

## **Crown Pastoral Land Tenure Review**

**Lease name : CAITHNESS**

**Lease number : PO 355**

### **Analysis of Public Submissions**

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

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

## ANALYSIS OF PUBLIC SUBMISSIONS

Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act 1998 (for Part 2 reviews, or Sec 88(d) for Part 3 reviews)

### CAITHNESS TENURE REVIEW

#### 1. Details of lease

Lease name: Caithness.  
Location: 2575 Dunback - Morrisons Rd, Palmerston.  
Lessee: Andrew James Bruce Neilson, Sarah Elizabeth Neilson and Dennis John Mullally.

#### 2. Public notice of preliminary proposal

Saturday 1 October 2011.

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

*Closing date for submissions:* 29/11 2011.

#### 3. Details of submissions received

Number received by closing date: 8.  
Number of late submission approved by the CCL delegate: 1.  
Total Submissions received: 9.  
Cross-section of groups representing 9 conservation and recreation groups.  
Number of late submissions refused. Nil.

#### 4. ANALYSIS OF SUBMISSIONS

##### 4.1. Introduction

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

The following analysis:

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

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

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

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

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

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

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

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

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

#### 4.2. Analysis

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Submitter supports the provisions in the covenant for the removal of weeds and pests including wilding pines and pest animals.	2, 3,6	Allow	Accept

##### *Rationale for Allow*

The object of Section 24(a) of the Crown Pastoral Land Act 1998 is to promote the management of reviewable land in a way that is ecologically sustainable and Section 24(b) to enable the protection of the significant inherent values of reviewable land. The point relates to these objects and is therefore allowed.

##### *Rationale for Accept:*

The point is a statement of support for an aspect or aspects of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2	The submitter indicates from an historic map that a hut, track and telegraph line on the property would qualify as archaeological features if still present on the ground. These would therefore require an authority (consent) prior to any works being undertaken.	1	Allow	Accept

**Rationale for Allow:**

One of the objects of the CPLA is to enable the protection of the significant inherent values of reviewable land. Historical values if present are an inherent value, and they could be viewed as significant, the point is therefore allowed.

**Rationale for Accept:**

A full archaeological and historic assessment has not been undertaken to determine the presence of the values mentioned by the submitter. The point is accepted because it relates to the objects and matters to be taken into account in the CPLA and introduces new information or a perspective not previously considered.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	The submitters indicate general support for the proposal.	1,8,9	Allow	Accept

**Rationale for Allow:**

The tenure review preliminary proposal was prepared in consideration of the objects under section 24 CPLA. The point is therefore a matter for tenure review and allowed for further consideration.

**Rationale for Accept:**

The point is a statement of support for an aspect or aspects of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
4	Current and future owners of Caithness should be made aware that work affecting archaeological sites is subject to the Archaeological Authority process under the Historic Places Act 1993.	1	Disallow

**Rationale for Disallow:**

The Archaeological Authority Process is a matter for the Historic Places Act 1993 and is not a matter for tenure review and cannot be considered under the CPLA, therefore the point is disallowed.



Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	The submitter contends that the proposed Scientific Reserve (R1) fails to adequately protect all SIV's. Submitter concerned that the shrubland in the proposed reserve has been poorly defined and the straight line boundary would be inappropriate over time as it would look artificial.	2	Allow	Not Accept

***Rationale for Allow:***

The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is allowed for further consideration.

***Rationale for Not Accept:***

Extensive discussions were held on the appropriate designation for this area and parts of the area. The actual boundary line will be better defined during boundary marking. The submitters did not introduce new information or a perspective not previously considered nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore not accepted for further consideration by the Commissioner in the formulation of a substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	Submitters generally support the proposed Scientific Reserve R1.	2,3,4,6,9	Allow	Accept

***Rationale for Allow:***

One of the objects of Section 24(b) of the Crown Pastoral Land Act 1998 is to protect the significant inherent values identified on the reviewable land and the point raised by the submitter relates to the protection of the values. This point is therefore allowed.

***Rationale for Accept:***

The point is a statement of support for an aspect or aspects of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
7	Submitter contended that the limited size of the property and associated economic value as a farming unit has limited the degree of protection proposed.	2,3	Disallow

***Rationale for Disallow:***

The CPLA does not specify a requirement for proposed freehold land to comprise an economic or viable farm unit therefore the point is not a matter for tenure review and is disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	General concerns relating to CC1. Submitters want greater protection of the SIV's in the upper Jimmy's Creek area, by the creation of a Conservation Area and/or extended Conservation Covenant.	2,3,4,5,6,8,9	Allow	Not accept

***Rationale for Allow:***

The object of Section 24(a) of the Crown Pastoral Land Act 1998 is to promote the management of reviewable land in a way that is ecologically sustainable and Section 24(b) to enable the protection of the significant inherent values of reviewable land. As the point raised by the submitter questions whether these objects are being met, the point is therefore allowed.

