

Crown Pastoral Land Tenure Review

Lease name: ROLLESBY

Lease number: PT 108

Analysis on Public Submissions

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

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

September 10

**ANALYSIS
OF
PUBLIC SUBMISSIONS**

ROLLESBY



ANALYSIS OF PUBLIC SUBMISSIONS**Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act 1998****ROLLESBY TENURE REVIEW NO 316****Details of lease:**

Lease name:	Rollesby pastoral lease.
Location:	Situated on State Highway 8 approximately 25 kilometres west of Fairlie.
Lessee:	Glenrock Station Limited.

Public notice of preliminary proposal:

Date advertised:	Saturday 26 September 2009.
Newspapers advertised in:	
- The Press	Christchurch
- The Otago Daily Times	Dunedin
- The Timaru Herald	Timaru.
Closing date for submissions:	23 November 2009.

Details of submissions received:

Number received by closing date:	7
Number of late submissions received/accepted:	6
	LINZ provided approval to include these submissions for analysis on 23 November 2009, 24 November 2009 and 10 December 2009.
Cross-section of groups/individuals represented by submissions:	
	Submissions were received from non government environmental and recreational groups together with a private individual, regional council, a government agency and a farmer interest group.
Number of late submissions refused/other:	Nil.

ANALYSIS OF SUBMISSIONS

Introduction

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

The following analysis:

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

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

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

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

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

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

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

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

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

Analysis

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

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

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Statements of support for aspects of the proposal.	1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13	Allow	Accept

General Support:

Submitter 1 expresses support for the preliminary proposal.

Submitter 7, in general, supports the overall proposal but is concerned about easement conditions for 'a-b' which is covered in point 9 below.

Submitter 12 is generally supportive of the preliminary proposal.

Support for Proposed Conservation Areas:

Submitter 3 fully endorses the proposal for conservation area CA2.

Submitter 4 supports the proposal for conservation area CA1 and fully supports conservation area CA2 but has some concerns about grazing outlined in point 3 below.

Submitter 5 supports the designation of the wetland/ complementary rocky face as CA1 and agrees with the report which states that CA1 provides a special contribution to the overall quality, natural functioning and ecological integrity of significant values. Submitter 5 endorses and supports the designation of CA2 but seeks an additional area to CA2 outlined in point 10 below.

Submitter 6 supports the proposal for conservation areas CA1 and CA2.

Submitter 10 supports the fencing and removal of stock grazing from CA1 to protect the sensitive wetland habitat. Submitter 10 also supports the inclusion of the Class VIIe land in the upper part of the Eason's Block in CA2 for protecting the headwaters of tributaries on the eastern side of the Rollesby Range that flow into the Tengawai River.

Submitter 11 supports the proposed conservation areas, noting the landscapes, ecosystems, vegetation communities, invertebrates, lizards, and birds that will be protected.

Submitter 13 supports CA1 but proposes that CA1 be expanded as outlined in point 6 below. This submitter also supports CA2 but does not support the continued grazing in this area as outlined in point 3 below.

Support for area Proposed to be Freeholded:

Submitter 5 is not opposed to the freeholding of the area proposed but does have concerns about an area of tall tussock grassland outlined in point 10 below.

Submitter 11 considers that the area to be freeholded will provide a comprehensive range of landscapes to enable successful farming.

Submitter 13 supports the proposed areas for freehold disposal, subject to some additional protection through further covenants, discussed under point 8.

Support for Proposed Easements:

Submitters 4 and 12 fully support the provision of practical public and conservation management easement to the conservation areas proposed. Submitter 12 seeks, if possible, a further access route as outlined in point 9 below.

Submitter 5 supports the proposed public access and vehicles for management purposes easement and has no objection to the continuation in force of the listed registered easements.

Submitter 6 supports the proposed public access and the public vehicular access by permit along 'a-b' to allow 4WD access by club groups and recreational hunters.

