastoral Lease which included checking the New Zealand Heritage List, the NZ Archaeological Association (NZAA) database, the Conservation Resources Report and a review of information available to Heritage New Zealand's Regional Archaeologist for Otago/Southland. We advise the following from our investigations:

Significance of Historic Resources on Mt. Creighton

4. In 2009, Heritage New Zealand undertook a site visit and archaeological survey of the Moonlight Creek water race with Department of Conservation staff. A comprehensive photographic record and field notes of the race and reservoirs on Sheepyard Terrace was taken (see some of this data attached).
5. In addition, Heritage New Zealand also undertook historic research on this race and the reservoir complexes on Sheepyard Terrace, as well as on the heritage remains down to the junction of Moke Creek and Moonlight Creek. As an example of the work undertaken, Heritage New Zealand has confirmed that construction of the Moonlight Creek Water Race in fact dates back to the late 1890's with the race being reactivated and completed in the 1920s-1930s.

Write to: Otago/Southland Area Office, Heritage New Zealand, PO Box 5467, DUNEDIN 9058
Visit: 4th Floor, Queens Building, 109 Princes Street, DUNEDIN; Tel: 03 477 9871; Fax: 03 477 3893
Email: info@deepsouth@heritage.org.nz Web: www.heritage.org.nz

6. As a result of this site visit and research, Heritage New Zealand believes that the Moonlight Creek Water Race and the mining remains on Sheeppark Terrace, as well as the historic mining 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. This landscape provides layers of mining history dating from the 19th century through to the 1930s, with this evidence being outstanding in its level of preservation. Heritage New Zealand believes this area should be retained as Crown land ('Protective mechanism' Section 40(1) CPLA with sheep grazing allowed) with Historic Reserve status, this recommendation being in agreement with the original Historic Resources Report for the lease (page 3).
7. Given this level of significance Heritage New Zealand recommends that this area should be managed under a management plan and that access is available for the public through the Reserve via the Moonlight Track, Moke Creek Track and Lake Luna Track, hence creating a heritage walking circuit. The Moonlight Creek Water Race itself has the potential to be adapted into a walkway which would be unique in the country due to its high level of intact fabric dating from the late 1890s to the 1930s. Heritage New Zealand would work with the Department of Conservation and any interested walking group to achieve this goal.

Heritage Survey of the Lease

8. The Historic Resources Report for Mt. Creighton consists of just 3.5 pages of text describing what significant gold mining heritage sites are located at three locations on the pastoral lease, with the CC3 Covenant area (see Schedule 1) also only describing briefly what heritage values are present based possibly only on historic records and NZAA Site Record Form E41/255.
9. The current Historic Resources Report does not meet an acceptable standard for the survey of a property under Tenure Review.
10. To be of an acceptable standard the following information should be included in this Historic Resources Report:
 - mapping or photographic evidence of the survey undertaken;
 - analysis of NZAA Site Record forms;
 - evidence of historic research catered to the overall history of the lease as well as particular sites;
 - description of what sites were visited and for how long;
 - maps or sketches of the heritage sites described (ie. Moonlight Creek to Moke Creek area which includes the Sheeppark Terrace 25 Mile Creek or Moke Creek). It is also unclear as to what areas of the lease were not visited.
11. To provide this level of information this property needs to be surveyed by a qualified heritage professional with experience in gold mining heritage sites.
12. It is acknowledged that there is some detailed written data from the Moonlight Creek to Moke Creek area (which includes the Sheeppark Terrace), an area which warrants such an assessment. However on the whole more information should have been provided in the report including photographs, historic records and mapping, as well as NZAA Site Record Forms, without Heritage New Zealand supplementing this with its own field data.
13. Without a suitable level of historic information for the lease Heritage New Zealand does not believe that recommendations can be made on how historic resources could or should be

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managed. For example, with existing information the QEII Open Space Covenant (Schedule 4) could not evaluate heritage values within the covenant area (see 7.2 below).

7 Other values

- 7.1** The terrestrial and aquatic fauna and herpetofauna have been studied in some detail for specific parts of the property, as outlined in the Department of Conservation, Conservation Resources Report (2002).
- 7.2** Likewise the occurrence and significance of historic gold mining sites. This information although not verified for the Covenant Area will serve as a useful background and guide to post-tenure review management.

- 14. To summarise, Heritage New Zealand believes that, at this stage, this pastoral lease has not been adequately surveyed for its historic resources particularly with regard to the mining, pastoral and Maori cultural heritage sites. Therefore, Heritage New Zealand would recommend that it is surveyed by a qualified heritage professional to better inform the tenure review process.

