

## **Crown Pastoral Land Tenure Review**

**Lease name: CARRICK STATION**

**Lease number: PO 357**

### **Analysis of Public Submissions**

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

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

**February**

**10**

**ANALYSIS  
OF  
PUBLIC SUBMISSIONS**

**CARRICK**



**ANALYSIS OF PUBLIC SUBMISSIONS**

**Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act 1998 (for Part 2 reviews, or Sec 88(d) for Part 3 reviews)**

**CARRICK TENURE REVIEW NO 291****Details of lease**

Lease name:	Carrick pastoral lease
Location:	Carrick is located on the Bannockburn-Nevis Road 12 kilometres from Cromwell.
Lessee:	Donald William Clark and Marion Isabelle Clark

**Public notice of preliminary proposal**

Date advertised:	Saturday 28 <sup>th</sup> February 2009
Newspapers advertised in:	
•	The Press Christchurch
•	The Otago Daily Times Dunedin
•	The Southland Times Invercargill
Closing date for submissions:	29 April 2009

**Details of submissions received**

Number received by closing date:	13
<p>Four further submissions were received after the closing date, two on the 30<sup>th</sup> of April and one on 5<sup>th</sup> and 6<sup>th</sup> of May 2009. All of these late submissions were approved by LINZ on the 12<sup>th</sup> of May for inclusion in the analysis.</p> <p>Cross-section of groups/individuals represented by submissions:</p> <p>Submissions were received from mainly non government environmental and recreation groups together with a territorial local authority, private individuals and a government department</p>	

Number of late submissions refused/other:	Nil
<p>Under instruction from LINZ the four late submitters were advised that future submissions are to be received on time or seek an extension before closing date if there is an issue that will make a submission late.</p>	

## ANALYSIS OF SUBMISSIONS

### Introduction

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

The following analysis:

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

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

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

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

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

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

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

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

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

## Analysis

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

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

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Statements of support for aspects of the proposal.	2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14	Allow	Accept
Rationale for Allow or Disallow				

### General Support:

Submitter 2 expresses support for the majority of the proposal, by stating the lessee's good husbandry is recognised with the granting of a majority of freehold title and sensible use of covenants. They also consider it is encouraging to see the granting of grazing concessions over some of the conservations areas.

Submitter 3 also supports the broad intent of the proposal, particularly the access provisions and protection of the historic values.

### Support for Proposed Conservation Areas:

Submitter 5 supports the proposed conservation area CA1 and all the concessions over CA1, and supports the Historic Reserve R but suggests amendments to the grazing concession over R, discussed in point 6 below.

Submitter 6 provides support for the proposed conservation areas CA1 and CA2 because they protect the scenic tussock tops and potential recreational areas for hunting.

Submitter 7, 9 and 10 express support for conservation areas CA1, CA2 and Historic Reserve R but all are concerned about the grazing concession over the Historic Reserve R, discussed in point 6 below. Submitters 9 and 10 support the proposed grazing concession over CA1 and also the proposed recreation concession over CA1B but no renewal of those concessions. They also have no objection to continuation in force of the existing easement in favour of the Carrick Irrigation Co Ltd.

Submitter 8 provides full support of proposed conservation areas CA1 and CA2, and the Historic Reserve R and both grazing concessions. They make particular note that CA1 will form important additions to the Old Woman Conservation Area which as part of the Garvie Complex is given high status in the Otago Conservation Management Strategy.

Submitter 13 supports these conservation areas and the historic reserve but notes that they believe further field work is needed to ensure the reserve captures all of the most significant archaeological sites.

Submitter 14 states support for proposed Conservation Area CA1.

**Support for area Proposed to be Freeholded:**

Submitter 2 is pleased to see the granting of freehold title to the lower altitude country in the Nevis with suitable covenants.

Submitter 5 accepts grazing is likely to be sustainable on the Nevis Face block given the covenant conditions and they do not object to freeholding this block.

Submitter 9 said with some reservations they approve of the total area proposed to be freeholded.

**Support for Proposed Conservation Covenants:**

Submitters 5, 7, 10 and 14 support the Nevis Face block part of proposed Conservation Covenant CC1, their suggestions for the higher Middle Block are outlined below in point 8. Submitter 5 does however applaud the restriction to sheep only grazing in the Middle Block and the stocking rate which they estimated at 0.45 su per ha per annum.

Submitter 10 qualifies their support for the Nevis Face by stating it may be suitable for freeholding so long as stock limitations are imposed and natural, landscape and historic values are protected in the covenant. Later in their submission they state that they support the conditions to protect the natural, landscape and historic values over the Nevis Face block and applaud the addition of the management prescription.

Submitter 5 provides qualified support for conservation covenants CC2, CC3 and CC4 (subject to amendments, outlined in points 11 and 14 below), but only provides this support if the areas are freeholded as their preference is for most of these areas to be retained in Crown ownership as discussed in point 9 below. They endorse the wander at will provisions proposed for CC3 and the restriction of sheep only grazing over CC4.

Submitter 8 supports the wander at will provisions and protection of the historic values in conservation covenants CC2 and CC3 but does express concern about sustainability since continued grazing is proposed, outlined in point 9 below.

Submitter 9 approves of conservation covenant CC3 because it protects the historic gold mining relics.

Submitter 10 provides qualified support for conservation covenants CC2, CC3 and CC4 (subject to amendments to CC4, outlined in point 14 below), but only provides this support if the areas are freeholded as their preference is for most of these areas to be retained in Crown ownership as discussed in point 9 below.

Submitter 14 provides qualified support for conservation covenants CC2 and CC4, but only provides this support if the areas are freeholded as their preference is for most of these areas to be retained in Crown ownership as discussed in point 9 below.

**Support for Proposed Easements:**

Submitter 2 considers provision for public access is more than reasonable and should be practical for the lessee and DoC provided people demonstrate respect and common-sense for the opportunities provided.

Submitter 5 provides support for all the proposed easements.

