

Crown Pastoral Land Tenure Review

Lease name : *Kawarau / Mt
Difficulty*

Lease number : PO 234 / PO 353

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.

May

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ANALYSIS
OF
PUBLIC SUBMISSIONS

MT DIFFICULTY
&
KAWARAU STATION



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ANALYSIS OF PUBLIC SUBMISSIONS

Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act 1998

**MT DIFFICULTY TENURE REVIEW NO 62.1
AND
KAWARAU STATION TENURE REVIEW NO 62.2**

Details of lease

Lease name: Mt Difficulty and Kawarau Station pastoral leases

Location: Bannockburn, Central Otago

Lessee: Kawarau Station Limited

Public notice of preliminary proposal

Date advertised: Saturday 10th December 2011

Newspapers advertised in:

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

Closing date for submissions: 27th February 2012

Details of submissions received

Number received by closing date: 9

A submission was received on the 28th of February after the closing date, which was approved by LINZ on the 29th of February for inclusion in the analysis. One further submission was received on the 12th of March which was approved by LINZ on the 27th of March for inclusion in the analysis.

Cross-section of groups/individuals represented by submissions:

Submissions were received from non government environmental organisations, recreation groups, Crown entities and two private individuals.

Number of late submissions refused/other: Nil

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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.

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Analysis

The submissions have been numbered in the order in which they were received and points numbered on the same basis.

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

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Statements of support for aspects of the proposal.	1, 2, 3, 4, 5, 6, 7	Allow	Accept
Rationale for Allow or Disallow				

The submitters listed above in the summary provided support for various aspects of the proposal. There was consistent support for all the areas proposed to be retained in Crown control, while a number also suggested extensions to land proposed to be retained in Crown ownership, particularly to CA1 as outlined below in point 2.

In terms of the proposed freehold land, there was also consistent support for the extensive network of proposed easements, while a number also suggested additional easements as outlined below in point 3.

Most submitters did not comment on the number of existing easements that are to continue in force over the land, those that did supported them.

The above statements of support are validly made, are relevant to the tenure review and can be properly considered under the CPLA. The statements of support relate to most aspects of the proposal. General statements of support for the proposal relate to Sections 24(a), 24(b) and 24(c) of the CPLA. These statements of support have therefore been allowed for further consideration.

Rationale for Accept or Not Accept

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.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2 (Sub-points a, b, c, d, e, f, g & h)	Conservation Area CA1 should be extended.	1, 2, 3, 4, 6, 7	Allow (Sub-points a, b, c, d, e, f, g & h)	Accept (Sub-points a, b, c, d, e, f, g & h)
Rationale for Allow or Disallow				

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Six submitters suggested Conservation Area CA1 be extended, some suggested small extensions over specific sites or areas while other submitters wanted more extensive areas included within CA1, usually above a certain altitude. All suggested amendments are outlined below as eight different sub-points.

Sub-point (a)

Extend CA1 along the Carrick Range to existing Long Gully conservation land:

Submitter 1 has requested CA1 be extended along the crest of the Carrick Range to connect with the existing Long Gully Conservation Area to provide access between these two areas. They expressed concern that the proposal leaves two existing conservation areas as isolated tracts of public land surrounded by freehold land. Their main concern was the larger Long Gully Conservation Area. If this request is not possible they have requested an easement be provided as outlined in sub-point 3(a) below. It is clear that the submitter is suggesting the conservation area be extended for reasons of access only.

Sub-point (b)

Extend CA1 to include the Stone Hut and surrounding shrublands:

Submitter 2 wants CA1 extended over those parts of CC1 that includes the Stone Hut and surrounding shrublands in the unnamed creek on the Nevis Face which they consider also contains significant inherent values. They consider the stone hut would add greatly to the recreational value of CA1.

Sub-point (c)

Extend CA1 to include land in the headwaters of Slapjack Creek above the 1200 m contour:

Submitter 2 wants CA1 extended over the headwaters of Slapjack Creek which they consider contains significant inherent values.

Submitter 7 does not mention the headwaters of Slapjack Creek, but it is interpreted they are referring to this area as they suggest the boundary of CA1 near "W" is adjusted to take in land above the 1200 metre contour to enclose the high point at 1313 metres.

Sub-point (d)

Extend CA1 to include the two gold mining sites if they are not currently within CA1, and if appropriate consideration be given to protecting them as a Historic Reserve:

Submitter 2 wants CA1 extended to include two gold mining sites. They have said its important the sites are protected because they have been assessed as representing a class of site which is now rare. They further suggested they could be protected in a designated Historic Reserve if not included within CA1.

Sub-point (e)

Extend CA1 to include the steep rocky Class VIII land in the Nevis Gorge:

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Submitter 2 considers there are four areas (none very large, and not more than 500 ha in total) of Class VIII land, which is a class of land considered not capable of supporting ecologically sustainable pastoral use and are unsuitable for freeholding, these areas also contain some significant inherent values. One lies partly within CA1 and CC1 in the Nevis Gorge and the submitter considers CA1 could be extended to incorporate all the steep rocky Class VIII land in the gorge.

Sub-point (f)

Extend CA1 to include land above 1,000m and classified as Class VIIe at the head of Long Gully:

A second area considered by submitter 2 as being Class VIII land unsuitable for freeholding and also containing significant inherent values is at the head of Long Gully currently proposed as part of CC2, should instead be added to CA1. They suggest the worst of the eroded and barren land at the head of the gully is included within CA1. However, the area above 1,000 metres and classified as LUC Class VIIe land is more extensive which they consider is incapable of supporting ecologically sustainable land use and should not be freeholded.

Submitter 3 suggests the eroded head of Long Gully be accorded some form of protection given its LUC status.

