

## **Crown Pastoral Land Tenure Review**

**Lease name: THE LARCHES**

**Lease number: PO 254**

### **Final Report on Public Submissions**

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.

**June**

**10**

**FINAL ANALYSIS OF PUBLIC SUBMISSIONS  
FOR PRELIMINARY PROPOSAL  
THE LARCHES PASTORAL LEASE**



**File Ref:** PRY-C60-12531-TNR-PO254-A/05    **Submission No:** DN0300    **Submission Date:** 16/02/10

**Office of Agent:** Dunedin    **LINZ Case No:**    **Date sent to LINZ:** 03/03/10

**RECOMMENDATIONS**

1. That the Commissioner of Crown Lands **notes** the receipt of this report for land held under The Larches pastoral lease.
2. That the Commissioner of Crown Lands **approves** the recommendations in this report to Accept or Not Accept the points raised in the submissions received.

**Signed by Opus:**

Dave Payton  
Tenure Review Contract Manager

**Peer Reviewed by:**

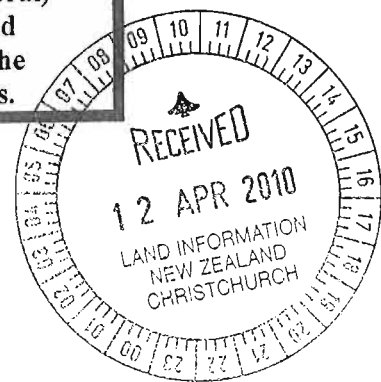
Simon deLautour  
Tenure Review Consultant

**Approved/Declined by:**

Name:

Date of decision: 22 / 4 / 10

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



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**1. Details of leases:**

**Lease Name:** The Larches pastoral lease

**Location:** Cardrona Valley, Wanaka

**Lessee:** Leslie James William Stewart and Roger Norman Macassey and James Peter Robertson, Polson Higgs Nominees 2006 Limited and GCA Legal Trustee 2005 Limited

**2. Public notice of Preliminary Proposal:*****Date, publication and location advertised:***

Saturday 19<sup>th</sup> July 2008.

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

***Closing Date for Submissions:***

30 September 2008.

**3. Details of Submissions received:**

A total of 19 submissions were received by the closing date.

**4. Final Analysis of Submissions:****4.1 Introduction:*****Explanation of Analysis:***

Each of the submissions received has been numbered, and each of the points raised has also been numbered. Where submitters have made similar points these have been given the same point 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.
- Provides a discussion of each point.
- Indicates whether the point was allowed or not allowed for further consultation.
- Indicates whether the point was finally accepted or not accepted

In the preliminary analysis of public submissions, points that were considered to be matters that could be dealt with under the Crown Pastoral Land Act 1998 (CPLA) were allowed for

further consideration. Conversely where the matter raised was not seen as a matter that could be dealt with under the CPLA, the point was not 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.

In this final analysis, points that will be reflected in the substantive Proposal are identified as 'accepted', while points that will not be reflected in the substantive Proposal are 'not accepted'. This decision has been 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:

The submissions have been analysed in the order in which they were received, and points have been listed in the order in which they appear.

Appendix II provides a summary of the points and issues.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
1	Current prospecting activity by Glass Earth shows the property and surrounding area has potential minerals. It is critical that exploration and mining companies get ongoing access to the land. Provision should be made for mineral prospecting activities to continue to be undertaken. Arrangements should be put in place to ensure that future mineral explorers and developers have the right of access to Crown and freehold land on reasonable terms.	1	Disallow	N/A

#### *Rationale*

The submitter points out that the Criffel diggings have previously been mined for gold and that there is a current prospecting permit (permit no 39322 – Glass Earth NZ Ltd) which covers the entire area of the Larches pastoral lease. The permit covers some 18,050 km<sup>2</sup> of the Otago region.

The submitter acknowledges that transferring land to the Department of Conservation or to freehold ownership does not preclude prospecting, exploration, or mining, and that access arrangements over any such land can be sought under section 61 of the Crown Minerals Act 1991. However, the submitter considers that gaining such rights becomes more difficult where the land is administered by the Department of Conservation, due to the fact that the land is managed for conservation objectives.

Mineral wealth, or gaining access to prospect or mine, can only be taken into account in tenure review if it is relevant with respect to the objects set out in section 24 CPLA. Section 24 (a)(ii) indicates an object of the CPLA is to "enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument." However, subsurface mineral wealth is outside the domain of the land under review. Tenure review applies only to the land itself. Subsurface mineral wealth is controlled under the Crown Minerals Act

1991, and its ownership is not affected by tenure review. In addition, the management constraints referred to in section 24(a)(ii) are those that relate to pastoral lease tenure, not mining activities. Taking mineral wealth into account would therefore appear to have no relevance with respect to section 24(a) CPLA.

Section 24(b) CPLA identifies the protection of significant inherent values as an object of tenure review. However, mineral wealth would not appear to be an inherent or a significant inherent value as defined in section 2 CPLA.

Consequently it is considered that the point is not relevant with respect to the objects of tenure review as defined in section 24 CPLA, and therefore the point has been disallowed.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
2	The conservation covenants should be extended to cover other parts of the proposed freehold land identified with significant inherent values.	2, 8, 12, 16, 18	Allow	Accept in part

*Rationale*

Submitter 2 poses the question, “why is only a small area of the hillside covered under a conservation covenant and why is the wetland immediately above CC1 not included in CC1?”

Submitters 8 and 16 suggest there are many areas of shrublands not subject to a covenant which contribute to the landscape values seen from the Cardrona Valley. They advocate a covenant over those areas to exclude burning, clearing and spraying and further suggest burning should be banned from the whole freehold. Submitter 16 suggested increasing the area of CC1. Both submitters also consider much of the mid and lower slopes have the same landscape values as those in CC2 (LU2 from the CRR) and therefore should be protected with a covenant under the same conditions up to the fence line at about 1,000m. Submitter 8 qualifies this by suggesting if the shrublands can not be protected then retaining the property as a pastoral lease should be considered, submitter 16 stated if all points can not be resolved then an alternative is that the review could be aborted and retained as a pastoral lease.