Submitters 7 and 9 supports proposed easement “e-f” that allows public motorised vehicle access along the crest of the Carrick Range.

Submitter 10 supports the proposed easements “h-i-J”, “i-k”, “f-g”, “l-m” and “e-f”.

Submitter 12 states that the provisions for public access appear sufficient to facilitate recreational opportunity in the area.

The above statements of support are valid matters as they are relevant to the tenure review and meet the objects of Sections 24(a), 24(b) and 24(c) of the Crown Pastoral Land Act, they have therefore been allowed for further consideration.

**Rationale for Accept or Not Accept**

The point relates to the objects and matters to be taken into account in the CPLA and statements of support for aspects of the proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal.

The point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
2	Parts of the proposed conservation areas with grazing concessions could be freeholded subject to conservation covenants.	2, 3	Allow	Not Accept

**Rationale for Allow or Disallow**

Submitter 2 while generally supporting the proposal, questions whether conservation area CA1 A would not also be suitable to be freeholded with the same covenant as the Middle Block. The submitter considers it would be suitable for freeholding given its lower altitude and readily accessible location. It is interpreted they were referring to it being a lower altitude compared to the balance of the proposed conservation area shown as CA1 B.

Submitter 3 suggest wider use of conservation covenants would seem appropriate given some areas are designated conservation areas with grazing concessions and other areas are freeholded with conservation covenants. They said they were puzzled by the proposed use of two different methods to achieve very similar objectives. They claim this seems unnecessarily complicated with the risk of confusing management accountabilities.

The point relates to the appropriate protection of significant inherent values plus enabling land capable of economic use to be freed from the management constraints resulting from its tenure under reviewable instrument. Section 24(b) of the CPLA relates to the protection of significant inherent values, while enabling land capable of economic use to be freed

from the management constraints is an object under Section 24(a) of the CPLA. The point has therefore been allowed for further consideration.

Rationale for Accept or Not Accept
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Both submitters outline reasons why they consider more land should be covenanted despite a lack of detail in their arguments. The areas in question have been inspected and issues relating to sustainability of continued grazing and protection of significant inherent values have been considered in reasonable detail.

Although the point relates to the objects and matters to be taken into account in the CPLA, it does not introduce new information or a perspective not previously considered. Also, while it does highlight issues previously considered and the submitter articulates reasons why they prefer an alternative outcome it is considered those reasons have previously been thoroughly investigated.

The point has therefore not been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	CA1 should allow recreational hunter access by permit for 4WD vehicles.	6	Disallow	N/A

Rationale for Allow or Disallow
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Submitter 6 points out, access to CA1 involves a 2km walk up the Nevis Face on a relatively easy grade. They consider the surrendered area (CA1) is undulating but relatively flat and 4WD hunter access by permit would be appreciated should big game animals be present in the future. It is interpreted the submitter is requesting 4WD access over the proposed Conservation Area CA1 rather than over the proposed easement which is dealt with under point 16.

The point is considered to be a post tenure review land management issue for DoC and not a relevant matter able to be dealt with by the CPLA.

This point has therefore been disallowed for further consideration within tenure review but the comments made by the submitters will be referred to the Department of Conservation to take into account in determining future management of CA1.

Rationale for Accept or Not Accept
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N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	There should be no concession offered for snowmobiling over CA1 on the Old Woman Range.	4, 8	Disallow	N/A



## Rationale for Allow or Disallow

Submitters 4 and 8 both believe the concession to operate snowmobiles on the Old Woman Range is inconsistent with the Otago Conservation Management Strategy. They both understand this concession expires in 2010 but want it clearly stated in the concession document that the concession will not continue beyond 2010 and in the case of submitter 4, that no concessions will be granted in the future for activities that include motorised vehicles. It is interpreted both submitters have accepted the current concession continuing given it expires in the very near future.

Submitter 4 has expanded this point further by stating they would support any decision to restrict the use of motorised vehicles in any of the new conservation areas created. They suggest there needs to be a prohibition of any over snow vehicles (snow mobiles, snowcats and quad bikes) during winter months. They further suggest perhaps all vehicles could be banned during the winter months which would also prevent ground damage.

Given the current concession activity is not intended to be permitted to continue beyond 2010 the point is considered to be a post tenure review land management issue for DoC and not a relevant matter able to be dealt with by the CPLA.

This point has therefore been disallowed for further consideration within tenure review but the comments made by the submitters will be referred to the Department of Conservation to take into account in determining future management of CA1.

## Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	The current recreation permit over CA1 B (Nevis Snowmobile Adventures) should be renewed as a concession by the Department of Conservation.	15	Disallow	N/A

## Rationale for Allow or Disallow

The submitter is advocating the concession be renewed on the Department of Conservation terms for recreational use after it expires on 30 September 2010.

The submitter claims the continuation of this concession is essential to enable the sub-lessee of Craigroy Station to remain as an economic unit. They also consider this type of operation unique in Central Otago and worthy of continued operation including the use of aircraft because they claim this is the only access option when the area is covered in snow.

The point is considered to be a post tenure review land management issue for DoC and not a relevant matter able to be dealt with by the CPLA.

This point has therefore been disallowed for further consideration within tenure review but the comments made by the submitter will be referred to the Department of Conservation to take into account in determining future management of CA1.

Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	The grazing concession over the Historic Reserve (R) should be amended to ensure better protection of the values.	5, 7, 9, 10	Allow (Sub-points a, b, c, d & e)	Accept in part (being Sub-points a, b, c & d).

Rationale for Allow or Disallow

**Sub-point (a)**

Sheep only grazing:

Submitter 5 states they would prefer the grazing concession over Historic Reserve R was limited to sheep only grazing since cattle have the potential to cause damage, including potential damage to the Carrick Water Race.

**Sub-point (b)**

Shorter term for the grazing concession:

Submitter 9 states the 20 year grazing concession is too long to ascertain if grazing is having the desired effect for maintaining the visibility of the historic relics and suggest 5 years should be sufficient.