The protection of archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014 and the management of archaeological/heritage sites

- 15. There may be sites on the property where a Heritage Covenant is appropriate protection as the site may post-date 1900, and therefore would not be covered by the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT).
- 16. It is important to understand that although an archaeological site is protected under the HNZPTA, this protection is not a management tool to ensure long term survival of an archaeological site. As significant faunal and floral values on a pastoral lease require direct management through Landscape Covenants etc., historic resources also require direct management.
- 17. Recognition under the HNZPTA will not ensure these sites will not be damaged by the same processes as floral and faunal values are damaged such as by cattle, exotic vegetation encroachment, or damage by introduced pests such as rabbits and possums. In addition, any person may apply to Heritage New Zealand to damage, modify or destroy an archaeological site, hence, protection is not absolute.
- 18. Other Tenure Review proposals or Historic Conservation Resources Reports for tenure review properties have recommended heritage covenants or protection for heritage under DOC land covenants. Examples where this has occurred include: Obelisk, Happy Valley, Morven Hills, Longlands, Beaumont, Cluden, Gorge Creek, Lowburn Valley, Mt Alexander, Loch Linnhe and Isla Downs.

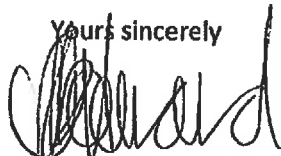
General Comments on Tenure Review Proposal

- 19. In this case, Heritage New Zealand believes that Covenants such as CC3 will not provide adequate direct management and protection of the cultural heritage sites on Mt. Creighton Pastoral Lease considering the nationally significant values present such as the Moonlight Creek to Moke Creek mining complex.

Conclusion

20. Thank you for the opportunity to comment on the Mt Creighton tenure review proposal. I look forward to your response on the above. Please let me know if you have any queries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jonathan Howard', written over the typed name.

Jonathan Howard
Area Manager (Otago/Southland)

**Mt. Creighton Pastoral Lease Preliminary Proposal, Heritage New Zealand submission,
Dunedin Area Office – 1 July 2014**

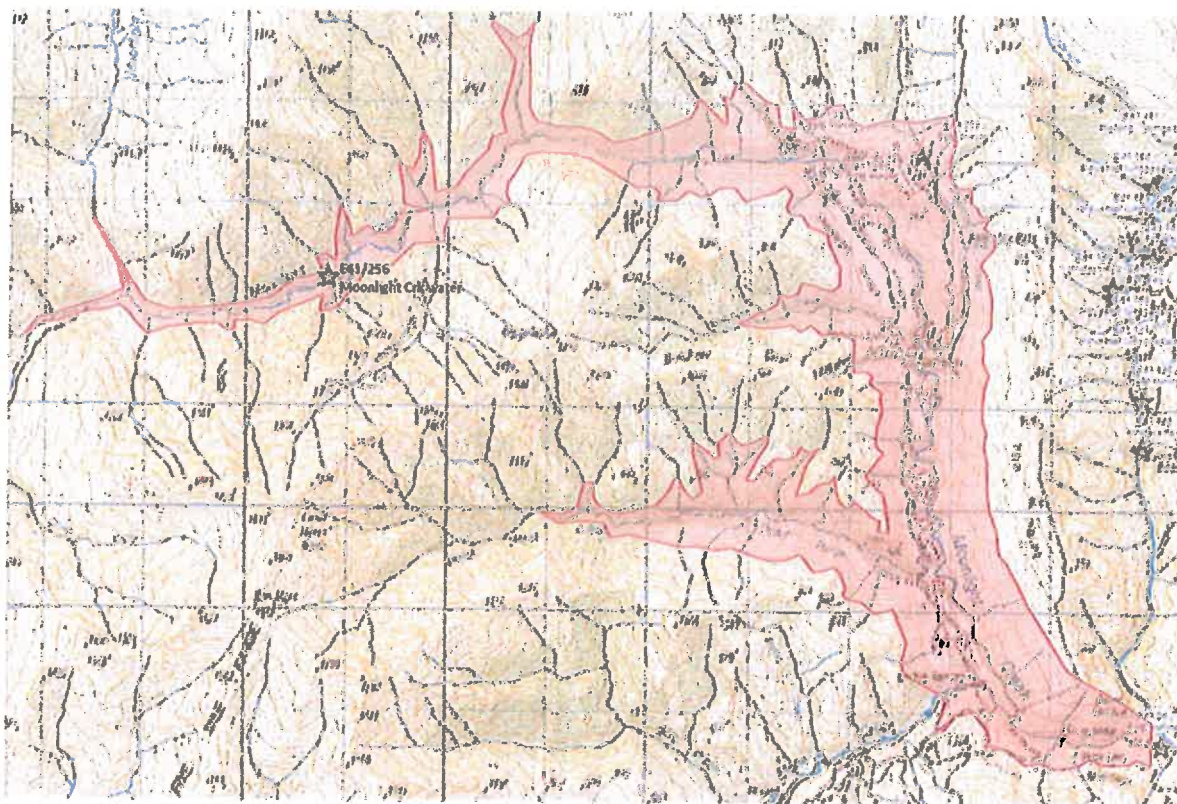


Figure 1. Moonlight Creek to Moke Creek significant gold mining landscape. All areas that lie on the Mt. Creighton Pastoral Lease should be retained as Crown land ('Protective mechanism' Section 40(1) CPLA with sheep grazing allowed) with Historic Reserve status managed by the Department of Conservation.



Figure 2. Area in Figure 1 viewed in Google Earth showing gold mining terraces at Sheepyard Terrace and the length of Moonlight Creek Water Race (site E41/256) surveyed by Heritage New Zealand in 2009.



