

## **Crown Pastoral Land Tenure Review**

**Lease name : MARYBURN**

**Lease number : PT 041**

### **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**

**MARYBURN TENURE REVIEW NO TR127**

**Details of lease**

Lease name:	Maryburn
Location:	State Highway 8, Lake Tekapo
Lessee:	Classic Properties Ltd

**Public notice of preliminary proposal**

Date advertised:	18 December 2010
Newspapers advertised in:	The Press (Christchurch) Otago Daily Times (Dunedin) Timaru Herald (Timaru)
Closing date for submissions:	4 March 2011
	Extended to 31 <sup>st</sup> March 2011 due to earthquake in Christchurch on 22 <sup>nd</sup> February 2011

**Details of submissions received**

Number received by closing date: 816
Number of late submissions refused/other: 3 were accepted by the Commissioner's delegate, bringing the total to 819.
One submission received more than 3 months after the closing date for submissions was not accepted because the analysis was already well progressed.
Total submissions analysed:  171 submissions were listed
Cross-section of groups/individuals represented by submissions:  Submissions were received from numerous individuals, recreation groups, scientific institutions, conservation groups and companies.
Three sets of standardised submissions were received via Forest & Bird and these are dealt with in this analysis as follows:
1. Submission 163 comprises 8 individual submissions on a standard template. The submissions are identified as submission numbers 163(1) to (8). Submission 163(1) is analysed in this report.
2. Submission 164 comprises 15 individual submissions on a standard template. The submissions are identified as submission numbers 164(1) to (15). Submission 164(1) is analysed in this report.

3. Submission 165 comprises 628 individual submissions on a standard template. The submissions are identified as 165(1) to (628). Submission 165(1) is analysed in this report.

A large number of submissions were received that included all or parts of a standard template submission but also had separate comments, and these have been analysed as individual numbered submissions.

## 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, 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**

Point	Summary of point raised	Allow or disallow	Accept or not accept
1	General opposition to the proposal.	Allow	Not Accept
<p><b>Submission numbers</b>                      1,2,9,10,13,21,37,39,50,72,73,74,76,82,87,92,113,114,115,116,117,119,120,121,122,123,124,125,126,127,128,129,130,131,132,133,134,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,151,152,153,154,155,157,158,159,160,161,162,165, 168,169,171.</p>			
<p>Rationale for Allow:                      The tenure review proposal was prepared in consideration of the objects expressed in Section 24 CPLA 1998. The point is therefore a matter for tenure review and is <u>allowed</u> for further consideration.</p>			
<p>Rationale for Not Accept:                      The point makes a generalised statement in relation to the objects and matters to be taken into account in the CPLA, however it does not specifically articulate why an alternative outcome is preferred under the CPLA. This point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>			

Point	Summary of point raised	Allow or disallow	Accept or not accept
2	<p>Concerns related to land use changes in the Mackenzie Basin and Maryburn that will result in irreversible changes to Significant Inherent Values, landscape, access and pollution. Submitter 92 states the proposal allows for further serious compromise and it is unacceptable that that government should be allowing further degradation of 'publically' owned and ecologically significant areas.</p> <p>The concerns relate to Maryburn and Mackenzie Basin with respect to:</p> <ul style="list-style-type: none"> <li>(a) Maryburn and wider Mackenzie Basin post tenure review.</li> <li>(b) Maryburn tenure review.</li> </ul>	Allow sub point (b). Disallow sub-point (a).	Not accept
<p><b>Submission numbers</b>                      1,2,3,4,5,7,12,13,15,21,26,28,33,37,38,45,54,62,72,81,92,120,139</p>			
<p>Rationale for Allow:                      In the context of sub-point (a) the submitters comments in relation to land use in the wider Mackenzie Basin and on Maryburn post tenure review are a matter for the District and Regional Plans to deal with under the Resource Management Act 1991. There are no provisions for this matter in the CPLA therefore the sub-point is <u>disallowed</u> for further consideration.</p> <p>In the context of sub-point (b) the submitters comments in relation to the Maryburn tenure review are regarding the protection of landscape and ecological SIVs and public access from the effects of land use change, and are a matter for tenure review under section 24(b) and 24(c)(i) of the CPLA. Sub-point (b) is therefore <u>allowed</u> for further consideration.</p>			

Rationale for Not Accept:  
 Sub-point (b) makes generalised statements about the protection of SIVs, landscapes and public access on Maryburn from the effect of changing land use and these are dealt with elsewhere in this report under specific points. In relation to the balance of sub-point (b), as the submitters are not introducing any new information or a perspective not previously considered, and do not articulate reasons why they prefer a different outcome under the CPLA in relation to the sub-point, it is therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
3	Merino Sheep need to return to the Mackenzie Basin (and Maryburn) in greater/ fewer numbers.	Disallow

**Submission numbers**

1

Rationale for Disallow:  
 The submission was not fully legible and it was not possible to determine whether the point supported Merino sheep returning in greater or fewer numbers. It was assumed that the point related to land management. The management of conservation and freehold land post tenure review is a matter for DOC and the landowner to determine in conjunction with the requirements of the district plan. As the point is not validly made and cannot be properly considered under the CPLA, it is disallowed.

Point	Summary of point raised	Allow or disallow	Accept or not accept
4	Proposal should be withdrawn and/or fails to protect Significant Inherent Values, provide access and promote ecological sustainability. The proposal fails to meet the objectives of the Crown Pastoral Land Act, including public access, therefore it should be withdrawn and/or renegotiated.	Allow	Accept

**Submission numbers**

1,2,3,4,5,6,8,9,10,11,12,13,14,15,18,20,21,22,23,26,27,28,30,35,39,40,41,42,43,44,45,46,48,50,51,54,55,56,57,61,62,72,76,77,78,81,84,87,92,93,99,100,101,103,113,114,115,116,117,118,119,120,121,122,123,124,125,126,127,128,129,130,131,132,133,134,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,152,153,154,155,157,158,159,160,161,162,163,164,165,168,169,171

Rationale for Allow:  
 The point relates to the objects of section 24 CPLA. It also requests that the proposal should be withdrawn and/or re-negotiated, and under section 33 CPLA the Commissioner may discontinue a review at any time. The point is therefore a matter for tenure review and is allowed for further consideration.

Rationale for Accept:  
 The submitters request that the proposal be withdrawn or re-negotiated on the basis that it does not meet the objects of section 24 of the CPLA. As the submitters have articulated a reason why they prefer an alternative outcome, the point is therefore accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
5	<p>The Mackenzie Basin and specifically Maryburn is worth more in their current or natural state, particularly as a tourism asset and for businesses associated with tourism in the area. Submitter 14 states that continued government ownership will protect these landscapes. Submitter 61 suggests that Maryburn encapsulates the Mackenzie Basin's natural and naturalistic values. A number of the submitters highlight the value of tourism with the Mackenzie and Maryburn in their current state. Refer also Point 55.</p> <p>The submitters concerns fall into two categories:</p> <ul style="list-style-type: none"> <li>(a) Comments in relation to tourism in the wider Mackenzie Basin and Maryburn post tenure review.</li> <li>(b) Comments in relation to protecting landscape and ecological SIVs in Maryburn proposal to enhance its tourism attraction and associated revenue.</li> </ul>	<p>Allow Sub-point (b).</p> <p>Disallow sub-point (a).</p>	Not Accept
<p><b>Submission numbers</b> 1,5,11,14,20,23,26,29,41,61,81,99,121,122,123,124,130,135,137,138,141,144,146,148,150,151,153,157,158,159,162,163,171</p>			
<p>Rationale for Allow: The submitters comments in relation to sub-point (a) are a matter for the District and Regional Plans to be dealt with under the Resource Management Act 1991. There are no provisions for this matter in the CPLA therefore the sub-point is <u>disallowed</u>. The submitters comments in relation to sub-point (b) are a matter for tenure review under section 24(b) CPLA. Sub-point (b) is therefore <u>allowed</u> for further consideration.</p>			
<p>Rationale for Not Accept: As the submitters are not introducing any new information or a perspective not previously considered, and do not articulate reasons why they prefer a different outcome under the CPLA in relation to the sub-point, the point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal. Sub-point (b) makes statements about the protection of SIVs on un-specified parts of Maryburn for the purposes of enhancing its tourism attraction and the associated revenue created. Protection of SIVs is dealt with elsewhere in this report under the particular areas concerned.</p>			

Point	Summary of point raised	Allow or disallow
6	Any renegotiated proposal should be re-notified for public submissions.	Disallow
<p><b>Submission numbers</b> 1,8,44,45,55,91,101,164,31</p>		
<p>Rationale for Disallow: While the Commissioner may consult with those with whom he chooses under section 26 CPLA there is no provision for additional consultation or re-advertising of a proposal. The public have been invited to comment on the proposal only, not the tenure review process, matters of policy, internal operational processes of LINZ or the statutory regulations in the CPLA. The point is therefore <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow	
7	<p>The proposal should be withdrawn until it can be informed by the Waitaki Shared Vision Forum, and a shared vision for the Mackenzie Basin agreed on. Submitter 30 states that freeholding before the outcome of this collaborative process would foreclose future options, which is supported by numerous other submitters.</p> <p>Note: The submissions include reference to the following –</p> <ul style="list-style-type: none"> <li>➤ Mackenzie Collaborative Forum</li> <li>➤ Shared Vision Working Party</li> <li>➤ Mackenzie Sustainable Futures Trust</li> </ul> <p>Mackenzie District Council confirms that these are all the same entity and the correct name is the Upper Waitaki Shared Vision Forum, which operates under the umbrella of the Mackenzie Sustainable Futures Trust.</p>	Disallow	
<p><b>Submission numbers</b> 1,2,3,5,15,17,18,19,20,22,27,30,31,33,34,35,36,38,42,44,54,51,62,67,72,81,84,91,93,101,102,104,124,132,133,142,156,164</p>			
<p>Rationale for Disallow: Tenure review is the process of reviewing the tenure of an individual pastoral lease, not for dealing with generic regional or nationwide issues. The point is therefore <u>disallowed</u>. The Upper Waitaki Shared Vision Forum is a separate process to the Maryburn tenure review and cannot be dealt with under the CPLA because there is no requirement in the tenure review process to take into consideration the decision-making of another organization. Any organization may make a submission to the Commissioner on a specific tenure review and it will be considered accordingly under the CPLA.</p>			