**Sub-point (c)**

Fencing provision:

Submitter 9 suggests if after 5 years the proposed monitoring reveals any damage to the vegetation, the whole area should be fenced.

**Sub-point (d)**

General conditions in the grazing concession need more detail:

Submitter 10 is concerned that cattle are likely to cause more damage than sheep and that it is not clear which area(s) the indicative stock carrying capacity of 35 SU applies to. They state that the grazing concessions terms and conditions are not clearly defined and suggest the following detail be provided in the concession document.

- (i) specific limitations on the numbers of sheep & cattle within each block, (Submitter 5 also suggests the stocking rate needs to be stated).
- (ii) the duration of the grazing periods should be defined.

- (iii) the frequency of monitoring should be specified, (Submitter 5 also suggested a time frame for the monitoring needs to be stated including baseline measurements made when the review is complete).
- (iv) provision to adjust stock numbers or cancel concession if monitoring warrants it.

**Sub-point (e)**

Opposed to the grazing concession:

Submitter 7 stated they were wary of the claim that continued grazing over a 20 year period will be beneficial to maintain the visibility of the historic features. They considered grazing animals will stand on stone remains and contribute to their collapse and so they said it is of doubtful validity as a management tool. Although the submitter has not provided any suggestions to change the grazing concession it is interpreted they are opposed to it as it appears they are concerned about damage to the historic values.

The sub-points relate to the protection of ecological and historic significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so this point has been allowed for further consideration.

Rationale for Accept or Not Accept

**Sub-point (a), (b), (c) and (d)**

These sub-points relate to the objects and matters to be taken into account in the CPLA and while they highlight issues previously considered, the submitters articulate reasons why an alternative outcome under the CPLA is preferred.

These sub-points have therefore been accepted for further consideration in the formulation of the Substantive Proposal.

**Sub-point (e)**

Although the point relates to the objects and matters to be taken into account in the CPLA, it does not introduce new information or a perspective not previously considered. Also, while it does highlight an issue previously considered and the submitter articulates reasons why they may prefer an alternative outcome, they have not proposed any alternative outcome. It is interpreted they are opposed to the proposed grazing concession however, designating this area subject to a grazing concession has been thoroughly considered and investigated.

The sub-point has therefore not been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	Parts of the proposed unencumbered freehold land require a landscape covenant.	10	Allow	Accept

Rationale for Allow or Disallow

The submitter is supportive of the eastern Bannockburn faces, east of the Carrick Range below the Carrick Water Race being freeholded. They consider because it is improved pasture land classified LUC Class VI it should be capable of being managed in a way that is ecologically sustainable. However, they consider the landscape values deserve protection from inappropriate subdivision, use or development and therefore the area requires a landscape covenant. They do not believe the District Plan is sufficiently robust and durable enough to provide this protection.

The point relates to the appropriate protection of significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, hence this point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to objects and matters to be taken into account in the CPLA and while it does not introduce new information it introduces a perspective not previously considered.

The point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	The Middle Block within Conservation Covenant CC1 should be retained in Crown ownership and added to Conservation Area CA1.	1, 5, 7, 9, 10, 14	Allow	Accept

Rationale for Allow or Disallow

Submitter 1 requests the Middle Block be included in the land to be retained in Crown ownership. The submitter considers this designation is warranted because tall tussocklands are mentioned several times (summary of the proposal) including the statement of it being thought to represent pre human vegetation. If the entire block is not able to be included in CA1 the submitter alternatively suggests a new fence line at the 1000m asl contour to incorporate the tussock land into CA1.

Submitter 5 states that because the middle block is classified as class VIIe land then with a continuing loss of nutrients it is likely to become degraded land. They point out it ranges in altitude from 1,100 metres to around 1,400 metres and in their opinion has high landscape value and the tussock where it borders with CA1 is comparable with tussock over CA1. They therefore consider an argument can be made to add this block to CA1. They also stated if the Middle block can not be added to CA1 then light grazing may be sustainable and they suggested some amendments to the covenant, outlined below in point 13.

Submitter 7 expresses the same views that the vegetation of the Middle block is indistinguishable from CA1 A with very high landscape values.

Submitter 9 considers the Middle Block too high above sea level to respond economically to the spreading of fertiliser. They maintain the tussock and associated vegetation on the Middle Block is in remarkably good order and because of its altitude and likely response to inputs believes it should be retained in Crown ownership.

Submitter 10 does not consider the designation of the Middle block as a covenant will promote ecological sustainability because of the class of land and altitude range from 1,000 metres to around 1,400 metres. They state the area is characterised by class VIIe land which is prone to erosion and has serve limitations for pastoral use. They are concerned about the maintenance of soil nutrient reserves. They contend that land above 1000 metres is not ecologically sustainable for pastoral use in the long term as they consider replenishment with fertiliser is usually not economically justifiable above 1,000m because pasture growth response is limited by climatic factors. They also contend that conservation covenants are only designed to protect natural values and were never intended to ensure ecological sustainability. They also state there are significant inherent natural and landscape values in the lower parts of the block which have been overlooked and which should be reconsidered. They outline that the Middle Block is part of the same landscape/vegetation community as the lower part of CA 1 and that it is dominated by healthy tussock grassland and schist rock tors.

Submitter 10 recommends the Middle Block be added to CA 1. They suggest it would be reasonable to allow a grazing concession for no more than 10 years at a maximum stocking rate of 1.0 SU per ha per annum.

Submitter 14 expresses similar views stating the Middle Block is unlikely to be able to be sustainably managed for farming purposes and should be returned to the Crown by adding it to CA 1 because of the obvious ecological values inherent in the tussock grassland and also high landscape values associated with the rock tors. The submitter suggests limited sheep grazing for 5 years, perhaps up to 10 years could be considered.

The point relates to the appropriate protection of significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, hence this point has been allowed for further consideration.

Rationale for Accept or Not Accept
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The point relates to the objects and matters to be taken into account in the CPLA and while it also highlights issues previously considered, the submitters articulate reasons why an alternative outcome under the CPLA is preferred.