Figure 3. Moonlight Creek Water Race fluming surveyed by Heritage New Zealand in 2009.



Figure 4. Moonlight Creek Water Race cutting surveyed by Heritage New Zealand in 2009.



Figure 5. Moonlight Creek Water Race siphon, one of two surveyed by Heritage New Zealand in 2009.



Figure 6. Gold mining complex with huts, sluice channels, stone reservoir, possibly 19th century, surveyed by Heritage New Zealand in 2009.



Figure 7. Moonlight Creek Water Race cutting and fluming surveyed by Heritage New Zealand in 2009.



Figure 8. Moonlight Creek Water Race tunnel surveyed by Heritage New Zealand in 2009.



Figure 8. Moonlight Creek Water Race following the hillside above Moonlight Creek surveyed by Heritage New Zealand in 2009.



Figure 9. Moonlight Creek Water Race moving through Beech forest above Moonlight Creek surveyed by Heritage New Zealand in 2009.



Figure 10. Moonlight Creek Water Race second siphon in Beech forest above Moonlight Creek surveyed by Heritage New Zealand in 2009.



Figure 11. Moonlight Creek Water Race raceman's hut in Beech forest above Moonlight Creek surveyed by Heritage New Zealand in 2009.



Figure 12. Moonlight Creek Water Race walking down towards Shepyard Terrace surveyed by Heritage New Zealand in 2009.



Figure 13. Gold tailings and water control reservoirs and races below the Moonlight Creek Water Race on Mt. Creighton surveyed by Heritage New Zealand in 2009



Figure 14. Gold mining on Ben Lomond viewed from the Moonlight Creek Water Race surveyed by Heritage New Zealand in 2009.



Figure 15. Gold mining with sluice box still present viewed from the Moonlight Creek Water Race surveyed by Heritage New Zealand in 2009.

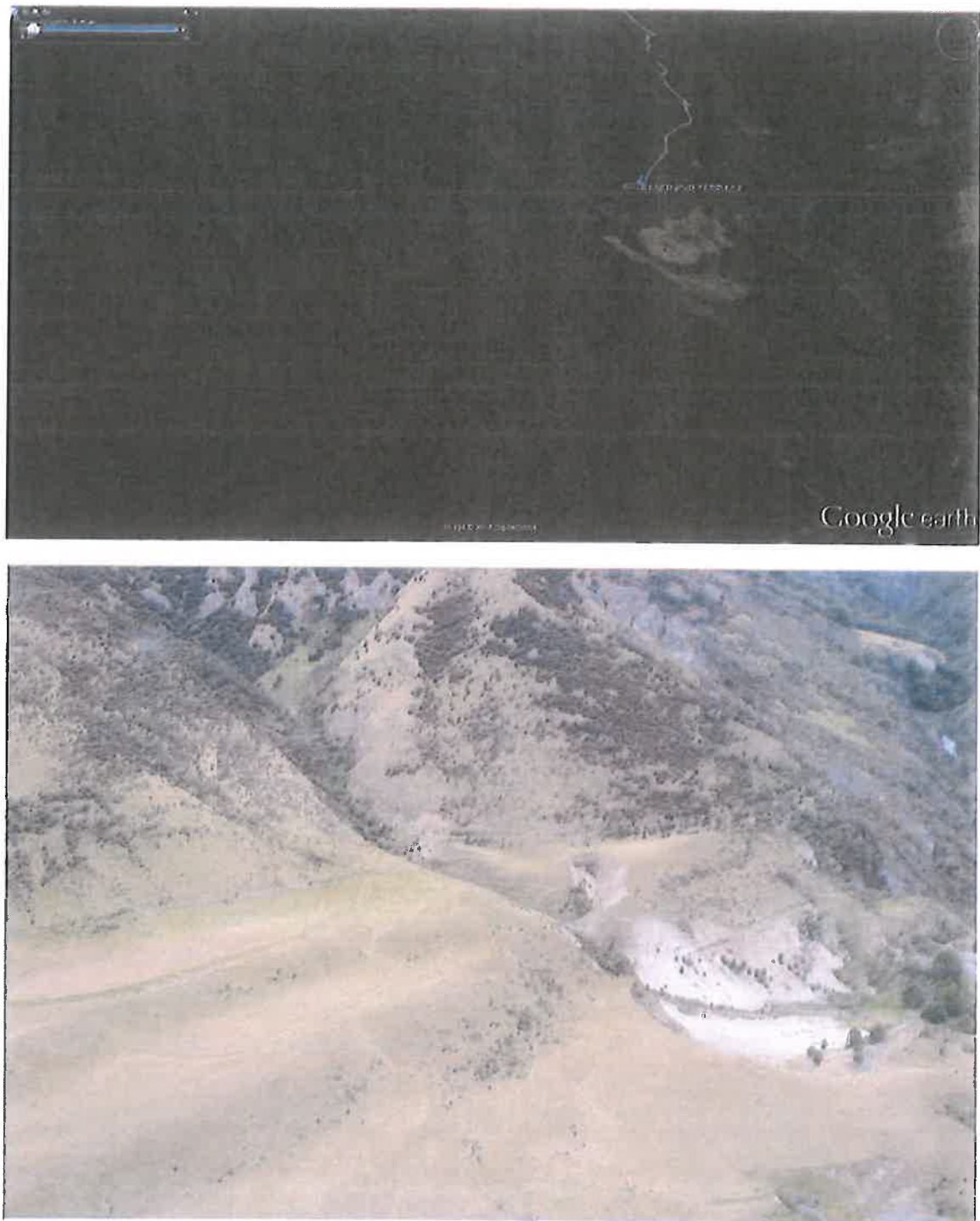


Figure 16. Top picture: Moonlight Creek Water Race as it enters Sheeppark Terrace. Bottom picture: View over gold mining reservoirs (NZAA Site No. E41/255) fed by the race and the water allocation system which fed workings below. Surveyed by Heritage New Zealand in 2009.