Submitter 4 has also expressed concern about for the land above 900 metres at the head of Long Gully and Potters Creek which they said is subject to soil erosion in some parts, is classed as LUC VII and VIII and therefore not suitable for grazing. They consider because it's not economically viable to replace soil nutrients removed by pastoral use at those altitudes it's not ecologically sustainable to farm it. They have suggested it should be returned to the Crown for protection as it also has other significant values in its wetlands such as finger bogs. They have further suggested the proposed fence line W-X be altered to run up the ridge from "W" to Slapjack Conservation Area. They further suggest another part of the fence line run from "X" towards the Long Gully Conservation Area to about 500 metres south of Trig F, then across Long Gully at about the 900 metre contour to join these two conservation areas together, as shown on the map with their submission.

Sub-point (g)

Extend CA1 to include all of CC1:

Submitter 3 believes CC1 warrants classification as a conservation area and should be added to CA1 with the same grazing concession and monitoring in place. They point out that within CC1 there are significant inherent values, such as landscape values of the Nevis Face, part of RAP 2/1 Slapjack Creek which contains habitats of threatened species, riparian shrublands, short tussocklands and mid-altitude mixed shrublands and short tussocklands. They also point out CC1 contains two historic huts which would be of considerable interest to the public.

Sub-point (h)

Extend CA1 to include all land above 900 m (land classified as Class VIIe and VIII land:

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Submitter 6 is concerned that some 1000 hectares of land above 900-1000 metres, generally along the crest of the Carrick Range is being freeholded subject to covenants. They have stated that land above 900 metres coincides with areas classified as LUC Class VIIe and VIII and also currently defined as “Outstanding Landscape Value” in the Central Otago District Council’s District Plan. They suggest that area is incapable of being sustainably managed for pastoral farming. They express that they are not sure on the most practical solution in terms of boundaries, but ideally this land should be added to CA1 and preferably grazing cease.

Submitter 4 stated they would like to see CA1 extended north to take in more of the land above 900 metres.

Submitter 7 specifies the land currently proposed as CC2 which is above 900 metres from the Long Gully area to Mt Difficulty should be added to CA1.

All sub-points relate to the protection of various significant inherent values, while some also relate to ecological sustainability of the land. Sections 24 (a) and 24(b) of the CPLA relates to management of the land in a way that is ecological sustainable and the protection of significant inherent values, all sub-points have therefore been allowed for further consideration.

Rationale for Accept or Not Accept

The sub-points all relate to objects and matters that can be taken into account in the CPLA, as discussed above. Although the extent of Conservation Area CA1 has been well considered, the submitters have articulated reasons why they prefer an alternative outcome, being concerns about managing the land in a way that is ecologically sustainable, and enabling the protection of various significance inherent values.

All sub-points have 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
3 (Sub-points a, b, c, d, e, f, & g)	Additional public access easements should be created.	1, 2, 3, 4, 5, 6, 7	Allow in part (being Sub-points a, b, d, e & g)	Accept in part (being Sub-points a, b, d, e & g)

Rationale for Allow or Disallow

Sub-point (a)

Additional easement along Carrick Range from X to the existing Long Gully conservation land:

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Submitter 1 has suggested if an extension of CA1 that they requested in sub-point 2(a) above cannot be adopted then at least there should be a public foot easement. They suggest the easement be created along the crest of the Carrick Range from CA1 at point X on the plan to the unnamed peak at the south end of Long Gully Conservation Area. They also suggested the easement should allow for cross country ski access. They were concerned that the review leaves two existing conservations areas as isolated tracts of public land surrounded by freehold land and the fact that the larger one (Long Gully) did not have a direct connection with CA1 along the crest of the Carrick Range.

Sub-point (b)

Additional easement from point “p” to ‘d” down Slapjack Creek:

Submitters 2, 3, 4, 5, 7 all suggested there should be public access from point “p” to ‘d” down Slapjack Creek as it provides an additional route to the Nevis Gorge to allow it to link with proposed easement “c-d” and provide access to the area of Crown Land CL creating a round trip.

Submitter 2 said there is clarification required on how access to point “d” is gained, otherwise an easement down Slapjack Creek from point “p” should be created. The submitter was discussing access to and from the Crown Land area CL and the Historic Reserve R1 via the proposed easements “a-b” and “c-d”. They thought that it appears that both the Kawarau and Nevis Rivers may need to be crossed in order to gain access to point “d” in order to eventually gain access to CL.

Submitter 3 suggests access from point “p” down the existing track to the pylon at GR 87941 01557 is straightforward and access should be possible from the pylon down to the Slapjack Creek Nevis River confluence which may require some track formation post tenure review.

Submitter 7 suggests Slapjack Saddle can usefully be regarded as a hub at point “m” where a variety of recreational routes can depart or pass through.

Sub-point (c)

Clarification on the interrelationships between the easements is required to meet the CPLA requirements to secure public access:

Submitter 2 said they had difficulty in interpreting the precise locations of, and the interrelationships between, the proposed access routes which they believe require clarification in order to satisfy the CPL Act requirement to “secure public access”.

Submitter 6 said clarification is required on how the public gain access to point “d” but did not make any recommendations about any additional easements to be created. They stated it seems unrealistic the public would cross the Nevis River at point “d”.

Sub-point (d)

Additional easement to the two stone huts within CC1:

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Submitter 4 suggests it would be advantageous if the public had walking access to the two stone huts within CC1 because of their historic interest. They suggest they could be accessed over the existing farm tracks, the northern hut from point “p” and the southern hut from point “v”.

Submitter 7 made the same recommendation suggesting a 20 metre wide easement to and around the two huts.

Sub-point (e)

Additional easement from R1 up the ridge track to the summit of Mt Difficulty for foot and bike access:

Submitter 5 and 7 consider one improvement to the Historic Reserve R1 would be a walking and biking easement up the ridge from the reserve to the summit of Mt Difficulty and point “l”. This would link with the other proposed easements and provide a round route for the public from Bannockburn.