The point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	Parts or all of Conservation Covenants CC2, CC3 and CC4 should be retained in Crown ownership as conservation area.	1, 5, 7, 8, 9, 10, 14	Allow (Sub-points a, b & c)	Accept (being Sub-points a, b & c)
Rationale for Allow or Disallow				

### Sub-point (a)

CC2 be retained in Crown control

Submitter 1 requests the area of Conservation Covenant CC2 be retained in Crown ownership due to its significant value of the hill top or hill line and its significance having an access way (e-f). They suggest the surrounding landscape will be enhanced by it being retained as a conservation area. They consider it could still be grazed if and when needed.

### Sub-point (b)

CC2 and adjacent land (parts/or all of CC3 & CC4) be retained in Crown control.

The general theme among submitters with this sub-point is to suggest land above 1,000 metres be retained in Crown control which covers the majority of the proposed covenants within the Potters Creek catchment.

Submitter 5 suggests a relatively large area centred on the crest of the Carrick Range (CC2) be retained in Crown control. Although they have not specifically mentioned any conservation covenants, they suggest Conservation Area CA2 should be extended to include all of Potters Creek Recommended Area for Protection (RAP) 2/2 and that in fact CA2 should include all land up to approximately 1000 metres. This recommendation impacts on all of Conservation Covenants CC2 and CC3, and about 80% of CC4. They consider the covenants are unlikely to be managed in a way that is ecologically sustainable as they are designed not to ensure sustainability, but only for protection of natural values. Submitter 5 has also suggested amendments to conservation covenants CC2 and CC4 if the land is to be freeholded but make it clear this is not their preferred choice. Those suggested amendments are outlined below in points 11 and 14 respectively.

Submitter 7 suggests the area of CC2 be extended to the west to cover land of an equal altitude and designated in Crown ownership subject to a grazing concession.

Submitter 8 notes that the vegetation in the higher parts of CC4 and all of CC2 appears to be very degraded and is concerned continued grazing is not sustainable. They state, if this is the case, then it should be retired and not freeholded. They further state as a general statement about all covenants, that if the Crown is not confident that covenants can offer a very high level of landscape protection then the land should be returned to Crown ownership. They have not made a definite request and instead left it up to the Crown to ensure these areas are managed sustainably.

Submitter 9 expresses similar views about the sustainability of land above 1000 metres since grazing is permitted and the fact it is classified as LUC of VII. They consider all the land from above the water race on the east side of the Carrick Range and down to about the 1000 metre contour on the west is somewhat modified with tall tussock being replaced with *Aciphylla*. They are concerned nutrients removed by grazing would not be replaced and comment it is not economical to top-dress land over 1000 metres. They suggest the crest of the Carrick Range (CC2) be retained in Crown control and retired from grazing as they question the sustainability of continued grazing and do not believe covenants can be used to protect ecological values. They suggest the area of CC2 be extended to the west by removing the fence along the crest of the range and re-erecting it at a lower level on the Nevis side with the enlarged area being returned to the Crown for protection. They further comment that they agree the landscape values are the principle values to be protected by these covenants but CC3 must also protect the historic values.

Like submitter 5 Submitter 10 also expresses disappointment more of the RAP 2/2 Potters Creek is not included within CA2. Alternatively, submitter 10 suggests the area could be designated as a sustainable management covenant or some other form of stewardship.

Submitter 10 does not consider land above 1,000 metres is suitable for freehold disposal as they believe it can not managed in a way that is ecologically sustainable for pastoral use because of the same reasons they outlined for the Middle Block in CC1 in point 8 above. Like submitter 5 they also consider covenants are only designed to protect the natural values and not to ensure ecological sustainability. In making similar points about other covenants in this area the submitter has made a general request that all land west of the Carrick Water Race should be returned to Crown control. This would encompass all of Conservation Covenants CC2, CC3 and CC4. Although their main concern is restricted to land above 1,000 metres, they estimate there is only approximately 400 hectares below 1,000 metres located just above the Nevis Gorge and since this small area is remote from the rest of the farm, it would be of limited agricultural usefulness and better added to CA2. They also consider this small area beside the Nevis River has significant inherent landscape values in its own right. In summary, the submitter is opposed to the freeholding the higher parts of the eastern faces (ie above the Carrick Water race), and the entire area of the western face. They do not accept that the designation to protect natural, landscape and historic values under a covenant overcomes the problem of ecological sustainability and the designation would therefore not promote ecologically sustainable land use.

Submitter 14 expresses similar views as submitter 9 and like submitters 5 and 10 strongly recommend that at least the entire area of the RAP 2/2 Potters Creek be a conservation area. They also consider it unlikely that the upper slopes are capable of sustaining pastoral farming even with the constraints associated with the proposed covenants. They state that ecologically the entire Potters Block contains a valuable altitudinal sequence from the Nevis River to the crest of the Carrick Range. They recommend that the land above 1,000 metres in the Potters Creek area up to the crest of the Carrick Range be a conservation area and added to the proposed CA2 area. This is further enforced by their recommendations in other parts of their submission when discussing the individual conservation covenants of CC2, CC3 and CC4.

### **Sub-point (c)**

The lower parts of CC4 be retained in Crown control

Submitter 7 suggest the lower part of CC4 be incorporated into CA2 being the true right bank of the Nevis River up to the proposed easement “h-i-j” and suggest it could be subject to a grazing concession. They consider the slopes adjacent to the river are highly significant to the recreational and aesthetic enjoyment of the wild river.

Submitter 9 suggests the new fence line (A-B) should go directly down into the Nevis River and not turn north into Potters Creek near its lower end. This relates to the submitters concerns about the clause in covenant CC4 that does not unreasonably without consent for hydro electric development, outlined in point 14(b) below.