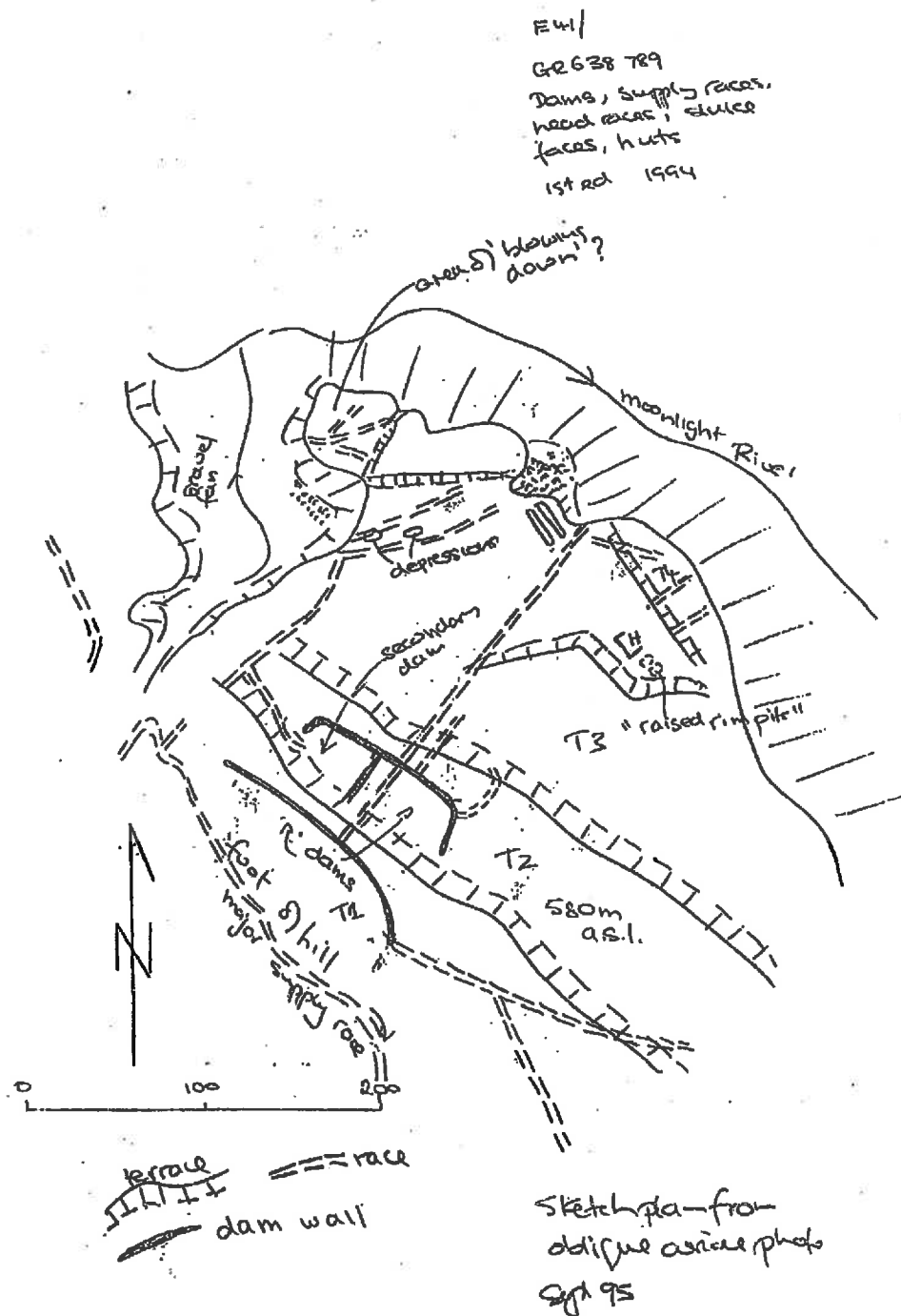


Figure 17. Close view of Sheepyard Terrace reservoirs (NZAA Site No. E41/255) surveyed by Heritage New Zealand in 2009.



Figure 18. Sheepyard Terrace water races, workings and reservoirs surveyed by Heritage New Zealand in 2009.

Sheepyard Terrcae Reservoir complex (NZAA Site No. E41/255) as sketched in 1995 from an aerial photograph (Source: ArchSite).