Point	Summary of point raised	Allow or disallow	Accept or not accept
8	<p>The Maryburn outwash plain between / east of State Highway 8 and the Tekapo River should be made Conservation Area or covenant to protect the Significant Inherent Values. They require protection for landscape and botanical SIV's and glacial moraines of international scientific significance (see also Point 119) Submitter 61 states the outwash plains are distinct, unique and a key element to the Mackenzie Basin. The majority of submitters prefer Crown Ownership to a covenant.</p>	Allow	Not Accept
<p><b>Submission numbers</b> 1,2,4,6,11,12,13,21,30,38,43,44,45,46,50,51,55,56,57,61,62,67,77,78,81,84,87,92,93,103,113,114,115,116,117,118,119,120,121,122,123,124,125,126,127,128,129,130,131,133,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,152,153,154,157,158,159,160,161,162,164,165,168,169,171</p>			
<p>Rationale for Allow: The point relates to the object under section 24(b)(i) CPLA, the protection of significant inherent values by the creation of a protective mechanism; or (preferably) (ii) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review and can be considered under the CPLA, it is <u>allowed</u> for further consideration.</p>			

Rationale for Not Accept:  
 The submitters discuss a perspective that has already been considered during consultation in relation to the protection of SIV's and therefore the point is not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
9	The Sustainable Management Covenant (SMC) area should be made Conservation Area to protect Significant Inherent Values similar to CA1 on the plan. Submitter 101 suggests the SMC will not provide sufficient protection.	Allow	Not Accept

**Submission numbers**  
 1, 12, 30, 43, 44, 45, 46, 56, 62, 63, 77, 78, 84, 87, 92, 101, 102, 103, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 152, 153, 154, 157, 158, 159, 160, 161, 162, 164, 165, 168, 169, 171

Rationale for Allow:  
 SMC's are a mechanism provided in tenure review under section 97 CPLA for the purpose of the managing and maintaining of land that has been depleted and eroded, therefore it is a matter for tenure review and is allowed for further consideration.

Rationale for Not Accept:  
 The submitters discuss a perspective that has already been considered during consultation in relation to the protection of SIV's and therefore the point is not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
10	Proposed freehold land between Lake Pukaki and the crest of the Mary Range should be protected to fulfil the objects of the CPLA. Some submitters supported a conservation covenant over the area but most preferred a conservation area to protect Significant Inherent Values and public access. Submitter 2 wishes to protect against subdivision. Submitter 48 suggests a Scientific Reserve for educational resources to explain ice ages and climate change.	Allow	Not Accept

**Submission numbers**  
 1, 2, 3, 4, 6, 11, 12, 13, 21, 30, 39, 43, 44, 45, 46, 48, 50, 51, 55, 56, 58, 61, 62, 77, 78, 81, 84, 87, 92, 93, 99, 102, 103, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 133, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 152, 153, 154, 157, 158, 159, 160, 161, 162, 164, 165, 168, 169

Rationale for Allow:  
 The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by 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 during consultation were held on the appropriate designation for this area and parts of the area. 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.



Point	Summary of point raised	Allow or disallow	Accept or not accept
11	The eastern slopes of the Mary Range require a sustainable management covenant to protect landscape SIV's. Submitter 45 suggests this would prevent structures, forestry and earthworks.	Allow	Accept
<b>Submission numbers</b> 1,4,11,13,21,39,45,55,56,61,62,77,84,164			
Rationale for Allow: Ecological sustainability is a matter for tenure review under section 24(1)(i) CPLA. A Preliminary Proposal can designate land for freehold disposal, subject to a Sustainable Management Covenant under section 36(3)(a) and section 97 of the CPLA. Therefore the point is a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The submitters articulate reasons why they prefer an alternative outcome under the CPLA, therefore the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
12	The eastern slopes of the Mary Range, easily seen from SH8, require a landscape covenant to protect landscape SIV's.	Allow	Not Accept
<b>Submission numbers</b> 1,3,4,11,12,13,21,30,39,43,46,48,55,56,61,62,77,78,81,84,87,92,102,103,113,115,116,117,118,119,120,121,122,123,124,125,126,127,128,129,130,131,133,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,152,153,154,157,158,159,160,161,162,164,165,168,169,171			
Rationale for Allow: The point relates to the protection of SIVs on the reviewable land by the creation of a protective mechanism, as provided for under section 24(b)(i) CPLA. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitters have not introduced new information or a perspective not previously considered during consultation nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore <u>not accepted</u> . Extensive discussions during consultation were held on the appropriate designation for this area. The option of a landscape covenant for this area was considered during consultation for the proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
13	The Maryburn Stream and riparian wetlands should be Conservation Area. A number of submitters state that at least 3km of stream and riparian wetlands should be protected. Fencing and removal of stocking is sought (see also Point 14).	Allow	Not Accept
<b>Submission numbers</b> 1,2,3,4,11,13,21,30,39,43,44,45,46,48,51,55,56,61,62,77,78,81,82,87,92,93,103,113,114,115,116			

,117,118,119,120,121,122,123,124,125,126,127,128,129,130,131,133,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,152,153,154,157,158,159,160,161,162,164,165,168,169,171

**Rationale for Allow:**

The point relates to the objects under section 24(a)(i) CPLA, to promote the management of reviewable land in a way that is ecologically sustainable, and under section 24(b) the protection of significant inherent values, (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review and can be considered under the CPLA, it is therefore allowed for further consideration.

**Rationale for Not Accept:**

The submitters did not introduce new information or a perspective not previously considered during consultation nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore not accepted. Extensive discussions were held on the appropriate designation for this area. The option of a conservation area for Maryburn Stream and the wetlands was discussed during consultation, which also included whether or not to fence this area and remove stock.

Point	Summary of point raised	Allow or disallow	Accept or not accept
14	The freeholding of Maryburn Stream and Irishman Creek is not sustainable due to stock grazing. Submitter 55 states the whole stream should be fenced to exclude stock. Submitter 7 advocates for a riparian planting zone and/or covenant.	Allow	Accept

**Submission numbers**

1,4,7,13,21,39,44,45,55,61

**Rationale for Allow:**

The point relates to section 24(a)(i) of the CPLA, to promote the management of reviewable land in a way that is ecologically sustainable, and section 24(b)(i) to enable the protection of the SIV's by the creation of a protective mechanism. It is therefore a matter for tenure review and is allowed for further consideration.

**Rationale for Accept:**

The submitters introduced new information and a perspective not previously considered, therefore the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
15	The Northern Wetland connected to Maryburn Stream proposed for freehold should be protected by a covenant to ensure ecologically sustainable management and protection from grazing.	Allow	Accept

**Submission numbers**

1,3,4,11,13,21,36,39,43,44,46,48,55,56,61,62,77,81,84,87,92,93,103,113,114,115,116,117,118,120,121,122,123,124,125,126,127,128,129,130,131,133,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,152,153,154,157,158,159,160,161,162,164,165,168,169,171

**Rationale for Allow:**

The point relates to section 24(a)(i) of the CPLA, to promote the management of reviewable land in a way that is ecologically sustainable, and section 24(b)(i) to enable the protection of the SIV's by the creation of a protective mechanism. It is therefore a matter for tenure review and is allowed

for further consideration.

Rationale for Accept:  
 The submitters introduced new information and a perspective not previously considered during consultation, therefore is the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
16	<p>Concerns regarding agricultural intensification and the effect of intensive agriculture on the SIV's on Maryburn. A number of Submitters refer to the "brown Mackenzie landscape" and are concerned that privatising land will lead to intensification of agriculture. The submitters concerns include:</p> <ul style="list-style-type: none"> <li>• Effects of cultivation, irrigation and farming on landscape and ecology</li> <li>• Degradation of water quality</li> <li>• Privatising land accelerates destruction due to commercial exploitation</li> <li>• Increasing dairy cow numbers and potential effluent pollution</li> <li>• Submitter 45 refers to the Pukaki lateral moraine, western faces and crest of Mary Range</li> </ul> <p>The submitters concerns fall into three categories:                      (a) Effects of the above in relation to the Maryburn proposal                      (b) Effects of the above in relation to Maryburn post tenure review                      (c) Effects of the above throughout the Mackenzie Basin.</p>	Allow in part Sub-point (a) Disallow Sub-points (b) & (c)	Not accept part Sub-point (a)

**Submission numbers**  
 1,3,4,5,6,9,10,12,13,15,18,20,21,23,24,26,28,29,31,34,36,37,39,40,41,44,45,46,49,55,61,62,72,81,93,100,117,122,126,130,133,135,140,150,160,163,164

Rationale for Allow:  
 The submitters comments in relation to the Maryburn proposal (sub-point a) are regarding the protection of landscape and ecological SIVs from the effects of intensive agriculture, and are a matter for tenure review under section 24(b) CPLA. Sub-point (a) is therefore allowed in part for further consideration.

The submitters comments in relation to intensive agriculture on Maryburn post tenure review (sub-point b), and in the wider Mackenzie Basin (sub-point c), are a matter for the District Plan to deal with under the Resource Management Act 1991. There are no provisions for this matter in the CPLA therefore sub-points (b) and (c) are disallowed for further consideration.

Rationale for Not Accept:  
 Sub-point (a) is a statement about the protection of SIVs on un-specified parts of Maryburn from the effect of further intensive agriculture. Protection of SIVs is dealt with elsewhere in this report under the particular areas concerned. As the submitters are not introducing any new information or a perspective not previously considered during consultation, and do not articulate reasons why they prefer a different outcome under the CPLA in relation to sub-point (a), it is therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
17	Opposition to tenure review, particularly in the Mackenzie Basin. Submitter 2 suggests replacing tenure review with another statutory or non-statutory policy. Submitter 118 supports cancelling Tenure Review in the Mackenzie.	Disallow
<b>Submission numbers</b> 2,24,118		
Rationale for Disallow: Tenure Review is a statutory process conducted pursuant to the Crown Pastoral Land Act 1998. Tenure Review is the process of reviewing the tenure of an individual pastoral lease, not for dealing with generic regional or nationwide issues. The point does not specifically apply to the Maryburn tenure review, therefore it is not validly made and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
18	The proposal must be considered in light of the Canterbury Water Management Strategy and "Principles that must be met" agreed by community stakeholders. Submitter 91 states these are still being formulated.	Disallow
<b>Submission numbers</b> 2,91,103		
Rationale for Disallow: Tenure Review is the process of reviewing the tenure of an individual pastoral lease, not for dealing with generic regional or nationwide issues. Therefore the point is <u>disallowed</u> . There is no requirement in the CPLA that the proposal must be considered in light of the CWMS, which will in any case apply to all land in the area regardless of its tenure.		