The three main themes emerging from this point are:

1. Sustainability of continued grazing (Submitters 5,8,9 &10)
2. Appropriate protection of landscape values (Submitters 1, 8 & 9)
3. Greater recognition of the importance of the RAP 2/2 Potters (Submitters 5,10 & 14)

The point relates to promoting the management of reviewable land in a way that is ecologically sustainable which is an object of tenure review, as indicated in Section 24(a)(i) CPLA. It also relates to the appropriate protection of significant inherent values and the securing of public access to the reviewable land. Section 24(b) of the CPLA relates to the protection of significant inherent values and Section 24(c)(i) relates to public access. The point has therefore been allowed for further consideration.

<b>Rationale for Accept or Not Accept</b>
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**Sub-point (a), (b) and (c)**

The sub-points relate to the objects and matters to be taken into account in the CPLA, and while they also highlight issues previously considered, the submitters articulate reasons why an alternative outcome under the CPLA is preferred.

The sub-points have therefore been accepted for further consideration in the formulation of the Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
10	Conservation Covenant CC1 conditions should be amended to ensure better protection of the values.	5, 10	Allow (Sub-points a & b)	Accept (being Sub-points a & b)

<b>Rationale for Allow or Disallow</b>
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**Sub-point (a)**

Submitter 5 suggests that the photopoint monitoring be remeasured every 5 years instead of every 10, especially on the Middle Block. The submitter has previously stated their preference is for the Middle Block to be retained in Crown ownership as outlined in point 8



above and therefore this suggestion is only applicable if the Middle Block is to be freeholded.

**Sub-point (b)**

Submitter 5 suggests there needs to be specific mention of protection for the wetlands and the elevator ponds close to the river which are part of the mining history.

Submitter 10 also suggest the covenant does not provide protection of the ponds and wetlands and request additional clauses be added to either prohibit cattle grazing or allow adjustments to be made should monitoring demonstrate the need. They also suggest the shrubland values in many of the tributary gullies, the landscape features of the steep and rock Nevis face, and the habitat for the unique native fish population appear to have been overlooked. This sub-point relates only to the Nevis Face block within Conservation Covenant CC1.

This point relates to the appropriate protection of significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, hence this point has been allowed for further consideration.

Rationale for Accept or Not Accept
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**Sub-point (a)**

The sub-point relates to the objects and matters to be taken into account in the CPLA, and it highlights an issue previously considered where the submitter articulates reasons why an alternative outcome under the CPLA is preferred. The sub-point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

**Sub-point (b)**

The sub-point relates to objects and matters to be taken into account in the CPLA and introduces a new perspective not previously considered. This sub-point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
11	Conservation Covenant CC2 conditions should be amended to ensure better protection of the values.	5	Allow	Accept

Rationale for Allow or Disallow
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Submitter 5 notes that the covenant allows for photopoint monitoring to provide baseline information, but suggest there should be formal monitoring at regular intervals if the land is to be freeholded. They have previously expressed concerns about ecological sustainability and therefore it is interpreted this is why they have requested formal monitoring at regular

intervals. Their preference is for the area to be returned to the Crown as outlined in point 9 above. They accept that some light grazing may be beneficial in the historic areas.

The point relates to the appropriate protection of significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, hence this point has been allowed for further consideration.

**Rationale for Accept or Not Accept**

The point relates to the objects and matters to be taken into account in the CPLA, and while it highlights an issue previously considered, the submitter articulates reasons why an alternative outcome under the CPLA is preferred.

This point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
12	The Carrick Water Race along E-G within Conservation Covenant CC2 should allow for a public foot only access easement.	4	Allow	Accept

**Rationale for Allow or Disallow**

The submitter suggests the Carrick Water Race along E-G should allow for a public foot only access easement. This is requested in the context of ski-touring where the submitter states that in a good winter the race provides a level surface for safe and easy cross country skiing because it is filled with snow and there’s no stock. They suggest easement “e-f” is often churned up by motorised vehicles making skiing difficult. Although it appears this access is primarily required during the winter months, the submitter has suggested this access needs to be year round.

They have further suggested the covenant could be extended down slope to include the water race. It is noted that the covenant does already extend down to the water race and the conditions currently proposed do not allow public foot access along the water race.

The point relates to the securing of public access to and enjoyment of the reviewable land which is an object of tenure review under Section 24(c)(i) of the CPLA and therefore the point has been allowed for further consideration.

**Rationale for Accept or Not Accept**

The issue of public access along the Carrick Water Race was considered in the context of year round access mainly for foot and mountain bike. Wander at will access over the entire covenant area up to but excluding the water race was considered adequate for cross country skiing during the winter and therefore winter time access along the race for skiers was not considered.

The point relates to objects and matters to be taken into account in the CPLA and introduces a new perspective not previously considered.

This point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
13	Conservation Covenant CC3 should be extended.	7	Allow	Accept

Rationale for Allow or Disallow

Submitter 7 suggest Conservation Covenant CC3 be extended downstream to meet the boundary of CA2. They state this will offer particular protection to historic mining remains that have been found, and may be found along the full length of Potters Creek.

The point relates to the appropriate protection of significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, hence this point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to objects and matters to be taken into account in the CPLA, and although it does not present new information it does introduce a new perspective not previously considered.

This point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14	Conservation Covenant CC4 conditions should be amended to ensure better protection of the values.	4, 5, 7, 8, 9, 10, 12, 13	Allow (Sub-points a & b)	Accept (being Sub-points a & b)

Rationale for Allow or Disallow

**Sub-point (a)**

Ensure better protection by additional and amended clauses:

Submitters 4 and 8 suggest Conservation Covenant CC4 needs a higher level of protection to protect the landscape values. Submitter 4 doesn't specifically mention CC4, but they do refer to covenants that afford the same level of protection as landscapes over 900 metres in the CODC District Plan which is the specific purpose of CC4. They consider the provisions in the district plan to be very weak for these areas.

Submitter 8 considers the provisions of the district plan for landscape protection of land over 900 metres are not clear and appear to offer little in the way of real landscape protection. They state the district plan should not be used as a baseline for landscape protection in CC4 and should be replaced by specific provisions. They suggest the existing vegetation cover should not be altered and no new road lines or buildings over the area.