From: Mail for Lynch [<mailto:mail.lynch@extra.co.nz>]
Sent: Monday, 7 July 2014 12:16 p.m.
To: pastoral & tenure review
Subject: SUBMISSION ON MT CREIGHTON

SUBMISSION ON MT CREIGHTON (PO 107) CROWN PASTORAL LAND TENURE REVIEW
PROPOSAL.
FROM MICHAEL LYNCH, QUEENSTOWN

I wish in particular to submit regarding the last point (8) of the "Special Conditions" in the proposal: "That public access provided by clause 2.1.3 and 4.1 is restricted to wander at will access over land north of Dead Horse to enable them to inspect the historic values."

I ask for it to be removed.

The point seems confusing, and problematic in several areas.

Does the proposed restriction apply only to map designation CC3, or does it extend along the latitudinal datum line right across to Lake Wakatipu?

Does the proposed restriction extend in the marked area alongside Moke Creek virtually right to Moke Lake?

And what is the purpose, or the need for, of the restriction south of Dead Horse -- given it runs directly contrary to clause 4.1 of the proposal?

To exclude the public from "wandering" the CC3 area would constrain future generations from exploring one of the Wakatipu's more significant, and least documented, mining areas. As the rather disjointed proposal admits, Moonlight Creek/Moke Creek was home to some 3000 and more miners, European and Chinese, right from the 1860s; the area has been mined virtually ever since, for both gold and copper. Overall, says the proposal, it is "a superb example of mining landscape."

Darkeys Terrace (see attached 19th century photograph of the Laughton and Gardiner settlement there) is an extant reminder to this day, with sluicings, tunnels, water races and diggings. Why should the public (and future historians) be barred from this and the Moke Creek environs?

Michael Lynch
24 Brisbane St
Queenstown

(Fourth generation of Wakatipu family; my grandfather was a considerable miner and a 19th century photograph of Moke Creek School pupils has some two-thirds of them Lynches. Past chair of district branch of the Historic Places Trust.)

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7th July 2014

Commissioner of Crown Lands
Land Information New Zealand
Crown Property
CBRE House, 112 Tuam Street
Private Bag 4721
CHRISTCHURCH 8140
Phone: 0800 665 463 (Option 7)
Email: pastoral&tenurereview@linz.govt.nz

Dear Sirs,

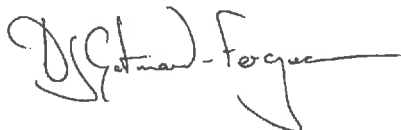
Re: MT CREIGHTON TENURE REVIEW

If my understanding is correct, this Tenure Review will result in public access to the South of Dead Horse being excluded. See Point 8 of Special Conditions.

Currently there is public access to the Moke Creek and this public access should remain in place.

I, therefore, object to this Tenure Review in it's present form.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'David Gatward-Ferguson', with a long horizontal stroke extending to the right.

David Gatward-Ferguson
5 Sequoia Place
Kelvin Heights
Queenstown 9300

SCHEDULE 2

Special Conditions

- 1 Clause 3.1.1 is deleted and replaced with:
Sheep and cattle may graze the Land at a stocking rate that does not, in the sole opinion of the Minister, adversely impact on the Values. No cattle are permitted to graze on that part of the Land being the Moonlight or Sheeppark Terraces north of Dead Horse Creek.
- 2 Notwithstanding clause 3.2.1, the Owner must control wilding pines, hawthorn, willows, exotic broom and gorse including taking reasonable steps to prevent these species from seeding on the Land. The Owner will bear the cost of this work. Should the Owner fail to undertake this work the Minister may arrange to have this work undertaken and the Owner will be liable to meet the costs, which may include the reasonable costs of the Minister. Where weed problems are significant, the Owner will submit to the Minister for approval a plan for the control of weeds.
- 3 The Land will be monitored to ensure that the conditions of the covenant have been adhered to. The details of monitoring including timing, methods, results and consequential actions are set out in Schedule 3.
- 4 Feral and wild animals including rabbits, possums, deer, goats and pigs will be controlled by the Owner to low levels to avoid damage to the Land.
- 5 The part of the Land being the small valley floor wetland between the bottom of Moke Spur and Fan Creek may be fenced and destocked if it is considered necessary in the sole opinion of the Minister to maintain the natural environment values of that part of the Land. Notwithstanding clause 3.2.6, the cost of fencing this part of the Land in accordance with this special condition will be shared 50:50 by the Owner and the Minister.
- 6 Notwithstanding clause 3.1.5, the Owner may spray vegetation for the purpose of keeping some of the Land open for pastoral use, subject to the following conditions:
 - a No part of the Land may be sprayed on the specific shrubland areas identified on the covenant plan in Schedule 4.
 - b The Owner will consult with the Minister before spraying is undertaken.
 - c The Owner will ensure that the spray used will not cause damage to the tussock cover.
 - d The Owner will not spray within 20m of any stream or water course and spray drift must be minimised.
- 7 Notwithstanding clause 3.1.5, the Owner may topdress and sow seed.
- 8 Public access provided by clause 2.1.3 and 4.1 is restricted to wander at will access over the Land north of Dead Horse to enable them to inspect the historic values.