Point	Summary of point raised	Allow or disallow
19	Tenure Review should be done for all properties at the same time to make better sense of landscape and flora/fauna protection issues. Submitter 54 concerned that piecemeal privatisation subverts the aim of the collaborative forum (see Point 7). Submitter 93 suggests looking at all 7 Mackenzie Pastoral leases together.	Disallow
<b>Submission numbers</b> 2,54,93,100,102,103		
Rationale for Disallow: Tenure Review is the process of reviewing the tenure of an individual pastoral lease, not for dealing with generic regional or nationwide issues. The reviewable land in this tenure review comprises Maryburn pastoral lease only. The point is therefore not a matter for Maryburn tenure review and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
20	<p>Matters relating to concerns over existing, future or currently applied for irrigation consents.</p> <p>Submitters are concerned that irrigation will be an inappropriate activity for plant communities with dry landscape values. Submitter 45 is concerned irrigation on the SMC proposed area would cause seepage of water and nutrients into CA1.</p>	Disallow
<p><b>Submission numbers</b> 2,45,66</p>		
<p>Rationale for Disallow: The submitters' comments in relation to the Maryburn tenure review are regarding the protection of landscape and ecological SIVs from the effects of irrigation. Matters relating irrigation are a matter for the Resource Management Act and District and Regional Plans and not a matter for tenure review as they cannot be properly considered under the CPLA. The point is therefore <u>disallowed</u> for further consideration.</p>		

Point	Summary of point raised	Allow or disallow
21	<p>Concerns regarding the lack of protection provided by the Mackenzie District Plan and Canterbury Regional Plan against subdivision and irrigation.</p>	Disallow
<p><b>Submission numbers</b> 2,45,61</p>		
<p>Rationale for Disallow: District Plan rules the Regional Plan and regulations are a matter under the Resource Management Act 1991. These are not matters for tenure review and cannot be considered under the CPLA, therefore the point is <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow	Accept or not accept
22	<p>Uncertainties around the prevalence of Significant Inherent Values on the land between State Highway 8 and the Tekapo River.</p>	Allow	Accept
<p><b>Submission numbers</b> 2</p>			
<p>Rationale for Allow: The submitter makes a point in relation to protection of landscape and ecological SIVs which are a matter for tenure review under section 24(b) CPLA. The point is therefore <u>allowed</u> for further consideration.</p>			
<p>Rationale for Accept: The point made by the submitter relates to information previously considered during consultation in the tenure review, but articulates reasons why the submitter prefers an alternate outcome under the CPLA. Therefore it is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>			

Point	Summary of point raised	Allow or disallow	Accept or not accept
23	General uncertainties around whether depleted areas can be rehabilitated. Submitter 66 highlights the land not topdressed and over sown has been devastated by drought, rabbits and hieracium.	Allow	Not Accept
<b>Submission numbers</b> 2,66,79			
Rationale for Allow: The point relates to section 24(a)(i) of the CPLA, the object to promote the management of reviewable land in a way that is ecologically sustainable. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: This point was discussed extensively during the consultation for the preliminary proposal. The submitters did not introduce new information or a perspective not previously considered during consultation nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow	Accept or not accept
24	There are uncertainties around the ability of mixed short tussock and indigenous/ exotic mixes to be grazed sustainably. Submitter was 44 concerned that exotic species could replace or adversely affect natural values and natural and outstanding landscapes.	Allow	Not Accept
<b>Submission numbers</b> 2,44			
Rationale for Allow: The point relates to section 24(a)(i) of the CPLA, the object to promote the management of reviewable land in a way that is ecologically sustainable. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: This point was discussed extensively during the consultation for the preliminary proposal. The submitters did not introduce new information or a perspective not previously considered nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow
25	A cost benefit analysis has not been done on the importance of indigenous vegetation vs withdrawing land from primary production.	Disallow
<b>Submission numbers</b> 2,15		
Rationale for Disallow: The connection between costs and benefits of the post tenure review effects resulting from land use are not a matter for tenure review. Therefore the point relates to a matter that is not validly		

made and/or is irrelevant to the tenure review, and cannot be properly considered under the CPLA. The point is therefore disallowed.

Point	Summary of point raised	Allow or disallow	Accept or not accept
26	General concern over economic sustainability. Submitter 2 refers to a lack of integrated economic strategy. Submitter 66 highlights a lack of water as a difficulty in growing pasture.	Allow	Not accept
<b>Submission numbers</b> 2,66			
Rationale for Allow: The point relates to section 24(a)(i) of the CPLA, the object to promote the management of reviewable land in a way that is ecologically sustainable, and section 24(a)(ii) to enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from it's tenure under reviewable instrument. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: Matters relating to ecological sustainability and economic use were considered during consultation and in the preparation preliminary proposal. The submitters did not introduce new information or a perspective not previously considered, nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow
27	Instead of Tenure Review the farming community should set up with LINZ and DOC a sustainable farming system which may involve farmers being paid to be conservation managers.	Disallow
<b>Submission numbers</b> 2		
Rationale for Disallow: The reviewable land in this tenure review comprises Maryburn pastoral lease only, not the wider farming community. Tenure Review is the process of reviewing the tenure of an individual pastoral lease, not for dealing with generic regional or nationwide issues. The point is therefore not a matter for tenure review and cannot be properly considered under the CPLA and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
28	DOC advice is ignored on key areas of SIVs and insufficient account is taken of the values in the Conservation Resources Report and addendum to the CRR describing all the SIVs. Submitter 140 considers that to ignore the environmental experts advice seems extraordinarily unwise.	Allow	Not Accept
<b>Submission numbers</b> 2,6,8,11,12,43,45,55,72			

**Rationale for Allow:**  
 The protection of SIVs is a matter for tenure review under section 24(b) CPLA. Under section 26 CPLA the Commissioner must consult the Director-General of Conservation about putting a preliminary proposal to a person under section 34(1), and putting a substantive proposal to a person under section 46 CPLA. Under section 41 CPLA the provisional consent of the Minister of Conservation is also needed for some designations. Therefore as the point relates to consultation with DOC as provided for under the CPLA, it is allowed for further consideration.

**Rationale for Not Accept:**  
 Submissions on particular SIVs with specific information provided are dealt with elsewhere in this report. Therefore, this point is not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal. The consultation required by the CPLA has been carried out, provisional MOC consent provided and the preliminary proposal put to the holders of Maryburn under section 26(3)(b) CPLA. Information must be provided to DOC on public submissions as required under section 45 CPLA, and further consultation with DOC is required to take place prior to putting a substantive proposal to the holders as set out in section 26(3)(c).

Point	Summary of point raised	Allow or disallow
29	Support for Mackenzie Conservation/ Drylands Park over parts of Maryburn. Submitter 45 cites the Tekapo Scientific Reserve as an example. Submitter 12 refers to the Parliamentary Commissioner for the Environment Report which recommended a Drylands Park. Some of the submitters specified parts of Maryburn that should be part of a Mackenzie Drylands Park, or essentially be in Crown ownership, and these areas have been covered under separate points.	Disallow

**Submission numbers**  
 5,12,14,18,18,20,26,27,28,29,33,40,41,45,57,63,67,91,132,163,167

**Rationale for Disallow:**  
 As the point does not deal with specific designations for the Maryburn tenure review, but a concept across numerous properties and for the Mackenzie Basin in general, it is disallowed. Under section 27 CPLA the Commissioner may undertake a review of a pastoral lease on the written invitation of the holders concerned. Whilst sections 28-31 of the CPLA specify categories of neighbouring land that can also be included in a tenure review, in this case the reviewable land comprises the Maryburn pastoral lease only. Submissions on particular SIVs with specific information provided are dealt with elsewhere in this report.

Point	Summary of point raised	Allow or disallow	Accept or not accept
30	Opposition to QEII covenants rather than DOC management on proposed freehold land. The submitters note that QEII covenants often give no public access to the land, are very difficult to enforce and have no public accountability.	Allow	Not accept

**Submission numbers**  
 5, 84

**Rationale for Allow:**  
 QEII National Trust covenants are a mechanism provided in tenure review for the protection of SIVs under section 40(3) of the CPLA, therefore the point is allowed for further consideration.



Rationale for Not Accept:  
 Nevertheless, as there is no QEII National Trust covenant designated in the proposal and the submitters have not provided any new information or a perspective not 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	Allow or disallow
31	Changes in ownership and / or new owners are a threat to Significant Inherent Values.	Disallow

**Submission numbers**  
 5,11

Rationale for Disallow:  
 The future ownership and management of conservation and freehold land post tenure review is a matter for DOC and the landowner to determine in conjunction with the requirements of the district plan and legislation governing conservation land. As the point is not validly made and cannot be properly considered under the CPLA, it is disallowed.

Point	Summary of point raised	Allow or disallow
32	The government is failing to achieve its high country objectives in relation to public access & enjoyment, protecting landscape values, maintaining and protecting the natural character of lakesides and obtaining a fair dollar return. Most of the submitters cite "CPL 2009 and Beyond" and "CAB min (09)(26C)", and submitter 5 considers that all political parties should adopt policies which will protect the high country and Mackenzie Basin's biodiversity and landscapes. Submitters are concerned that political party politics fail to protect Mackenzie Basin SIV's.	Disallow

**Submission numbers**  
 5,45,61,148,150

Rationale for Disallow:  
 The submitters' point concerns matters of current Government Policy. Government policy is not a matter to be considered under the CPLA. Therefore the point is disallowed.

Point	Summary of point raised	Allow or disallow	Accept or not accept
33	The Pink Elephant Boulders on the Pukaki moraines need to be retained for recreational access by rock climbers and be protected by covenant or crown ownership.	Allow	Accept

**Submission numbers**  
 6,58,60,75,78,89,104,108,154,168

Rationale for Allow:  
 Section 24(c)(i) CPLA sets out the one of the objects of tenure review, to make easier the securing of public access to and enjoyment of the reviewable land. The point relates to public access within the reviewable land, therefore it is a matter for tenure review under the CPLA and is

allowed for further consideration.