Submitter 7 suggests without this access and another one nearby as outlined in sub-point 3(g) below there would be no enduring public access to the Kawarau River via the western side of Mt Difficulty and the Carrick Range. They further suggest it will add considerable value to the public recreational enjoyment of CC2.

Sub-point (f)

Additional easement between b and c if the Historic Reserve doesn’t provide full public access:

Submitter 7 states that easements listed in the proposal do not include an automatic connection between “b” and “c”. They believe the Historic Reserve R1 provides full public access, but if it doesn’t they have requested a public easement through or around the reserve.

Sub-point (g)

Additional easement from the summit of Mt Difficulty westwards down to the Kawarau River through the middle of CC2:

Submitter 7 has suggested an easement from the summit of Mt Difficulty down the zig zag farm track on the main face of CC2 in the middle of the covenant to the Kawarau River. They suggest without this access and the other one to the Historic Reserve R1 as outlined in sub-point 3(e) above there would be no enduring public access to the Kawarau River via the western side of Mt Difficulty and the Carrick Range. They further suggest it will add considerable value to the public recreational enjoyment of CC2.

Sub-points (a), (b), (d), (e) and (g) all relate to the creation of additional public access easements over proposed freehold land. 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 sub-points have been allowed for further consideration.

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Sub-point (c) relates to clarification on the interrelationships between the easements in order to meet the requirements of the CPLA. The proposed easements secure public access to the reviewable land and their interrelationship are clearly depicted on the proposed designation plan and in the proposal. The point can not be properly considered under the CPLA and has therefore been disallowed for further consideration.

Sub-point (f) relates to the creation of an easement through an area of land proposed to be retained in Crown ownership (Historic Reserve R1) which provides full public access rendering any public access easement unnecessary. On this basis the point can not be properly considered under the CPLA. If the submitter is concerned about identifying a route enabling practical physical access through the reserve, then this 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. The sub-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 Historic Reserve.

Rationale for Accept or Not Accept

Sub-points (a), (b), (d), (e) and (g) all relate to objects and matters that can be taken into account in the CPLA, as discussed above. The submitters' have provided a reason with each sub-point why they prefer an alternative outcome, being the need for access to specific sites and areas or to complete loop access routes.

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

Sub-points (c) and (f)

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4 (Sub-points a, b & c)	The grazing concession over CA1 should be amended.	2, 3, 5, 6, 7, 9	Allow (Sub-points a, b & c)	Accept (Sub-points a, b & c)

Rationale for Allow or Disallow

Sub-point (a)

The effects of the grazing concession over CA1 should be monitored with provision to adjust grazing if adverse effects are recorded:

Submitters' 2, 3, 6 and 7 point out because of the rare and threatened plants within CA1 it's important any effects of grazing and browsing are monitored and if adverse effects are recorded, the grazing concession should be revised with changes to stocking rates.

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Submitter 2 suggests grazing stock should be removed immediately before the management is revised.

Submitter 6 has suggested photo point monitoring to include both representative areas of the grassland and shrubland communities as well as all the known rare and threatened plant species.

Submitter 7 also mentions monitoring for the historic values.

Sub-point (b)

The period of the grazing concession over CA1 should be reduced down to 5 years:

Submitter 5 suggests a 10 year grazing concession will delay the recovery of vegetation and is an ongoing burden for the ecosystems. They consider a transition period of 5 years should be adequate.

Sub-point (c)

The grazing concession over CA1 should include conditions to protect the alluvial working sites from all pastoral activities:

Submitter 9 recommends the concession include conditions that ensure alluvial working sites are not affected by over stocking, fencing or tracking. They suggest an appropriate protective mechanism may be a Heritage Covenant. The submitter notes the area contains at least two sites recorded in the NZ Archaeological Association site recording scheme and the alluvial working sites are a rare remnant of the earliest attempts at gold mining.

Sub-points (a), (b) and (c) are relevant to tenure review and can be properly considered under the CPLA. They 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 the sub-points have been allowed for further consideration.

Rationale for Accept or Not Accept

Sub-points (a), (b) and (c) all relate to objects and matters that can be taken into account in the CPLA, as discussed above. Although the conditions of the grazing concession have been well considered, the submitters have articulated reasons why they prefer an alternative outcome, being concerns about maintaining the values identified while stock continue to graze the area.

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

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Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5 (Sub-points a & b)	The Carricktown track should have legal access secured.	2, 6, 7	Disallow (Sub-points a & b)	N/A (Sub-points a & b)
Rationale for Allow or Disallow				

Sub-point (a)

The existing formation of the Carricktown track should be recognised as the legal road:

Submitters' 2 and 6 have suggested the Carricktown track formation near the boundary of Historic Reserve R2 should be formally recognised as the legal road. They consider the fact that the formation may not be aligned to the legal road in places does not satisfy the CPL Act requirement to secure public access to and enjoyment of the high country land.

Redefinition or recognition of actual track formations within the reviewable land as legal road is not a matter able to be dealt with by the Crown Pastoral Land Act and therefore this sub-point has been disallowed.

Sub-point (b)

The existing formation of the Carricktown track should be designated as a formal easement for public access:

Submitters' 2, 6 and 7 have also suggested the existing formation of the Carricktown track should be designated as a formal easement for public access for the same reasons they provided in sub-point 5(a) above, to secure public access to the reviewable land in order to meet the objects of the Act.

Various parts, or possibly all of the existing 4WD track formation are either located within the proposed Historic Reserve R2, aligned to the legal road or outside of the pastoral lease. Given parts of the formation that are potentially within the reviewable land (Kawarau pastoral lease) will be located on land proposed to be retained by the Crown, which provides for full public access, creation of an easement is not necessary and for that situation the submitters concerns are addressed.

Based on this, it is apparent that legal public access is already secured over any section(s) of the track formation that are located on land proposed to be retained by the Crown as Historic Reserve.