Submitter 8 indicates no concerns about the public access arrangements in the proposal.

Submitter 11 has said that the proposed easements are justified and acceptable.

Submitter 13 fully supports the proposed easement 'a-b'.

Support for Proposed Grazing Concession:

Submitter 5 is not opposed to the proposal for a phase out the grazing concession over CA2 but has concerns which are covered in point 3 below.

Submitter 12 suggests the grazing concession areas should provide a reasonable balance between traditional farming and conservation objectives.

Rationale for Allow or Disallow

Most submitters provided statements supporting aspects of the proposal relating to the benefits that the proposal will offer in relation to the protection of significant inherent values, public access, or ecological sustainability. The protection of significant inherent values is identified as a matter for consideration in section 24(b) CPLA, the promotion of the management of the land in a way that is ecologically sustainable is a matter for consideration under section 24(a)(i) CPLA, and the making easier of public access is indicated in section 24(c)(i). All these aspects can be properly considered under the CPLA and such comments have therefore been allowed.

While some of these submitters provide limited or no supporting arguments for their statements of support, they have provided support for a proposal that has in itself been developed under the CPLA and they have not introduced any reasoning which could not be properly considered under the CPLA. These comments have therefore also been allowed. Overall, point 1 has therefore been allowed.

Rationale for Accept or Not Accept

Statements of support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. Point 1 has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2	CA2 should be freeholded with easements and covenants to protect public access and significant inherent values present.	2	Allow	Accept

Submitter 2 has said that CA2 should be part of the freehold subject to, if necessary, a sustainable management covenant. The submitter states that the conservation values in this area have been maintained under current farming activities. They state that it appears that the main purpose of returning CA2 to the Crown is to provide for an access track and that it would be far better to have a walking and mountain bike track by way of easement and retain CA2 land as freehold. They have also said that their view is reinforced by the fact that a grazing concession is proposed when the terms of the concession could well be included in a sustainable management covenant over the freehold land. The submitter also suggests that it may be unnecessary to fence this area if it was freehold land subject to a sustainable management covenant.

Rationale for Allow or Disallow

The alternative designations suggested by the submitter could be achieved under the CPLA, and the reasons given relate to the adequate protection of significant inherent values, which is a matter for consideration under s24(b) CPLA, and the provision of public access which is relevant under s24(c)(i) CPLA. The point can thus be properly considered under the CPLA, and has therefore been allowed.

Rationale for Accept or Not Accept

This point is relevant under the objects and matters to be taken into account under the CPLA as discussed above, and the submitter has provided reasons why alternative outcomes are favoured. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	The terms and conditions of the grazing concession should be reviewed with regard to the term of the concession, monitoring requirements and with regard to the effective protection of significant inherent values present.	2, 4, 5, 10, 11, 13	Allow	Accept

Sub point (a) – Grazing period.

Submitter 2 stated that it would be far simpler to restrict the grazing from 28 February to 30 April rather than referring to a maximum period of eight weeks.

Submitter 4 stated that the length of the grazing concession should be no longer than 10 years initially and only extended if monitoring shows that the native vegetation has recovered to its former state. The submitter states that if there has been a marked decline or adverse changes to the vegetative cover, the grazing concession should be terminated forthwith.

Submitter 5 is concerned that the period may be too long and there is no compulsory provision for monitoring. They note that a monitoring programme may be set up and that the programme should be reviewed every three years with a provision to adjust stock numbers if necessary. The submitter requests that this monitoring and review programme should be mandatory. They have also said that the length of grazing period should be dependent on the results of monitoring and if there is any deterioration in vegetative condition the concession should be reviewed and, if necessary, revised or terminated.

Submitter 10 states that the proposed term is considered unnecessary in view of the joint management of the three properties (Glenrock, Rollesby and Holbrook) and the balance of land

proposed to be freeholded across the three leases. The submitter states that a maximum of 5 - 10 years should be sufficient to adjust grazing management over the freehold land.

