

Crown Pastoral Land Tenure Review

Lease name: GLEN DENE

Lease number: PO 136

Final Report on Public Submissions - Pt 1

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

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

May

05

FINAL ANALYSIS
OF
PUBLIC SUBMISSIONS

GLEN DENE

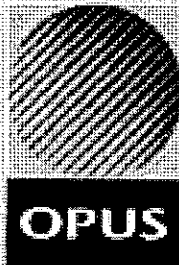


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ANALYSIS OF PUBLIC SUBMISSIONS

**STATEMENT PURSUANT TO SECTION 45(a) (iii) CROWN PASTORAL LAND
ACT 1998**

GLEN DENE TR 085

File Ref: CON/50000/16/12471/00/A-ZNO Submission No: DN0249 Submission Date: 22/02/05

Office of Agent: Dunedin

LINZ Case No:

Date sent to LINZ: 04/03/05

1 Details of lease

Lease Name: Glen Dene

Location: Lake Hawea, Otago

Lessee: Glen Dene Limited.

2 Public notice of preliminary proposal

Date, publication and location advertised:

Saturday 17 April 2004.

- The Press Christchurch
- Otago Daily Times Dunedin
- The Timaru Herald Timaru

Closing Date for Submissions:

14 June 2004.

3 Details of submissions received

Number received: 37 of which 33 received by closing date and 4 were late.

Submissions were received from a wide range of parties including private individuals, environmental non government organisations, non commercial and commercial recreational users, community groups, the holders, territorial local authorities and Government Departments as detailed in Appendix 1.

Number of late submissions: 4 received and accepted

4 ANALYSIS OF SUBMISSIONS

4.1 Introduction

Methodology

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:

- Summarises each of the points raised along with the recorded number (shown in the appended tables) of the submitter(s) making the point.
- Discussion of the point.
- Recommendations whether or not to allow for further consultation.

The following approach has been adopted when making the recommendation to allow for further consultation:

The points raised have been analysed to assess whether they are matters that can be dealt with under the Crown Pastoral Land Act. Where it is considered that they are, they have been allowed.

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

A recommendation to accept or not accept the point is made taking into account the views of all parties consulted and any other matters relevant to the review, balanced against the objects and matters to be taken into account in the Crown Pastoral Lands Act 1998 (Sections 24 and 25 of the Act).

4.2 Analysis

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Extension of CA3 so that it encompasses a "lake to lake" transect.	1, 36	Allow	Accept

Rationale

Allow/Disallow

The point concerns the protection of significant inherent values in the form of shrubland and rock bluff vegetation on steep gorges towards Lake Hawea which is a relevant matter in terms of section 24 (b) (ii) CPLA 1998 and is therefore allowed.

Accept/Not Accept

This area was not identified in the original designations report for inclusion in Conservation Area 3. However when consulted the DGC delegate acknowledged that the area did contain significant inherent values and agreed that the area should be included as that would provide a lake to lake transect and the area was worthy of protection.

The point was discussed with the holder and it was agreed that the area should be included in CA3 with the land to remain in Crown Control. With the exception of the State Highway this links CA3 and CA2. This point is accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2	Increased protection of the high country core (CC1) of the property from Isthmus peak to link up with CA3, and west to the Lake Wanaka lakeshore.	1, 18	Allow	Accept

Rationale

Allow/Disallow

The point concerns the protection of significant inherent values in the form of naturalness, landscape and importance for nature conservation, which is a relevant matter in terms of section 24 (b) (ii) CPLA 1998 and is therefore allowed.

Accept/Not Accept

This has been achieved at least in part in that the upper Wanaka Faces are now proposed to be subject to a Reserves Act Conservation covenant and CA3 is proposed to be extended up the Wanaka faces considerably. Covenant protection over CC1 is considered acceptable in the context of the whole review, in that CA3 better meets reserve criteria as it contains a complete lake to lake altitudinal sequences and is likely to adjoin conservation lands arising from the Mt Burke tenure review which makes for a substantial well buffered conservation holding. Further consultation with the DGC's delegate and the holder confirms that the proposed alterations are acceptable and in our view will meet the submitters concerns at least in part. The amendments set out above should be accepted for inclusion in the draft substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	Increased protection of rocky outcrops containing herbs and shrubs such as <i>Gingidia montana</i> .	1	Allow	Not Accept

Rationale

Allow/Disallow

This point concerns the protection of significant inherent values in the form of a botanic nature in Crown ownership and control nor under a conservation covenant which allows for grazing, which is a relevant matter in terms of section 24 (b) (ii) CPLA 1998 and is therefore allowed.

Accept/Not Accept

Most rocky outcrops are either within CA3 or CC1 and are thus afforded formal protection. These plants tend to occupy sites inaccessible to grazing animals so are likely to maintain their presence within CC1. It is neither practical nor efficient to protect every last isolated remnant of native vegetation on the property through tenure review. Further consultation with the DGC's delegate and the holder confirms that this point should not be accepted for inclusion in the draft substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	Crown land including part of the roadside area containing trig point 10781 for recreational purposes.	1, 36	Allow	Accept

Rationale

Allow/Disallow

Submitter 36 also required access to the land.

This point concerns public access to and enjoyment of the reviewable land and is relevant pursuant to section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The area near trig 10781 is developed farm land. The Public have access to Lake Hawea shoreline at a number of areas between the Neck and Dinner Flat and to the north of the area known as the deviation.

An additional easement is however proposed to be granted over an area of land just south of trig point 10781 adjoining the State highway for car parking with an access down to Bum Bay. The land that the Crown holds at Bum Bay for Lake Hawea is considered to be sufficient for public recreation in this area. This point should be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	All lakeside areas to be retained by the Crown and let revert to natural vegetation.	1, 21, 29, 30	Allow	Not Accept

Rationale

Allow/Disallow

Submitter 29 would support granting a grazing concession to the two distinct cultivated areas.

Other than CA2 no other areas between the road and the lake were identified within the Conservation resources report as having significant inherent values. The majority of the land is developed farm land however some small areas of undeveloped land exist between the Lake and the State Highway. The point concerns the protection of significant inherent values in the form of natural landscapes and ecological values which are relevant matters under section 24 (b) CPLA 1998.

Accept/Not Accept

Much of the land between the lake and the State Highway is developed farmland and includes the holder's house and the main farm infrastructure. The holder is not agreeable to the land that is developed and having the main farm infrastructure on it returning to Crown Control. The developed land does not contain significant inherent values.

Further consultation with the DGC' delegate and the holder has however identified an area of undeveloped land to the north of CA2 that contains significant inherent values. CA2 is proposed to be extended to include this area. In addition most of the land between the deviation and Dinner Creek has recently been acquired by the Crown for erosion control. Land at the Neck between the Lake and the State highway has also been acquired by the Crown. These meet the submitter's requirements in part.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	Northern wetland CA1 protected area to be extended to the skyline.	1, 5, 7, 8, 13, 15, 16, 34, 36	Allow	Accept

Rationale

Allow/Disallow

That the wetland should be enlarged to reflect the ecological values present and to provide a buffer. A number of submitters also suggest that the area should extend down to the lakeshore. This is a relevant matter in terms of section 24 (b) (ii) CPLA 1998 and is therefore allowed.