Submitter 12 believes all of the country below the duck pond near the top of CC1 should be covenanted to protect the shrublands dominated by kanuka. They suggest if the proposal can not be improved then they see no harm in leaving it as a pastoral lease.

Submitter 18 express similar views to submitters 8 and 16 in terms of extending the covenant over the highly visible slope that contain kanuka and other woody species such as oleria, coprosma, bush lawyer, porcupine scrub, native broom and manuka which form an outstanding natural landscape.

The point relates to the protection of shrubland and landscape values, which are significant inherent values. Section 24(b) of the CPLA relates to the protection of significant inherent values, so this point has been allowed for further consideration.

In the period since the conservation resources survey was undertaken in 2002 the importance of lowland biodiversity values associated with low altitude woody remnants has been recognised. Submitters accordingly highlighted the need to reevaluate this aspect of the proposal.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
3	The conditions of the Conservation Covenant CC2 have been questioned with proposed amendments.	2, 9, 12, 16	Allow	Accept in part

*Rationale*

Submitter 2 poses the question, “instead of allowing spraying over CC2 which could include native plants, why not state the species targeted?” The proposal currently allows spraying within CC2 except for shrublands located on boulder fields, bluffs or on the margins of water courses.

Submitter 9 does not support allowing fertilising and over-sowing within CC2 as the area should be given protection for its natural values. They expressed concern burning is permitted over the covenants when the public access easements pass through them.

Submitter 12 is concerned burning is only banned over shrublands located on boulder fields, bluffs or on the margins of water courses and considers there should be no burning anywhere on the block.

Submitter 16 also asks how the shrublands will be protected and expresses concern that grazing within CC1 will compromise the values. They suggest a monitoring regime needs to be implemented and ensure fencing is erected if this shows grazing is having adverse effects.

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

DoC has advised that away from the waterways and boulder fields the intent of CC2 is to protect open landscape values and protection of those values does not require retention of woody species. Ongoing grazing is considered to be consistent with this open landscape objective.

The spread of matagouri beyond the waterways and boulder fields is recognised as a potential risk to ongoing grazing on the open face. Spraying is therefore considered to be an acceptable and necessary management tool to address this risk in this instance.

DoC has advised that apart from seasonal greening which already occurs, oversowing and topdressing will not impact on the open landscape values. They have also highlighted the potential for the area to gradually degrade with ongoing grazing and a prohibition of inputs encouraging an invasion of hawkweeds possibly of the magnitude which has resulted at higher altitude on the Criffel Range. Inclusion of provision for oversowing and top dressing is therefore considered to be appropriate in this instance.

The intent of the covenant is to prohibit burning anywhere within the covenanted area. It is acknowledged the clarity of this restriction within Schedule 2 (Special Conditions) could be improved and consequently clause 3 has been amended to achieve that outcome. (The amended clause being “Unless agreed in writing by the parties, the Owner must not carry out on or in relation to the Land ..any burning on the Land..”).

Given the intent of the covenant is to protect the open landscape values and DoC technical advice

clarifies those values are not threatened by permitted ongoing pastoral activities the point has only been accepted in part. The accepted part relates to the acknowledged need to amend the instrument to improve clarity relating to the no burning restriction.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
4	The exclusion of dogs on the easement has been questioned.	2	Allow	Not Accept

*Rationale*

The submitter poses the question, “what’s the problem with dogs on the easement? DOC allow dogs on some of the land that they look after, so why not allow them to decide as part of their management policy?”

The point relates to the conditions of public access across freehold land. Although the point also relates to recreational hunting on the adjoining conservation land which is a Department of Conservation management issue outside of tenure review, the provision of public access across freehold land and enjoyment of the reviewable land is a matter that can be taken into account under Section 24(c)(i) CPLA. The point has therefore been allowed for further consideration.

The holder is opposed to dogs being permitted on the proposed easements due mainly to the significant potential disturbance dogs pose to his farming operation.

This position is considered to be justified given the location and extent of the proposed easements in combination with the small size of the holding and expected increase in intensification of the post tenure review farming operation. The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
5	Objection to aspects of the public access route relating to use of an unformed legal road from Mt Barker Road to the start of the public access easement on the property boundary at (b)	4, 5, 7, 11, 13, 14, 16, 17	Allow in part	Accept in part

*Rationale*

Sub-point (a)

Objection to using the unformed legal road from Mt Barker Road to the property boundary and a request for further consultation.

Submitters 4, 5 and 7 believe access from Mt Barker Road to the public access easement at (b) has not been thought out and highlight the legal road is right next to a number of private properties and if this route is used for access it will result in an invasion of those people’s privacy and quiet enjoyment. They claim the track in some places will be less than 10 metres from private sitting rooms. They suggest it will also impact on the remote experience of track users. They stress that they strongly object to the access route and are aggrieved the affected parties have not been involved in Tenure Review discussions or consulted. They invite the parties involved to discuss the matters they have



raised and possible alternative access options.

The legal road between Mt Barker Road and the property boundary is not included in the land under review. It is consequently not a matter that can be considered under the CPLA and therefore sub point (a) is disallowed. The comments of the submitters and their request for consultation to occur over possible alternative options will however be referred to DoC for them to consider addressing outside of the tenure review process. It will be suggested any consultation should necessarily also involve the local authority responsible for the use and management of the legal road in question.

#### Sub-point (b)

Question whether use of legal road provides adequate public access or is even necessary given the existence of other access options for the Pisa Range.

Submitter 7 states other alternatives exist already for entry to the Pisa Range citing the easement through Avalon station as an example. This statement is interpreted as questioning the need and justification for the proposed access.

Submitters 4, 7 and 11 suggest the Robert Studholme Historic Site located further up the Cardrona Road represents a better entry point to the property. Submitter 11 supplied a series of photos of this site showing what they term to be a “sustainable option” for access into the property. They point out the site has Transit approved parking and there are no people or houses that would be affected in that area.