Submitter 5 suggests monitoring should be every 5 years as the covenant document does not specify frequency of monitoring.

Submitter 10 suggests clauses to protect the historic values which connect the present with the gold mining history of the past in this area.

Submitter 12 has also suggested the covenant needs a higher level of protection by requesting the wording be amended such that future damming, diverting or taking of natural water is not permitted. They also include Conservation Area CA2 in this suggestion. It is not clear what formal land use restriction the submitter is advocating for CA2 as this land is proposed to be retained in Crown ownership. It is interpreted they may have mistakenly thought of this area as another covenant and applied a blanket condition (submission point) the same as their request for CC4 without searching out and reviewing a covenant document in the proposal.

Submitter 13 has suggested the schedule within CC4 may need to be amended to include protection of the historic values relating to the Potters Creek area.

### **Sub-point (b)**

Oppose consent for hydro electricity development:

Submitters 5, 7, 9 and 10 opposes clause 5 within the Schedule 2 special conditions stating the Minister will not unreasonably withhold consent for hydro electricity development activities. They all suggest this clause be removed.

Submitter 5 considers the Nevis River an area of outstanding landscape and therefore any dam proposal is not acceptable. Submitter 7 considers given the over-all commitment to preserve the historic and landscape values which includes the wild and scenic river and a feeling of remoteness then it is not appropriate to include a clause that may lead to the loss of these values. Submitter 9 simply state they are opposed to any hydro electric development in the Nevis River. Submitter 10 asserts electricity developments on the Nevis River are entirely unrelated to tenure review and may be ultra vires the CPLA. They contend therefore the review process should be neutral on the issue.

The point relate to the appropriate protection of significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, hence this point has been allowed for further consideration.

Rationale for Accept or Not Accept
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### **Sub-point (a)**

The sub-point relates to the objects and matters to be taken into account in the CPLA. While it has not introduced any new information it does highlight issues previously

considered and the submitters' articulate reasons why an alternative outcome under the CPLA is preferred.

The sub-point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

### **Sub-point (b)**

The sub-point relates to the objects and matters to be taken into account in the CPLA. While it has not introduced any new information it does highlight an issue previously considered and the submitters' articulate reasons why an alternative outcome under the CPLA is preferred.

The sub-point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
15	Easements should not promote 4WD access.	4	Allow	Not Accept
<b>Rationale for Allow or Disallow</b>				

Although the submitter has not specially mentioned easements, it is interpreted they are referring to the allowance of 4WD access along easement "e-f" as this is the only designation in the review that provides public motorised vehicle access. It is also interpreted their point is a general request applicable to all easements in the event other easements are considered for public vehicle access as part of the proposal. They state that the boggy tops of these schist ranges are easily damaged by motorised vehicles.

Securing of public access to the reviewable land is an object of tenure review under Section 24(c)(i) of the CPLA and therefore the point has been allowed for further consideration.

### **Rationale for Accept or Not Accept**

Access provisions have been considered in detail for this review. The proposal currently recommends 4WD access over tracks which have been traditionally used by the public with or without lessee's permission. During the information gathering meetings it was revealed that the public has constantly used the track along the Carrick Ridge for 4WD access and branched off it in places causing damage to the surrounding tussocklands landscapes. A formal easement along the existing Carrick Ridge 4WD track allowing public vehicle access with all the maintenance cost covered by DoC was considered a desirable outcome by all parties to establish greater control of off road vehicle use and thereby minimise damage outside this designation while also providing the opportunity for legal continuation of a popular recreational activity in this area.

Although the point relates to objects and matters to be taken into account in the CPLA, it does not introduce new information or a perspective not previously considered. Also, while it does highlight issues previously considered and the submitter articulates reasons why

they prefer an alternative outcome it is considered those reasons have been thoroughly investigated.

The point has therefore not been accepted for further consideration in the formulation of the Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
16	Access for recreational hunters should be provided over the easements.	6	Allow	Accept
Rationale for Allow or Disallow				

The submitter states they would like access for recreational hunters to be provided. They do not specify they require vehicle access but it is interpreted this is what is being requested as full public access with guns and dogs for those holding a hunting permit for the adjoining conservation area is provided for the easements in the current proposal. The submitter suggests this will also allow recreational hunters to assist DoC manage any game species present and reduce their costs.

Securing of public access to the reviewable land is an object of tenure review under Section 24(c)(i) of the CPLA and therefore the point has been allowed for further consideration.

Rationale for Accept or Not Accept
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The sub-point relates to the objects and matters to be taken into account in the CPLA. While it has not introduced any new information it does highlight an issue previously considered and the submitter articulate reasons why an alternative outcome under the CPLA is preferred.

The sub-point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
17	The proposed easements need signage to mark start and end points.	4	Disallow	N/A
Rationale for Allow or Disallow				

The submitter has requested the start and end points of the proposed easements are signposted. They said as an example there needs to be a sign at the Nevis Crossing indicating the direction towards the start of easement "d-b-c".

This point is considered to be a post tenure review land management issue for DoC and not a relevant matter able to be dealt with by the CPLA.

This point has therefore been disallowed for further consideration within tenure review but the comments made by the submitter will be referred to the Department of Conservation to take into account in determining future management of the easements.

Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
18	Fish and Game access for management purposes should be provided over all the DoC management easements.	12	Allow	Not Accept

Rationale for Allow or Disallow

The submitter states that on occasion they may need to access the land for management purposes and understand they have the same access rights for this purpose as DoC. They have requested the proposal provides management access for them.

It is expected those rights will be available under the proposed DoC management easements but until those access rights are formally confirmed by DoC the submitter has requested a letter from DoC or LINZ confirming they have the same rights for management access. It is unclear whether access to parts of the proposed freehold is being requested or solely to the proposed conservation area.

The point relates to the protection of recreational values comprising sports fish and game bird hunting (by allowing the management of these species), which are significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values therefore this point has been allowed for further consideration.