Rationale for Accept:  
 The submitters' point introduces a perspective not previously considered during consultation. As it relates to public access to a specific location not considered during the consultation for a Preliminary Proposal, it is a matter for consideration under the CPLA. The point is therefore accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
34	Mountain Biking on 4WD tracks across the Pukaki Moraines has not been provided for.	Allow	Accept

**Submission numbers**  
 6

Rationale for Allow:  
 Section 24(c)(i) CPLA sets out the one of the objects of tenure review, to make easier the securing of public access to and enjoyment of the reviewable land. The point relates to public access within the reviewable land, therefore it is a matter for tenure review under the CPLA and is allowed for further consideration.

Rationale for Accept:  
 As the point is a matter for consideration under the CPLA, introduces a new perspective not previously considered during consultation and highlights issues previously considered but articulates reasons why the submitter prefers an alternative outcome under the CPLA, the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
35	General support for parts or all of CA1. Parts not supported are discussed elsewhere in this report.	Allow	Accept

**Submission numbers**  
 7,12,44,50,55,59,63,66,67,82,86,102,104,108,112

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  
 As the point is a matter to be taken into account in the CPLA and is a statement of support for aspects of the Preliminary Proposal, it is accepted for further consideration by the Commissioner when formulating the designations for a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
36	Public access to Maryburn stream is required for angling purposes and walkers via marginal strips or access agreements.	Allow	Accept

<p><b>Submission numbers</b> 7,43,45,46</p>
<p>Rationale for Allow: The point relates to the provision of public access over Maryburn and is a matter for tenure review to consider under section 24(c)(i) CPLA. The point is therefore <u>allowed</u> for further consideration.</p>
<p>Rationale for Accept: The point highlights issues previously considered during consultation but articulates reasons why the submitter prefers an alternative outcome under the CPLA, therefore it is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>

Point	Summary of point raised	Allow or disallow	Accept or not accept
37	Support for public access to Irishman Creek for trout fishing.	Allow	Accept

<p><b>Submission numbers</b> 7</p>
<p>Rationale for Allow: The point relates to the provision of public access over Maryburn and is a matter for tenure review to consider under section 24(c)(i) CPLA. The point is therefore <u>allowed</u> for further consideration.</p>
<p>Rationale for Accept: The point highlights issues previously considered during consultation, but articulates reasons why the submitter prefers an alternative outcome under the CPLA, therefore it is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>

Point	Summary of point raised	Allow or disallow	Accept or not accept
38	The tenure review is one of the last opportunities that exist to protect SIV's and public access. A number of Submitters refer to this as a matter of national importance, referring to areas on the eastern side of Lake Pukaki (Submitter 45), and are concerned with nationally significant landscapes and critically depleted habitats not being protected well enough.	Allow	Not Accept

<p><b>Submission numbers</b> 12,18,22,45,50,55,91,104,114,115,129,135,160,162</p>
<p>Rationale for Allow: The point relates to the protection of SIVs under section 24(b) and the provision of public access under section 24(c)(i) of the CPLA. It is therefore a matter for the tenure review and is <u>allowed</u> for further consideration.</p>
<p>Rationale for Not Accept: Protection of SIVs is dealt with elsewhere in this report under specific areas, and public access is also covered separately. As the submitters are not introducing any new information or a perspective not previously considered, and do not articulate reasons why they prefer a different outcome under the CPLA, the point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>

Point	Summary of point raised	Allow or disallow	Accept or not accept
39	Public access sought to the Mary Range for hunting and a variety of other recreation opportunities. Submitters cite a range of activities including mountain biking, walking, birdwatching, botanising, picnicking, horse riding, vehicles, and landscape appreciation.	Allow	Accept
<b>Submission numbers</b> 7,45,51,55,56,60,61,62			
Rationale for Allow: Section 24(c)(i) CPLA sets out the one of the objects of tenure review, to make easier the securing of public access to and enjoyment of the reviewable land. As the point relates to public access within the reviewable land, therefore it is a matter for tenure review under the CPLA and is <u>allowed</u> for further consideration.			
Rationale for Accept: As the point is a matter for consideration under the CPLA, introduces a new perspective not previously considered and highlights issues previously considered but articulates reasons why the submitter prefers an alternative outcome under the CPLA, the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
40	Access requested for Fish and Game to enable future invasive alder tree control in lower Maryburn, Tekapo River and Irishman Creek to prevent vegetation build up affecting the passage of flood water and impediment to angler access and casting.	Allow	Accept
<b>Submission numbers</b> 7			
Rationale for Allow: The point relates to section 36(3)(b) of the CPLA, the creation of an easement in gross (to the waterways concerned for management purposes). It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The submitter introduces new information not previously considered during consultation in relation to the need for management access to the waterways for vegetation maintenance, therefore the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow
41	Support for the continuation of existing informal arrangements for access to private holiday home and airstrip on proposed freehold land.	Disallow
<b>Submission numbers</b> 108, 170		
Rationale for Disallow: This issue relates to matters of access across freehold land post tenure review for individual		

arrangements, therefore this point falls outside the scope of the CPLA and is disallowed.

Point	Summary of point raised	Allow or disallow
42	Retain access to Legal Roads. Submitters 60 and 104 concerned legal roads are not identified clearly on the designation plans.	Disallow
<b>Submission numbers</b> 7,69,104		
Rationale for Disallow: Matters relating to legal roads whether formed or unformed are the responsibility of the local district council, therefore this point falls outside the scope of the CPLA and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
43	RAP Pukaki 14 Maryburn Flats requires more protection. The current proposal only partially protects it. Submitter 12 highlights the RAP identified during the Mackenzie Ecological Region PNAP survey as one of the best representative examples of an outwash plain in the district. Submitter 12 identifies this area as adjoining onto neighbouring property on The Wolds.  The point relates to: (a) Protection of the RAP area on Maryburn, and (b) Protection of the RAP area on The Wolds.	Allow Sub-point (a). Disallow Sub-point (b).	Not accept
<b>Submission numbers</b> 12,55			
Rationale for Allow in part: The tenure review preliminary proposal was prepared in consideration of the objects under section 24 CPLA. Sub-point (b) relates to land that is not part of the reviewable land on Maryburn pastoral lease and is therefore <u>disallowed</u> . Sub-point (a) is made in relation to the land on the Maryburn pastoral lease and is a matter for this tenure review, Therefore the sub-point (a) is <u>allowed</u> for further consideration.			
Rationale for Not Accept: Sub-point (a) makes statements about the protection of SIVs on Maryburn that the submitter seeks protection for. Protection of SIVs is dealt with elsewhere in this report under specific areas. As the submitters are not introducing any new information or a perspective not previously considered during consultation, and do not articulate reasons why they prefer a different outcome under the CPLA, the Sub-point (a) is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow
44	Maryburn should stay as a pastoral lease. Submitters contend that vistas and the character of the Mackenzie Basin (and Maryburn) still exist because of pastoral lease restrictions. These would be lost if the land were freeholded. Remaining as a pastoral lease is seen as the best default option by the submitters, to retain the	Disallow

	<p>current land use, avoid the risk of foreign ownership, avoid the introduction of artificial light to night skies, and protect a range of values that the submitters do not consider are adequately protected by the proposal (note: the latter items are dealt with under individual points elsewhere in this report, while this point deals exclusively with the request for Maryburn to stay as a pastoral lease).</p>	
<p><b>Submission numbers</b> 5,9,10,15,20,26,28,29,41,61,151,163</p>		
<p>Rationale for Disallow: Section 35 CPLA sets out the designations of land held under reviewable instrument. Retention of land as Crown Pastoral Lease is not provided for therefore it is not a matter for tenure review and the point is <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow
45	<p>More needs to be done to explore how landscapes and open space can be protected before freeholding on all pastoral leases.</p>	Disallow
<p><b>Submission numbers</b> 5,104</p>		
<p>Rationale for Disallow: Tenure Review is a statutory process conducted pursuant to the Crown Pastoral Land Act. The CPLA provides mechanisms for the protection of the reviewable land. The public has been invited to submit on matters relating to the tenure review of the Maryburn pastoral lease. The point made by these submitters is generic and does not specifically apply to the Maryburn tenure review, therefore it is not validly made and is <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow
46	<p>Matters relating to Marginal Strips. Submitter 7 would like to see marginal strips apply to gain access to Maryburn Stream and Irishman Creek. Submitter 45 wants to see marginal strips applied to the current and historical braids of Irishman Creek.</p>	Disallow
<p><b>Submission numbers</b> 7,45,60</p>		
<p>Rationale for Disallow: Land qualifying for marginal strips will be created on the land designated for freehold disposal at the conclusion of the tenure review under Part 4A of the Conservation Act 1987, and is a matter for the Director General of Conservation to administer. In relation to the designations plans, as marginal strips are not a matter for tenure review, the plans will therefore only show those existing marginal strips already identified on the underlying land status plan.  The point is therefore <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow	Accept or not accept
47	Submitter seeks the protection of larger areas on the basis that many ecosystems and habitats in Mackenzie and specifically on Maryburn are typically modified and will recover with sympathetic management.	Allow	Not Accept
<b>Submission numbers</b> 12			
Rationale for Allow: As the point relates to section 24(b)(ii) protection of SIVs by restoration of the land concerned to full Crown ownership and control, it is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitter does not provide any new information or a perspective not previously considered during consultation, or specific reasons for an alternative outcome. Therefore the point is not <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal. Individual areas proposed for conservation are discussed elsewhere in this report.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
48	The proposal does not consider the Land Environments of New Zealand (LENZ) classifications. "Critically underprotected" and "at risk" environments not protected. Submitters concerned that very little if any of the "at risk" LENZ environments are protected. Submitters are also concerned that the proposal fails to apply the threatened environments classification.	Allow	Not accept
<b>Submission numbers</b> 12,45,50,62			
Rationale for Allow: LENZ classifications are criteria taken into consideration by DOC in identifying SIVs that require protection under section 24 of the CPLA, therefore the point is a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: LENZ classifications were taken into consideration in the preparation of the preliminary proposal. The submitters did not introduce new information or a perspective not previously considered during consultation nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow
49	Wilding pines across the property need to be controlled post tenure review. Submitter 12 suggests that funding is provided to support DOC.	Disallow
<b>Submission numbers</b> 12,45,46,51		
Rationale for Disallow: Control of wilding trees on land designated conservation area is a matter for management of the land post tenure review. It is not a matter for the tenure review itself therefore this point is		

disallowed for further consideration. In relation to funding to be provided to DOC or landowners for wilding tree control, the CPLA does not have provision for such funding, therefore it is not a matter for tenure review and is disallowed for further consideration. The point is disallowed.