***Rationale for Not Accept:***

The designations outlined in the proposal were discussed at length during consultation. Crown ownership was one of the options considered. The location of the biodiversity component of the covenant and the terms of the covenant were also well canvassed during consultation. While this point meets the objects and matters to be taken into account in the CPLA, it does not introduce any new information or a perspective not previously considered. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
9	Submitters want to see the clearing of all exotic weeds and pests. Submitters cite examples including wilding pines, elderberry, sweet briar and broom.	3,8	Disallow

***Rationale for Disallow:***

Weed control post tenure review is not a matter that can be considered under Section 24 CPLA and therefore is not a tenure review issue.

This point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	Submitters made a point regarding concerns about burning. The submitters want to: (a) see covenants specifying no burning; and (b) if accidental burning occurs then no grazing to occur for up to 2 years.	2,4,5,6,8	Allow	Accept in part sub-point (b)

***Rationale for Allow:***

The object of Section 24(a) of the Crown Pastoral Land Act 1998 is to promote the management of reviewable land in a way that is ecologically sustainable and Section 24(b) to enable the protection of the significant inherent values of reviewable land and as the point raised by the submitter questions whether these objects are being met, the point is therefore allowed

***Rationale for Accept in part:***

In relation to sub-point (a) the conditions in the covenant specifically prohibit burning in all of CC1. Sub-point (a) point therefore does not introduce new information or a perspective not previously considered. This aspect of the point is therefore not accepted. Sub-point (b) is raised in relation to

accidental burning, and is an issue that was not raised in consultation, therefore this represents the introduction of new information or a perspective not previously considered. This part of the point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
11	Submitters concerned that Biodiversity Covenants will not protect the SIV's. Submitters are concerned the individual areas are poorly representative of the biodiversity values. Some submitters want to see fencing and retiring of grazing of these areas. Submitter 8 suggests the areas should be designated as one block.	2,3,4,5,8	Allow	Not Accept

***Rationale for Allow:***

Section 24(b) of the CPLA 1998 is to enable the protection of the significant inherent values (SIV's) of the reviewable land and as this point relates to the protection of the SIV's; it is therefore allowed.

***Rationale for Not Accept:***

While the point relates to the objects and matters to be taken into account in the CPLA, it does not introduce any new information or a perspective not previously considered. The point is therefore not accepted. The boundaries of CC1 and the biodiversity areas in particular, were well canvassed during consultation. There may be some minor changes during boundary definition inspections. The issue of fencing the areas was discussed but the nature of the land involved make fencing impractical.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
12	Submitters are concerned about the terms and conditions of the Covenant proposed. They are concerned that individual areas in the covenant are not detailed enough. Concerns are stated in relation to monitoring, spraying, grazing, OSTD.	2,3,4,5,6,8	Allow	Accept

***Rationale for Allow:***

Section 24(b) of the CPLA 1998 is to enable the protection of the significant inherent values (SIV's) of the reviewable land and as this point relates to the protection of the SIV's; it is therefore allowed.

***Rationale for Accept:***

There were a number of different aspects to this point by the submitters, who each took a slightly different approach in their submission. There is concern from the submitters that the covenant did not specify the stock numbers, outline monitoring programs, or specify management. There also appears to be some confusion about what is and what isn't allowed in the covenant. On this basis the submitters have highlighted issues previously considered but have articulated reasons why the submitters prefer an alternative outcome, the point is accepted.



Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
13	Matters relating to Public access on the proposal. Submitters wish to ensure linkages to strategically important access to other parts of the Kakanui Range and Otepopo spur are part of the proposal. There is general support from submitters for the access proposed, but foot access is key to link with adjoining properties including Mt Stalker, The Dasher and Kinross.	2,3,4,5,6,7	Allow	Not Accept

***Rationale for Allow***

Section 24(c)(i) of the CPLA is to make easier the securing of public access to and enjoyment of reviewable land. As the point relates to this aspect it is therefore allowed.