The other possibilities of the formation being located on the legal road or other land outside the lease relates to areas that are outside of the reviewable land and are therefore not matters able to be dealt with by the Crown Pastoral Land Act. This sub-point is therefore disallowed.

Rationale for Accept or Not Accept

Sub-point (a)

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N/A.

Sub-point (b)

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6 (Sub-points a, b & c)	The Grazing Concession over R2 should be amended.	2, 5, 6, 7	Allow (Sub-points a, b & c)	Accept (Sub-points a, b & c)
Rationale for Allow or Disallow				

Sub-point (a)

The grazing concession over R2 should restrict grazing to a shorter period of time at the same stocking rate:

Submitters' 2 and 6 suggests that for the purpose of controlling pasture growth, grazing pressure of 300 sheep over a shorter period of 6 months during spring and early summer could be more effective than the original proposal of 300 sheep over the whole year.

Sub-point (b)

The grazing concession over R2 should be reduced down to 10 years and then reviewed:

Submitter 5 has suggested a grazing concession for a period of 10 years which is open to review, would be more appropriate. They point out that the 30 year concession is exceptionally long and asks whether the natural values are so low that they do not need a greater level of protection.

Sub-point (c)

The grazing concession over R2 should be monitored:

Submitter 7 suggests the proposed grazing concession should be monitored so the sheep grazing does not become a threat to the integrity of the historic area.

Sub-points (a), (b) and (c) are relevant to tenure review and can be properly considered under the CPLA. They relate to the protection of historic and recreational significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the sub-points have been allowed for further consideration.

Rationale for Accept or Not Accept

Sub-points (a), (b) and (c) all relate to objects and matters that can be taken into account in the CPLA, as discussed above. Although the conditions of the grazing concession have

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been previously considered, the submitters have articulated reasons why they prefer an alternative outcome, being concerns about controlling pasture growth and the protection of significant inherent values.

All three sub-points have 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
7 (Sub-points a, b & c)	The area of Crown Land CL should be extended.	2, 3, 6, 9	Allow (Sub-points a, b & c)	Accept (Sub-points a, b & c)
Rationale for Allow or Disallow				

Sub-point (a)

Extend CL to include the area of Class VIII land just north of the summit of Mt Difficulty:

Submitter 2 considers there are four areas (none very large, and not more than 500 ha in total) of Class VIII land, which is a class of land considered not capable of supporting ecologically sustainable pastoral use and are unsuitable for freeholding, these areas also contain some significant inherent values. Two of these areas were outlined above in sub-points 2(e) and 2(f). A third area lies just north of the summit of Mt Difficulty and on the Kawarau (Meg) face. The submitter recommends this area be included within the area of Crown Land CL which would involve adjusting the alignment of proposed fence S-T if the current the proposal does not already provide for that outcome.

Submitter 6 also considers the same area also justifies protection from further grazing.

Sub-point (b)

Extend CL to the west to include the unnamed catchment which is part of RAP 1/1 Mt Difficulty:

Submitters' 2, 3 and 6 consider the catchment on the western face of the northern end of the Carrick Range should be retained in Crown control by extending the area of Crown Land CL. They highlight that this area was identified in the PNA programme surveys and was recommended for protection as RAP 1/1 Mt Difficulty. The PNA survey considered the ecological value lies in the contrasting east/west aspects across the crest of the Carrick Range this catchment has with the Cascade Stream area currently within Crown land CL.

Sub-point (c)

Extend CL to include the upper most part of the lease around the Historic Reserve R1 to protect heritage sites:

Submitter 9 recommends that the uppermost part of the lease be added to the area of Crown Land CL, possibly with a Special Lease to afford protection to the heritage sites, as

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shown on a modified designations plan included with their submission. They have highlighted the area contains several important historic and archaeological sites including dams, a pack track, sluice tailings, huts and mine shafts, all with NZ Archaeological Association site reference numbers.

Sub-points (a), (b) and (c) are relevant to tenure review and can be properly considered under the CPLA. They 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 the sub-points have been allowed for further consideration.

Rationale for Accept or Not Accept

Sub-points (a), (b) and (c) all relate to objects and matters that can be taken into account in the CPLA, as discussed above. Although the extent of the area of proposed Crown Land CL was well considered, the submitters' have articulated reasons why they prefer an alternative outcome, being concerns about the protection of significant inherent values over land adjoining CL.

All sub-points have 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	A Sustainable Management Covenant should be considered for all Class VIIe and VIII land.	2	Allow	Accept

Rationale for Allow or Disallow

Submitter 2 has suggested that all the LUC Class VIIe and VIII land should be reviewed with a view to establishing a Sustainable Management Covenant (SMC). They expressed concern that there is a large area characterised by Carrick and Dunstan soils of LUC Class VIII and VIIe land which is unlikely to be capable of supporting ecologically sustainable pastoral use. They have suggested the SMC could provide transitional grazing that would be monitored.

The submitter's point is relevant to tenure review and can be properly considered under the CPLA. It relates to ecological sustainability of land being freeholded. Section 24(a) of the CPLA relates to promoting the management of reviewable land in a way that is ecologically sustainable, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point is related to objects and matters that can be taken into account in the CPLA, as discussed above. Although the type of designations over the proposed freehold land was well considered, the submitters' have articulated reasons why they prefer an alternative outcome, being concerns about ecological sustainability of Class VIIe and VIII land.

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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	Conservation Covenant CC2 conditions should not be finalised until the CODC plan changes have been finalised.	2	Disallow	N/A

Rationale for Allow or Disallow

Submitter 2 notes that the purpose of proposed covenant CC2 is to provide protection of the significant inherent landscape values within the area defined as “Outstanding Landscape Value” within the CODC District Plan and for land over 900 metres, which under the current District Plan rules, the reviewable land would not be afforded this protection once freeholded by tenure review. They further note the District Plan is being considered for change under Plan Change 5 and therefore the reasons for CC2 may also change. The submitter believes it is too early to make recommendations on the terms and conditions of CC2 and should therefore be put on hold until Plan Change 5 issues have been resolved.