Accept/Not Accept

As the proposal has evolved, a substantial buffer around the CA1 wetlands is now proposed to be protected. Protection to the sky line is unjustified as the faces high above the wetlands do not contain significant inherent natural values. Similarly

landscape values have not been afforded formal protection as values on other parts of the property were considered more important - namely the Wanaka faces. Further consultation with the DGC's delegate and the holder confirms that alterations be made to the proposal which will meet the submitters concerns at least in part and the proposed amendments set out above should be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	Supports the extent of the public access in particular the mountain bike access proposed by i-e, e-f-g and f-h.	2, 5,12	Allow	Accept

Rationale

Allow/Disallow

Although this point does not require a decision by the Commissioner it is relevant in terms of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The point raised on these submissions support this part of the preliminary proposal. As noted above it is considered that the point raised is a matter that is relevant to Sections 24 and 25 Crown Pastoral Land Act 1998. Further consultation with the DGC's delegate and the holder confirms that this point should be accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	Supports proposed protection of Outstanding Natural Landscapes and Ecological values.	2	Allow	Accept

Rationale

Allow/Disallow

The point concerns the protection of significant inherent values in the form of natural landscapes and ecological values which are relevant matters under section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

Proposed amendments are considered to meet the submitter's objective through a mixture of restoration to full Crown ownership as conservation land and the use of conservation covenants. The portion of the Wanaka faces containing the highest biodiversity values (under the 500 m contour) are now proposed for restoration to full Crown Ownership. An additional large covenant is proposed above the 500m contour to the formed track on the tops to mainly protect landscape values. The Hawea catchments referred to in the submission remain as conservation covenant. Covenant protection over this area is considered satisfactory, as although the area contains significant inherent values, the area has poor connectivity to either CA3

(and likely adjoining conservation land on Mt Burke Station) or to extensive areas of semi pristine mountain lands on the McKerrow Range which are separated by a corridor of modified land in the vicinity of "the Neck".

Further consultation with the DGC's delegate and the holder confirms that alterations be made to the proposal which will meet the submitters concerns at least in part and the amendments set out above should be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	Important to keep the access way d-e open as funding and consent not confirmed for i-e.	3, 4, 8,12,13, 15, 19,22, 24	Allow	Not Accept

Rationale

Allow/Disallow

Concern over practical creation of track i-e.

This point concerns public access to the reviewable land and is relevant pursuant to section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The holder has been totally opposed to members of the public having access to the property through the main deer yards and deer paddocks.

Further consultation with the DGC's delegate and the holder has identified an alternative option to the holders main track from 'i' at Stewarts Creek. The alternative option crosses at a lower level immediately above the holder's deer fencing providing a more practical and far less costly track to complete which also has no resource consent implications. This alternative means that the submitters concerns are no longer valid. This point is not accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	Access to be given to the legal roads above the shoreline of Lake Hawea and between the base of State Highway 6 and Mt Burke.	3, 4, 24	Allow	Not Accept

Rationale

Allow/Disallow

The submitters have identified former roads that have been closed as legal roads between the lake and the State Highway. A legal road does however go up and across the tops but the former road that connected it to the current State Highway has been closed and included into the Pastoral Lease.

The protection of access is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The submitter was incorrect in the identification of the facts. While the areas referred to may have been legal roads in the past they are currently either land held for waterpower development which is now being incorporated into the pastoral lease or in the situation at Dinner Creek the land was exchanged for land required for road by Transit New Zealand some time ago and is now included within the Pastoral Lease. This point should not be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
11	The steep slopes of the Wanaka faces and all of the 4970ha which also includes the headwaters of the catchment areas that flow into Lake Hawea should remain as Crown land.	5, 7	Allow	Not Accept <i>accept in part</i>

Rationale

Allow/Disallow

The submitter wishes to see the land protected by retention in full ownership and control. The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The portion of the Wanaka faces containing the highest biodiversity values (under the 500 m contour) are now proposed for restoration to full Crown Ownership. The Hawea catchments referred to in the submission remain as conservation covenant. Covenant protection over this area is considered satisfactory, as although the area contains significant inherent values, the area has poor connectivity to either CA3 (and likely adjoining conservation land on Mt Burke Station) or to extensive areas of semi pristine mountain lands on the McKerrow Range which are separated by a corridor of modified land in the vicinity of "the Neck". Further consultation with the DGC's delegate and the holder confirms the acceptability of proposed alterations to the proposal which will meet the submitters concerns at least in part. This point should not be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
12	A 1ha reserve is too small when viewed as part of an immense landscape.	5, 7, 13,18	Disallow	Not Accept

Rationale

Allow/Disallow

The submitters view is that the areas that should be expanded by the restoration of further land to Crown ownership. The holder's interest in this land has now been acquired by the Crown and is no longer part of the reviewable land. The point is therefore disallowed.

Accept/Not Accept

As the decision has been made to not allow this point it is automatically not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
13	13.1 The Crown needs to retain ownership and control over the shore and lake bed of Lake Wanaka and Lake Hawea with no riparian rights being allowed	5	Disallow	Not Accept
	13.2 Access in appropriate places for lake users and picnickers.		Disallow	Not Accept

Rationale

Allow/Disallow

13.1 Refers to land that is outside of the Tenure Review and is not a matter that the Commissioner can consider under the CPLA 1998 and is therefore disallowed.

13.2 Refers to access across the reviewable land and is not a matter that the Commissioner can consider and is therefore disallowed.

Accept/Not Accept

As the decision has been made to not allow these points they are automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14	14.1 Supports the approval of the Tenure Review but does not support any increases in Conservation land or covenants.	6, 32	Allow	Not Accept
	14.2 The landowner must be able to make a living from the land.	6	Disallow	Not Accept

Rationale

Allow/Disallow

14.1 Although this point does not require a decision by the Commissioner it is relevant in terms of section 24 (b) CPLA 1998 and is therefore allowed. The presence of significant inherent values is the primary driver for determining the extent of the area that is necessary to enable the protection of those values of the reviewable land and as such this point should not be accepted for inclusion in the draft substantive proposal.

14.2 This is a general comment. It is not a point under the objects of the CPLA 1998 so is therefore disallowed.

Accept/Not Accept

14.1 Taking into account points raised by submitters and further consultation with the DGC's delegate and the land holder all three Conservation areas have been increased in area and a large covenant has been placed on the Wanaka faces.