***Rationale for Not Accept:***

The issue of public access was widely discussed during the consultation phase and the point does not introduce any new information or a perspective not previously considered. This point is therefore not accepted for further consideration by the Commissioner in the formulation of a substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14	The submitters seek a public access easement alongside Jimmy's Creek all the way to the property boundary on existing formed track, which would link access on Otepopo Spur and create a loop.	2,3,4,5,6,7,8	Allow	Accept

***Rationale for Allow***

Section 24(c)(i) of the CPLA is to make easier the securing of public access to and enjoyment of reviewable land. As the point relates to this aspect it is therefore allowed.

***Rationale for Accept:***

The issue of public access was widely discussed during the consultation phase, however the point raises new information or a perspective not previously considered in relation to a loop walking track. This point is therefore accepted for further consideration by the Commissioner in the formulation of a substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
15	Submitters want public access to Point "c" from the Caithness boundary at State Highway 85, for 4WD and walking access. Submitter 5 says this will specifically assist older trampers and non-bikers.	2,5	Allow	Not Accept

***Rationale for Allow***

Section 24(c)(i) of the CPLA is to make easier the securing of public access to and enjoyment of reviewable land. As the point relates to this aspect it is therefore allowed.



***Rationale for Not Accept:***

The issue of public access was discussed during the consultation phase and the issue of public 4WD access was specifically discussed. Therefore the point does not raise new information or a perspective not previously considered. This point is therefore not accepted for further consideration by the Commissioner in the formulation of a substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
16	Submitters are concerned the biodiversity areas are not individually described and seek more detailed description for SIV's being protected by the covenanted areas.	2,5,6,8	Allow	Accept

***Rationale for Allow***

Section 24(b) of the CPLA 1998 is to enable the protection of the significant inherent values (SIV's) of the reviewable land and as this point relates to the protection of the SIV's; it is therefore allowed.

***Rationale for Accept:***

This point was discussed during the preparation of the preliminary proposal. The submitters have highlighted issues previously considered but have articulated reasons why the submitters prefer an alternative outcome, therefore the point is accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
17	Submitters are concerned that SIV's are not protected on Caithness by the proposal. Submitter 3 is specifically concerned with low to mid altitude tussock country located so close to the sea.	3,4,6,	Allow	Not accept

***Rationale for Allow:***

The object of Section 24(a) of the Crown Pastoral Land Act 1998 is to promote the management of reviewable land in a way that is ecologically sustainable and Section 24(b) to enable the protection of the significant inherent values of reviewable land and as the point raised by the submitter questions whether these objects are being met, the point is therefore allowed.

***Rationale for Not Accept:***

Proposed designations and the terms of the covenants were discussed at length during consultation. Crown ownership was one of the options considered. The location of the biodiversity component of the covenant and the terms of the covenant were discussed at length. While this point meets the objects and matters to be taken into account in the CPLA, it does not introduce any new information or a perspective not previously considered. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
18	The submitters seek public walking access along a-b to Scientific Reserve R1. Submitter 6 suggests this from a fenced car park at State Highway 85. Submitter 2 believes it is contrary to the object of the CPLA not to provide access to public conservation land.	3,4,5,6	Allow	Not Accept

***Rationale for Allow***

Section 24(c)(i) of the CPLA is to make easier the securing of public access to and enjoyment of reviewable land. As the point relates to this aspect it is therefore allowed.

***Rationale for Not Accept:***

The issue of public access to this reserve was discussed during the consultation phase. There is no specific requirement in the CPLA to provide public access to conservation land, or as in this case reserve land. The point does not introduce any new information or a perspective not previously considered. This point is therefore not accepted for further consideration by the Commissioner in the formulation of a substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
19	The submitter approves of the covenant but say it needs some alteration to fully protect the values. Concerned it may be confusing in its present form.	3	Allow	Not Accept

***Rationale for Allow:***

Section 24(b) of the CPLA 1998 is to enable the protection of the significant inherent values (SIV's) of the reviewable land and as this point relates to the protection of the SIV's, it is therefore allowed.

***Rationale for Not Accept:***

These issues were all well discussed during the consultation process. While the point relates to the objects and matters to be taken into account in the CPLA, it does not introduce any new information or a perspective not previously considered and is therefore not accepted. While the submitter notes the covenant may be confusing in its present form, there are no suggestions put forward to make it less confusing.