C/O Recreational users forum
C/. 30 Earnsclough rd.
Alexandra 9320
6/7/14

TO:
The Commissioner of Crown Lands,
Land Information New Zealand,

RE: Mt Creighton Station
Tenure Review

Our submission

CORUF

Central Otago Recreational users forum is a committee representing some 60 groups and individuals with outdoor recreational interests. We can describe our members as general public of varying fitness levels wanting to enjoy their chosen outdoor pursuits. Most have a number of interests but all require reasonable access to give them a realistic opportunity to enjoy their chosen recreation which is often family orientated..

We have been approached by a number of our membership so our submission is a generalisation of the feed back received.

PROPOSAL

2.1.2

CORUF approves the small area being added to Mt Creighton scenic reserve

2.1.4.2

We agree this will make a fantastic hiking experience however

We are not in favour of the freeholding the designated CC1 area even with the covenants

REASON

This is the area that would be most sort after in this Tenure review by the NZ general public and would be most rewarding for a number of differing recreational pursuits at varying levels of fitness and of time available.

There is also a wish to have time wandering rather than being confined to a track through such a beautiful landscape.

2.1.4.3

We are not in favour of the freeholding designated CC2 even with the covenants

REASON

Same as CC1

2.1.4.4

There must be more public access easements to the country above the CC3 land

There is a question mark over usability of both b-j and d-k. It has been suggested these faces are thickly clad with dense undergrowth.

Recreational

“There are linkages to the wider conservation area”

There appears to be 2 linkages to CA between Moke Lake and point d .

Once again with big country beyond the proposed freehold, there has to be more access points

We have no problem with grazing continuing at a set level and for a stipulated number of years to

give the farming practice time to adjust but would wish cattle be excluded especially from any historic areas.

1.2.4.6 Public and management access easements

a-b-c

Were not sure if the a-b-c access is a formed track as the exact location of the route is not clear on the map.

If not we ask why public access is not along what appears to be a formed road.

Reason

Bigger spread of recreation activities would result if the access was an easily followed route

b-j and d-k

access is described by our membership as being inhospitable routes

n-o

easement provides access at the northern end of lake front

Hunters have pointed out. This will be the only access for hunters on the lake side of a renowned fallow deer area

h-i

We are asking the wording of "no guns allowed" be dropped from the h-i track.

It is obviously going to be a new track. We would like to see the already formed track as the access to Lake Luna

As we are unsure of the ability for this track to stand public 4WD traffic at least it would be a much more manageable walk and would open it up for horse riding and mountain biking and other activities.

Summarising

We agree that the Luna valley, Moonlight track is going to be a great walk experience happening. We are not in favour of this area being freeholded in any form. Walkers wish to wander at will where possible through this area.

Mt Creighton has a lot of rugged country which we would like to see made available to those who wish to extend themselves.

Those without that level of fitness must be catered for with more usable access, to extend and build on their experiences

The reputation of Mt Creighton station is such that there is going to be a lot of interest in entering this area.

3 access links away from the main track is not addressing the recreational responsibilities under the CROWN PASTORAL LAND ACT 1998 associated with forming a conservation area like this.

It is also funneling a lot of differing recreational interests into too few access areas with little opportunity to move off into different areas..

CORUF approves the protection of and access to historical mining remnants in the area, and also approves the planning schedule for pest (excluding deer) and weed control including the monitoring and removal of wilding trees. Monitoring should take place more often than every 5 years.