14.2 As the decision has been made to not allow these points they are automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
15	15.1 The submitter wishes to have the effects of large numbers of people having access to the land taken into account.	6	Allow	Accept
	15.2 The easement across CA2 is very important to the holder.	6, 31	Allow	Accept
	15.3 The submitter wishes to have the same conditions imposed on the holder's easement as the	6, 32, 35	Allow	Not Accept

<p>proposed easement in favour of the Crown over CA2 and to be able to deal with breaches.</p>			
<p>15.4 That the access a-b be fenced with deer fencing to reduce possibility of stock getting out onto the road.</p>	<p>6, 31</p>	<p>Allow</p>	<p>Not Accept</p>
<p>15.5 Concerned at a conflict between mountain biking and walking and would like to see mountain biking removed.</p>	<p>6, 31</p>	<p>Allow</p>	<p>Not Accept</p>
<p>15.6 Does not support any further increases in vehicle access to Lake Hawea.</p>	<p>6</p>	<p>Allow</p>	<p>Accept</p>
<p>15.7 The submitter would like to see changes to the easement documents to better protect the landholder interests including OSH issues.</p>	<p>6, 32, 33</p>	<p>Allow</p>	<p>Accept</p>
<p>15.8 The submitter would like to see the public access easement moved from the Packhorse spur to an alternative that it considers will be less demanding.</p>	<p>6, 31</p>	<p>Allow</p>	<p>Not Accept</p>
<p>15.9 The submitter does not believe that the proposed easement from Dinner Flat to CA3 protects that holders farming business and unless that is changed proposes that access to CA3 should only be by way of the easement at the Craighburn.</p>	<p>6</p>	<p>Allow</p>	<p>Not Accept</p>

Rationale

Allow/Disallow

All of the sub points relate to access/easement issues. Note that for 15.7 an extensive list of easement changes is listed by submitters 6 and 32.

Submitter 31 would also like to see deer fencing on track through CA2.

Submitter 32 suggested strong controls for breaches by the public.

Submitter 33 requires maintenance and breach provisions to be dealt with to support proposal.

The protection of access and enjoyment of reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

- 15.1 The future use patterns of the track are an unknown at this time. The responsibility for managing the easement will be the responsibility of the Department of Conservation and that Department will have to deal with any issues that arise on their merits in the future. The point is accepted for inclusion in the draft substantial proposal in that the ongoing responsibility for management will rest with the Department of Conservation.
- 15.2 An easement across CA2 for stock access purposes is proposed to be included in the draft substantial proposal. This meets the holder's position. This point should be accepted for inclusion in the draft substantive proposal.
- 15.3 The documents for access for the public must provide certainty and the documents do not provide for the land holders to terminate the easement if they object to the actions of some members of the public. The land holders and the Manager of the Department of Conservation Area Office in Wanaka have met to discuss the holders concerns and to work together to manage any risks. In relation to the access over land that is proposed to transfer to Crown Control as Conservation Area and the easement proposed to be granted to the holder for access can only be terminated if there is a significant breach and that breach is not remedied. The submission on this point is not accepted for acceptance in the draft substantial proposal as the land holder has the ability to proceed or decide not to proceed with the review.
- 15.4 Access from the State Highway at point 'a' was strongly opposed by Transit New Zealand. Further consultation with the holder has led to the inclusion of land adjoining the Lower Craig Burn down to the State Highway into CA 3 providing for a lake to lake transect. The car parking area is now proposed to be adjoining the state highway on the south side of the Craig Burn with access into the conservation to be immediately on the north side of the Craig Burn. This will follow along the ridge to point b then down the track across the Craig Burn then up the other side into the main area of CA 3. The entire track is now proposed to be within an expanded CA3 so easements for the public are not required. While the point is not accepted as the access point and car parking has been shifted, the alternative access is considered to be superior to the original proposal for access and this should meet the submitters concerns. Access for management purposes only will be allowed at point 'a'. This point should not be accepted for inclusion in the draft substantive proposal

- 15.5 Mountain Biking and walking co-exist together in many locations. The future management of the easement will be a Department of Conservation responsibility. If any issues arise then that Department will need to take the appropriate action which may include signage or ultimately restrictions on mountain biking if that activity does become an issue for walkers. The point is not accepted for inclusion in the draft substantial proposal.
- 15.6 No further vehicle access points have been identified for inclusion in the draft substantive proposal. This point should be accepted for inclusion in the draft substantive proposal
- 15.7 The standard Crown documents have been applied and a number of special conditions included meeting the concerns of the land holder. The documents must be acceptable to both the Crown and the Land Holder. The point is therefore accepted in that a number of special conditions have been included to modify the standard documents. While both parties may not be entirely happy with all aspects of the documents, that is the nature of legal documents.
- 15.8 The submitters concerns have been met in part by cutting off the steep section of Packhorse Spur by rerouting the easement area across the face to meet the Dinner Creek some 200 vertical metres lower down the face. This point should not be accepted for inclusion in the draft substantive proposal
- 15.9 The land holder has agreed to a suitable easement with a variation for i-e that makes public access easier. Public access is an important outcome of the review and the holder may need to modify some farming practices if any concerns arise. Access that has been proposed meets the objects of sections 24 and 25 Crown Pastoral Land Act 1998 and the point is not accepted for inclusion in the draft substantial proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
16	The submitter has concerns with the Crown allowing hunters to wander up the Craig Burn if marginal strips exist.	6, 31	Disallow	Not Accept

Rationale

Allow/Disallow

Refers to access over land that would be outside of the reviewable land. If is then it is not a matter that the Commissioner can consider and is therefore disallowed.

Accept/Not Accept

As the decision has been made to not allow this point it is automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
17	No consideration in the proposal given to the existing recreation permit.	6, 31	Disallow	Not Accept

Rationale

Allow/Disallow

Submitter 31 would like to see the recreational permit continue.

This is not a matter that the Commissioner can consider as part of Tenure Review.

Accept/Not Accept

As the decision has been made to not allow this point it is automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
18	The submitter believes that CA1 should be Deer fenced to avoid cattle breaching the easement conditions.	6	Allow	Accept

Rationale

Allow/Disallow

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The balance of the land holders fencing in this area is deer fencing so the Crown should proceed with deer fencing the area. The submitters concerns will be met by the fencing that is proposed to be constructed in this area. This point should be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
19	The submitter believes that DoC should be tied into a management plan for managing biodiversity and biosecurity.	6, 31,32	Allow	Not Accept

Rationale

Allow/Disallow

Although this point does not require a decision by the Commissioner it is relevant in terms of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The future management of Conservation is a matter for the Department of Conservation. It is expected the Department will to work with neighbouring land owners on a good neighbour basis and was one of the matters discussed when the holders met with the Manager of the Department of Conservation Wanaka Area. This is a matter for the future manager of the land and is therefore not accepted for inclusion in the draft substantial proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
20	The submitter considers that paper roads should be removed from any new title.	6, 32	Disallow	Not Accept

Rationale

Allow/Disallow

Refers to land that is outside of the reviewable land and is not a matter that the Commissioner can consider and is therefore disallowed.