Point	Summary of point raised	Allow or disallow	Accept or not accept
50	Concern over runoff of contaminants into waterways. Submitter 45 is particularly concerned about a lack of fencing and stock degradation.	Allow	Accept
<b>Submission numbers</b> 22,24,45,49,81,100,144			
Rationale for Allow: The point relates to section 24(a)(i) of the CPLA, to promote the management of reviewable land in a way that is ecologically sustainable by preventing potential stock effluent run-off into the streams. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The submitters' point introduces new information and a perspective not previously considered during consultation, therefore it is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
51	The proposal is not consistent with National Priorities for the protection of indigenous biodiversity. Submitters refer to the National Policy Statement on Indigenous Biodiversity 2011 and its recognition of wetlands and outwash plains as priority ecosystems for protection.	Allow	Not Accept
<b>Submission numbers</b> 12,45,50,55,56,61,103			
Rationale for Allow: The National Priorities for Protecting Rare and Threatened Native Biodiversity on Private Land have been developed by the Ministry for the Environment and Department of Conservation. It is DOC's prerogative as to whether or not they take the National Priorities into consideration when they formulate their recommendations for tenure review. The point therefore validly made and is relevant to the tenure review and is <u>allowed</u> .			
Rationale for Not Accept: The submitter does not provide any new information or a perspective not previously considered during consultation, or specific reasons for an alternative outcome. Therefore the point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
52	A full survey of the property needs to be undertaken at an appropriate time to assess critically threatened spring annual plants ( <i>Myosurus minimus</i> and <i>Ceratocephala pungens</i> .)The DOC survey was not undertaken at the right time of year for these species at this site.	Allow	Accept



<p><b>Submission numbers</b> 12</p>
<p>Rationale for Allow: Section 24(b) enables the protection of SIVs under the CPLA therefore the point is relevant to the tenure review and is <u>allowed</u> for further consideration.</p>
<p>Rationale for Accept: The submitter's point introduces new information to the tenure review that can be taken into account under the CPLA, therefore it is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>

Point	Summary of point raised	Allow or disallow
53	If Maryburn was protected it would not preclude farming developments in other less valuable parts of the Mackenzie Basin.	Disallow

<p><b>Submission numbers</b> 22</p>
<p>Rationale for Disallow: Tenure Review is a statutory process conducted pursuant to the Crown Pastoral Land Act. The point is generic and does not specifically apply to the Maryburn pastoral lease, rather it is made in relation to planning and politics of land wider than the scope of the reviewable land. The point therefore is not a matter for the tenure review as it is not validly made and is <u>disallowed</u>.</p>

Point	Summary of point raised	Allow or disallow
54	Proposal does not consider the potential impacts of Dark Sky values and the creation of a Dark Skies Heritage Park at Mt John. Submitters are concerned about additional artificial light as a result of increasing farm and domestic activity through subdivision and/or intensification of proposed freehold land.	Disallow

<p><b>Submission numbers</b> 30,80,87</p>
<p>Rationale for Disallow: The point is not relevant to the tenure review and cannot be properly considered under the CPLA and is therefore <u>disallowed</u>.</p> <p>The definition of significant inherent value in the CPLA under section 2 "Interpretation", is as follows:</p> <p><b>Significant Inherent Value</b>, in relation to any land, means inherent value of such importance, nature, quality, or rarity that the land deserves the protection of management under the Reserves Act 1977 or the Conservation Act 1987.</p> <p>The definition clearly ties the meaning of significant inherent value to the land, therefore protection of night sky values does not fall within this definition and is not a matter for tenure review under section 24. In relation to potential land use changes post tenure review which could produce additional artificial lighting, this is not a matter for tenure review but for the District and Regional Plans to deal with under the Resource Management Act 1991.</p>

Point	Summary of point raised	Allow or disallow	Accept or not accept
55	The Mackenzie Basin is a premier tourist trail and a unique place loved by domestic and international tourists. Submitters wish to see iconic scenic values and vistas preserved and cite international importance.	Allow	Not accept
<b>Submission numbers</b> 14,31,37,61,100,104,114			
Rationale for Allow: The point relates to SIV's that are present on the Maryburn Pastoral lease. Section 24(b) enables the protection of SIVs under the CPLA, therefore the point is relevant to the tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitter does not provide any new information or a perspective not previously considered during consultation, or specific reasons for an alternative outcome. Therefore the point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
56	Tenure of leases must be completely and fully in the interests of the public who owns them.	Allow	Not accept
<b>Submission numbers</b> 33			
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 <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitter does not introduce new information or a perspective not previously considered during consultation. Therefore the point is <u>not accepted</u> for further consideration by the commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow
57	Management of CA1 post tenure review by DOC requires funding and resourcing for pest control work- submitters cite rabbits, wilding conifers and impact of retiring stocking.	Disallow
<b>Submission numbers</b> 12,45,53,55,66,94,95,108,112		
Rationale for Disallow: Control of pests and weeds on land designated conservation area is a matter for land management post tenure review. It is not a matter for the tenure review itself therefore the point is disallowed for further consideration. In relation to funding to be provided to DOC or landowners for wilding tree control and pest management, the objects of the CPLA do not have provision for such funding, therefore it is not a matter for tenure review and is <u>disallowed</u> for further consideration.		

Point	Summary of point raised	Allow or disallow	Accept or not accept
58	Protect SIVs and access by creating a "Queens Kilometre" along all rivers and streams.	Allow	Not Accept
<b>Submission numbers</b> 16			
Rationale for Allow: The point relates to the protection of SIV's under section 24(b) and securing of public access and enjoyment of the reviewable land under section 24(c)(i) of the CPLA and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitter does not introduce any new information or articulate any reasons for the preferred outcome put forward. It is therefore not relevant to the tenure review and is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
59	Generally public land (and specifically Maryburn) with conservation values, critically important landscapes and tourism potential, should stay in Crown ownership (Full Crown Control) because it will be protected for current and future generations of New Zealanders and tourists to enjoy.	Allow	Accept
<b>Submission numbers</b> 18,24,28,29,31,32,33,34,36,37,40,41,45,55,61,62,81,99,103,113,119,125,127,128,131,135,136,140,143,147,150,152,160,161,162,169			
Rationale for Allow: The point relates to SIV's that are present on the Maryburn Pastoral lease, with consideration of the option of the entire lease being protected in full Crown ownership. Section 24(b) enables the protection of SIVs under the CPLA therefore the point is relevant to the tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The submitter has provided a perspective not previously considered during consultation, and specific reasons for an alternative outcome. Therefore the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow
60	Future options must be open for discussion for the public to express their love of this unique country.	Disallow
<b>Submission numbers</b> 31		
Rationale for Disallow: The point made by submitter is generic and does not specifically apply to the Maryburn tenure review. The point is made generically in relation to the wider Mackenzie Basin. Therefore it is not validly made and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
61	A Plan and a vision are required for the future of all of New Zealand's publically owned high country lands. Submitter 33 is concerned about piecemeal sell off to a few farmers.	Disallow
<b>Submission numbers</b> 33,36,91		
Rationale for Disallow: Under section 27 CPLA the Commissioner may undertake a review of a pastoral lease on the written invitation of the holders concerned. Whilst sections 28-31 of the CPLA specify categories of neighbouring land that can also be included in a tenure review, in this case the reviewable land comprises Maryburn pastoral lease only. The submitters refer to plans, visions and concerns about "piecemeal sell- offs" of land which are not captured as objects of the CPLA. Therefore, as the point does not deal with specific designations for Maryburn tenure review, but a concept across numerous properties and for the High Country in general, it is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
62	The Mackenzie tussocklands belong to us all. Submitter says the Minister has a chance to preserve landscapes.	Disallow
<b>Submission numbers</b> 33		
Rationale for Disallow: As the point does not deal with specific designations or SIV's for Maryburn tenure review, but a concept across numerous properties and for the Mackenzie Basin in general, it is <u>disallowed</u> . Under section 27 CPLA the Commissioner may undertake a review of a pastoral lease on the written invitation of the holders concerned. Whilst sections 28-31 of the CPLA specify categories of neighbouring land that can also be included in a tenure review, in this case the reviewable land comprises Maryburn pastoral lease only.		

Point	Summary of point raised	Allow or disallow
63	Tenure Review in general requires a more accountable process. Submitters are specifically concerned over Tenure Review in the Mackenzie Basin.	Disallow
<b>Submission numbers</b> 34,36		
Rationale for Disallow: Tenure Review is a statutory process conducted pursuant to the Crown Pastoral Land Act 1998. The point does not specifically apply to the Maryburn preliminary proposal, therefore the point is not validly made and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
64	The whole property should revert to full crown ownership until holistic interests in the greater Mackenzie are	Allow	Not Accept

	investigated.		
<b>Submission numbers</b> 40			
Rationale for Allow: The point relates to the objects of the CPLA under section 35 to enable the protection of SIVs on the reviewable land by the restoration of the land concerned to full Crown ownership and control. It is therefore a matter for tenure review and the point is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitter does not introduce any new information or a perspective not previously considered during consultation. The point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
65	The eastern slopes of the Mary Range should be protected in Full Crown Control. Submitter cites landscape SIV's and the tourist route.	Allow	Not Accept

<b>Submission numbers</b> 44			
Rationale for Allow: The point relates to the objects of the CPLA under section 24(b)(ii) to enable the protection of SIVs on the reviewable land by the restoration of the land concerned to full Crown ownership and control, and section 24(c)(i) to make easier the securing of public access to and enjoyment of the reviewable land. It is therefore a matter for tenure review and the point is <u>allowed</u> for further consideration.			
Rationale for Not Accept: This submitters' point was discussed extensively during the consultation for the preliminary proposal. The submitter did not introduce new information or a perspective not previously considered. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow	Accept or not accept
66	Public access to Lake Pukaki is not provided for, from State Highway 8 and Hayman Road.	Allow	Accept