Point	Summary of point raised	Submission numbers	Allow or disallow
20	The submitter seeks to have a plan with all the existing legal access points clearly depicted.	7	Disallow

***Rationale for Disallow:***

The Commissioner is not required to deal with or identify legal roads on plans as he has no responsibility in this regard under the CPLA. The point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow
21	The submitter raised matters relating to marginal strips, and seeks to have marginal strips identified on the plan or in the proposal document.	7	Disallow

**Rationale for Disallow:**

The Commissioner is not required to deal with or identify marginal strips as he has no responsibility in this regard under the CPLA. The point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow
22	The submitter recommends a merger between the Caithness and Kinross pastoral leases, citing issues related to small uneconomic areas and sustainable land use.	4	Disallow

**Rationale for Disallow:**

The CPLA does not allow for such an option at this stage of the process and the point is disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
23	Submitter stated that LUC Class VIII land in the north west corner of CCI is not suitable for pastoral use as it is not ecologically sustainable.	4	Allow	Not accept

**Rationale for Allow:**

The object of Section 24(a) of the Crown Pastoral Land Act 1998 is to promote the management of reviewable land in a way that is ecologically sustainable and Section 24(b) to enable the protection of the significant inherent values of reviewable land and as the point raised by the submitter questions whether these objects are being met, the point is therefore allowed.

**Rationale for Not Accept:**

Proposal designations, including proposed freehold land were discussed at length during consultation. It should be noted that the area of Class VIII land in question is a very small component of the total land area. While this point meets the objects and matters to be taken into account in the CPLA, it does not introduce any new information or a perspective not previously considered.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
24	The submitter supports the freehold of Class VI and VII land below the 800m contour and south / west of Jimmy's Creek as it can be managed in a way that is ecologically sustainable.	4	Allow	Accept

**Rationale for Allow:**

The object of Section 24(a) of the Crown Pastoral Land Act 1998 is to promote the management of reviewable land in a way that is ecologically sustainable and Section 24(b) to enable the protection of the significant inherent values of reviewable land and as the point raised by the submitter relates to these objects, the point is therefore allowed.



**Rationale for Accept:**

The point is a statement of support for an aspect of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
25	The submitter is concerned that spraying is permitted and this could mean shrublands are able to be sprayed. They would like Clause 3.1.5 amended to allow the spraying of woody weeds only.	2,3,4,5	Allow	Accept

**Rationale for Allow:**

Section 24(b) of the CPLA 1998 is to enable the protection of the significant inherent values (SIV's) of the reviewable land and as this point relates to the protection of the SIV's; it is therefore allowed.

**Rationale for Accept:**

The spraying of some native species in the buffer covenant was discussed during consultation. It was seen as necessary to provide stock access to direct them away from the biodiversity areas. The point does introduce a perspective not previously considered in that only woody weed species should be sprayed. The point therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
26	The submitter is concerned that the proposal will lead to intensification of grazing through economic pressures.	4,6	Disallow

**Rationale for Disallow:**

The management of land by the holder freeholded post tenure review is not a matter for consideration under the CPLA. Areas on Caithness with SIV's have been examined during consultation and protected under this proposal. The point is therefore not validly made, not relevant to the tenure review and is disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow
27	The submitter seeks to have plans provided at an appropriate scale (Not more than 1:50,000) at preliminary proposal stage of Tenure Review.	7	Disallow

**Rationale for Disallow:**

The CPLA requires the Commissioner to prepare a plan showing the proposed designations. The plan is required to be a suitable scale for the property involved. In this particular case the scale of the plan is 1:50,000 as requested by the submitter. The point is not validly made and is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
28	Submitter seeks the conditions of the covenants be binding on all future owners who may have less sympathetic conservation objectives than the present holder.	4	Allow	Not accept

***Rationale for Allow:***

The object of Section 24(a) of the CPLA is to promote the management of reviewable land in a way that is ecologically sustainable and Section 24(b) to enable the protection of the significant inherent values of reviewable land and as the point raised by the submitter relates to these objects, the point is therefore allowed.

***Rationale for Not Accept:***

The covenant is a legal document that will be registered on the new title created following tenure review. This will be binding on all future owners of the land. While this point meets the objects and matters to be taken into account in the CPLA, it does not introduce any new information or a perspective not previously considered and is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
29	The submitter wants the Scientific Reserve R1 to be extended further up the Green Valley to better protect the <i>Galaxiid</i> .	2,5,8	Allow	Not Accept

***Rationale for Allow:***

One of the objects of Section 24(b) of the Crown Pastoral Land Act 1998 is to protect the significant inherent values identified on the reviewable land and the point raised by the submitter relates to the protection of the values. This point is therefore allowed.