Accept/Not Accept

As the decision has been made to not allow this point it is automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
21	The submitter considers that insufficient Public Access exists from the State Highway.	7	Allow	Not Accept

Rationale

Allow/Disallow

The submitter wishes to see frequent stopping points where people can pull in and take short to medium walks in the hilly/gorge country above the road.

The protection of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The Crown has recently acquired significant areas between Lake Hawea and the State Highway for erosion control which will assist with access to Lake Hawea. In addition an area at the Neck between Lake Hawea, Meads Road and the State Highway has recently been acquired out of the Pastoral Lease by the Crown. Walking access to Bum Bay and improved access to the south of Round Hill is also proposed to be included in the draft substantial proposal. The inclusion in the draft substantial proposal of an extension to CA3 down the Lower Craig Burn will also improve public access to and across the property. Both the DGC's delegate and the holder support these proposed amendments in the draft substantial proposal. These improvements are unlikely to meet the submitter's suggestion of frequent stopping points where the public can pull in and take short to medium walks in the hilly gorge country above the road. The walks at the Lower Craig Burn and Stewarts Creek do go some way, however a number of factors limit frequent stopping points that can practically be considered including safe areas to pull off the state highway, the cost of creating those areas and the cost of constructing and maintaining tracks in addition to the holders opposition to multiple public access points onto the property. After consultation with the DGC's delegate and the holder it is considered that the objects of the Crown Pastoral Lands Act 1998 have been met by the public access provisions proposed in the draft substantive proposal. This point should not be accepted for inclusion in the draft substantive proposal

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
22	The submitters wish to have the major part of the land between the State Highway and the Lake reverts to the Crown.	7, 16, 34, 36	Allow	Not accept

Rationale

Allow/Disallow

Submitter 36 also includes streams that flow down the Wanaka faces. Point 5 is very close in content in relation to this point. Other than CA2 no other areas between the road and the lake were identified as having significant inherent values. The majority of the land is developed farm land however some small areas of undeveloped land exist between the Lake and the State Highway. The point concerns the protection of significant inherent values in the form of natural landscapes and ecological values which are relevant matters under section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The point raised in this submission is relevant to Sections 24 and 25 of the Crown Pastoral Lands Act 1998.

Much of the land between the lake and the State Highway is developed farmland and includes the holder's house and the main farm infrastructure. The holder is not

agreeable to the land that is developed and having the main farm infrastructure on it returning to Crown Control. The developed land does not have significant inherent values on it.

Further consultation with the DGC' delegate and the holder has identified land to the north of CA2 and that has been included in the proposed CA2 to be included in the draft DPP. In addition land below the deviation and the holders interest in most of the land between the deviation and Dinner Creek has been acquired by the Crown for erosion control. Land at the Neck between the Lake and the State highway has also been acquired by the Crown. These meet the submitter's requirements in part. This point should not be accepted for inclusion in the draft substantive proposal

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
23	The submitter recommends that: 23.1 The area of CA2 be extended to the north some 5.5km as far as the outlet of Dinner Creek and extended to the topside of the road locally to embrace the mixed woodland along the lower reaches of the Craighburn.	8, 15, 36	Allow	Accept
	23.2 That the proposed access k-k1 be relocated to a more appropriate point.	8,13	Allow	Not Accept

Rationale

Allow/Disallow

23.1 The submitters view is that the areas that should be expanded by the restoration of further land to Crown ownership and control subject to section 24 (b) (ii) CPLA 1998 and is therefore allowed.

23.2 The protection of access is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

23.1 CA2 is proposed to be extended approximately a further 1 km north approximately to trig 11521. This point should be accepted for inclusion in the draft substantive proposal.

23.2 Following consultation with the DGC's delegate and the holder the proposed k-k1 is considered to be the most appropriate point for access. It is directly opposite the holder's gateway and disturbance to CA2 will be kept to a minimum. The intention behind the location of k-k1 is to avoid driving stock

along the state highway. This point should not be accepted for inclusion in the draft substantial proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
24	24.1 That an additional Conservation Area /Reserve from Bum Bay at trig 10781 to the Neck be provided.	8, 15, 36, 37	Disallow	Not Accept
	24.2 A 5ha area of beach to be reserved between Dinner Creek and the Neck	8	Disallow	Not Accept
	24.3 Public access from the State highway to the beach and sites available for picnic/camping.	8	Disallow	Not Accept

Rationale

Allow/Disallow

- 24.1 The land adjoining trig 10781 has not been identified as having significant inherent values and the majority land between the road and the highway between the peninsula and the reserve that was proposed at the neck is Crown land with an operating easement on it, the exception being an area of privately owned land. This point is therefore disallowed.
- 24.2 This relates to land outside of the reviewable land and is disallowed.
- 24.3 This relates to access to land outside of the reviewable land and is disallowed.

Accept/Not Accept

- 24.1 As the decision has been made to not allow this point it is automatically not accepted.
- 24.2 As the decision has been made to not allow this point it is automatically not accepted.
- 24.3 As the decision has been made to not allow this point it is automatically not accepted. This point has been met in part as walking access is proposed from the State Highway to Bum Bay however camping is not proposed within the reviewable land.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
25	25.1 Propose that Conservation area CA3 be extended to the north by one to two ridges and across the Craighburn as far as the road to the airstrip.	8, 36	Allow	Not Accept
	25.2 Suggest that better walking access is needed than up the canyon in the lower reaches of Mt Burke Creek.	8	Allow	Not Accept

Rationale

Allow/Disallow

The submitter suggests the northern boundary should be fenced over its entire length. Submitter 36 suggests rocky outcrops and bluffs should be included in Conservation area.

25.1 The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

25.2 The protection of access is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

25.1 These points have largely been met by extending CA3 down to SH 6 extending CA3 north by one or two ridges would include the lower reaches of Long Valley Creek which clearly do not contain significant inherent values. Further consultation with the DGC's delegate and the holder confirms that alterations be made to the proposal which will meet the submitters concerns at least in part. The point should not be accepted for inclusion in the draft substantive proposal.

25.2 Access to CA 3 is now proposed from the State Highway following the Craighburn Creek and then into the Mt Burke Creek area. Additional access is provided for from Stewarts Creek along the tops into CA 3. Access is also available from Lake Wanaka. Further consultation with the DGC's delegate and the holder confirms that alterations be made to the proposal which will meet the submitters concerns at least in part. The point should not be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
26	26.1 That the Conservation Covenant Area CC1 should preferably be transferred to full Crown ownership and control.	8,18,19	Allow	Not Accept
	26.2 That the purpose of the photographic monitoring is not clear and a statement of action is needed if the results reveal an unsatisfactory situation.	8	Allow	Not Accept
	26.3 Submitter recommends oversowing and chemical spraying be excluded in CC1.	8	Allow	Not Accept
	26.4 That an enclave to the north eastern corner of the Covenant Area should be included.	8	Allow	Accept

Rationale

Allow/Disallow

26.1 The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed. Submitter 19 also suggests adding the head of Long Valley Creek.