The point relates to possible changes to District Plan rules and legislation outside of tenure review. It is therefore not a matter able to be dealt with by the Crown Pastoral Land Act and the point is therefore disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10 (Sub-points a & b)	Conservation Covenant CC1 should be amended.	3, 4	Allow (Sub-points a & b)	Accept (Sub-points a & b)

Rationale for Allow or Disallow

Sub-point (a)

Conservation Covenant CC1 should provide for public wander at will foot access:

Submitter 3 in point 2(g) above suggested CA1 could be extended to include all of CC1 because of the matrix of significant inherent values that exists within the area. They have further suggested if the covenant remains designated as a covenant, then at the very least walking access should be made available so people can enjoy the botanical and other natural values including the two historic stone huts which they consider would be of considerable interest to the public.

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Sub-point (a) is relevant to tenure review and can be properly considered under the CPLA. It is related to the securing of public access to and enjoyment of the reviewable land. Section 24(c) of the CPLA relates to the securing of public access to and enjoyment of the reviewable land, so the point has been allowed for further consideration.

Sub-point (b)

Conservation Covenant CC1 should specify that spraying from the air using a boom should not be permitted:

Submitter 4 is concerned about the special conditions in the covenant related to the spraying of briar, which allows spraying only to control sweet briar. Because briar is widespread they are concerned any spraying will be done by air using a boom as a blanket operation as it would kill other woody species. They suggest this type of spraying not be permitted.

Sub-point (b) is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of significant inherent ecological values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

Sub-point (a) relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the conditions in the proposed conservation covenant have been previously considered, the submitter has articulated reasons why they prefer an alternative outcome, being suggestions about the enhanced enjoyment providing wander at will access over the covenant area would provide.

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

Sub-point (b) relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the conditions in the proposed conservation covenant have been previously considered, the submitter has articulated reasons why they prefer an alternative outcome, being concerns about blanket spraying destroying significant inherent ecological values within the covenant.

The 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 should be extended.	3	Allow	Accept

Rationale for Allow or Disallow

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Submitter 3 suggest conservation covenant CC2 should be extended to the boundary of CC1 by including the Slapjack Creek catchment which is currently unencumbered. They consider the shrubland, including one large kowhai and other values warrants protection as a covenant.

The point is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of significant inherent ecological values. Section 24(b) of the CPLA relates to the protection of significant inherent ecological values, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the extent of covenant CC2 has been well considered, the submitter has articulated reasons why they prefer an alternative outcome, being the protection of significance inherent ecological values over an area currently proposed as unencumbered freehold land.

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
12	Public access provisions should be implemented where the legal road around the Kawarau River doesn't allow physical access.	4	Disallow	N/A

Rationale for Allow or Disallow

Submitter 4 notes that the legal road which runs along the Kawarau River bank from point "t" to point "d" and then up the true right of the Nevis River will be 20 metres wide. They suggest that because the 20 metre width will in places be extremely rough going, allowances will have to be permitted to climb up and over any obstacles where it is impossible to travel within 20 metres.

It is interpreted the submitter is referring to ensuring provision exists for enabling good practical legal access for the public where necessary above the Kawarau River bank.

Part of the route the submitter is referring to is through an area proposed to be retained as Crown Land CL ("u" to "a"), any implementation of the track through this area is considered to be a post tenure review land management issue for DoC who will be responsible for administration of this land and not a relevant matter able to be dealt with by the CPLA.

Another part of the route referred to by the submitter is over proposed freehold land ("a" to "d" and "c" to "d"). The purpose of the proposed easement in these areas which run alongside the legal road along the Kawarau River bank is to provide public access where

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any existing track does not coincide with the legal road, or where physical practical access in the form of a walking track cannot be created within the area defined by the legal road. Similar to access through Crown Land CL discussed above, any formation that is required to be created for the easement 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.

Public access between “t” to “u” (or in the vicinity) is able to be achieved on Crown land outside of the reviewable land.

In summary no part of the route the submitter is referring to is able to be considered under the CPLA and therefore the point been disallowed for further consideration within tenure review. 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 and access through Crown Land.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
13 (Sub-points a, b & c)	The Special Lease conditions should be amended.	4, 5, 6, 7	Allow (Sub-points a, b & c)	Accept (Sub-points a, b & c)

Rationale for Allow or Disallow

Sub-point (a)

The grazing concession in the Special Lease should be on a 10 year basis:

While they endorse the provision for grazing, submitter 4 believes the grazing concession should be on a 10 year basis and in keeping with what is being done in the concession over CA1. They consider 30 years is a long time and state that 60 years a great deal longer.

Submitter 5 has the same view and suggests that in line with other comparable proposals, a grazing concession for only 10 years is more appropriate than a special lease.

Sub-point (b)

The Special Lease requires comprehensive monitoring with provision to modify the grazing regime:

Submitter 6 states that comprehensive monitoring will be a very important aspect of the management of this CL block because of its overall sensitivity, and a combination of detailed quadrat and permanent photo-point methods at adequately representative sites is strongly recommended. They also state it is important adequate formal provisions are in

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place to modify the grazing regime, subject to any adverse ecological effects being revealed by the monitoring programme.

Sub-point (c)

The Special Lease should be divided into shorter segments for re-approval:

Submitter 7 notes that the area of Crown Land CL allows grazing under a very lengthy Special Lease. They recommend the Special Lease is divided into shorter segments for re-approval.

Sub-points (a), (b) and (c) are relevant to tenure review and can be properly considered under the CPLA. They relate to the protection of significant inherent ecological values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the sub-points have been allowed for further consideration.