Submitter 11 recommends that the grazing concessions are phased out after a five year transition period. They have said that given the size of the proposed new property and its balance of farming/ grazing units, the summer grazing concessions must be classified as 'convenient' for farming operations but certainly not essential and the need for grazing concessions is marginal at best.

Sub point (b) – General wording in the document.

Submitter 2 stated that the wording in the grazing concession is difficult to follow and believes that the concession should be clear and concise in its terms (e.g. it should not include statements like "whichever is relevant in the circumstances") and it needs to be clearer as to whether it is a "document" or "licence".

Sub point (c) – Monitoring fees.

Submitter 2 believes that with the low numbers of stock to be grazed, the licensee or concessionaire should not be required to pay an environmental monitoring contribution as set out in Clause 16, and Item 14 of Schedule 1 of the concession document.

Sub point (d) – Monitoring.

Submitter 4 has said that CA2 is a low rainfall area and at a higher altitude and questions the contention that the vegetation will recover quickly.

Submitter 4 requests that before grazing commences, and before completion of tenure review, a vegetation survey be undertaken by a suitably qualified agent so there is a benchmark to assess changes in the future and that there be mandatory monitoring of CA2 by an independent and suitably qualified agent.

As stated in sub point (a) above, submitter 5 notes that a monitoring programme may be set up and that the programme should be reviewed every three years with a provision to adjust stock numbers if necessary. The submitter has said that this monitoring and review programme should be mandatory.

Submitter 10 has said that the monitoring of any grazing concession over CA2 should be a requirement of the concession and to be undertaken on an annual basis to:

- Monitor changes in vegetation cover and health. It is recommended that monitoring is mandatory and undertaken on an annual basis to determine the appropriate level and length of grazing.
- Adjust grazing levels in line with available herbage and maintenance of an intact and healthy vegetation cover and the protection of identified values for the area.
- Ensure protection of the high water quality of all streams flowing through the conservation area.

Sub point (e) – Land Improvement Agreement (LIA).

Submitter 10 seeks that the preliminary proposal does not include any conditions on the grazing concession that would compromise the terms of the existing LIA or raise expectations for future land use options that are not consistent with the terms or objectives of the current LIA. The submitter states that level of grazing proposed is in excess of the limits negotiated for Eason's and Back Blocks under the LIA in 1989, and that there has been further vegetation depletion under the LIA terms. The submitter suggests a lower grazing rate be adopted for such a concession.

Sub point (f) – General.

Submitter 13 does not support the continued grazing of CA2 because of the strong populations of the locally endemic shrub daisy (*Helichrysum plumeum*) and tussock grasslands.

Rationale for Allow or Disallow

The matters raised relate to the terms and conditions within a grazing concession, the need for a concession, and issues relating to ecological sustainability and the protection of significant inherent values. The terms and conditions of a grazing concession can be considered in tenure review under the CPLA. In addition, ecological sustainability can be properly considered, under s24(a)(i) CPLA, and the protection of significant inherent values is also relevant under s24(b). This point has therefore been allowed.

Rationale for Accept or Not Accept

The arguments raised are relevant under the objects and matters to be taken into account under the CPLA, as indicated above, and the submitters have provided reasons for the suggested changes to the grazing concession or in some cases information not previously considered. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	It should be made clear within the tenure review as to which streams will qualify for marginal strips on disposition.	2	Disallow	N/A

Submitter 2 expresses concern about the lack of certainty as to what streams qualify for marginal strips and says that it is essential that the lessee is informed at this stage, or during negotiations of the preliminary proposal, as to the extent to which marginal strips will be created on the property. They have also said that the marginal strips could also be clearly shown on the plans and that it may well be that the owner will seek an exemption or a requirement for legal access across the strips.