<b>Submission numbers</b> 45,51,55,56,61,62			
Rationale for Allow: The point is advocating for the provision of public access in this area relates to the object under section 24(c)(i) CPLA to make easier the securing of public access to and enjoyment of reviewable land. As the sub-point is a matter for tenure review, it is <u>allowed</u> .			
Rationale for Accept: The submitters' point highlights an issue not previously considered during consultation, therefore it is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
67	Maryburn is the only place in the central Mackenzie where it is possible to protect relatively intact sequences of dryland environments and biodiversity in an ecologically sustainable way.	Allow	Not Accept
<b>Submission numbers</b> 45			
Rationale for Allow: The point relates to section 24(a)(i) of the CPLA, the object to promote the management of reviewable land in a way that is ecologically sustainable. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: This submitters' point was discussed extensively during the consultation for the preliminary proposal. The submitter did not introduce new information or a perspective not previously considered nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow	Accept or not accept
68	Extensive freeholding which denies public access and the opportunity to create a recreational and tourism asset is not the 'best use for New Zealand' because it maximises private gains for the current lessees at the expense of the wider public.	Allow	Not accept
<b>Submission numbers</b> 45			
Rationale for Allow: The point relates to the objects of the CPLA under section 24(c)(i) to make easier the securing of public access to and enjoyment of the reviewable land. It is therefore a matter for tenure review and the point is <u>allowed</u> for further consideration.			
Rationale for Not Accept: Public access to the reviewable land was considered during the consultation phase. The submitter has not introduced new information or a perspective not previously considered. Therefore the point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
69	The Pukaki lateral moraine and western faces/ crest of Mary Range has more economic value for landscape protection, recreation and tourism than for grazing.	Allow	Not Accept
<b>Submission numbers</b> 45,51			
Rationale for Allow: The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is <u>allowed</u> for further			

consideration.
<p>Rationale for Not Accept:                  Extensive discussions were held during consultation on the appropriate designation for this area and parts of the area. 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 <u>not accepted</u>.</p>

Point	Summary of point raised	Allow or disallow
70	If values are not protected then weed invasion will be the outcome.	Disallow

<p><b>Submission numbers</b> 55</p> <p>Rationale for Disallow:                  The submitter makes a point that relates to the management of the land post-tenure review. The protection of SIV's is not a means for preventing weed invasion, therefore the protection of SIV's does not necessarily result in weed control. The point is therefore not validly made and cannot be considered under the CPLA, and is <u>disallowed</u>.</p>
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Point	Summary of point raised	Allow or disallow
71	The Tenure Review Quality Assurance Board has failed to provide the robust checks envisaged by Cabinet Minute (09)27/7C at para.21 because it has allowed the proposal to be notified.	Disallow

<p><b>Submission numbers</b> 45</p> <p>Rationale for Disallow:                  The Tenure Review Quality Assurance Board is not a statutory authority under the CPLA therefore the point is not a matter that can be properly considered under the CPLA. The public have been invited to comment on the proposal only, not on the tenure review process, matters of policy, internal operational processes of LINZ or statutory regulations in the CPLA. The point is therefore <u>disallowed</u>.</p>
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Point	Summary of point raised	Allow or disallow	Accept or not accept
72	The proposal does not adequately consider other land uses that could promote ecological sustainability. Submitter concerned that only exotic cover has been considered and that ignoring other land uses (eg water harvesting and other ecosystem service values of indigenous vegetation cover) inappropriately applies Part 2 of the CPLA.	Allow	Not Accept

<p><b>Submission numbers</b> 45</p> <p>Rationale for Allow:                  The point relates to section 24(a)(i) of the CPLA, the object to promote the management of reviewable land in a way that is ecologically sustainable. It is therefore a matter for tenure review</p>
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and is <u>allowed</u> for further consideration.
<p>Rationale for Not Accept:</p> <p>This submitters' point was discussed extensively during the consultation for the preliminary proposal. The submitter did not introduce new information or a perspective not previously considered nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is <u>not accepted</u>.</p>

Point	Summary of point raised	Allow or disallow	Accept or not accept
73	The preliminary proposal does not restrict forestry through covenants on land proposed for freeholding.	Allow	Not Accept

<p><b>Submission numbers</b></p> <p>45</p>
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<p>Rationale for Allow:</p> <p>The submitter is concerned about exotic tree planting on proposed freehold land post tenure review. This is generally a matter for the District and Regional plans to deal with post tenure review, under the Resource Management Act 1991. Nevertheless, the point essentially relates to protecting the landscape and other SIVs present on Maryburn from the effect of such planting, with a covenant suggested, which makes it a matter for tenure review under section 24(b)(i) and (ii) CPLA. It is therefore <u>allowed</u> for further consideration.</p>
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<p>Rationale for Not Accept:</p> <p>The submitter is concerned about exotic tree planting and oversowing and top dressing on proposed freehold land post tenure review, subject to the SMC. This is generally a matter for the district plan to deal with post tenure review under the Resource Management Act 1991. The terms and conditions of the SMC have been consulted on and submitter did not introduce new information or a perspective not previously considered. The point is therefore <u>not accepted</u>.</p>
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Point	Summary of point raised	Allow or disallow	Accept or not accept
74	General concern relating to the cost to the Crown of the Sustainable Management Covenant. Submitter 45 concerned the Crown is subsidising the cost of monitoring. Submitter 63 contends this cost would be the same as managing it as a Conservation Area.	Allow	Not Accept

<p><b>Submission numbers</b></p> <p>45,63</p>
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<p>Rationale for Allow:</p> <p>Rationale for Allow:</p> <p>Section 97 of the CPLA allows for the application of a sustainable management covenant. The point is therefore a matter for tenure review and <u>allowed</u> for further consideration.</p>
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<p>Rational for Not Accept:</p> <p>This submitters' point was discussed during the consultation for the preliminary proposal. The submitter did not introduce new information or a perspective not previously considered nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is <u>not accepted</u>.</p>
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Point	Summary of point raised	Allow or disallow	Accept or not accept
75	Concern that the SMC will lead to exotic vegetation and development of oversowing and top dressing at the expense of indigenous cover. This should be prohibited in the terms and conditions. Submitter contends that to be ecologically sustainable it is required to be indigenous cover.	Allow	Not Accept
<b>Submission numbers</b> 45			
Rationale for Allow: Section 97 of the CPLA allows for the application of a sustainable management covenant. The point is therefore a matter for tenure review and <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitter is concerned about exotic tree planting and oversowing and top dressing on proposed freehold land post tenure review, subject to the SMC. This is generally a matter for the district plan to deal with post tenure review under the Resource Management Act 1991. The terms and conditions of the SMC have been consulted on and submitter did not introduce new information or a perspective not previously considered. The point is therefore <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow
76	The status report does not include any information on the Land Improvement Agreement and whether obligations under that agreement have been fulfilled.	Disallow
<b>Submission numbers</b> 45		
Rationale for Disallow: The completion of works under a former run plan is not a matter for tenure review and cannot be properly considered under the CPLA and is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
77	Most points are rejected and few changes are made to PP's after advertising due to contractor's conflicts of interest in analysing submissions after negotiating proposals because there is a strong incentive to decline points seeking to increase protected areas.	Disallow
<b>Submission numbers</b> 45		
Rationale for Disallow: Comments have been invited on the proposal only, and operational matters are not part of the proposal and are not a matter for tenure review under part 2 of the CPLA. The point is therefore not validly made, and not relevant to the tenure review and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
78	Concerns proposed CA1 does not adequately protect SIV's, which are at risk from: a) Weeds and rabbits; and b) Incompatible land use on adjacent freehold.	Allow	Not Accept
<b>Submission numbers</b> 45			
Rationale for Allow: Both Sub-points concern the designation of land as Conservation Area under the CPLA which is a matter for tenure review. Sub-points (a) and (b) are therefore <u>allowed</u> for further consideration.			
Rationale for Not Accept: In relation to sub-point (a), consultation towards the preliminary proposal resulted in the proposed implementation of a rabbit fence between CA1 and the proposed freehold. Sub-point (a) is therefore <u>not accepted</u> .  In relation to sub-point (b) as pest control is a matter of land management post tenure review it is the responsibility of the future land owner. With regard to the proposed CA1, this will be the responsibility of DOC. Sub-point (b) is therefore not related to the objects of the CPLA and is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow	Accept or not accept
79	Qualified support for the proposed farm management easements- they would only be required if other land was to remain proposed as freehold.	Allow	Accept
<b>Submission numbers</b> 45, 67			
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 <u>allowed</u> for further consideration.			
Rationale for Accept: The point relates to the designating of easement concessions for farm management purposes in the Preliminary Proposal. As the point is a matter to be taken into account in the CPLA and is a statement of support for aspects of the Preliminary Proposal, it is <u>accepted</u> for further consideration by the Commissioner when formulating the designations for a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
80	General support for the proposal. Submitter 53 says it gives a good balanced approach to interested parties. Submitter 70 says it is a good result for the holders and for the Crown.	Allow	Accept
<b>Submission numbers</b> 47,52,53,64,65,66,68,69,70,71,79,80,85,86,88,90,94,95,96,97,105,106,107,108,109,110,111,112,167,170			

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:  
 As the point is a matter to be taken into account in the CPLA and is a statement of support for aspects of the Preliminary Proposal, it is accepted for further consideration by the Commissioner when formulating the designations for a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
81	The proposal will allow farming operations to diversify and improve the economic viability of Maryburn.	Disallow

**Submission numbers**  
 47,52,53,65,69,85,88,90,106,108,109,110,111,112,170

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. As the point cannot be properly considered under the CPLA it is disallowed.

Point	Summary of point raised	Allow or disallow	Accept or not accept
82	The Proposal will allow the owners to protect conservation values on land under their care.	Allow	Not Accept

**Submission numbers**  
 47, 65, 70, 170

Rationale for Allow:  
 The tenure review preliminary proposal was prepared in consideration of the objects under section 24 CPLA. The point is made in relation to the protection of SIV's which is a matter for tenure review. Therefore the point is allowed for further consideration.

Rationale for Not Accept:  
 The protection of SIV's was discussed during the consultation for the preliminary proposal. The submitters did not introduce new information or a perspective not previously considered nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is not accepted.