Submitters 13 and 16 simply note there is a need for good practicable and adequate public access off the Mt Barker Road to point (d). This section includes the legal road portion of the proposed public access route and we interpret this as suggesting that aspects of the proposed use of the current paper road maybe considered inadequate in providing good practical public access.

Submitter 17 has similar views and advised they would like to see a more direct access route to point (d) from Mt Barker Road.

Submitter 14 is concerned the unformed legal road could be closed and therefore considers it is not secure public access.

The issues raised by the submitters under this sub point are interpreted as relating to concerns as to whether proposed use of the unformed road represents good practical and secure access to the reviewable land. Several of the submitters also question whether it is justified and some suggest alternative access options which appear to involve possible route options within the reviewable 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 sub-point (b) has been allowed for further consideration.

Issues raised by submitters relating to public access under this point and also under points 6 and 7 resulted in a comprehensive reassessment of this aspect of the proposal.

DoC has highlighted deficiencies with the existing public access route on Avalon Station (the adjoining property) and confirmed the strategic importance of providing secure public access to the crest of the Criffel Range and Pisa Range beyond as an outcome of tenure review of the Larches pastoral lease. The component of sub-point (b) which questions the need and justification for public access has therefore not been accepted.

Access using the Robert Studholme Historic Site located further up the Cardrona Road as the entry point to the property suggested by several submitters was also investigated. This entry point was found to represent a practical and superior option overall when viewed in conjunction with the revised proposal for the additional conservation area CA2 (outlined under point 2) and additional provision for public access adjacent to the Cardrona River (outlined under points 10 & 17).

Potential advantages of relocating the public access route from the northern to the southern side of the property were recognised during reassessment of the low to mid altitude biodiversity values. The major advantages are considered to include:

- (a) Opportunity to utilise existing formed farm tracks for almost all of the route up the face to CA1.

The proposed route follows a good farm access track from the base of the terrace near the Cardrona River to the western or lower boundary of CA2 (“c-d” on the revised proposed designations plan attached as Appendix V). Access along the terrace forming the northern boundary of CA2 is unformed but this section traverses open tussock and is of easy grade. The section of the route immediately above CA2 is also presently unformed. It follows a stock track for approximately 300m-400m before joining the existing farm track which leads to the boundary of CA1. Subject to obtaining all necessary consents the holder intends to form the section of the route immediately above CA2 to a 4WD standard.

- (b) Improved grade of the route up the face to CA1.

While slightly longer the revised route provides an easier grade which will enhance public access to and enjoyment of the reviewable land.

- (c) Superior amenity values as the lower reaches pass through CA2 which is an attractive gully clothed in native shrublands.

This opportunity was not present in the original proposal and it will enhance public enjoyment of the proposed route.

- (d) No dwellings are located in the immediate area and no adjoining landowner’s rights to quiet enjoyment of their property are significantly adversely affected.

While there is no legal constraint to utilising the section of unformed legal road to gain access to the public access easement as proposed within the Preliminary Proposal, that option did impact on the privacy of several adjoining landowners. Although sub point (a) relating to this has not been allowed, it is pertinent to note the submitter’s concerns relating to that aspect are also addressed by the revised proposal.

- (e) Legal access is secure via use of an easement and is not at risk from possible closure of the section of unformed legal road proposed to be utilised within the Preliminary proposal.

It is recognised the more direct access option associated with the route from the Robert Studholme Historic Site adjacent to the Cardrona Road involves crossing the Cardrona River. This “wet foot” option is not considered to be a major impediment to public access and can be avoided under the revised proposal by use of the marginal strip and an additional new easement. The additional new easement enables legal public access along the true right bank of the Cardrona River from near the end of Mt Barker Road to the commencement of the easement up the face (“h-i-c” on the revised

designations plan attached as Appendix V). Further comment on this easement is included under points 10 & 17.

The revised public access proposal is considered to satisfy most if not all of the matters raised by submitters under sub-point (b) that have been allowed for further consideration. Sub-point (b) is therefore accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
6	Aspects of the proposed public access easement (b-d-e) are not acceptable and alternatives should be investigated. Issues include too dangerous, not practical, not logical, not safe and secure, the steep ravine between points b-d is inaccessible and creating it will have a visual impact and may cause erosion and mud slides.	4, 7, 9, 12, 13, 14, 15, 16, 18, 19	Allow	Accept

*Rationale*

This point generally relates to strong opposition to the proposed public access easement. Some submitters suggested alternatives need to be investigated including the existing farm track as outlined in point 7 below.

Submitters 4 and 7 point out construction of the proposed track will involve soil disturbance and need to zig zag up a highly visible face, thus having a high visual impact. Submitter 7 questions the need for this when tracks of a more logical, safer and better climb are already formed. They also consider construction of a new track will create an erosion risk and raise concerns about potential mudflows into streams and increased dust.

Submitter 7 also states the track is not logical with a steep ravine between (b) and (d) and is likely to be too steep for horse riding. They consider it is too dangerous with the steep drop offs given the likely use from inexperienced trampers being located close to Wanaka. They point out it is too close to the neighbouring deer farm and any mustering by helicopters would impact on horse trekkers.

Submitter 9 recommend that a “hidden track be put in place on the easement where possible to prevent random multiple tracking by users. They also comment the access track is between (b) and (d) is inaccessible and suggests an alternative route be investigated that does not require constant maintenance to provide safe and secure walking, bike and horse access. They suggest it could be dangerous to inexperienced users as well.

Submitter 12 highlights the 10 metre wide easement following the fence between (b) and (d) will have to be constructed across the steep sided gulch and in places there is not 10 metres available between the fence and the gulch.

Submitters 13, 14, 15, 16 and 19 also consider the access between (b) and (d) is unsatisfactory and not practical where some describe it as creating an unnecessary dog leg. Most suggest an alternative needs to be found without a specific proposal.

Submitter 18 is strongly opposed to the easement and cutting a new track due to the high visual

impact. They suggest use of the existing farm track for public access (Point 7 below).