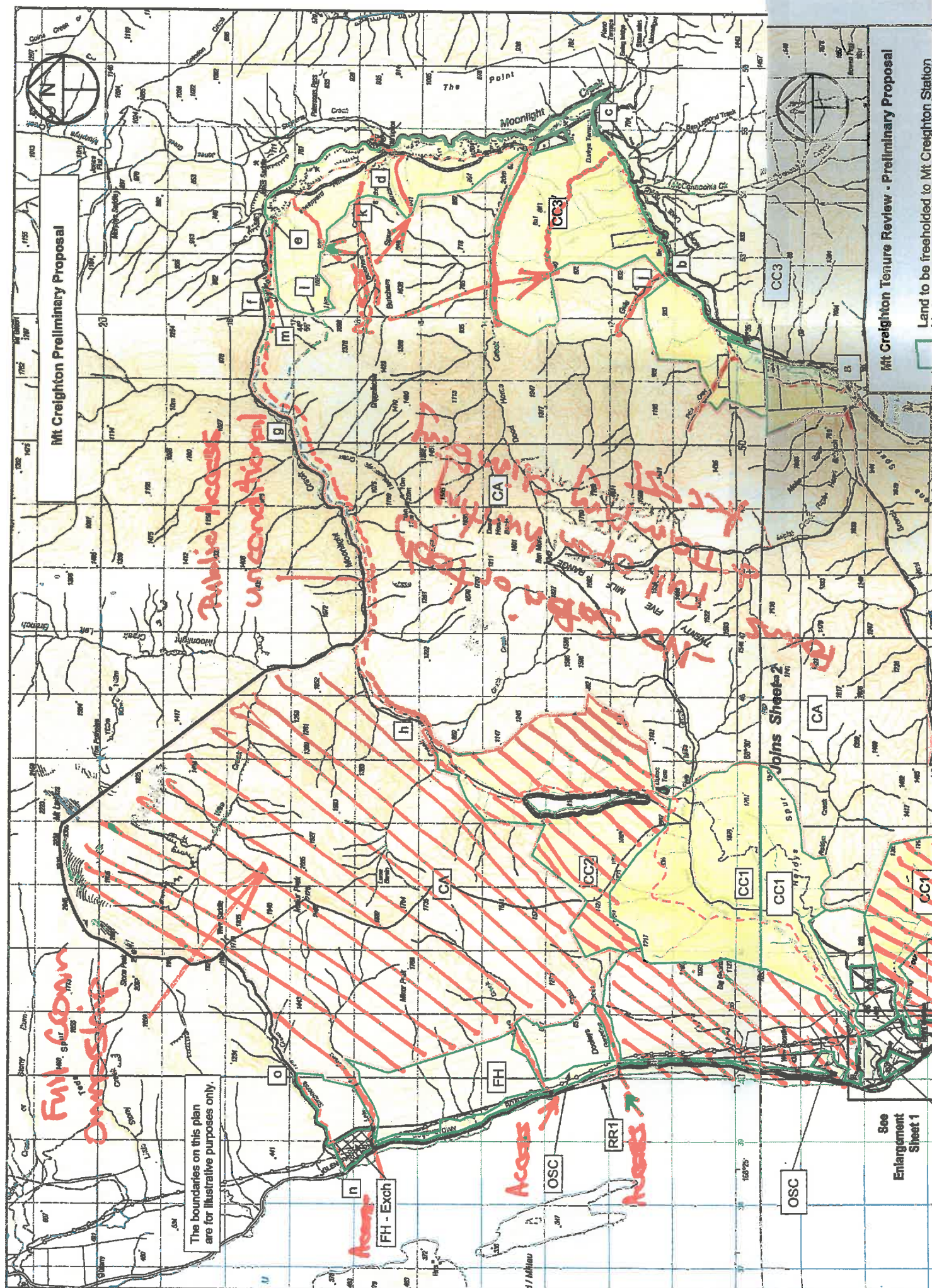
We forward 2 map attachments with suggested access through the CC areas.