***Rationale for Not Accept:***

The proposed designations including the Scientific Reserve were discussed at length during consultation and during field inspections with DOC and the holder. While this point meets the objects and matters to be taken into account in the CPLA, it does not introduce any new information or a perspective not previously considered and is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
30	The submitter wants to see LUC Class VII and VIII land on the proposed freehold re-designated as Conservation Area. Limited grazing could occur on the Class VII land with suitable monitoring to ensure SIVs are not adversely affected by grazing.	5	Allow	Not Accept

***Rationale for Allow:***

The object of Section 24(a) of the Crown Pastoral Land Act 1998 is to promote the management of reviewable land in a way that is ecologically sustainable and Section 24(b) to enable the protection of the significant inherent values of reviewable land and as the point raised by the submitter questions whether these objects are being met, the point is therefore allowed.

***Rationale for Not Accept:***

The proposed designations including the proposed freehold and covenants were discussed at length during consultation. Crown ownership was one of the options considered. While this point meets the objects and matters to be taken into account in the CPLA, it does not introduce any new information or a perspective not previously considered. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
31	The submitter supports not fencing the SIVs in the biodiversity area as it is difficult to fence them out. Submitter contends that the SIV's have probably survived because stock can't easily access them.	5	Allow	Accept

***Rationale for Allow:***

The tenure review preliminary proposal was prepared in consideration of the objects under section 24 CPLA. The point is therefore a matter for tenure review and allowed for further consideration.

***Rationale for Accept:***

The point is a statement of support for an aspect or aspects of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
32	The submitters seek public foot access to Biodiversity Areas iv and v.	5,6	Allow	Accept

***Rationale for Allow***

Section 24(c)(i) of the CPLA is to make easier the securing of public access to and enjoyment of reviewable land. As the point relates to this aspect it is therefore allowed.

***Rationale for Accept:***

The issue of public access was widely discussed during the consultation phase, however public access to biodiversity areas iv and v was not specifically covered. The point introduces new information or a perspective not previously considered. This point is therefore accepted for further consideration by the Commissioner in the formulation of a substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
33	The submitter seeks public access from Wild Ram Road on the north western boundary of Caithness to Point 932.	7	Allow	Accept

***Rationale for Allow***

Section 24(c)(i) of the CPLA is to make easier the securing of public access to and enjoyment of reviewable land. As the point relates to this aspect it is therefore allowed.

***Rationale for Accept***

As the point is a matter for consideration under the CPLA and introduces a new perspective not previously considered as it relates to a route not considered during the consultation for a



Preliminary Proposal, the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
34	The submitter seeks public access from a track at Point 838 to the proposed easement across Jimmy's Creek at point "c" on the plan. This is linked to point 14.	7	Allow	Accept

***Rationale for Allow***

Section 24(c)(i) of the CPLA is to make easier the securing of public access to and enjoyment of reviewable land. As the point relates to this aspect it is therefore allowed.

***Rationale for Accept***

As the point is a matter for consideration under the CPLA, and introduces a new perspective not previously considered during the consultation for a Preliminary Proposal, the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

**Summary and Conclusion**

Overview of analysis

In analysing the 9 submissions received 34 points were identified. Of the 34 points raised, 26 were allowed for further consideration. Of the 26 that were allowed, 13 have also been accepted for consideration in the preparation of a draft substantive proposal. One further point was accepted in part for further consideration. This was largely on the basis on the provision of new information or the submitter provided reasons why an alternative outcome should be considered, or was a statement of support for aspects of the proposal.

8 points were disallowed as the matter was not raised validly and could not be considered under the CPLA and will not be considered further.

Generic Issues

Several submitters indicated general support for the proposal and for the Scientific Reserve (R1).

Many submitters focused on matters in relation to the covenant and the terms and conditions. They sought further detail of the conditions in the covenant in order to assess the protection of SIV's. Submitters were also interested in issues around burning and spraying.

Some of the submitters were concerned that economic issues and the size of the pastoral lease and resultant freehold influenced the protection of SIV's.

The inclusion of additional public access was sought by several submitters, particularly in the area of Jimmy's Creek and from State Highway 85. Submitters were especially interested in access linkages to adjoining land.

Gaps identified in the proposal or tenure review process

The Historic Places Trust identified a site of possible archaeological significance. Existence of this site will need to be investigated during consultation for a Substantive Proposal.

Some concerns were expressed in the level of detail in the terms and conditions, particularly around burning, monitoring, stocking rates and fencing. These submitters linked with concerns around CC1 and whether the SIV's are protected

Issues related to public access were identified by several submitters that require further investigation.

Risks identified

No specific risks have been identified through the public notification process.

General trends in the submitters' comments

The common issues raised were:

- A number of submitters were concerned about the terms and conditions in the covenant and their ability to protect the SIV's.
- The need for further access routes.
- Economic viability of farming on a small property
- Linkages with adjoining properties.