26.2 The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

26.3 The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

26.4 The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

26.1 Covenant protection over CC1 is considered acceptable in the context of the whole review, in that CA3 better meets reserve criteria as it contains a complete lake to lake altitudinal sequences and is likely to adjoin conservation lands arising from the Mt Burke tenure review which makes for a substantial well buffered conservation holding. Further consultation with the DGC's delegate

- and the holder confirms that alterations be made to the proposal which may meet some of the submitters concerns at least in part. This point should not be accepted for inclusion in the draft substantive proposal
- 26.2 Following further consultation with the DGC's delegate and the holder some aspects of the photo monitoring and also the values to be protected have been clarified further. These changes will assist with providing a better outcome in protecting the area within CC1. This point should not be accepted for inclusion in the draft substantive proposal
- 26.3 This matter was very vigorously debated during consultation with the holder. Restrictions have been placed on the areas which can be oversown and sprayed. The DGC's delegate is happy with the proposed outcome. This point should not be accepted for inclusion in the draft substantive proposal
- 26.4 Following further consultation with the DGC's delegate and the holder a small extension to the covenant at Halls Creek is proposed. This is likely to meet the submitters concern and the point is accepted for inclusion in thje draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
27	That CA2 and its no burning covenant be extended northwards along the full extent of the lakeshore and up several streams flowing off the Hawea face.	8	Allow	Not allow

Rationale

Allow/Disallow

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

CA2 has been extended north to near the deviation at approximately trig 11521. The Crown outside of tenure review has purchased a number of areas for future erosion to the north of trig 11521 and these are now out of the reviewable land. It is proposed that the holder retains land at Dinner Flat that is developed pasture. Approximately 10km of the Wanaka faces is protected by CA3 upto at least the 500m contour and the majority of the face above is proposed to be protected by CC2. Only the 4km at the northern end on the Wanaka Faces is not covered. The DGC's delegate and the holder are satisfied with the level of protection that is proposed. While the point is not accepted the proposal does go a long way towards meeting the submitters concerns. This point should not be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
28	An additional Conservation Covenant adjoining CC1 being the faces above the Neck.	8	Allow	Not Accept

Rationale

Allow/Disallow

This is recommended to include prohibitions on subdivision and the erection of buildings. The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The point raised by this submitter has been considered. Landscape values have not been afforded formal protection as values on other parts of the property were considered more important - namely the Wanaka faces. Further consultation with the DGC's delegate and the holder confirms that. Although this point is partly met by the proposed extension of CA1 it is not accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
29	Marginal strips should be formalised in Mt Burke Creek, Craigburn. Long Valley and Dinner Creeks.	8, 19	Disallow	Not Accept

Rationale

Allow/Disallow

Submitter 19 included Craigburn and Dinner Creeks only. This is not a matter the Commissioner can determine under the CPLA 1998. The point is therefore disallowed.

Accept/Not Accept

As the decision has been made to not allow this point it is automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
30	Agree that areas marked R, CA1, CA2, and CA3 should be Reserve and Conservation Area.	9	Allow	Accept

Rationale

Allow/Disallow

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed with the exception of R, which is now land outside of the reviewable land.

Accept/Not Accept

The point raised on these submissions support this part of the preliminary proposal. Further consultation with the DGC's delegate and the holder confirms that this point should be accepted for inclusion of the draft substantive proposal. Note however that the area that was previously Reserve has been purchased by the Crown and is no longer part of the reviewable land and areas CA1, CA2 and CA3 are all proposed to increase in area. This point should be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
31	31.1 The whole of Halls and Stewarts Creek to be Conservation Area	9	Allow	Not Accept
	31.2 The balance of CC1 to remain leasehold so it could be taken over as Conservation Area if abused.	9	Allow	Not Accept

Rationale

Allow/Disallow

31.1 The submitter would like to see the area destocked to protect water quality and native fish and reduce nutrients flowing into Lake Hawea. The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed. Submitter 18 also included several unnamed creeks.

31.2 The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

31.1 The Hawea catchments referred to in the submission remain as conservation covenant. Covenant protection over this area is considered satisfactory, as although the area contains significant inherent values, the area has poor connectivity to either CA3 (and likely adjoining conservation land on Mt Burke Station) or to extensive areas of semi pristine mountain lands on the McKerrow Range which are separated by a corridor of modified land in the vicinity of "the Neck". Further consultation with the DGC's delegate and the holder confirms their acceptance of proposed alterations to the proposal which may meet the submitters concerns at least in part. This point should not be accepted for inclusion in the draft substantive proposal.

31.2 The balance of the Hawea catchments referred to in the submission are proposed to remain as conservation covenant. Covenant protection over this area is considered satisfactory, for the reasons set out in 31.1 above. Further consultation with the DGC's delegate and the holder confirms that proposed alterations to the preliminary proposal may meet the submitters concerns at

least in part. This point should not be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
32	The area of CC2 to be added to CA3	9	Allow	Accept

Rationale

Allow/Disallow

The submitter believes that this would reduce nutrient run off into Lake Wanaka and protect the vegetation from burning and over stocking. The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

In consultation with the DGC's delegate and the holder the area of CC2 in the Preliminary Proposal has been added to CA3 and in fact the strip of CA3 that is now proposed for the lower margin of the Wanaka faces is significantly larger than the area of CC2 that is shown in the Preliminary Proposal. This change which the land holder has agreed to include in the draft substantial proposal and is supported by the DGC's delegate should meet the submitters concerns. This point should be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
33	The submitter believes that CA1/reserve should extend down to the lakeshore and include the catchment of the wetlands.	10, 19, 21, 29, 30	Allow	Accept

Rationale

Allow/Disallow

Submitter 19 also suggests Deer fence to be shifted to higher ground. The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

Further consultation with the DGC's delegate and the land holder has identified that all the lands from the wetland down to the lakeshore be included in the draft substantial proposal. Protection to the sky line is unjustified as the faces high above the wetlands do not contain significant inherent natural values. The main catchment for the wetlands would appear to be on the north side of the state highway. The proposed amendment is considered to meet at least in part the submitters point and should be accepted for inclusion in the draft substantial proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
34	This submitter supports the freeholding of Glen Dene	11	Allow	Accept

Rationale

Allow/Disallow

Although this point does not require a decision by the Commissioner it is relevant in terms of section 24 (c) (ii) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The point raised by this submitter supports this part of the preliminary proposal. Further consultation with the DGC's delegate and the holder confirms that this point should be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
35	Would prefer that the Lake Wanaka faces be returned to full Crown Control but would accept a Covenant with appropriate restrictions.	13, 15, 18, 19, 21, 34	Allow	Accept

Rationale

Allow/Disallow

The submitters consider that a covenant must prohibit burning, spraying, clearing, cutting of any indigenous vegetation, oversowing, tracks, soil disturbance, structures, fencing and planting exotic species. Grazing of sheep only to be permitted providing it does not adversely affect SIV's at the discretion of DoC for a max of 10 years and any renewal of grazing thereafter dependant on ensuing that the shrublands are regenerating and expanding. The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed. Note submitters 18 & 19 only suggested a covenant between CA1 and CA3. Submitter 21 was seeking greater protection of slopes and beech forest remnants and regenerating shrubland.