Rationale for Accept or Not Accept

Sub-points (a), (b) and (c) all relate to objects and matters that can be taken into account in the CPLA, as discussed above. Although the conditions and term of proposed Special Lease was well considered, the submitters' have articulated reasons why they prefer an alternative outcome, being concerns about the length of the grazing term permitted within the Special Lease.

All sub-points have 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 (Sub-points a & b)	Conservation Covenant CC2 should be amended.	5, 8	Allow (Sub-points a & b)	Accept (Sub-points a & b)

Rationale for Allow or Disallow

Sub-point (a)

Conservation Covenant CC1 should amend the clause that allows the clearance of native vegetation to establish exotic woodlots:

Submitter 5 has stated they are opposed to the clearance of native vegetation for the purpose of establishing exotic woodlots. They suggest that if such woodlots are considered to be acceptable, they must contain non-spreading species only.

Sub-point (a) is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of ecological and landscape significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the point has been allowed for further consideration.

Sub-point (b)

Conservation Covenant CC1 should not allow burning:

Submitter 8 requests the covenant prohibit burning. They consider the tussocks in the headwaters of the Lower Nevis tributaries provide substantial water yield values that bolster the Nevis River during times of low flow. While grazing of sheep and top-dressing is acceptable the submitter doesn't consider the covenant conditions are strong enough to protect and enhance the tussocks.

Sub-point (b) is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of significant inherent ecological values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

Sub-point (a) relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the conditions in the proposed conservation covenant have been previously considered, the submitter has articulated reasons why they prefer an alternative outcome, being concerns about the potential for clearance of native vegetation and the planting of exotic woodlot species that have the potential to create a wilding problem.

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

Sub-point (b) relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the conditions in the proposed conservation covenant have been previously considered, the submitter has articulated reasons why they prefer an alternative outcome, being concerns about the protection of the tussocklands for their contribution to catchment water yields.

The 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
15	No further tracks should be built within CA1.	7	Disallow	N/A

Rationale for Allow or Disallow

Submitter 7 has suggested no further tracks should be built, and maintenance of the easement concession "r-o-v-w" farm management track should be done with care for the adjacent vegetation.

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The point relates to land that will be administered by DoC and is therefore 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 and access through Crown Land.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
16	Conservation Covenant CC1 should be extended.	7	Allow	Accept

Rationale for Allow or Disallow

Submitter 7 recommends that CC1 is extended to join CC2 at a common boundary. The submitter does not provide a direct reason for this recommendation however, they do comment in a previous paragraph that it is difficult to understand why the gap between CC1 and CC2 should exist. They point out it exempts Slapjack Creek from a protective covenant. It is interpreted the submitter's reason to extend the covenant is to provide a complete covenant protection between covenant CC1 and CC2 resulting in Slapjack Creek catchment being within CC1.

The point is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of ecological and landscape significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the extent of covenant CC1 has been well considered, the submitter has articulated reasons why they prefer an alternative outcome. That being, to enable the protection of ecological and landscape significance inherent values over an area currently proposed as unencumbered freehold land and thereby address what they perceive as a gap in provision of adequate protection.

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
17	No further tracks should be built	7	Allow	Not Accept

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	on the Kawarau and Nevis Face.			
Rationale for Allow or Disallow				

Submitter 7 recommends that no new tracks are created on the Kawarau and Nevis Face. The submitter provides no reason for their point, although it is interpreted they are concerned about the effects of new tracking on the landscape values.

The point is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of landscape significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to objects and matters that can be taken into account in the CPLA, as discussed above. However, the submitter does not provide new information nor do they provide any reasons for their point.

The point can therefore not be 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
18 (Sub-points a, b, c, d, e & f)	The conditions of the proposed access easements should be amended.	7, 8, 10, 11	Allow in part (being Sub-points a, b, d, e & f)	Accept in part (being Sub-points a, b, d, e & f)

Rationale for Allow or Disallow

Sub-point (a)

The DoC management easement t-u should be made available as a public non-motorised access easement:

Submitter 7 requests that the DoC management easement “t-u” is open to non-motorised public recreational access. They suggest this will allow bikers to start from Bannockburn and return by the main road through Cromwell via Gees Flat as a loop track.

Sub-point (b)

Easements should allow for public vehicular access:

Submitter 7 recommends that 4WD access is made available for a specified season in summer using tracks which do not traverse soft ground and wetlands. Their reason is based on the fact the adjoining Carrick Lease allows 4WD access as far as point “q” which lies on the boundary between the two properties.

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Submitter 10 requests controlled public vehicular access across and in addition to the proposed public access easements “a-b, c-d, e-f-g-h-i, h-i-f, j-k, k-l-m-n-o, k-m-p and q-r”. They state the access aspirations of the public have changed and controlled vehicular access would be desirable and in the public interest in addressing future possible needs.

Submitter 11 has stated that they would like to express their interest in the Mt Difficulty and Carrick Range areas. They further advised as a club (Central Otago Four Wheel Drive Club) “*are interested in these areas and that these areas remain open to public via already formed roads and tracks so that all kiwis get the chance to see these areas. With the correct permission from the lease holder and or land holder where applicable*”.

It is interpreted that the submitter wants public vehicle access over these roads and tracks based on their wish for all kiwis to see these areas and the fact they are a 4WD Club. They have not stated specifically that they want public vehicle access and they have not outlined any specific routes they are advocating access over.

Sub-point (c)

Easement section “h-g-f” which is closed to lambing each year should be sign posted to advise the public:

Submitter 7 recommends easement section “h-g-f” which is closed to lambing each year between September 1 and October 31 should be sign posted on the ground with the dates to advise the public. They suggest this will remove any doubts and forestall any misunderstandings about access rights.

Sub-point (d)

The public easement up Long Gully should allow vehicle access up to where the 110kv powerline crosses the gully:

Submitter 8 suggests there should be motorized access from point “k” up Long Gully to where the 110kv powerline crosses the gully. They point out that this access is required by older anglers to access their fishing spots as Long Gully supports a reasonable brown trout fishery.