Point	Summary of point raised	Allow or disallow	Accept or not accept
83	Opposition to the proposal because it fails to acknowledge the international scientific importance of the glacial moraine systems on Maryburn. This includes their importance to scientists in understanding ice age cycles and the ongoing research that is being done in New Zealand on this subject. The submitters are also opposed to the proposal because there are no specific conditions in the tenure review designations to ensure the preservation of the scientific value of the moraines.	Allow	Not Accept

<p><b>Submission numbers</b> 48,62,99</p>
<p>Rationale for Allow: The protection of SIVs is a matter for tenure review under section 24 (b) CPLA, therefore the point is <u>allowed</u> for further consideration.</p>
<p>Rationale for Not Accept: The point relates to the overall lack of consideration of the scientific values associated with the glacial moraine systems on Maryburn in the proposal, however it does not articulate reasons why an alternative outcome is preferred. Therefore the point cannot be properly considered under the CPLA and is <u>not accepted</u>. The glacial moraine systems on Maryburn, and associated landscape and vegetation values have been identified by DOC and were contained in their technical advice. This advice was considered during consultation towards the preliminary proposal.</p>

Point	Summary of point raised	Allow or disallow
84	Tenure Review has caused an easement application with the Commissioner of Crown Lands to go on hold. Submitter advocates for this application to be processed before disposing of any land, without prejudice of the consideration of the easement application.	Disallow

<p><b>Submission numbers</b> 52</p>
<p>Rationale for Disallow: An application for an easement being considered under an administrative provision of the CPLA is not a matter for tenure review under Part 2 of the CPLA. The easement application the submitters refer to is an application under the Land Act 1948 and is therefore outside tenure review. Therefore the point is <u>disallowed</u>.</p>

Point	Summary of point raised	Allow or disallow
85	<p>Submitters have raised concerns over aspects of weeds and pests including:</p> <ul style="list-style-type: none"> <li>(a) Weeds and pest control, including rabbits and wilding pines</li> <li>(b) Fencing costs, and</li> <li>(c) A perceived track record on the Crown's behalf as a bad neighbour.</li> </ul>	Disallow

<p><b>Submission numbers</b> 53,66,79,85,88,94,95,107,108,112</p>
<p>Rationale for Disallow: In relation to sub-point (a), weeds and pest control are a matter of land management under the Land Act 1948 and a post tenure review responsibility of the then land owner.</p> <p>In relation to sub-point (b) fencing costs are not a matter for tenure review and are dealt with by the Crown.</p> <p>Sub-point (c) refers to the Crown in its role as a neighbour. The sub-point (c) represents a general criticism without commenting on the preliminary proposal, which is what the public was invited to comment on.</p>

On this basis sub-points (a), (b) and (c) are not a matters for tenure review and are disallowed for further consideration by the Commissioner.

Point	Summary of point raised	Allow or disallow	Accept or not accept
86	Critical that threatened species in the Mackenzie Basin be given space and habitat to survive and thrive as the Mackenzie is diverse and an important part of New Zealand heritage.	Allow	Not Accept
<b>Submission numbers</b> 57			
Rationale for Allow: The tenure review preliminary proposal was prepared in consideration of the objects under section 24 CPLA. The point is made in relation to the protection of SIV's which is a matter for tenure review. Therefore the point is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The protection of SIV's was discussed during the consultation for the preliminary proposal. The submitters did not introduce new information or a perspective not previously considered nor have they articulated reasons why an alternative outcome is preferred that has not been previously considered. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow
87	The Pukaki 'erratics' (boulders) are in a dipped valley that is not optimal for viewing or for future real estate development.	Disallow
<b>Submission numbers</b> 58		
Rationale for Disallow: The submitter is making point regarding future development of the site around the boulder fields and landscapes on the proposed freehold areas above Lake Pukaki. This is a matter for the district plan rules and regulations under the Resource Management Act 1991. This is not a matter for tenure review and it cannot be considered under the CPLA, therefore the point is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
88	The Waitaki Hydro Power Scheme (WHPS) as a national strategic asset must not be compromised by the outcome of the tenure review. Access to Maryburn must be provided and protected (in the Substantive Proposal) to enable the operation, maintenance and repair of the WHPS and associated infrastructure, and for Meridian Energy Limited to meet its other obligations. Submitter 59 refers to section 25(1)(c) of the CPLA and Meridian's status as a Crown Entity to support their submission that Meridian Energy's needs must be taken into account. Refer to points 89 to 91 regarding specific matters raised by Meridian.	Allow	Accept

<p><b>Submission numbers</b> 59</p>
<p>Rationale for Allow: Section 25 of the CPLA deals with matters to be taken into account by the Commissioner, and section 25(1)(c) specifies that the Commissioner must take into account (to the extent that the matters are applicable) that if acting in relation to land used or intended to be used by the Crown for any particular purpose, that purpose. The point relates to WHPS infrastructure that is already located on Maryburn. The point is a matter for tenure review and is therefore <u>allowed</u> for further consideration.</p>
<p>Rationale for Accept: The submitter introduces new information to the tenure review in relation to the existence of WHPS infrastructure that is located and operational on Maryburn and does not have any formalized access or occupation arrangements. Therefore the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>

Point	Summary of point raised	Allow or disallow	Accept or not accept
89	Meridian Energy request a Memorandum of Encumbrance or easement in favour of Meridian to protect its ability to operate, maintain and repair stock water pipelines and associated water supply infrastructure for the benefit of those using this supply. Submitter contends that transfer of any land to DOC cannot compromise this.	Allow	Accept

<p><b>Submission numbers</b> 59</p>
<p>Rationale for Allow: Section 25 of the CPLA deals with matters to be taken into account by the Commissioner, and section 25(1)(c) specifies that the Commissioner must take into account (to the extent that the matters are applicable) that if acting in relation to land used or intended to be used by the Crown for any particular purpose, that purpose. The point is therefore a matter for tenure review and is <u>allowed</u> for further consideration.</p>
<p>Rationale for Accept: The submitter introduces new information to the tenure review relating to the requirement to access, operate, maintain and repair water supply infrastructure, therefore the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>

Point	Summary of point raised	Allow or disallow	Accept or not accept
90	Meridian Energy require the ability to operate, maintain, repair and undertake emergency works on a 33kV overhead line running across Maryburn on proposed freehold land on the western edge of the property. Submitter notes that while the Electricity Act provides a default generic protection mechanism for all electricity infrastructure, it does not address issues specific to the canal and associated infrastructure. Therefore an easement provided for in the Substantive Proposal is requested.	Allow	Accept

<p><b>Submission numbers</b> 59</p>
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Rationale for Allow:  
 Section 25 of the CPLA deals with matters to be taken into account by the Commissioner, and section 25(1)(c) specifies that the Commissioner must take into account (to the extent that the matters are applicable) that if acting in relation to land used or intended to be used by the Crown for any particular purpose, that purpose. The point is therefore a matter for tenure review and is allowed for further consideration.

Rationale for Accept:  
 The submitter introduces new information to the tenure review in relation to security of Meridian Energy access to, operate, maintain and repair the overhead line, therefore the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
91	Meridian Energy request a Memorandum of Encumbrance to similar effect as that provided in the Pukaki Downs tenure review, for Lake Pukaki shore erosion due to the raising and lowering of the lake level. Conditions to include: <ul style="list-style-type: none"> <li>• That the landowner accepts that erosion will occur</li> <li>• Meridian will use reasonable endeavours to minimize erosion</li> <li>• Meridian may access the land to take actions to minimize erosion and install and operate monitoring and measuring equipment, and</li> <li>• Meridian may acquire areas by erosion and will pay compensation for areas lost to the landowner by such.</li> </ul>	Allow	Accept

**Submission numbers**  
59

Rationale for Allow:  
 Section 25 of the CPLA deals with matters to be taken into account by the Commissioner, and section 25(1)(c) specifies that the Commissioner must take into account (to the extent that the matters are applicable) that if acting in relation to land used or intended to be used by the Crown for any particular purpose, that purpose. The point is therefore a matter for tenure review and is allowed for further consideration. The submitter requests a Memorandum of Encumbrance for this requirement rather than an easement, nevertheless the point has been allowed on the assumption that an easement or similar document may provide a suitable legal framework for further consideration.

Rationale for Accept:  
 The submitter introduces new information to the tenure review in relation to Lake Pukaki shore erosion from lake management, therefore the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
92	Unformed Legal Road which the CRR identifies as the historic Bullock Track running southwest from Tekapo River to the Maryburn, adjoins the lease at its southern tip. Submitter seeks proposed freehold and CA1 show adjoining, not including, all parcels of legal road.	Disallow

<p><b>Submission numbers</b> 60</p>
<p>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. Therefore the point is <u>disallowed</u>. The point requests that existing legal roads within Maryburn should be clearly outlined as separate entities from the tenure review designations. The submitter's comments are noted as being correct as technically legal road is not part of the reviewable land. The point is noted, as is the statement on the designations plan "The boundaries on this plan are for illustrative purposes only". However there are no provisions in the CPLA that specifically set out the requirements for designation plans.</p>

Point	Summary of point raised	Allow or disallow
93	Submitter wants Qualifying Waterbody reports to be released to the Walking Access Commission and for qualifying waterways to be shown on designation plans and made publicly available.	Disallow

<p><b>Submission numbers</b> 60</p>
<p>Rationale for Disallow: Land qualifying for marginal strips will be created on the land designated for freehold disposal at the conclusion of the tenure review under Part 4A of the Conservation Act 1987, and is a matter for the Director General of Conservation to administer. In relation to the designations plans, as marginal strips are not a matter for tenure review, the plans will therefore only show those existing marginal strips already identified on the underlying land status plan.</p> <p>The point is therefore not a matter for tenure review and is <u>disallowed</u>.</p>

Point	Summary of point raised	Allow or disallow	Accept or not accept
94	Carparking required to facilitate public walking access on Mary Range.	Allow	Accept

<p><b>Submission numbers</b> 60</p>
<p>Rationale for Allow: Public access is a matter for tenure review under section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of reviewable land, therefore the point is <u>allowed</u> for further consideration.</p>
<p>Rationale for Accept: The submitter introduces new information and a perspective not previously considered during consultation in the tenure review, therefore the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>