Rationale for Allow or Disallow

The creation of marginal strips on disposition of land is governed by the Conservation Act 1987 and not by the CPLA. The point cannot be dealt with in tenure review or considered under the CPLA and has therefore been disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	The fenceline 'u-v' bordering CA1 should be moved.	4	Disallow	N/A

Submitter 4 requests that the proposed fenceline 'u-v' bordering CA1 should be placed behind the ridgeline so that it is not visible from the roadside. This is on the basis that it would prevent the visible natural landforms from being marked in an obvious way.

Rationale for Allow or Disallow

This point relates to the protection of significant inherent values which is an appropriate consideration under section 24(b) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

This point is relevant under the objects and matters to be taken into account under the CPLA as discussed above, and the submitter has provided a reason for an alternative outcome. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	Protection sought for wetland areas by extensions to area CA1 and / or additional covenants.	3, 4, 5, 9, 10, 13	Allow	Accept

Submitter 3 has said that CA1 should be extended by about 120 ha to incorporate a corridor along Bullock Creek and the wetlands adjacent to the Scenic Reserve, and adequate buffer zones (80 m) from wetland edges; and along the margins of Bullock Creek, in the developed paddocks, fence off and revegetate (with tall tussock and *carex*) to a width of 15 - 20 m on either side. The submitter states that this narrow strip of land between the wetland and the existing fence to the developed paddocks should be a buffer zone incorporated into CA1. The additional area the submitter considers that should be added to CA1 is illustrated in the map attached to the submission.

Submitter 3 has said that if their proposed 120 ha extension is converted to freehold, there must be at least a covenant specifying no cattle grazing, no top dressing within or near it, and only light sheep grazing. They have said that in addition, there should be a covenant over the developed section of Bullock Creek applying similar conditions, and that the stream itself should be fenced with a buffer strip of 10 – 15 metres either side and ideally these margins would be revegetated. This is on the basis that this will protect wetland values and water quality in Bullock Creek/ Grays River wetland and riparian areas, including CA1 and CA1 on Glenrock. The submitter notes that this area contains a high percentage of native species.

Submitter 4 seeks that all wetland areas on Rollsby Station, adjacent to the Scenic Reserve, be retained in full Crown ownership so that all the natural values are maintained fully by appropriate management. The submitter states that cattle especially should be kept out of this significant wetland area at all times.

Submitter 4 also asks that the waterway which flows through the developed paddocks, downstream of the upper wetland, be fenced off to prevent stock access so as to maintain a high level of water quality throughout the entire waterway from Burkes Pass to CA3 on Glenrock Station.

Submitter 4 also says that interpretative signage could be installed for visitors as they enter the 'Gateway' to the Mackenzie Basin to explain the restoration of wetlands and contrast these with the restoration of the drylands on the outwash plain in the nearby Tekapo Scientific Reserve.

Submitter 5 recommends that CA1 (which might be renamed CA1(a)) should be extended to include a related wetland fed by Bullock Creek to be designated CA1(b), linked by a corridor protected under a covenant. The submitter states that the significance of the CA1(b) and its contrast with the surrounding dry areas of outwash plain and rocky hillsides could become an important area for public appreciation and understanding of such ecosystems. The submitter states that this wetland area needs a protective corridor (covenant) linking it to the wetland where Bullock Creek crosses SH8 and feeds a related wetland upstream of CA1. The submitter believes that these areas should be regarded as a single ecological unit and be appropriately protected. A map of the proposal is provided in the submission. Access to CA1(a) is via the proposed easement within the adjoining Glenrock Tenure Review and access to CA1(b) is directly available from SH8.

Submitter 9 has said that control of stock grazing in the headwaters of the Grays River from I58 168 767 to J56 148 752 is necessary to protect the brown and rainbow trout fisheries and water quality in the Grays River and tributaries.

Submitter 10 has said that provision should be made for the protection of the riparian margins of all permanently flowing streams into the wetland system in CA1 passing through the freeholded land and that stock be excluded from the waterways.