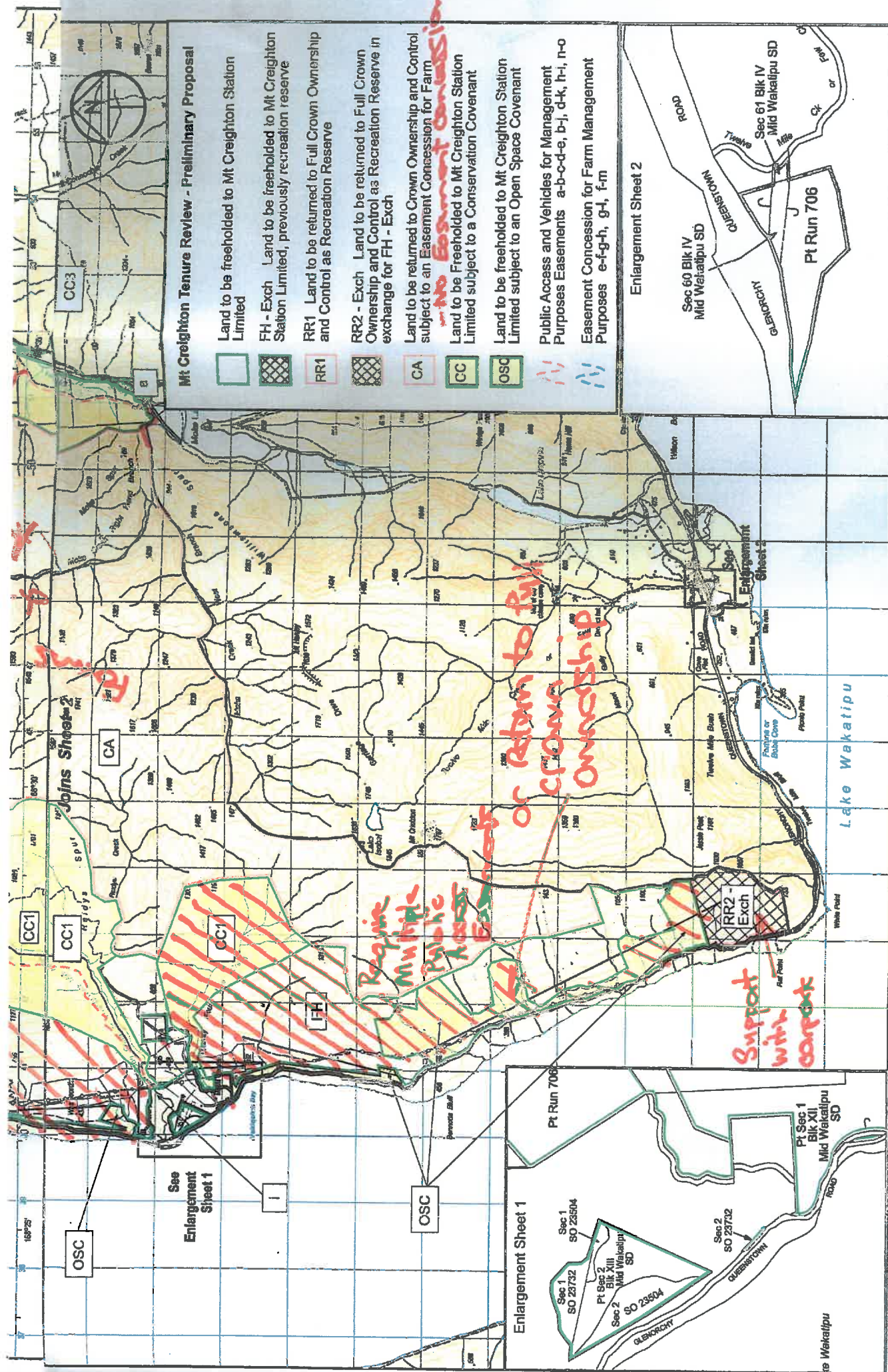
Thank you for the chance to comment

Chair

Central Otago Recreational users Forum

Alan Mackie

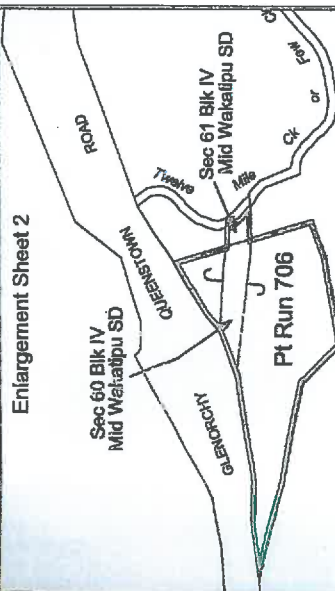




Mt Creighton Tenure Review - Preliminary Proposal

- Land to be freehold to Mt Creighton Station Limited
- FH - Exch Land to be freehold to Mt Creighton Station Limited, previously recreation reserve
- RR1 Land to be returned to Full Crown Ownership and Control as Recreation Reserve
- RR2 - Exch Land to be returned to Full Crown Ownership and Control as Recreation Reserve in exchange for FH - Exch
- Land to be returned to Crown Ownership and Control subject to an Easement Concession for Farm
- Land to be Freehold to Mt Creighton Station Limited subject to a Conservation Covenant
- Land to be freehold to Mt Creighton Station Limited subject to an Open Space Covenant
- Public Access and Vehicles for Management Purposes Easements a-b-d-e, b-j, d-k, h-i, h-o
- Easement Concession for Farm Management Purposes e-f-g-h, g-l, f-m

Enlargement Sheet 2



Version	1	2	3	4	5
Otago Land District					
NZTopo50 map - CB10/11, CC10/11					
Sheet 1 of 2					
Date: 30/11/09					

Land Status Plan for Mt Creighton

Certified a true copy of the original status sheet plan.

Scale 1:50000 (@ A3)
0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 metres
TR 137 MtCreighton_PP designations_sht1_05022014

15

To; The Commissioner of Crown Lands
Land Information New Zealand
Crown Property
CBRE house , 112 Tuam Steet
Private Bag 4721
Christchurch 8140

13 Thornicroft Road
RD 2
Waitati
Otago 9085

7 July 2014

To whom it concerns,

**Re; Submission in respect of Mt Creighton Crown Pastoral Land Tenure Review
Lease number PO107, Mt Creighton**

I write with regards to the notice of preliminary proposal for the Mt Creighton Tenure Review. While I am supportive of this land being changed for conservation management purposes, I think the public access into the area needs to be more closely reviewed.

While clause 4.1 allows for public access within a covenant agreement, this is somewhat negated under the Special conditions (8) which appears to restrict public access south of Dead Horse Creek. While clause 8 allows for 'wander at will' north of Dead Horse Creek to 'enable them to inspect historic values', there seems to be no recognition of the recreation, landscape and historic and archaeological values south of Dead Horse Creek in this report. For example there are a number of old mining sites/remains near Darky's Terrace and further south along Moke Creek, where a number of schist water diversion tunnels and mining sites are obvious clues. More research and an archaeological assessment of this area would provide a clearer historical picture of the whole Moke Creek/ Moonlight Creek landscape and provide more context with which to assess its true values and review access arrangements.

Restricting access south of Dead Horse Creek poses difficulties for people trying to access the historic values mentioned in the report North of this creek. As well, such a restriction arguably reduces the potential for people to experience and discover historic goldmining sites and linkages along these interconnected waterways and within this heritage landscape setting.

Historically the access link between Moke Lake and Moonlight Creek has been well used by Queenstown locals, and visitors walking, horse riding and at times (with lease holders permissions) 4 wheel driving into area from Moke Lake via Moke Creek to access the historic township of Sefferstown and beyond to explore the water races and workings of Moonlight Creek itself.

I believe that this access way south of Dead Horse Creek to Moke Lake should remain open to public access within this tenure review in order to both be able to 'inspect the historical values' noted above Dead Horse Creek and explore the Moke Creek waterway and immediate surrounding area for its recreational, scenic and historical values en route.

Your sincerely

Rebecca Reid