Accept/Not Accept

The portion of the Wanaka faces containing the highest biodiversity values (under the 500 m contour) are now proposed for restoration to full Crown Ownership. Covenant protection over much of the balance of the Lake Wanaka faces is considered satisfactory, as although the area contains significant inherent values, these are mainly landscape. Further consultation with both the DGC's delegate and the holder confirms that this point should be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
36	The submitter would like to see CA2 and CA3 linked.	13	Allow	Accept

Rationale

Allow/Disallow

The linkage to follow the skyline ridge and embrace all broadleaf, Pittosporum bush and regenerating shrubland in the gorge both above and below the State Highway. The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

This area was not identified in the original designations report for inclusion in Conservation Area 3. However when consulted the DGC delegate acknowledged that the area did contain significant inherent values and agreed that the area should be included as that would provide a lake to lake transect and the area was worthy of protection.

The point was discussed with the holder and it was agreed that the area should be included in CA3 with the land to remain in Crown Control. With the exception of the State Highway this links CA3 and CA2. This point should be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
37	The submitter would prefer to see CC1 returned to full Crown ownership and control but would accept the covenant with improved conditions if it extended to include the enclave south of Halls Creek.	13, 19, 36	Allow	Accept

Rationale

Allow/Disallow

A covenant excluding burning, oversowing, chemical spraying, clearing, removal of indigenous vegetation, cultivation, earthworks and other soil disturbance, planting of exotic species with no provision for the Ministers consent. Landscape values also to be included. Submitter 19 would like to see the headwaters of Long Valley Creek included. Submitter 34 was seeking better covenant conditions for CC1.

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The Hawea catchments referred to in the submission remain as conservation covenant. Covenant protection over this area is considered satisfactory, as although

the area contains significant inherent values, the area has poor connectivity to either CA3 (and likely adjoining conservation land on Mt Burke Station) or to extensive areas of semi pristine mountain lands on the McKerrow Range which are separated by a corridor of modified land in the vicinity of "the Neck". Further consultation with the DGC's delegate and the holder has resulted in several proposed amendments to the covenant documentation improve photo monitoring and to clarify the values to be protected. In addition the covenant in the vicinity of the lower Halls Creek is proposed to be extended approx 100m to the south to include an area of shrubland/lowforest within a bluffy area. There is otherwise little in the way of natural vegetation between Halls and Stewarts Creek. These changes should meet the submitters concerns at least in part. This point should be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
38	Beach and forest remnants in Lower Dinner Creek to be protected by a covenant.	13	Allow	Accept

Rationale

Allow/Disallow

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

Further consultation with the DGC's delegate and the land holder has identified that further land in the Lower Dinner Creek should be protected by Covenant. The covenant is proposed to be extended by 1km and this was agreed to by the DGC's delegate and the holder. However following a recent inspection the DGC's delegate has advised that he would like to see the covenant extended a further 1km. The holder was agreeable to the initial extension but the extension down to his yards is not acceptable. The conservation covenant is proposed to be extended by 1km and while the DGC's delegate would like to see a further extension the extension as proposed provides significantly increased protection. The point is proposed to be met in part and should be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
39	If practical mountain bikes to be extended to b-c from a-b	13	Allow	Not Accept

Rationale

Allow/Disallow

Access was not extended to b-c due to the terrain especially the second portion of the track.

The protection of access is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

Transit New Zealand was strongly against the public using the gate at 'a' for access onto the property. Access from the State Highway at this point has poor sight distances. Following further consultation with the DGC's delegate and the holder an alternative access into CA3 became possible with an extension of CA3 down the Craig Burn to the State Highway. A car park is proposed for the south side of the Craig Burn and access onto the property will be by way of a walking track into CA3 directly off the State Highway on the north side of the Craig Burn. As the area will be Conservation land from the Craig Burn then members of the public will be able to mountain bike in the area where practical but that may be restricted if damage was to occur. While mountain biking on b-c would be possible if the review proceeds access a-b will not be available due to access issues. This point should not be accepted for inclusion in the draft substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
40	40.1 Bum Bay should have a small recreational reserve	13, 18, 34	Allow	Not Accept
	40.2 Access to and along the shoreline is considered to be a matter of national importance and should be provided for during Tenure Review.	13, 16, 19, 29, 30	Disallow	Not Accept

Rationale

Allow/Disallow

Submitter 34 recommends reserve for all or part of Bum Bay Peninsula taking into account kanuka and formal public access from the road.

40.1 The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

40.2 Access to land outside of the reviewable land is not a matter the Commissioner can consider and the point is therefore disallowed.

Accept/Not Accept

40.1 Following consultation with the DGC delegate and the land holder public foot access to Bum Bay from the State Highway is now proposed to be included in the draft substantial proposal. When that issue was being considered the possibility of a reserve at Bum Bay was also considered. Upon inspection with the land holder it was discovered that the Lake margin in this area provides a significant area which is considered to be sufficient for public recreation adjacent to the shoreline. The land acquired for the lake margin is to 20.12m from RL346.92 or to 349.05 whichever is greater. As the land is not steep in this

location a larger margin exists. The DGC’s delegate has also been consulted and supports the submitter’s point not being accepted. It is therefore recommended that the point not be accepted in the draft substantive proposal.

40.2 As the decision has been made to not allow this point it is automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
41	Supports DoC and Forest and Bird position and would like to see an expanded reserve.	14	Allow	Not Accept

Rationale

Allow/Disallow

The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The area that the reserve was proposed has been purchased from the land holder by the Crown outside of the tenure review and is no longer reviewable land. Land to the north of the area that was proposed as reserve on the state highway side of is now proposed to be included in an expanded CA1. The DGC’s delegate is supportive of the proposed outcome and land on the top side of the road between the Neck and Dinner Flat has not been considered to be retained in Crown Control as much of the land is developed farmland with isolated pockets of land with significant inherent values. Further consultation with the DGC’s delegate confirms his agreement that the point not be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
42	All Lake Wanaka faces should be retained as Conservation land.	16, 20, 29	Allow	Not Accept

Rationale

Allow/Disallow

The protection of SIV’s is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The portion of the Wanaka faces containing the highest biodiversity values (under the 500 m contour) are now proposed for restoration to full Crown Ownership hence the submitters concerns are met in part. This point should not be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
43	Bay south of round hill to remain in Crown ownership for recreational purposes.	16, 29	Allow	Not Accept

