



# Arthurs Point Community Association

## Morning Star Beach Vesting Submission

### **PROPOSAL TO VEST PART OF MORNING STAR BEACH RECREATION RESERVE**

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#### **Introduction**

This submission has been prepared by the Arthurs Point Community Association in response to the proposal, as publicly notified, to vest a part of the Morning Star Beach Recreation Reserve near Queenstown to Te Rūnanga o Ngāi Tahu and grant them the Ministerial delegations.

The Arthurs Point Community Association (APCA) is a volunteer run incorporated society that seeks to represent and support the Arthurs Point community in matters of community interest.

The Shotover River bisects the Arthurs Point community and the Morning Star Beach Reserve is a highly valued part of this area at the center of the community and provides important recreational access and visual amenity to the community along with some commercial areas. There are a number of access points and trails (both formal and informal) down to and along the river from various points throughout the Morning Star Beach Reserve, including the portion of the reserve that this proposal relates to, that are well used by local river users, walkers and bikers.

We have reviewed the application as notified on the Department of Conservation website along with the Overview Summary and Supplementary Info documents. APCA have contacted the Department of Conservation Statutory Land Management team with a number of questions and clarifications in regards to the current proposal. While we appreciate the time taken to respond to these queries we note that not all of them have been addressed at this stage.

We confirm that APCA has an ongoing interest in the Morning Star Beach Reserve and considers this to be an important and highly valued space central to our community. For this reason we submit on the current proposal to vest a part of this reserve as follows and request to be heard in support of our submission.

#### **Background**

Through funding and ongoing support provided to the local Keeping Arthurs Point's Original Wildlife (KAPOW) community trapping and native replanting group the APCA have been involved in the control of pest species, clearance of weeds and replanting of native vegetation within the Morning Star Beach Recreation Reserve.

Recently, APCA in conjunction with KAPOW obtained funding through the Lotteries NZ Environmental Fund to enable an Ecological Restoration Plan to be prepared covering the various portions of public conservation land that extends down the Shotover River from Arthurs Point including Morning Star Beach Recreation Reserve (Oxenbridge Tunnel to Big Beach).

## Submission

The APCA confirms that at this stage, based on the information provided to date, that it generally supports the proposed vesting of part of the Morning Star Beach Recreation Reserve to Te Rūnanga o Ngāi Tahu subject to a number of conditions and controls being implemented. The APCA considers the Morning Star Beach reserve, including the site subject to this proposal, to be an important part of the local community. This is demonstrated by the large numbers of community volunteers who regularly participate in planting days, maintenance of the planting site and pest predator trapping.

We consider that this proposal creates an opportunity to accelerate and enhance the betterment and improvement of this and other surrounding public conservation areas and are supportive of this opportunity.

We consider the increased focus and impetus for improved guardianship, along with the desire to increase the conservation values of the reserves and public conservation land as noted by Te Rūnanga o Ngāi Tahu will represent a significant positive improvement. We would also like to see this extend to also include improved efforts to support and guide Shotover Jet/Ngai Tahu Tourism as leaseholder and their other commercial/corporate entities to take better care of the lease area and adjacent areas. We appreciate and applaud the recent efforts by Shotover Jet employees to assist with weed control at the community replanting site within Morning Star Beach Reserve. However, it is noted that the track record of Shotover Jet as kaitiaki in this area has been at best mixed. A number of issues have been identified in recent times that include inappropriate disposal of abandoned infrastructure on the beach area, efforts to restrict public use of the Shotover River and immediate and widespread staff layoffs at the start of the recent pandemic.

We have some specific concerns, particularly in regards to the proposed transfer of some delegations of Ministerial powers, and the potential for adverse consequences to arise. As such we seek a number of conditions and controls to be imposed in regards to the proposal. The conditions and controls sought, along with the reasons for this are outlined as follows.

We have concerns in regards to the S24 Ministerial delegations that could enable future reclassification of the reserve. It is foreseeable, although perhaps a perverse or unintended outcome, that this could result in the removal of the Recreation Reserve status of this land. This could result in reduced protection for public access over this site which is extremely important to the community and wider public and needs to be safeguarded as this site provides important public vehicle access to the Shotover River for recreational activities such as the launching of private rafts, kayaks and jetboats. We submit that conditions requiring and safeguarding the ongoing public access, including vehicular access, be imposed or alternatively this delegation not be granted.

In regards to the S41 delegations regarding approval of reserve management plans we support this but wish to be considered as a key stakeholder to be directly consulted and included in any reserve management preparation process. This is considered important given our track record, ongoing involvement and interests in the betterment of the Morning Star Beach Reserve and other reserves and crown lands in this area. We request a condition be imposed to this effect.

While likely procedural and of low risk the S48 & S53 delegations could potentially impact public access which is very important as noted above in regards to the S24 delegation. Therefore, for the avoidance of doubt we consider that conditions protecting public access are important and should be included.

In regards to the S54 delegations, given the relationship between Te Rūnanga o Ngāi Tahu and Shotover Jet commercial pressures or interests could result in the lease/rental fee being reduced or even set to zero. This would be a perverse outcome that would limit the ability of the reserves and conservation areas to be improved. We request that if this Ministerial delegation is granted that conditions be imposed requiring that the lease fee be based on market rates, publicly disclosed and a review process that is open to public scrutiny be implemented. We note that the current lease fee has recently been deemed to be commercially sensitive and information requested in regards to this has been withheld from APCA. APCA has concerns that this situation may potentially get worse and become even more secretive or hidden with the transfer of Ministerial delegations and as such request that conditions be imposed to ensure that the lease fee and use of this money is publicly disclosed so that this is not the case moving forward.

Given the close commercial links between the lessee (Shotover Jet) and Te Rūnanga o Ngāi Tahu APCA have concerns that there could be potential for lease fees intended for general reserve enhancement to be directed towards development associated solely or primarily with the commercial activity which should otherwise and typically be funded by the commercial operator. As such, further to the condition requiring public disclosure as noted above we also request a condition requiring spending on the reserve be for general conservation and cultural improvements to the benefit of the wider public be included.

APCA notes that Te Rūnanga o Ngāi Tahu have signalled future physical development aspirations for the reserve. In the absence of any information or details in regard to what this may entail we are unable to comment on this but request a condition be included requiring the local community and the APCA be consulted ahead of any significant development of the reserve.

APCA has sought clarification in regards to the cost sharing for items such as maintenance of other areas of the reserve that are currently utilised, either partially or predominantly by Shotover Jet as the lease holder but to date no information has been provided. We consider it fair and reasonable that the lessee should contribute towards the maintenance and upkeep of these areas separate to and over and above the lease fee. We suggest that a condition to this effect be included.

Thank you for considering our submission in regards to vest a part of Morning Star Beach Recreation Reserve to Te Rūnanga o Ngāi Tahu and transferring of Ministerial delegations. The APCA would like to speak at the hearing in regards to this proposal and to be included as a key stakeholder in any further consultation, discussion, decisions or outcomes on this matter. Should you require further information please contact us at the email below.

Regards,

Nigel Lloyd, Chairperson  
on behalf of Arthurs point Community Association

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