Submitter 13 proposes that CA1 be expanded to form an 80 m buffer zone around all of its wetland edges.

Submitter 13 also proposes that another conservation area (CA3) upstream of CA1 be formed adjacent to the Burkes Pass Scenic Reserve with a protective riparian strip stream corridor between the conservation areas to be fenced off by 10-15 metres either side of the stream to stop grazing and be replanted in native vegetation to help protect the water quality entering the proposed CA1 wetland downstream. This is on the basis that this would also achieve full altitudinal sequence from the mountain tops to the valley floor wetland. The submitter notes the existence of tall tussock that is a buffer for the last remaining known habitat for New Zealand's rarest invertebrate, the Canterbury knobbed weevil (*Hadramphus uberulatas*), and the high percentage of native plant species including speargrass (*Aciphyla aurea*) in this proposed CA3.

Rationale for Allow or Disallow

This point relates to the protection of significant inherent values, particularly wetland values, and of water quality, which is an ecological sustainability issue, by either full Crown ownership and control, or by covenant. The protection of significant inherent values and the promotion of ecologically sustainable management are both matters which can properly be considered under the CPLA and the point has therefore been allowed.

Rationale for Accept or Not Accept

This point relates to the objects and matters to be taken into account in the CPLA, as discussed above, and the submitters have provided reasons for the various forms of additional protection suggested. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	Remove all willows and the pine belt along SH8 within CA1.	3, 4, 13	Disallow	N/A

Submitter 3 has said that all willows and the pine belt along SH8 should be removed and the area opened up as an integral and robust conservation reserve, readily viewed and accessible from a major highway (SH8). The submitter's map shows a covenant for this area, discussed under point 8.

Submitter 4 states that if the row of exotic trees were removed, then a wider perspective could be had of the natural landscapes of the Burkes Pass valley, which is an important attraction for the public and tourists to see and enjoy when passing through this highly scenic area.

Submitter 13 states that their proposal for another conservation area (point 6 above), along with the removal of the pine belt, would open up the whole area as an integral and robust conservation area.

Rationale for Allow or Disallow

The point relates to land management and not to the review of land tenure. Removal of willows and pines is not something that can be properly considered under the CPLA. This is a post tenure review land management issue. The point has therefore been disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	Further covenants (conservation and landscape) to be provided on proposed freehold for the protection of significant inherent values present.	3, 5, 13	Allow	Accept

Sub point (a) – proposed conservation covenant north of CA2.

Submitter 3 proposes a 400 ha conservation covenant north of CA2 for the protection and recovery of snow tussock and associated species. The submitter has provided a map of the proposed area and has also said that the covenant should specify sheep grazing limits, exclusion of grazing between December and January to allow seed set and dispersal, and limits on clearance of grey shrubland and use of fertilizers. The submitter defines the above proposed area in a map attached to the submission.

Sub point (b) – proposed conservation covenant south of Burkes Pass memorial.

Submitter 3 also proposes a 50 ha conservation covenant along SH8 at Burkes Pass to protect and enhance visual values provided by native shrublands and snow tussock. The submitter has provided a map of the proposed area and has suggested conditions relating to clearance of matagouri. They have said that shrublands need to be monitored against an initial baseline survey and that there needs to be a provision for exclusion of stock and/ or fencing off of areas in the event that deterioration or non-regeneration of the cover is demonstrated through monitoring. The submitter defines the above proposed area in a map attached to the submission.

Submitter 5 recommends that for both ecological reasons (high significant inherent values) and scenic quality, as seen by the many visitors to the Mackenzie Country, a small area of shrubland above the Burkes Memorial at Burkes Pass should be protected under covenant. The submitter defines the above proposed area in a map attached to the submission.