Rationale

Allow/Disallow

The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The pastoral lease has an area that extends from the state highway onto the rock adjoining the bay south of Round Hill. A check of the plan that was approved for the Lake (SO 24526) has shown that the Bay is Crown Land within the land under the operating easement. The land that is proposed to be included in the freeholding will not stop access to the bay which is outside of the reviewable land. The land is low lying and the criteria for establishing the lake margin with adjoining land was that the boundary was set at RL 346.92 plus 20.12m or RL 349.05 whichever is the greater. In this case RL 349.05 is the greater and access is available directly from the State Highway. The submitters point is not accepted for inclusion in the draft substantive proposal as the land is outside of the reviewable land.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
44	Area below deviation to provide for unrestricted , non vehicular public access to Lake Hawea	16, 34	Disallow	Not Accept

Rationale

Allow/Disallow

This land has recently been purchased by the Crown from the leaseholder due to the unstable nature of much of this land. It is no longer part of the reviewable land so cannot be considered by the Commissioner.

Accept/Not Accept

As the decision has been made to not allow this point it is automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
45	The legal road near d-e-f should be freeholded and existing track become legal road.	16, 19	Disallow	Not Accept

Rationale

Allow/Disallow

This is land outside of the reviewable land and cannot be considered by the Commissioner.

Accept/Not Accept

As the decision has been made to not allow this point it is automatically not accepted.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
46	Provision for a walkway from Round Hill to the Lake Hawea Holiday Park.	16, 29	Allow	Accept

Rationale

Allow/Disallow

Submitter 29 also suggests a cycleway be included.

The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

This area was not specifically mentioned in the original conservation resources report or identified within the proposed designations report for inclusion as a Public Access Easement. This is a matter that is relevant to Sections 24 and 25 of the Crown Pastoral Lands Act 1998. The DGC's delegate has been consulted and agrees that the provision of public access through the land that is proposed for freeholding in this area is important.

The holders agree that a Public Assess Easement including walking and biking should be included over the reviewable land between Round Hill and the Camping Ground and this is proposed to be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
47	No provision for camping along d-e-f-g	16	Allow	Not Accepted

Rationale

Allow/Disallow

Submitter suggests a camping site here as there is potable water and some shelter.

The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The holder has agreed to public walking access along i-e-f-g but is strongly opposed to camping on the land. The section d-e is for vehicles for management purposes only. Reasons for the opposition to camping are lack of toilet facilities and risks from fire. The holder is willing to accept a **10m** wide access easement. His concern that if camping was allowed the access could be blocked or that the campers would encroach onto the land proposed to be freehold. This point should not be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
48	Non vehicular access from The Neck to Isthmus Peak to enable a walkway circuit.	16, 23	Allow	Not Accepted

Rationale

Allow/Disallow

Submitter 23 details some alternatives.

The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

While the concept of a walkway circuit appears to be a good idea it was not supported by the holder or the DGC's delegate. The holder is opposed to numerous points of entry for the public as additional access such as the route suggested is through farm land and this makes management very difficult. The cost to the Crown to form a track would also be significant. It is considered that the access proposed provides good access to and along the tops and meets the objects of section 24 (c) (i) CPLA 1998. This point should not be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
49	Non vehicular walkway around shoreline of Lakes Wanaka and Hawea.	16	Allow	Not Accept

Rationale

Allow/Disallow

The submitter suggests that the walkway should wherever possible be on Crown land however where that is not possible it would have to be located on the adjoining reviewable land. The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The shores of Lake Wanaka have a marginal strip. The strip along the Lake Wanaka shore is very difficult country in which to form a track. The DGC's delegate did not

support this proposal as the cost to form and maintain tracks would be high if a suitable track could be formed.

Access along the shores of Lake Hawea was not supported for similar reasons. In some areas access is available along the land that the Crown holds for Lake Hawea however due to the nature of the operation of the Lake for hydro generation purposes in a number of places practical walking access along the lakeshore does not exist. The cost and difficulty to create alternative access is significant and was not supported by the DGC's delegate. The land holder was also not supportive of access through farm land. In other areas construction of tracks would be difficult. The Crown has secured land for future erosion which bounds the State Highway and together with land in CA2 provides significant areas of land between the State Highway and Lake Hawea in Crown control. This point should not be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
50	Provision of feasible or realistic public access to tracks along the tops to Conservation Area and Mt Burke.	17	Allow	Accept

Rationale

Allow/Disallow

The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed. Refer also 9.

Accept/Not Accept

The track i-e is proposed to be realigned onto a route that will now require minimal work to form a good track. The DGC's delegate and the holder have confirmed their support for the proposed new alignment which mainly follows an existing benched fence line in this section. This new alignment which provides for walking and mountain biking should meet the submitters concerns. This point should be accepted for inclusion in the draft substantive proposal

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
51	51.1 The entire 2,700 ha including Mt Burke Creek, Long Valley Creek, Craig Burn and Dinner Creek be returned to full Crown ownership and Control.	18	Allow	Not Accept
	51.2 Narrow tongue of CA3 in vicinity of Mt Burke Creek to be widened	18,19	Allow	Not Accept

	northwards to include adjoining E-W ridge to provide easier access.			
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Rationale

Allow/Disallow

51.1 The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

51.2 The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

51.1 The Hawea catchments referred to in the submission are proposed to remain as conservation covenant. Covenant protection over this area is considered satisfactory, as although the area contains significant inherent values, the area has poor connectivity to either CA3 (and likely adjoining conservation land on Mt Burke Station) or to extensive areas of semi pristine mountain lands on the McKerrow Range which are separated by a corridor of modified land in the vicinity of "the Neck". Further consultation with the DGC's delegate and the holder confirms that proposed alterations to the CC1 Conservation Covenant boundary may meet the submitters concerns at least in part. This point should not be accepted for inclusion in the draft substantive proposal.

51.2 Further consultation has been undertaken with the DGC's delegate and the holder. The narrow strip is considered to provide practical public access and in fact access becomes more difficult above the narrow strip. This point should not be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
52	CA1 to be increased back to 10ha in DPP	18	Allow	Accept

Rationale

Allow/Disallow

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The area of CA1 is proposed to be increased to include a larger area to that proposed in the DPP. This will cover the wetlands and both outlets of the wetlands to Lake Wanaka. The increase in the area will meet the submitters concerns. This point should be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
53	Submitter agrees to CA2 being restored to Crown Control and has no issue with proposed concession.	18	Allow	Accept

Rationale

Allow/Disallow

Although this point does not require a decision by the Commissioner it is relevant in terms of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The points raised on this submission support this part of the preliminary proposal. As noted above it is considered that the points raised are matters that are relevant to Sections 24 and 25 Crown Pastoral Land Act 1998. Further consultation with the DGC's delegate and the holder confirms that this point should be accepted for inclusion of the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
54	54.1 Supports public access along skyline	18	Allow	Accept
	54.2 Legal road should be extended to State Highway	18	Allow	Not Accept
	54.3 Alternative to 54.2 is to construct i-e if practical for mountain biking.	18	Allow	Accepted
	54.4 Supports a-b-c and car park at b.	18, 19	Allow	Not Accept
	54.5 Considers closure period for i-e-f-g, f-h is unnecessary.	18	Allow	Not Accept

Rationale

Allow/Disallow

The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed. Submitter 19 refers to car park only.