Submitter 19 also expresses concern stating much of route above the level of the gully is not suitable as a cycle track without considerable and expensive formation work to create a bench with grades of no more than 1:6 to 1:8.

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

Many of the concerns expressed by submitters are acknowledged as being legitimate. In particular, the potential visual impact of constructing a new track in close proximity to the existing farm track together with maintenance and safety issues are recognised as being valid concerns.

The proposal to relocate the public access route as outlined under point 5 is considered to address the concerns expressed by submitters under this point to an acceptable level. The new route option for example considerably reduces the need for new track construction. The terrain in this area also better enables the relatively short section of new track to be constructed within the landscape and thereby largely mitigates concerns related to visual and other impacts associated with soil disturbance.

The grade of the route is also considered to be very much easier and more suitable for mountain bike and horse use. Also, the route is located away from hazards that maybe associated with the adjoining deer farm and virtually all of the route up the face would be immediately useable by the public on completion of tenure review without further upgrading.

The relocated public access proposal is considered to satisfy all of the matters raised by submitters under this point that have been accepted for further consideration to an acceptable degree. The point is therefore accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
7	The existing farm track should form the public access easement.	4, 7, 9, 14, 15, 17, 18, 19	Allow	Accept in part

*Rationale*

Most submitters support use of the entire route of the existing farm track shown as (a-b-c) while some suggest use of only part of it.

Submitter 7 has suggested the existing track be used to avoid the high cost to tax payers of creating a new track. [Point 8 below relates to submissions on cost of the proposed track.] They further suggest fencing of the track represents a more cost effective solution and addresses holder concerns about stock disturbance by the public.

Submitter 9 suggests using the existing track to the base of CC1 and then pass through CC1 to the proposed easement route near the property boundary.

Submitter 14 expressed concern about use of the unformed legal road as it may be closed (point 5 above) and suggest inclusion of provision for public access over a section of the management easement (a-b) in the event the public can not access b from the Mt Barker Road.

Submitters 14 and 15 also suggest provision should be made for public access over the remaining section of the management access easement (b-c). (Point 6 above). Submitter 14 states this requirement is necessary in the event that practical access from b-d is not possible.

Submitter 17 considers the existing track would not only provide a better standard of track but also an easier gradient for most walkers and more suitable for mountain bikers. They acknowledge it may need to be closed at times for farm management purposes together with locked gates to prevent vehicles.

Submitter 18 has similar views pointing out use of this track avoids the need for cutting another visible track into the hill.

Submitter 19 expresses a preference for the proposed management purposes easement for public access or alternatively suggest part of the farm track should be used, commencing at point (b) (to minimise impact on the farm homestead), and follow the farm track to the conservation area boundary. Alternatively they suggest following the farm track from point (b) for approx 250 m before climbing through the kanuka gully to reconnect with the farm track at a higher altitude, (shown on plan attached to submission). They consider this to be the best alignment for the environment from the perspective of visibility assessment and suggest signage and closure during lambing to minimise interference with farming activities.

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

Apart from approximately a 1 km section of the route through CA2 the proposal to relocate public access as outlined under points 5 & 6 involves utilising existing and proposed farm access tracks for the entire route up the face of the Criffel Range to the boundary of CA1.

While the lower section of the revised route does not correspond with the main farm track up the face suggested to be used for public access by several submitters, the upper section of that track is proposed to be utilised. (This corresponds to section “f-g” on the revised proposed designations plan attached as Appendix V). Overall, the revised access proposal is considered to be consistent with the intent of views expressed by submitters under this point.

It is recognised that although relocating public access to make use of existing farm tracks improves the quality of public access, it also significantly increases the level of disturbance and disruption to the holders farming operation. This is proposed to be mitigated to a reasonable extent by inclusion of provision for closure of the hill section of the easement (“c-d, & e-f-g” on the revised proposed designations plan attached as Appendix V) for lambing from 10 October to 10 November each year. This aspect of the proposal is consistent with suggestions made by submitter 19.

The relocated public access proposal is considered to satisfy the matters raised by submitters under this point to the extent that public access is now proposed to utilise existing and proposed farm tracks. It is however also acknowledged the revised proposal does not entirely correspond to use of the tracks suggested by submitters and therefore the point is accepted in part.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
8	The creation of the proposed public access easement (b-d-e) is considered too costly for DoC and therefore should be created as part of tenure review and guaranteed a practical and reasonable route will be formed.	12, 15, 19	Disallow	N/A

*Rationale*

Submitters 12 and 15 states there must be a guarantee that the route starting from (b) is reasonable and is formed otherwise reasonable access may never occur as part of this review.

Submitter 19 is concerned the track would not be created as part of Tenure Review and would therefore not provide immediate public bike access. They also expressed concern with the expense to DoC in constructing the track given they may have other priorities. They consider funding for its creation should be part of Tenure Review and formed as part of the review otherwise it is not providing good public access to the conservation area.

Construction of the track and the timing of that activity after the easement area has been created is a post tenure review matter for DoC to determine. The standard of the track to be constructed for this route is also a matter to be determined by DoC post tenure review. Ensuring the proposed route provides practical access is however a relevant matter able to be dealt with by the CPLA and is addressed under Point 6.

This point has therefore been disallowed for further consideration within tenure review.

The comments of the submitters will however be referred to DoC to assist in their consideration of track construction and management requirements at the appropriate time.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
9	Consideration be given to extending the Mt Barker legal road from within the lease boundary to connect with the Cardrona Valley legal road over the existing private road.	6, 19	Disallow	N/A

*Rationale*

Submitter 6 considers the private road that links the Mt Barker legal road within the lease to the Cardrona Valley legal road should be legalised.

Submitter 19 mentions continuous practical public access across the Cardrona riverbed through the property from the Mt Barker legal road to the Cardrona Valley legal road should be negotiated as part of Tenure Review but acknowledges the riverbed itself is not within the property. They mention there may be a suitable site for a foot bridge and suggest this should be confirmed with the Otago Regional Council who would grant the consent.