Sub-point (e)

Easement route t-u should allow public vehicle access:

Submitter 10 requests public vehicular access along easement “t-u” in addition to that provided for the Department of Conservation for management purposes. The submitter suggests it would be desirable and in the public’s interest to ensure this easement provides for public vehicles, particularly with a view of future proofing for the possible needs of the public.

Sub-point (f)

Alternative access from Felton Road should be provided to allow for public horse access:

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Submitter 10 requests an alternative entry and exit route for horse access from Felton Road along the eastern boundary of the pastoral lease. It is interpreted the submitter is suggesting easement route “e-f-g-h-i” or other alternative options such as “f-g-s” near the Felton Road end of the property allow for public horse access. Currently the closest point to Felton Road that horses are permitted is point “k”, and the current entry and exit route from the property is easement route “q-r”.

Sub-points (a), (b), (d), (e) and (f) are relevant to tenure review and can be properly considered under the CPLA. All these sub-points relate to creating better provisions for public access over proposed freehold land. 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 sub-points have been allowed for further consideration.

Sub-point (c) relates to signage on the public access easements managed by DoC. This sub-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

Sub-points (a), (b), (d), (e) and (f) all relate to objects and matters that can be taken into account in the CPLA, as discussed above. Although the conditions of the proposed easements have been well considered, the submitters’ have provided reasons with each sub-point why they prefer an alternative outcome, being the need for enhancement of various access provisions.

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

Sub-point (c)

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
19	Historic Reserve R2 should be extended.	9	Allow	Accept

Rationale for Allow or Disallow

Submitter 9 recommends Historic Reserve R2 be extended westwards over to the existing Long Gully conservation area, subject to field verification. They point out there are other heritage sites such as battery sites, mining audits, mullock heaps and related

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infrastructure, many are recorded on the NZAA sire register. They also suggested a heritage covenant as another possible protective mechanism.

The point is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of significant inherent historic values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the extent of the Historic Reserve R2 has been previously considered, the submitter has articulated reasons why they prefer an alternative outcome, being the protection of significance inherent historic values over an area currently proposed as mostly unencumbered freehold land.

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	There should be an additional covenant to protect Heritage values over unencumbered freehold land.	9	Allow	Accept

Rationale for Allow or Disallow

Submitter 9 recommends a conservation covenant for heritage management or a separate Heritage Covenant over the unencumbered freehold land east of Carricktown. They point out the area contains a water race system that fed mining at Bannockburn where many are still visible today and some are still being used for farming purposes.

The point is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of significant inherent historic values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the extent of the heritage protection has been previously considered, the submitter has articulated reasons why they prefer an alternative outcome, being the protection of significance inherent historic values over an area currently proposed as unencumbered freehold land.

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

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Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
21	There should be additional protection provided for significant historic sites occurring within CC2.	9	Allow	Accept

Rationale for Allow or Disallow

Submitter 9 recommends the area surrounding a range of additional significant historic sites occurring within CC2 near the Kawarau River should be protected by way of a Heritage Covenant, Historic Reserve or restoration to Crown Land. They consider this is needed to provide for the control of vegetation and animals to minimize damage. They point out the area contains a miners dam, huts, races and one of the best remnants of herring bone sluicings along the Kawarau River.

The point is relevant to tenure review and can be properly considered under the CPLA. It is related to the protection of significant inherent historic values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so the point has been allowed for further consideration.

Rationale for Accept or Not Accept

The point relates to objects and matters that can be taken into account in the CPLA, as discussed above. Although the extent of the heritage protection has been previously considered, the submitter has articulated reasons why they prefer an alternative outcome, being the need to provide additional protection for a range of identified sites to adequately enable protection of significance inherent historic values over an area currently proposed to be protected under a landscape covenant.

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
22	LINZ should review its processes for providing timely and pertinent information to the Walking Access Commission.	10	Disallow	N/A

Rationale for Allow or Disallow

Submitter 10 requests that LINZ reviews its processes for providing timely and pertinent information to the Walking Access Commission, a statutory body with statutory responsibilities in these matters. This matter was in relation to their request for a copy of the Qualifying Water Bodies Report.

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The point is related to procedural matter and not relevant to the actual tenure review proposal. It is therefore not a matter able to be dealt with by the Crown Pastoral Land Act and the point is therefore disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
23	Clearly identify on the plan, waterways that qualify for marginal strips, or at least outline them in the PP summary.	10	Disallow	N/A

Rationale for Allow or Disallow

Submitter 10 has suggested the identification of qualifying waterways is a key factor when considering the adequacy of public access proposed in tenure reviews.

The point is related to the depiction of what the submitter believes to be relevant information within pastoral lease status plans and the PP summary. Marginal strips are not a matter of tenure review and are managed under the Conservation Act 1987, LINZ has determined that marginal strips are not to be depicted on the designation plans. The point is not a matter able to be dealt with by the Crown Pastoral Land Act and is therefore disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
24	Clearly identify on the plan, legal roads which share a boundary with the pastoral lease, and other adjoining land the public have free and enduring access over.	10	Disallow	N/A

Rationale for Allow or Disallow

Submitter 10 has requested the Preliminary Proposal plans should clearly depict how all the proposed public access easements joint up with existing legal roads adjoining the property, either formed or unformed legal roads and other adjoining land the public have free and enduring access over.

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The point is a procedural matter related to the depiction of cadastral information on pastoral lease status plans which LINZ has prescribed. This procedural matter is not a matter able to be dealt with by the Crown Pastoral Land Act and the point is therefore disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
25	The Legal status of Country Section 1 Block IV Bannockburn Survey District confirmed as not being included in the lease.	10	Disallow	N/A

Rationale for Allow or Disallow

Submitter 10 has requested the Legal status of Country Section 1 Block IV Bannockburn Survey District confirmed as not being included in the pastoral lease.