Submitter 13 proposes a conservation covenant (CC1) of approximately 36 hectares on the native shrubland/ snow tussock slope that overlooks SH8 because of its scenic 'sense of place' value. This is on the basis that protecting the vegetation from clearance, with limited sheep grazing, would help maintain the distinctive native visual corridor along SH8 through Burkes Pass. The submitter defines the above proposed area in a map attached to the submission.

Sub point (c) – proposed conservation covenant in Rollsby Fans/ Swamp/ Basin area.

Submitter 13 also proposes two additional conservation covenants (CC2 and CC3) with a total restriction of native vegetation clearance and grazing to preserve the landscape and threatened native vegetation / environments as natural corridors in the developed areas of the Rollsby Fans/ Swamp/ Basin area. The submitter defines the above proposed areas in a map attached to the submission.

Sub point (d) – proposed landscape covenant.

Submitter 13 further proposes a covenant over part of the proposed freehold land for the purpose of preserving the landscape, natural environment, and soil and water conservation values. The proposed area is defined in a map attached to the submission. The submitter states that currently these higher areas in and above the basin facing Burkes Pass are large intact mid range tussock grasslands. The submitter defines the above proposed area in a map attached to the submission.

Rationale for Allow or Disallow

This point relates to the protection by covenant of significant inherent values within the reviewable land. The protection of significant inherent values is a matter which can be properly considered under CPLA. Submitters also suggested specific covenant terms and conditions, also relating to the appropriate protection of significant inherent values, which is also a matter that can be properly considered under the CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to the objects and matters that can be taken into account in the CPLA, as discussed above. The submitters have provided reasons for the suggested alternative outcomes. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	The terms and conditions of the easements should be reviewed, and consideration should be given to an additional access route and for motorised public use access.	4, 7	Allow	Accept

Submitter 4 has asked that an additional access route be provided from the legal Rollsby Station Road to 'a-b' which could provide a shorter but somewhat steeper alternative access route to CA2.

Submitter 7 has concerns with easement conditions for 'a-b' as it does not provide for public use with motorised vehicles and recommends that conditions be altered to allow for either full public access by motorised vehicles, or if that option is not a viable solution, then the alternative recommendation is for controlled motorised vehicle access through the Department of Conservation. The reasons given being that the easement runs on an existing farm track which is stable and in good condition, and it allows further travel on existing tracks on Rollsby Range then through to Mackenzie Pass. Other reasons given include that consideration needs to be given to those that cannot walk or bike as a result of disabilities, health or age, that the views are of high value, and that motorised vehicle access will not detract or negatively impact on the other values of the property.

Rationale for Allow or Disallow

This point relates to the route and type of public access easements. Easements are provided for under the CPLA either as qualified designations (section 36 CPLA), or as protective mechanisms (section 40 CPLA). The provision of public access can be properly considered under section 24(c)(i) CPLA. The detail of easements, such as whether vehicle access should be allowed, is also a matter that can be properly considered under the CPLA, since this relates to making public access easier, which is also relevant under section 24(c)(i). The point has therefore been allowed.

Rationale for Accept or Not Accept

As discussed above, the point relates to the objects and matters to be taken into account under the CPLA. In both cases the submitters have provided reasons why they prefer alternative outcomes. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	Extension sought for area CA2 for the protection of significant inherent values present.	4, 5, 10, 13	Allow	Accept

Submitter 4 requests that the mid range tussock grasslands especially on the steeper slopes, be retained in full Crown Control as a Conservation Area as an addition to CA2, or at least have a protective covenant placed on that area in order to maintain the integrity of the tussock grassland cover, to retain intact vegetation cover, for soil and water conservation purposes, to protect/maintain the visual integrity of the landscape, and to protect inherent biodiversity values of native plants and fauna from adverse changes. The submitter also asks that an area identified on the Rollesby Range as an “excellent example” of the alpine *Dracophyllum uniflorum/ Chionochloa macra* associations be returned to or restored to full Crown ownership.