Much of the road described as private may be located on the marginal strip adjacent to the Cardrona River and not within the reviewable land. No matter where this formation is located the road beyond the lease boundary is outside the reviewable land and therefore is not a matter that can be dealt with under the CPLA.

The point has therefore been disallowed for further consideration within tenure review.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
10	Ensure that Freeholding land through Tenure review will not act as an impediment to the creation of a wider network of trails in the Cardrona valley including a proposed Cardrona – Wanaka trail.	6	Allow	Accept

*Rationale*

The Submitter is supportive of increasing public access in the district by creating a network of cycle and walking tracks such as the proposed Cardrona – Wanaka trail promoted by local organisations. They are concerned the proposed freehold land will act as an impediment to this community based proposal.

While the submitter makes no specific proposal to provide access tracks through the proposed freehold land it does potentially relate to provision of public access within the reviewable land and also point 17 below where a number of submitters have proposed access along the river margin.

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

While the proposed public access easement from the Cardrona Road to CA1 could potentially form part of a wider network of trails involving the wider Criffel and Pisa Ranges we have interpreted the submitter’s point to mainly relate to ensuring the proposal provides good secure public access over land adjacent to the Cardrona River. It is recognised that in addition to offering recreational opportunities in its own right, public access over land not susceptible to regular flooding on the true right bank of the river also would potentially assist in the development of the wider proposed Cardrona to Wanaka trail.

Inclusion of provision for an additional easement (labelled “h-i-c” on the revised proposed designations plan attached as Appendix V) adjacent to the true right bank of the Cardrona River enables public foot, mountain bike and horse access from Mt Barker Road at the northern boundary of the proposed freehold to the southern boundary of the proposed freehold.

Easements are not considered to be necessary to enable public access over most of the land adjacent to the true left bank of the Cardona River as it abuts the Cardrona Road for a considerable distance from the northern boundary of the proposed freehold. Reasonable public access is able to be achieved over the remaining section of the boundary south to the Studholme Historic Site via marginal strip, Crown land river bed or legal road. An easement is however proposed to provide public access from the Studholme Historic site to the southern boundary of the proposed freehold (labelled “a-b” on the revised proposed designations plan attached as Appendix V). While this easement is part of what is likely to be the main public access route to CA1 and CA2, it could also potentially form part of a

wider trail network.

The relocated and additional public access easements are considered to satisfy the matters raised by the submitter under this point to an acceptable degree. The point is therefore accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
11	Concerns about Department of Conservation resources to manage land acquired through Tenure Review.	6	Disallow	N/A

*Rationale*

The Submitter is concerned about the management of weed and pest species in the long term given the lack of additional funding or any evidence of a management plan.

The management of DoC land and the resources they use relates to post tenure review management by the Department of Conservation and is not a matter to be taken into account in tenure review. The point has therefore been disallowed for further consideration within tenure review. The comments of the submitter will however be referred to DoC to assist their consideration of future management requirements.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
12	Parking, toilet facilities, rubbish removal and camping have not been addressed in the proposal.	7, 12	Allow in part	Accept

*Rationale*

Submitter 7 makes the statement that there are no plans for parking, toilet facilities, rubbish removal and camping but does not provide a proposal. It is interpreted that they are suggesting these facilities should be provided for as part of the current proposal.

Submitter 12 considers an area for parking needs to be set aside before finalising a substantive proposal.

The submitters have not identified any specific location for a parking area but it is interpreted that provision for this facility should possibly be provided within the reviewable land. As parking is a matter that relates to public access and enjoyment of the reviewable land which is an object of tenure review under section 24(c)(i) of the CPLA, this sub point has been allowed for further consideration.

The sub point raised by Submitter 7 in relation to provision of toilet facilities, rubbish removal and camping are considered to be post tenure review land management issues for DoC and not relevant matters able to be dealt with by the CPLA. This 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 easement.

Under the Preliminary proposal parking was not addressed as the initial section of the public access



route lay within legal road.

Provision for adequate parking for members of the public using the proposed easements has been considered further as part of the revised proposal for public access. This has resulted in inclusion of provision for enlarging an existing car parking area located at the Studholme Historic site (labelled “a” on the revised proposed designations plan attached as Appendix V) as it is recognised this site is likely to represent the major entry point for members of the public wishing to gain access to CA2 and more particularly to CA1 and the crest of Criffel Range.

Queenstown Lakes District Council has been consulted over this proposal which involves enlarging the existing car parking area by approximately 4-5 times the present area.

In terms of the proposed easement adjacent to the true right bank of the Cardrona River (labelled “h-i-c” on the revised proposed designations plan attached as Appendix V) an adequate area for parking is considered to be available within the legal road corridor which is enlarged near the end of Mt Barker Road.

The proposal to expand the existing parking area at the Studholme Historic site is considered to satisfy the concerns raised by submitters in relation to parking under this point to an acceptable degree. The sub point relating to this matter that was allowed for further consideration is therefore accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
13	Confirmation that all appropriate studies of the historic sites have been undertaken and they be given extra ordinary protection.	7, 9	Allow in part	Accept

*Rationale*

Submitter 7 has asked for confirmation all appropriate studies have been undertaken to ensure all historic sites have been considered. The sub point is interpreted as relating to providing for the protection of historic sites which are significant inherent values. As enabling protection of significant inherent values is an object of tenure review under section 24(b) of the CPLA, this sub point has been allowed for further consideration.

Submitter 9 considered the historic remains within CA1 should be given extra ordinary protection.

This sub point relates to the protection of significant inherent values located on land designated to be restored to full Crown ownership and control as a conservation area. The management of historic sites located within conservation land is considered to be post tenure review land management issues for DoC and not a relevant matter able to be dealt with by the CPLA. This 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 CA1.

DoC has advised that recommendations for protection of historic mining values were based on Jill Hamels 1991 publication “Gold Mining at Criffel and Roaring Meg, Pisa Range”. This assessment places highest significance on the Criffel Range Crest workings. Hamel attributes significance of the workings to the following factors:

- it was the last major alluvial gold field to be discovered in Otago
- it was probably the highest area of major sluicing in Otago and the workings were based on remnant ancient beach gravels on ridge lines rather than the usual alluvial deposits along waterways.
- it is also well documented in the official mines department records of the day.