The point is related to the accuracy of information contained within the land status plan which LINZ commission outside of the tenure review process. This point is considered to be a procedural matter and not a matter able to be dealt with by the Crown Pastoral Land Act. The point is therefore disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
26	All public easements and marginal strips should be depicted in the New Zealand digital cadastral record.	10	Disallow	N/A

Rationale for Allow or Disallow

Submitter 10 has requested that all public easements and marginal strips should be depicted in the New Zealand digital cadastral record.

The point is interpreted as being a procedural matter related to the depiction of cadastral information on pastoral lease status plans which LINZ has prescribed. The New Zealand digital cadastral record is not matter of tenure review because the CPLA does not deal with the New Zealand digital cadastral record and its administration. Therefore, the point is not a matter of tenure review and has been disallowed.

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Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
27	Appropriate information should be provided to enable the best possible options for the Long Gully Walkway to be considered in the context of the review.	10	Disallow	N/A

Rationale for Allow or Disallow

Submitter 10 has requested appropriate information to be provided to enable the best possible options for the Long Gully Walkway to be considered in the context of the review.

The submitter points out that that no discussion with the NZ Walking Access Commission has occurred and because they are the statutory body charged with administering walkways, their consent is required in negotiating or revoking walkways. The existing easement is currently subject to Section 8 of the New Zealand Walkways Act 1990 and it is proposed for this to be relinquished and created under Section 7 (2) of the Conservation Act 1987.

The point is related to procedural matters between the Department of Conservation and the NZ Walking Access Commission whereby consent from the commission is required to revoke the existing easement.

It is therefore not a matter able to be dealt with by the Crown Pastoral Land Act and the point is therefore disallowed.

The matter will however be referred to the Department of Conservation to enable them to consult directly with the NZ Walking Access Commission.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
28	Marginal strips should be created wide enough to provide public access and have unobstructed access along them.	10	Disallow	N/A

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Rationale for Allow or Disallow

Submitter 10 has requested that the marginal strips be created wide enough to enable practical public access and have unobstructed access along them, with the use of stiles and/or gates as appropriate.

Marginal strips will be laid off on qualifying water bodies on land that is disposed of as freehold land through tenure review. However, the creation of marginal strips is not a matter that can be considered under the CPLA because they are managed under the Conservation Act 1987. The point has therefore been disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
29	A track should be marked through R1 to connect with point "b" and "c".	10	Disallow	N/A

Rationale for Allow or Disallow

Submitter 10 has requested a track be marked through the Historic Reserve R1 to connect with, and be consistent with, the proposed easements "a-b" and "c-d".

This point which is similar to sub point 3(f) above, is interpreted as being the submitter is requesting the alignment of a track through R1 be established and marked (depicted) on the plan to ensure it provides continuity of access with the proposed easements to the north and south. The point effectively relates to land that will be administered by DoC and it is therefore 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.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
30	Confirmation that free and enduring public access is available from the Kawarau Gorge Road to Gees Flat and to the CL area.	10	Disallow	N/A

Rationale for Allow or Disallow

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Submitter 10 has requested confirmation that free and enduring access is available from Kawarau Gorge Road, across the bridge over the river to Gees Flat, to the areas CL and R1.

The submitter's point relates to areas outside of the reviewable land. It is therefore not a matter that can be considered under the CPLA and therefore the point is disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
31	Requests that free and enduring public vehicular access is available from legal roads on the eastern boundary of the lease to the lease.	10	Disallow	N/A

Rationale for Allow or Disallow

Submitter 10 has requested free and enduring public vehicular access be available from legal roads about the eastern boundary of the lease to the lease, and they suggested this access be from Felton Road as an example.

The submitter's point relates to areas outside of the reviewable land. It is therefore not a matter that can be considered under the CPLA and therefore the point is disallowed.

Rationale for Accept or Not Accept

N/A.

Summary and Conclusion

Overview of analysis:

Eleven submissions were received from non government environmental organisations, recreation groups, Crown entities and two private individuals.

One of the most common responses in terms of the number of submissions received from different submitters was support for aspects of the proposal. Seven out of the total of eleven submitters expressed statements of support. Most of this support was for the areas proposed to be retained in Crown control and for the proposed easements. Most of these submitters also requested extensions to some of the areas proposed to be retained in Crown ownership and additional easements.

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This resulted in seven submissions requesting additional public access easements to be created. Some of these were over existing tracks while others were to provide access to specific sites of interest.

Six submissions requested an extension to Conservation Area CA1, four for an extension of the area of Crown Land CL and one requesting an extension of Historic Reserve R2.

Four submissions requested changes to both the grazing concessions proposed to be issued over the Historic Reserve R2 and over the land being retained as Crown land (CL). These generally focused on wanting shorter grazing terms and monitoring provisions.

Four submissions requested changes to the type of access provisions over the proposed easements, predominantly this was requesting inclusion of provision for public vehicle access.

From the 31 points derived, 17 were allowed (either fully or in part) for further consideration. Of these 17 allowed points, 16 were accepted (either fully or in part) for further consideration in the formulation of the draft Substantive Proposal.

Generic issues:

The key generic issues identified are:

- Statements of support for aspects of the proposal, mainly the proposed easements and areas proposed to be retained in Crown ownership.
- Improved public access provisions.

Expanded and improved protection of areas containing significant inherent values and, or, to address concerns relating to ecological sustainability.

Gaps identified in the proposal or tenure review process:

No gaps in the proposal were identified by the submitters.

Risks identified:

No risks identified.

General trends in the submitters' comments:

- The protection of ecological, landscape and historic values.
- Ensuring good access and loop tracks for recreational purposes are created.
- Ecological sustainability concerns for land above 900 metres.

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.