Submitter 5 recommends that the area of approximately 100 ha of tall tussock grassland, between 900m and 1200m, to the north of CA2 be reconsidered for addition to CA2. The reason given is that this area is unlikely to be capable of supporting ecologically sustainable pastoral use without maintenance fertilisers.

Submitter 10 has said that CA2 should be extended to provide for the long term protection of soil conservation values, biodiversity values and water quality of water-bodies identified for the Rollesby lease. The area suggested is shown in the submitter’s map R5. The submitter states that this extension would include:

- For soil conservation purposes: all of Back Block and the dry faces of the Rabbiter’s Block contained within the erosion control fence line as identified in the map attached to the submission (plan 1). This would utilize the existing erosion control fence line and reduce the amount of new fencing required.
- For biodiversity protection: the south-facing slopes of the Rollesby Range to protect the remaining areas of extensive shrublands on the southern slopes that are classified as critically underprotected environments.
- For water quality protection: all of the Back Block and the upper slopes and headwaters of tributaries flowing into the Gray River and including those flowing into the wetland system in CA1.

Submitter 13 suggests CA2 should be extended on its eastern side, to protect more of an altitudinal sequence, and areas of dense tall tussock and grey scrub.

Rationale for Allow or Disallow

The submitters suggest that further land should be designated as land to be retained under Crown ownership. Such outcomes are allowed for under section 35(2) CPLA. The reasons given relate to issues of ecological sustainability, which is a relevant matter for consideration under section 24(a)(i) CPLA, or the protection of significant inherent values, which is relevant under section 24(b) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

As discussed above, the point relates to the objects and matters to be taken into account in the CPLA. The submitters have also articulated reasons why they prefer an alternative outcome. The point has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
11	Further discussion is sought on the legal nature and content of the proposed easements.	8	Disallow	N/A

Submitter 8 would like to discuss the legal nature and content of the proposed easements (if accepted).

Rationale for Allow or Disallow

The submitter has requested further discussions relating to the preparation of technical documents which lies outside the scope of the CPLA. The legal nature and content of easements is not directly related to the tenure review. The point has therefore been disallowed. LINZ should be contacted to discuss the legal nature and content of the easements.

Rationale for Accept or Not Accept

N/A.

Summary

Overview of analysis:

Thirteen submissions were received from non government environmental and recreational groups together with a private individual, a regional council, a government agency and a farmer interest group. Submissions were analysed in the order in which they were received and points were listed in the order in which they were encountered.

Point 1 covers all statements in specific support either for the entire proposal, or for parts of the proposal. Eleven out of the total thirteen submitters expressed statements of support for various aspects of the proposal.

A number of issues were raised in respect of the terms of the grazing concession, with most suggesting a shorter term and more monitoring of the effects of grazing.

A number of submissions were made in respect of further and/ or tighter protection mechanisms or return to full Crown ownership.

From all the eleven points derived from the thirteen submissions received, eight were allowed for further consideration. All of the allowed points and sub points were accepted for further consideration in the formulation of the draft Substantive Proposal. Three points were disallowed for further consideration in the formulation of the draft Substantive Proposal.

Appendix III lists the points raised, grouped by the above categories.

Generic issues:

The generic issues identified were:

- Proposals to shorten the grazing concession proposed and/ or have more regular monitoring.
- Greater protection of significant inherent values, through an expansion of the areas for Crown retention, or the use of covenants on some of the land proposed to be freeholded.
- The effects of land use on water quality.
- Requests for additional public access or changes to proposed easements.
- Requests for removal of exotic vegetation.

Gaps identified in the proposal or tenure review process:

No gaps were identified in the proposal or tenure review process.

Risks identified:

No risks were identified.

General trends in the submitters' comments:

The general trend in submitters comments was one of support for the proposal, but greater protection of significant inherent values is sought.