Small areas of workings on the Criffel faces are not well documented and are typically overgrown with exotic vegetation and have undergone substantial modification from stream erosion and farming activities. For this reason they were not assessed as being of significant inherent value. The most important complex of workings on the lease lie within the proposed CA1.

This advice is considered to provide the confirmation sought by the submitter that appropriate studies have been undertaken to ensure all historic sites have been considered. The sub point relating to this matter that was allowed for further consideration is therefore accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
14	Statements of support for the proposal.	8, 9, 10, 12, 13, 14, 15, 16, 18	Allow	Accept in part

*Rationale*

Many submitters made statements of support to various aspects of the proposal.

Submitters 8, 9, 10, 12, 13, 14, 15, 16 and 18 provided unqualified support to restore to full Crown ownership and control the area shown as CA1 to protect the landscape, ecological, recreational and historic values.

Submitter 14 expresses conditional support for CC1.

Submitters 8 and 9 were supportive of CC1 and CC2 but suggest CC2 would be more appropriately added to CA1, (Point 15 below) and support the easements if the problem of the steep gully between b and d can be resolved in terms of an alternative route, (Point 6 above).

Submitters 12 and 16 support the easements except the section between the steep gully between b and d and suggest an alternative must be provided, (Point 6 above).

Statements of support are regarded as meeting the objects of the CPLA and therefore the point has been allowed.

The thrust of these submissions was in favour of conservation protection of values. After review of all points allowed for further consideration, the proposal has been modified, generally towards greater protection of values (including retention by the Crown of a further area and a conservation covenant applied to three new areas), and improved public access. Removal of CC1 from the proposal has meant submitters support for that aspect of the proposal has in effect not been accepted. The rationale

for that change and explanation of the overall improvement in the conservation outcome is included under point 2.

This point has therefore been accepted in part.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
15	Conservation covenant CC2 should be conservation land and be added to CA1.	8, 9, 12, 13, 14, 16	Allow	Not Accept

*Rationale*

Submitters 8, 9, 12, 13, 14, 16 suggest CC2 would be more appropriately added to CA1 because of the land class, significant inherent values present and what they consider to be an area unlikely to be ecologically sustainable under pastoral use. Two of the submitters have highlighted the hieracium problem and consider Crown ownership is more appropriate to manage this problem.

This point relates to the appropriate protection of significant inherent values. It therefore relates to section 24(b) CPLA, and has been allowed for further consideration.

As outlined under point 3 DoC has confirmed that the significant inherent values within CC2 are primarily of an open landscape nature. The proposed conservation covenant is believed to be adequate and appropriate to enable protection of those values.

Comments included under point 3 in relation to over sowing and top dressing inputs which are expected under prudent pastoral management are also relevant in responding to submitters concerns relating to ecological sustainability of continued pastoral use and the potential ingress of hieracium.

Following consideration of this point it is concluded that use of a protective mechanism provides the appropriate level of protection for the significant inherent values and continued prudent pastoral use, restricted to the extent provided within the proposed covenant, is ecologically sustainable.

The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
16	Proposed conservation covenant CC1 be fenced and that brier and wilding pines be actively eliminated.	9, 13	Allow in part	Not accept

*Rationale*

The submitter 9 recommends CC1 be fenced against grazing, as appropriate, to allow the shrublands to recover and Submitter 13 suggests continued grazing will prevent establishment of any palatable indigenous species and probably also lead to the demise of the existing indigenous woody vegetation.

This sub point relates to the appropriate protection of significant inherent values. It therefore relates to section 24(b) CPLA, and is allowed for further consideration.

Submitter 9 also suggests that brier and wilding pines be actively eliminated. 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 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 CC1.

As outlined under point 2, CC1 is proposed to be deleted and replaced by a separate area to be retained in Crown ownership and three new areas to be protected by conservation covenant. This revised proposal is considered to provide more extensive and thorough protection of similar values to those contained within CC1.

The amended proposal is the outcome of considerable further investigation into the extent of biodiversity values associated with low altitude woody remnants occurring within the proposed freehold together with consideration of the specific matters raised by submitters and wider conservation management issues.

DoC support the revised proposal as it provides considerably improved lowland conservation outcomes to those able to be achieved under the preliminary proposal.

Removal of CC1 from the proposal means the submitters suggestions concerning fencing and pest plant control are not accepted for that area. The conservation benefits associated with stock control and management of pest plants are however acknowledged and these aspects are addressed under the revised proposal to the extent that:

- The entire boundary of new conservation area CA2 is proposed to be fenced to exclude stock.
- Being a discrete area in terms of local topography and well vegetated the threats to conservation values within CA2 from invasive pest plants are reduced.
- The shrubland values contained within the three unfenced areas which comprise new conservation covenant CC1 are largely self protected from stock, however that risk is further reduced by inclusion of restrictions which limit grazing to sheep only.

The point is not accepted as the Preliminary Proposal designation for CC1 has not been retained for a draft substantial proposal for the reasons outlined above.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
17	A track be created along the Cardrona River riparian strip to allow a loop trip with adjacent land using the Avalon track and also allow a proposed network of trails such as the Cardrona – Wanaka trail to be realised.	9, 17, 18, 19	Allow in part	Accept

*Rationale*

This point relates to the QLDC Walking and Cycle Strategy which is supported by a number of NGO's to create a linked network of walking and cycle tracks.

Submitters 9, 17 and 18 have suggested a track be created on the riparian strip of the Cardrona River

running beside the river connecting the proposed Larches easement to the existing DoC Avalon track to complete a circuit. They further suggest a short easement be created from the river bed up onto Mt Barker Road to ensure public access.

Submitter 19 states the location of marginal strips and legal roads need to be clarified now to establish if easements are required to provide practical public access through the property, preferably on both sides of the Cardrona River for the same reasons as Submitters 9,17 and 18.