Accept/Not Accept

54.1 The point raised on this submission supports this part of the preliminary proposal. Further consultation with the DGC's delegate and the holder confirms that this point should be accepted for inclusion of the draft substantive proposal.

- 54.2 The holder has agreed to easements for public access for foot and mountain biking from the state highway up to and along the tops. A large portion of the legal road is up a face that does not provide practical access. As adequate access has been provided for by way of an easement this point is not accepted for inclusion in the draft substantive proposal.
- 54.3 The track i-e has been modified onto a route that will now require minimal work to form a good track. The DGC's delegate has confirmed that the new alignment is one that can be formed with minimal work and supports the new alignment. This new alignment will meet the submitters concerns. This point should be accepted for inclusion in the draft substantive proposal.
- 54.4 Access from the State Highway at point 'a' was strongly opposed by Transit New Zealand. Further consultation with the holder has led to the proposed inclusion of land adjoining the Lower Craig Burn down to the State Highway into CA 3 providing for a lake to lake transect. The car parking area is now proposed to be adjoining the state highway on the south side of the Craig Burn with access into the Conservation Area to be immediately on the north side of the Craig Burn. This will follow along the ridge to point b then down the track across the Craig Burn then up the other side into the main area of CA3. The entire track is now proposed to be within an expanded CA3 so easements for the public are not required. While the point is not accepted as the access point and car parking is proposed to be shifted, the alternative access is considered to be superior to the original proposal for access and this should meet the submitters concerns. While the changes to the proposal have provided an outcome that is different this point should not be accepted for inclusion in the draft substantive proposal as this alignment is proposed to be deleted from the draft substantive proposal. This point should not be accepted for inclusion in the draft substantive proposal.
- 54.5 The holders were seeking a longer closure period but have agreed to modify their farming operation to minimize the closure period. Closure periods are not considered lightly but taking into account the holders concerns in relation to fawning the closure period is considered appropriate and acceptable to the parties to secure access for the balance of the year. This is considered to be a positive outcome and the access provisions are considered to meet the objects of Sections 24 and 25 Crown Pastoral Land Act 1998. This point should not be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
55	Supports public access route j-j1 but submits it is more important to provide public access to the beach at Bum Bay.	18	Allow	Accept

Rationale

Allow/Disallow

This point is relevant in terms of the securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998. It is therefore allowed.

Accept/Not Accept

The point raised by this submitter in relation to j-j1 supports this part of the preliminary proposal. Further consultation with the DGC's delegate and the holder has identified a suitable route for a walking access easement to Bum Bay from a car park proposed to be established adjoining the State Highway in addition to the access at j-j1. This additional proposed easement should meet the submitters concerns. The DGC's delegate and the Holder support this additional proposed easement and this point should be accepted for inclusion of the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
56	Supports CA3	19, 33	Allow	Accept

Rationale

Allow/Disallow

Although this point does not require a decision by the Commissioner it is relevant in terms of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The point raised in these submissions support this part of the preliminary proposal. Further consultation with the DGC's delegate and the holder confirms that this point should be accepted for inclusion of the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
57	CC1 be extended to cover the similar higher altitude country on the western side of the divide.	19, 36	Allow	Accept

Rationale

Allow/Disallow

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

The area on the western side of the divide (Wanaka faces) was recognized as containing significant inherent values and following further consultation with the DGC's delegate and the holder a covenant (CC2) is now proposed to protect the predominately landscape values. This has been agreed to by the holder and is supported by the DGC's delegate. This proposed conservation covenant will place additional protection on the higher altitude country on the western side of the divide. This point is accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
58	Area adjoining j-j1 to become a reserve of 2 or more ha.	19	Allow	Not Accept

Rationale

Allow/Disallow

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

This is an easement that leads to the Lake Hawea shoreline. The maximum lake level is RL 346.92 with the boundary between the land held for the lake and adjoining land being RL 349.05 or 20.12m from the RL 346.9m contour. This is considered to provide adequate land adjoining the lake for public recreation adjacent to the shoreline. The holder is strongly opposed to camping in these areas and would not agree to a reserve area adjoining the lake as he considers that would encourage camping. This point is not accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
59	Would like to see areas of mainly cliff face between the Neck and Dinner Creek retained in Crown Control.	19	Allow	Not Accept

Rationale

Allow/Disallow

The protection of SIV's is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

Landscape values in this area have not been afforded formal protection as values on other parts of the property were considered more important. Significant additional areas of the reviewable land, namely the majority of the Wanaka faces above 500m, have been included in a large proposed covenant with much of the land below the Wanaka faces now included in CA3. Further consultation with the DGC's delegate

and the holder confirms that alterations now proposed will provide additional protection to large parts of the property. The area in the submitters point is not considered to be as important or require the additional protection that was considered important for other areas of the property. The DGC’s delegate is satisfied with the level of protection proposed and does not consider it necessary extend the area of formal protection to include the area suggested by the submitter. This point should not be accepted for inclusion in the draft substantive proposal.

<i>Point</i>	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
60	60.1 Concerned that CA2 may be grazed and stock track relocated if damage occurs.	19	Allow	Not Accept
	60.2 All land that is uneconomic to fence and manage for faming between CA2 and j-j1 should be retained in Crown Control.	19	Allow	Not Accept

Rationale

Allow/Disallow

60.1 The securing of access and enjoyment of the reviewable land is an object of section 24 (c) (i) CPLA 1998 and is therefore allowed.

60.2 The protection of SIV’s is an object of section 24 (b) CPLA 1998 and is therefore allowed.

Accept/Not Accept

60.1 An access easement is proposed to be given to the land holder over a small part of CA2. It is the responsibility of the land holder to avoid any damage to adjoining land and if that did occur the Department of Conservation would act to mitigate any damage. The easement will not permit grazing and the land does not lend itself to grazing. Fencing the sides of the easement is an option if any problems arose. The access at this point is vital to the future farm management as CA3 and the Craig Burn split the property on the top side of the road and the land owner is concerned about driving stock along the state highway with ever increasing traffic volumes. The speed of traffic is also now a factor. This point is not accepted for inclusion in the draft substantive proposal.

60.2 While the point is not accepted only a very small part of the land that the submitter refers to will be freeholded if the tenure review proceeds as proposed. CA2 is proposed to be extended to the deviation. The Crown has recently purchased land below the deviation and most of the land apart from