Rationale for Accept or Not Accept

Consultation with Fish and Game Council and the Department of Conservation has established Fish and Game Council staff can access DoC management easements for management purposes as invitees of DoC with agreement from the relevant Area Manager provided their management is consistent with the management of the conservation area.

Although the point relates to objects and matters to be taken into account in the CPLA, it does not introduce new information or a perspective not previously considered. Also, while it does highlight issues previously considered and the submitter articulates reasons why they prefer an alternative outcome, those reasons have been investigated and addressed.

The point has therefore not been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
19	Easement “a-b-c, b-d” conditions should be amended to provide better public access provisions.	4, 7	Allow (Sub-points a & b)	Accept (being Sub-points a & b)
Rationale for Allow or Disallow				

**Sub-point (a)**

Submitter 4 states that easement “a-b-c” is very important for the conservation area CA1 to work and foot access needs to be unrestricted all year round with no provision for closure.

**Sub-point (b)**

Submitter 7 suggest vehicle access needs to be provided over easement “a-b-c, b-d” with a parking area at or near point “c”. The submitter is concerned about safety in this environment which they point out is subject to variable and sudden changes in weather conditions. They consider vehicle access provides safety when a quick exit is required. They also consider the intent and spirit of the Act is that public access should be made available to public land with access available to all (not just for the fit) and not providing access for all is undemocratic. They consider children or older people in many cases may not be able to access these areas if vehicle access is not provided.

Securing of public access to the reviewable land is an object of tenure review under Section 24(c)(i) of the CPLA and therefore the point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to the objects and matters to be taken into account in the CPLA and while it also highlights issues previously considered, the submitters articulate reasons why an alternative outcome under the CPLA is preferred.

The point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
20	Secure public access to the property needs to be provided, either by the existing legal roads or over the existing 4WD tracks through the adjoining property.	7, 9, 10	Disallow	N/A
Rationale for Allow or Disallow				



Submitters 7 and 9 identify that providing adequate legal public access to “a” and “h” will require formal access agreements to be secured with the lessee of Craigroy pastoral lease.

Submitter 7 suggests that the existing legal road that runs from the Nevis Road to Potters Creek is developed as an access route or that a replacement alignment is agreed with the Craigroy lessees to create a walking and biking easement in to Potters Creek.

Submitter 10 questions legal access to the property either by the legal road which they state appears to be in the river bed or by access over the existing 4WD track through the adjoining Craigroy Pastoral Lease to point “d”. They understand the track through Craigroy is not a legal road and access would depend on permission from the lessee. They suggest the proposal needs to be amended to secure public access to the property at “a” and “d”.

The point relates to land adjoining the reviewable land and is therefore not a matter able to be dealt with by the Crown Pastoral Land Act, this point is therefore disallowed. Doc will however be notified of the issues raised by the submitters in relation to legal access to the commencement of the identified easements. This will help ensure the matter is investigated and if necessary addressed either as part of the tenure review of Craigroy pastoral lease or outside of the tenure review process. It is noted that this point will also be dealt with indirectly in considering accepted previous points relating to use of easements by public vehicles.

Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
21	The legal road through Conservation Covenant CC3 up Potters Creek Gully should be pegged.	6	Disallow	N/A

Rationale for Allow or Disallow

The Submitter suggests pegging the legal road through Conservation Covenant CC3 up Potters Creek Gully would provide an interesting walk.

Legal roads are located outside of the reviewable land and are therefore not matters able to be dealt with by the Crown Pastoral Land Act, this point is therefore disallowed.

Rationale for Accept or Not Accept

N/A.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
22	Formal consultation with Ngāi Tahu needs to be undertaken to determine the likely routes used by Maori and ensure appropriate protection of these values are provided.	8	Allow	Not Accept
Rationale for Allow or Disallow				

The submitter states that the route through the Nevis Valley was particularly important for Maori. They believe there needs to be formal consultation with Ngāi Tahu to determine the likely routes used by Maori before the area is freeholded. They suggest if these routes traverses CC4 then appropriate easements or the retention of the route in full Crown ownership needs to be negotiated with Ngāi Tahu.

The point relates to the appropriate protection of significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, hence this point has been allowed for further consideration.

Rationale for Accept or Not Accept
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Consultation with Ngāi Tahu is a statutory requirement of the CPLA. An Iwi inspection was carried out early on in the tenure review and the Cultural Values Report resulting from that inspection contained recommendations for the wetlands towards the top of the Nevis Block be protected and an archaeological inspection is carried out. The subsequent archaeological inspection did not identify any likely routes used by Maori for protection.

Although the point relates to the objects and matters to be taken into account in the CPLA, it does not introduce new information or a perspective not previously considered, nor does it highlight any issues not previously considered.

The point has therefore not been accepted for further consideration in the formulation of the Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
23	A thorough field based archaeological assessment of the property should be undertaken to locate, assess and recommend appropriate levels of protection for all historic heritage values.	13	Allow	Accept
Rationale for Allow or Disallow				

The submitter considers that given the tenure review reports indicate the property contains a number of historic and archaeological sites these findings should have acted as a trigger

for an archaeological assessment to be undertaken. They state it appears information has been obtained from NZAA site record database and/or desktop historic research where they advise the quality of the data in the NZAA database varies and should not be relied upon.

The submitter suggests that a thorough field based archaeological assessment of the property should now be undertaken to properly locate, assess and recommend appropriate levels of protection for all historic heritage values identified.

The submitter suggests the proposed freeholding ought to be revisited in view of the need to have this assessment. They advise they are able to provide advice on how to undertake this work. They further suggest an assessment would help to determine if the proposed Historic Reserve R captures all historic values and provide guidance to the proposed photopoint monitoring and help to determine if cattle grazing is likely to damage the sites.

The point relates to the appropriate protection of significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, hence this point has been allowed for further consideration.