The existing marginal strip may or may not be able to be used to gain access along the entire length of the Cardrona River within the property. This is unknown until a field investigation but based on the assumption it would be necessary to use part of the reviewable land to provide practical access the point is a relevant matter to consider at part of tenure review.

The provision of public access across land under review is an object of tenure review, as indicated in Section 24(c)(i) CPLA and therefore the sub point has been allowed for further consideration.

Submitters 17 and 18 have also suggested the two legal roads should be linked by access across the Cardrona riverbed. This suggestion is similar to Point 9. As the riverbed is not part of the reviewable land this sub point is not a relevant matter able to be dealt with by the CPLA and is therefore disallowed.

As outlined under point 10, several new easements are proposed on land adjacent to the Cardrona River.

The new easement along the true right bank of the Cardrona River (labelled “h-i-c” on the revised proposed designations plan attached as Appendix V) enables public foot, mountain bike and horse access from Mt Barker Road at the northern boundary of the proposed freehold to the southern boundary of the proposed freehold. The extent of this easement will be accurately determined during boundary fixing as it is expected that at least part of the route will be located within the marginal strip.

The opportunity for public access along the true left bank of the Cardrona River was also investigated and this resulted in an additional easement being proposed that will facilitate good practical access being achieved along the southern section of this river frontage (labelled “a-b” on the revised proposed designations plan attached as Appendix V).

The proposed additional public access easements are considered to address the matters that have been allowed for further consideration under this point to the extent that the proposed easements enable good practical legal public access along the entire length of the Cardrona River within the property. The revised proposal also accommodates the suggested linkage with the Mt Barker Road at the northern boundary of the proposed freehold land.

The point is therefore accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Number.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
18	Adequate permanent public vehicular access needs to be provided to conservation area CA1.	10	Allow	Not Accept

*Rationale*

The submitter recommends permanent public vehicular access be provided to CA1 now. They consider this would make the area more attractive for recreational hunting. They note vehicle access is provided for DoC staff and state that such access should also be provided for responsible recreational hunters and should be permanently provided.

The provision of public access across land under review is an object of tenure review, as indicated in Section 24(c)(i) CPLA and therefore the point has been allowed for further consideration.

DoC has advised that public vehicle access onto the Criffel Range is not considered to be of strategic importance as there is no legal linkage onto the main Pisa Range massif. They further advised that given the substantial maintenance implications of taking on such a track the Department has a preference to undertake such commitments where tracks are of greater strategic importance.

The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
19	Retain any usable huts on the conservation area.	10	Disallow	N/A

*Rationale*

The submitter recommends that any usable muster or other huts on CA1 not be removed or demolished and be available for public use once the land is surrendered.

The point is considered to be a post tenure review land management issue for DoC and not a relevant matter able to be dealt with by the CPLA. This point has therefore been disallowed for further consideration within tenure review but the comments made by the submitter will be referred to the Department of Conservation to take into account in determining future management of CA1.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
20	The whole property upslope from the lower elevation of CC1 should be protected in full Crown ownership and control.	13, 14	Allow	Accept in part

*Rationale*

Submitter 13 believes continued grazing of CC1 without fencing will result in the shrublands not reaching their ecological potential and would eventually lead to their demise.

Submitter 14 identifies the remnant indigenous shrublands occur on a chronically threatened environment and represent the most visually significant indigenous vegetation remaining on the lower slopes of the western Pisa Range.

Both submitters propose the entire lower slope from the lower elevation of CC1 should formerly be protected and revert to full Crown management and control. Submitter 13 suggests a stock proof fence along this boundary would be the only internal fence required on the property. Both submitters qualify this and their other points by suggesting the property should continue as a pastoral lease if all their recommendations can not be implemented.

The point relates to the protection of significant inherent values which is an object of tenure review, as indicated in Section 24(b) CPLA and therefore the point has been allowed for further consideration.

As outlined under points 2 and 16 the proposed freehold land was reinspected and lowland biodiversity values reassessed in light of the points raised by submitters. This assessment was more comprehensive than the assessment undertaken as part of the conservation resources survey which did not incorporate the use of LENZ information. It highlighted that whilst shrublands on the property are an important remnant, they are by nature fragmented and contain a significant exotic weedy component including briar, gorse, hawthorn, elderberry and wilding pine trees. DoC advised that these factors combine to pose some serious challenges if they are to be managed for nature conservation purposes and by practical necessity DoC must be somewhat selective as to which SIV's it can practically manage in semi modified low to mid altitude environments.

The reassessment resulted in the identification of an alternative area for protection which offers the opportunity to achieve considerably improved lowland conservation outcomes to those able to be achieved under the preliminary proposal taking into account vegetation composition, LENZ environments, reserve design and other factors including public access and buffering against adjoining land use.

In terms of LENZ environments, DoC have advised they reject the inference that chronically threatened LENZ environments should be protected irrespective of naturalness and viability of land cover. It is relevant to note however that the revised proposal enables the protection of a sequence of critically under protected, chronically threatened and acutely threatened LENZ environments.

The revised proposal also involves retaining an additional area in Crown ownership (identified as CA2 on the revised proposed designations plan attached as Appendix V) which is intended to be fenced to exclude stock. Hence, it is considered to at least partly satisfy the submitters concerns.

The point is therefore accepted in part.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
21	Land to be freeholded with wilding pines on it should be subject to a sustainable land management covenant to control the pines.	8, 14	Allow	Not Accept

*Rationale*

Submitter 8 suggests removal of wilding trees should be mandatory.

Submitter 14 is concerned about the ecological sustainability of the land proposed for freeholding. Their concern relates to the presence of several woody weed species, including wilding pines. The submitter believes continued presence of wilding pines will not promote ecologically sustainable

management as they will contribute to an increasing wilding problem on neighbouring land.

The point relates to promoting the management of reviewable land in a way that is ecologically sustainable which is an object of tenure review, as indicated in Section 24(a)(i) CPLA and therefore the point has been allowed for further consideration.