List of submitters:

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

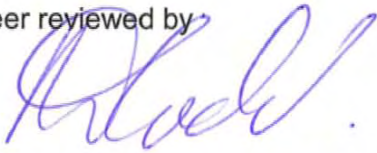
I recommend approval of this analysis and recommendations



Louise Mincher - Consultant

Date: 9/8/2010

Peer reviewed by



Mike Todd – Work Group Manager, Property Consultancy

Date: 09/08/2010

Approved/Declined



Commissioner of Crown Lands

Date: 19/08/10

Appendices:

- I Copy of Public Notice
- II List of Submitters
- III Points Raised by Submitters
- IV Copy of Annotated Submissions

APPENDIX II

List of Submitters

Submitter Number	Date received	Submitter	Representative	Address
1	27/10/09	Allan Evans	Patron of Federated Mountain Clubs of NZ (Inc)	c/- Mandy Norton, 113 Domain Avenue, TEMUKA
2	16/11/09	High Country Accord	Kit Mouat	c/- Goodman Tavendale Reid, PO Box 442, CHRISTCHURCH
3	22/11/09	Central Otago - Lakes Branch, Royal Forest & Bird Society of NZ Inc	Denise Bruns	4 Stonebrook Drive, WANAKA
4	22/11/09	South Canterbury Branch, Royal Forest & Bird Society of NZ Inc	Fraser Ross	29a Nile St, TIMARU 7910
5	23/11/09	Federated Mountain Clubs of NZ (Inc)	Phil Glasson	PO Box 1604, WELLINGTON 6140
6	23/11/09	Council of Outdoor Recreation Associations of NZ	Hugh Barr	PO Box 1876, WELLINGTON
7	23/11/09	Combined 4WD Clubs Inc	Paul Dolheguy	PO Box 5457, CHRISTCHURCH
8	24/11/09	New Zealand Walking Access Commission	Mark Neeson	PO Box 12348, Thorndon, WELLINGTON 6144
9	24/11/09	Central South Island Region, Fish & Game NZ	Devon Christensen	PO Box 150, TEMUKA
10	24/11/09	Environment Canterbury	Cathie Brumley	PO Box 345, CHRISTCHURCH 8140
11	24/11/09	Canterbury/ Aoraki Conservation Board	John M Keoghan	c/- Brenda Preston, Department of Conservation, Private Bag 4715, CHRISTCHURCH
12	26/11/09	North Otago Tramping Club	John Chetwin	PO Box 217, OAMARU 9444
13	01/12/09	North Canterbury Branch, Royal Forest & Bird Society of NZ Inc	Andrew Simpson	PO Box 2389, CHRISTCHURCH 8140

APPENDIX III

Points Raised by Submitters

Point Raised	Number of submitters	Submitter number													Details of point raised
		1	2	3	4	5	6	7	8	9	10	11	12	13	
1	11	1		3	4	5	6	7	8		10	11	12	13	Statements of support for aspects of the proposal.
2	1		2												CA2 should be freeholded with easements and covenants to protect public access and significant inherent values present.
3	6		2		4	5					10	11		13	The terms and conditions of the grazing concession should be reviewed with regard to the term of the concession, monitoring requirements and with regard to the effective protection of significant inherent values present.
4	1		2												It should be made clear within the tenure review as to which streams will qualify for marginal strips on disposition.
5	1				4										The fenceline 'u-v' bordering CA1 should be moved.
6	6			3	4	5				9	10			13	Protection sought for wetland areas by extensions to area CA1 and / or additional covenants.
7	3			3	4									13	Remove all willows and the pine belt along SH8 within CA1.
8	3			3		5								13	Further covenants (conservation and landscape) to be provided on proposed freehold for the protection of significant inherent values present.
9	2				4				7						The terms and conditions of the easements should be reviewed, and consideration should be given to an additional access route and for motorised public use access.
10	4				4	5					10			13	Extension for area CA2 for the protection of significant inherent values present.
11	1								8						Further discussion is sought on the legal nature and content of the proposed easements.