Rationale for Accept or Not Accept
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It is acknowledged that collation of information relating to the historic heritage values on this property is limited to the work undertaken by DoC in preparing the Conservation Resources Report and further work maybe required to ensure all significant sites and values have been identified. In addition, for land proposed to be freeholded the sensitive land process now requires all historic sites to be registered with the Historic Places Trust (HPT) and all HPT registered sites to be recorded.

The point relates to the objects and matters to be taken into account in the CPLA. While it has not introduced any new information it does highlight an issue previously considered and the submitter articulate reasons why an alternative outcome under the CPLA maybe preferred.

The point has therefore been accepted for further consideration in the formulation of the Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
24	Exploration and mining companies should get ongoing access to either the Crown or freehold land, for current and future prospecting and exploration activities to continue.	11, 16, 17	Disallow	N/A

Rationale for Allow or Disallow
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The submitters identified the area has rich gold mineral resources.

Submitter 11 and 16 contend that gaining access to land that has transferred into the Conservation estate for mining activities can be very difficult. In the interests of the potential economic benefits, the submitters requested that some action should be taken to ensure that access for prospecting, exploration and mining options are provided for on reasonable terms so those options are not effectively closed off through transferring land to the Crown or freeholded.

Submitter 17 focused on land going to the Department of Conservation estate and suggested amending the Conservation Act to minimise DoC,s authority and leave it up to local authorities and the RMA to decide on access to Crown minerals on and in the land administered by DoC.

Existing exploration or mining permits will continue to exist after tenure review over land being retained as Conservation Areas. In relation to future activities, gaining economic benefits from the mineral wealth beneath the land is not an objective required to be taken into account under s24 of the CPLA. In addition, gaining future exploration or mining access agreements can be achieved over Conservation land, and the provisions of the Crown Minerals Act 1991 and the Conservation Act 1987 provide the appropriate framework for the assessment of such proposals. Since the point is not a matter to be dealt with under the CPLA the point is disallowed for further consideration.

Rationale for Accept or Not Accept
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N/A

## Summary and Conclusion

Overview of analysis:
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Seventeen submissions were received from mainly non government environmental and recreation groups together with private individuals and a government department.

Eleven out of the total of seventeen submitters expressed statements of support for various aspects of the proposal.

There was particular opposition to the extensive use of conservation covenants where up to seven submitters considered part of land proposed to be included within the covenants should be retained in Crown ownership.

There was also a significant focus on amending the conditions of one of the more extensive Conservation Covenants (CC4) to provide better protection of the landscape and historic values. Several submitters expressed similar views aimed at achieving improved protection of mainly landscape values over the land proposed to be included within the other covenants.

There was particular concern about sustainability issues associated with the proposal to freehold land over 1,000 metres in altitude. Submitters concerns related to not only the proposed freeholding of that land but also to the use of conservation covenants as the mechanism to enable the protection of significant inherent values but also promote the management of land at that altitude in a way that is ecologically sustainable. Several

submitters expressed the view that conservation covenants are not an appropriate mechanism to ensure land is managed in a manner that is ecologically sustainable.

Four submitters considered the grazing concession over the Historic reserve R should be amended to provide improved protection of the historic values.

Three submitters considered the proposal did not provide secure public access to proposed easements “a-b-c”, “d-b” and “h-i-j” because they are reliant on the tenure review outcome over existing tracks on the adjoining Craigroy Pastoral Lease.

From the 24 points derived from the 17 submissions received 17 were allowed (either fully or in part) for further consideration. 13 of the allowed points and sub-points were accepted for further consideration in the formulation of the Substantive Proposal.

#### Generic issues:

The key generic issues identified are:

- Concerns about the conditions of a grazing concession over an area containing historic values.
- Opposition to the extensive use of conservation covenants.
- Concerns that conservation covenants can be used to promote management of land over 1000 m in altitude in a way that is ecologically sustainable.
- Suggestions to amend the conditions in the more extensive conservation covenants to provide for greater protection of landscape and historic values.
- Suggestions for better access provisions, particularly more public vehicle access.
- Concern about secure public access to the boundary of the reviewable land.
- Concern about a lack of a field based archaeological assessment and inventory of European historic heritage values.

#### Gaps identified in the proposal or tenure review process:

The only gap identified was the lack of a field based archaeological assessment of European historic heritage values related to the extensive and concentrated gold mining activity on this property dating from the 1860s. The absence of a complete inventory of all the historic values and sites on this property consequently represents a potential gap in the resource information. This consequently also may indicate a potential gap in providing appropriate protection for historic heritage sites or values that may be present on the proposed freehold.

#### Risks identified:

The sensitive land process now requires all historic sites to be registered with the Historic Places Trust. The gap identified and outlined above relating to the lack of a field based archaeological assessment does present a potential risk of certain historic sites not being identified and if necessary, provided with the appropriate level of protection until very late in the tenure review process.

General trends in the submitters' comments:

The majority of comments and suggested changes to the advertised Preliminary proposal advocated by submitters relate to three main issues:

1. Additional land to be retained by the Crown due to concerns about sustainability of land over 1,000 metres in altitude.
2. Improved protection of the extensive landscape and historic values.
3. Improved public access, both more public vehicle access and secure public access to the reviewable land.

List of submitters:

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

I recommend approval of this analysis and recommendations

*I recommend approval  
KMLee*

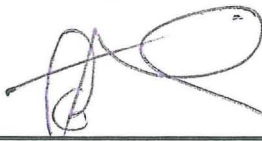


Simon deLautour – Tenure Review Consultant

Date *21/01/2010*

**KARYN MICHELLE LEE**  
PORTFOLIO MANAGER  
CROWN PROPERTY MANAGEMENT  
C/- LINZ, CHRISTCHURCH

Peer reviewed by



Dave Payton – Tenure Review Contract Manager

Date *21/01/2010*

Approved/~~Declined~~



Commissioner of Crown Lands

Date *28-1-10*

**Mathew Clark (Manager Pastoral)**  
Land Information New Zealand  
Under delegated authority of the  
Commissioner of Crown Lands.