DoC has advised in this situation mandatory or assisted wilding pine control should be confined to covenanted areas. It is also noted that irrespective of whether wildings are removed from the entire Larches property a substantial seed source for a range of introduced conifers will remain on freehold land elsewhere in the Cardrona Valley.

It is considered that the issue of wildings on private land in the valley should lie with the district or regional authority. DoC have however highlighted that this does not preclude the Department from providing periodic assistance for wilding tree control as part of multi party initiatives.

The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
22	Concern about adverse impacts associated with increased traffic using the Mt Barker Road.	7	Disallow	N/A

*Rationale*

The submitter is concerned about the effect of the proposal on the poorly maintained Mt Barker Road. In particular the reduction in safety, increased dust and impact on the surface condition of the Mt Barker Road resulting from increased traffic.

The Mt Barker Road is not included in the land under review. It is consequently not a matter that can be considered under the CPLA and therefore the point is disallowed. The comments of the submitters will however be referred to DoC for them to consider raising in the event the Department undertake consultation with the local authority responsible for and management of the road in question over wider access issues.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
23	Concern about freeholding of river and marginal riverbed land.	2	Allow	Not Accept

*Rationale*

The submitter objects to what they perceive as significant areas of river and marginal riverbed land being included within the area proposed to be freeholded.

This point is interpreted as questioning whether part of the proposed freehold land is capable of economic use. It therefore relates to section 24(a)(ii) CPLA, and has been allowed for further consideration.



There is no intention to freehold riverbed or land within a 20 metre margin of the bed. Under Part IVA of the Conservation act any land being freeholded which adjoins the Cardrona River bed will attract a movable marginal strip.

The point has therefore not been accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission Numbers.</i>	<i>Allow or disallow</i>	<i>Accept or Not Accept</i>
24	Provision for wander at will within CC1 and CC2	9	Allow	Accept in part

*Rationale*

The submitter notes that it is not clear whether the public may wander in Covenants CC1 and CC2. It is interpreted the submitter is advocating inclusion of provision for public wander at will within those covenants.

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

Under the revised proposal CC1 has been replaced by CA2 and new covenant CC1.

Creation of an additional area of conservation land (CA2) addresses the submitters recommendation in part as full wander at will public access is available within that area. It is considered little additional benefit would accrue from inclusion of provision for such access within the three separate covenant areas (CC1) which adjoin CA2. This relates to the expectation that there will little demand or need for public access within these covenant areas (CC1) due mainly to the relatively steep nature of the terrain and the fact the shrubland vegetation is not particularly open and is of similar composition to that contained within CA2.

It is relevant to note the public access route along the northern boundary of CA2 and the top section of CC1 affords good opportunities for viewing CC1.

DoC has also advised that little would be gained from wander at will access in CC2 given the public access desire line in this area lies on the existing track. In addition it is recognised that such access would result in very significant disruption to the holders farming operation. While the submitter’s recommendation for this area is therefore not supported, it is relevant to note that consultation has resulted in the proposed public access route being relocated to the existing farm track which runs through the centre of the covenanted block. This amendment is considered to accommodate the submitters recommendation to a reasonable degree.

The point is therefore accepted in part.

### 4.3 *Summary and Conclusion:*

#### *Overview of Analysis:*

Submissions were received from a wide range of interested individuals, non government environmental and recreation groups together with a government agency and a territorial local authority.

There was notable interest in the issue of public access with 11 of the submitters objecting to aspects of the proposed public access easement (b-d-e). Most of the objections related to practical issues related to the difficulty of crossing the gully at the commencement of the easement plus the steepness and likelihood of erosion associated with construction of the track. The potential visual impact of a new track was also a major concern for several submitters. Two submitters suggested the existing farm track should be used for public as well as management access.

Several submitters commented on a wider community driven incentive to provide a network of cycle and walking tracks in the area and several submissions related to additional easements along side the Cardrona River to form part of this network.

A number of submitters also objected to the proposed route to gain public access to the property along the unformed legal road outside the reviewable land.

Approximately half the submitters expressed support for the proposed conservation area designation but several of those also suggested changes to the freehold designation including extending the area of formal protection over land containing indigenous shrubland visible from State Highway 89.

From the 24 points derived from the 19 submissions received 18 were allowed (either fully or in part) for further consideration.

Consideration of all 18 allowed points involved further site inspections and resulted in 12 of those points being accepted (or accepted in part).

Points related to ecological values and public access were reviewed with detailed site inspections by Opus tenure review staff together with a DoC botanist and the Wanaka DoC Area Office Programme Manager Recreation. This reassessment of the conservation values occurring on the proposed freehold land and public access options associated with that area resulted in DoC providing considerable additional advice on those matters. Consideration of that advice and further consultation with the holder resulted in several adjustments to the proposal. The most significant of those adjustments relate to:

- Enhanced protection of the most viable lowland biodiversity values occurring on the proposed freehold land by deleted CC1 from the proposal and replacing it with a separate new conservation area (CA 2) and a new conservation covenant.
- Relocating the public access easement up the front face of the Criffel Range to achieve a more practical route and one which also enables farm tracks to be utilised for almost the entire length of the proposed route.

- Provision for enhanced public access alongside the Cardrona River by creation of additional easements together with an area for car parking.

***Generic issues:***

The key generic issues identified are:

- Suggestions for improved protection of low land biodiversity values
- Suggestions for extending and improving public access provisions.

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

Several gaps have been highlighted by the public submission process. Two of these concern lowland biodiversity values and one relates to public access.

The first gap concerns what is recognised as being the increased importance attributed to lowland biodiversity values associated with low altitude woody remnants in the period since the conservation resources survey was undertaken in 2002.

The second related gap is in the conservation resources survey which, due to the above omitted to fully identify areas that provide the best conservation outcomes in terms of protection of lowland biodiversity values.

The third gap is related to the wider public interest that has developed (since the conservation resources report was completed), in the creation of public access opportunities that have the potential to form part of wider network of trails.

***Risks identified:***

No risks identified.