<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
95	Public access sought existing track to CA1 area around line of "b-d", if it is in freehold and not CA1.	Allow	Not Accept
<b>Submission numbers</b> 60			
Rationale for Allow: Public access is a matter for tenure review under section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of reviewable land, therefore the point is <u>allowed</u> for further consideration.			
Rationale for Not Accept: Public access to CA1 is already available. The submitter does not introduce new information and this issue has been considered in consultation for the tenure review proposal, therefore the point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
96	Crown must keep access to CA1. Gates must be put in place and the Crown must keep vehicle access so all New Zealanders can access the area, no matter how fit.	Allow	Not Accept
<b>Submission numbers</b> 108			
Rationale for Allow: Public access is a matter for tenure review under section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of reviewable land, therefore the point is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitter does not introduce new information and this perspective has been considered in the consultation for the tenure review with public access provided for in the proposal. Therefore the point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
97	The proposal needs to reflect the Canterbury Conservation Management Strategy to maintain, restore and enhance the natural heritage landscape and protect indigenous biodiversity.	Allow	Not Accept
<b>Submission numbers</b> 61			
Rationale for Allow: The tenure review proposal was prepared in consideration of the objects expressed in Section 24 CPLA 1998. The point is made in relation to the protection of SIV's and is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitter makes a generalised statement in relation to the protection of SIV's. No new information has been provided on matters which were covered in DOC's advice in their role as the Crown Advisor on matters relating to SIV's during the consultation for this proposal. This point is			

therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
98	Resource Management Act and Mackenzie District Plan Change 13 must be complied with and therefore protects the land that will become freehold.	Disallow
<b>Submission numbers</b> 108		
Rationale for Disallow: The Resource Management Act and District Plans are matters for the local and regional territorial authorities. These are not objects of the CPLA and are outside the Commissioner of Crown Lands' statutory responsibility and not a matter for Tenure Review. The point is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
99	Recreational access is required to and along the Tekapo River.	Allow	Not Accept
<b>Submission numbers</b> 62			
Rationale for Allow: Public access is a matter for tenure review under section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of reviewable land, therefore the point is <u>allowed</u> for further consideration.			
Rationale for Not Accept: Access across CA1 to the Tekapo River is provided for in the proposal. The submitter does not introduce new information and this perspective has been considered in the consultation for the tenure review proposal, therefore the point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
100	Support for the proposal because it will allow for future economic opportunities for Maryburn.	Allow	Accept
<b>Submission numbers</b> 66			
Rationale for Allow: The point relates to section 24(a)(ii) to enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from it's tenure under reviewable instrument. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The submitter makes a statement of support for weighting the economic use that will come about as a result of the freehold disposal of land. The point is therefore <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
101	Support for irrigation proposed on Maryburn. Irrigation would preserve soil loss through heiracium, wind and drought. The concerns relate to:  (a) Matters in relation to irrigation proposals  (b) is made in relation to matters of significance for soil loss (wind, rabbits and hieracium) for the ecological sustainability of Maryburn	Disallow sub-point (a).  Allow Sub-point (b).	Not accept
<b>Submission numbers</b> 66			
Rationale for Allow in Part: The Sub-point (a) refers to proposals for irrigation, which is a matter for the Regional and District plans under the Resource Management Act 1991, and therefore is <u>disallowed</u> . Sub-point (b) relates to the objects under section 24(a)(i) CPLA, to promote the management of reviewable land in a way that is ecologically sustainable, As the point is a matter for tenure review and can be considered under the CPLA, it is therefore <u>allowed</u> for further consideration.			
Rationale for Not Accept in Part: Sub-point (b) highlights issues previously considered during consultation, but does not articulate reasons why the submitter prefers an alternative outcome under the CPLA, nor does the submitter provide new information not considered during consultation for the proposal. Therefore sub-point (b) is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow
102	Submitter states District Plan rules (Plan change 13), Regional Council irrigation consent hearings and tenure review not good enough for some groups to protect Maryburn's values.	Disallow
<b>Submission numbers</b> 66		
Rationale for Disallow: District plan rules and regulations and the RMA consents processes regarding water applications are not a matter for tenure review and cannot be considered under the CPLA, therefore the point is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
103	Public access to Maryburn has never been denied across the pastoral lease to the Maryburn stream and to climbing rocks.	Allow	Accept
<b>Submission numbers</b> 66,70,71,85,88,94,95			

**Rationale for Allow:**  
Public access is a matter for tenure review under section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of reviewable land, therefore the point is allowed for further consideration.

**Rationale for Accept:**  
The submitters introduce new information in relation to public access to climbing rocks. As this particular public access consideration has not been considered during consultation in the tenure review proposal, therefore the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>
104	Opposition to planting exotic trees for commercial or soil restoration purposes. Submitter states the impact would be unacceptable on the important and spectacular landscape and other methods of ecological restoration should be considered.	Disallow

**Submission numbers**  
67

**Rationale for Disallow:**  
The submitters are concerned about exotic tree planting on proposed freehold land post tenure review. This is a matter for the District and Regional Plans under the Resource Management Act 1991 to deal with post tenure review. The point is therefore disallowed.

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
105	General support for the Sustainable Management Covenant.	Allow	Accept

**Submission numbers**  
67,82

**Rationale for Allow:**  
The point relates to the objects under section 24(a)(i) CPLA, to promote the management of reviewable land in a way that is ecologically sustainable. As the point is a matter for tenure review and can be considered under the CPLA, it is therefore allowed for further consideration.

**Rationale for Accept:**  
As the submitters are giving a statement of support for the Maryburn tenure review, the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>
106	The holders of Maryburn have been good stewards of the land. Submitters point to holder's track record in protection of values, and pest control.	Disallow

**Submission numbers**  
71,79,85,88,94,106,017,108,154

**Rationale for Disallow:**  
The submitter's point does not relate to the objects of Part 2 of the CPLA and the point is

therefore disallowed. There is no requirement under the tenure review for the Commissioner to take into account the ability of an individual leaseholder. Tenure review designations are developed on the basis that land once freeholded could change ownership at any time. The submitters are making comment on the holder's good husbandry which is a matter for compliance with the lease, the Land Act 1948 and the CPLA.

Point	Summary of point raised	Allow or disallow
107	Submission must be read in conjunction with The Wolds submission	Disallow

**Submission numbers**  
82

Rationale for Disallow:  
The reviewable land in this tenure review comprises the Maryburn pastoral lease only. The Wolds is not part of the reviewable land and therefore the point is not validly made and is disallowed.

Point	Summary of point raised	Allow or disallow	Accept or not accept
108	Submitters propose a Mary Range Track across  (a) The Wolds pastoral lease, (b) Simons Pass pastoral lease, and (c) Maryburn pastoral lease  Access points are proposed at various points along Haymans Road.	Allow Sub-point (c).  Disallow sub-points (a) and (b)	Accept

**Submission numbers**  
82,104

Rationale for Allow in part:  
Sub-points (a) and (b) make reference to The Wolds and Simons Pass which are not part of the reviewable land for the Maryburn tenure review, therefore the sub-points (a) and (b) point in relation to The Wolds and Simons Pass are disallowed.

Sub-point (c) is a matter in relation a proposed Mary Range Track on Maryburn Pastoral Lease, public access is a matter for tenure review under section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of reviewable land, therefore sub-point (c) is allowed for further consideration.

Rationale for Accept:  
As sub-point (c) is in relation to the reviewable land and introduces a new perspective not previously considered during consultation, the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
109	Support for CA1 of proposal because it allows for a substantial amount of land to be protected that could form a dryland park from land surrendered in the middle of the Mackenzie Basin.  The point is made in relation to	Allow Sub-point (b) Disallow Sub-point (a)	Accept

	(a) The wider Mackenzie Basin, and (b) Maryburn pastoral lease.		
<b>Submission numbers</b> 88,85,108			
<p>Rationale for Allow in part: The tenure review preliminary proposal was prepared in consideration of the objects under section 24 CPLA. Sub-point (b) in relation to CA1 is therefore a matter for tenure review and <u>allowed</u> for further consideration.</p> <p>Sub-point (a) makes reference to land in the wider Mackenzie basin outside the reviewable land, which is not a matter for the Maryburn Tenure Review. Sub-point (a) is therefore <u>disallowed</u>.</p>			
<p>Rationale for Accept: Sub-point (b) made in relation to CA1 land provides a statement of support for the proposal, the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>			

Point	Summary of point raised	Allow or disallow
110	The SMC area is only valuable for access to stock water. Once a water pipeline is in place the SMC area will be rabbit fenced and solely managed for weed and pest control, and in the future could revert to Crown Ownership.	Disallow

<b>Submission numbers</b> 108		
<p>Rationale for Disallow: The point relates to management of the proposed freehold post tenure review, which is a matter for District and Regional planning processes under the Resource Management Act 1991. The point cannot be properly considered under the CPLA and is therefore <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow
111	Maryburn is Crown land in a significant location therefore the outcome needs to be fair and meaningful for the public in terms of culture, landscape, biodiversity and the potential for recreation. The submitter links this point through to a wider Mackenzie vision.	Disallow

<b>Submission numbers</b> 91		
<p>Rationale for Disallow: The submitter is commenting on matters of policy, with a view to a strategic vision for the Mackenzie basin rather than matters of tenure review under section 24 of the CPLA. The point therefore cannot be properly considered under the CPLA and is therefore <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow
112	The proposal needs to be aligned with New Zealand's responsibility to at least halve or reduce to zero losses of native habitats under the Nagoya Protocol.	Disallow
<b>Submission numbers</b> 91		
Rationale for Disallow: The Nagoya Protocol cannot be properly considered under the CPLA. The point is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
113	The proposal must allow future management of Maryburn to have a fully developed range of options to be sustainably managed. Submitter suggests this is a complex issue.	Disallow
<b>Submission numbers</b> 91		
Rationale for Disallow: The point relates to the future management of Maryburn when tenure review is completed. This is a matter for District and Regional planning authorities and the Resource Management Act 1991 and not a matter for consideration in tenure review. The point is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
114	The whole property should be retained in public ownership for conservation purposes in the national interest. Submitter 97 cites the threat of soil loss as the reason for this stating that sustainable management of these soils is extraordinarily difficult. Submitter 118 seeks all properties in the Mackenzie Basin be retained in Crown ownership. Submitter 149 suggests public ownership is the simplest way to protect the landscapes and habitats at no costs to private interests.  The points are made in relation to (a) The wider Mackenzie Basin, and (b) Maryburn pastoral lease.	Allow Sub-point (b).  Disallow sub-point (a).	Accept
<b>Submission numbers</b> 93,118,149			
Rationale for Allow in part: The tenure review preliminary proposal was consulted on with consideration of the objects under section 24 CPLA. Sub-point (b) in relation ecological sustainability and the protection of SIV's on Maryburn is therefore a matter for tenure review and <u>allowed</u> for further consideration.  Sub-point (a) in relation to the wider Mackenzie Basin is not specific to the Maryburn Pastoral lease tenure review and is therefore <u>disallowed</u> .			

Rationale for Accept:  
Sub-point (b) articulates reasons why the submitters prefer an alternative outcome under the CPLA, it is therefore accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
115	Concern that the SMC terms are onerous for the holders and there is risk because neighbouring land will not be subject to the same terms and conditions (ie CA1).	Allow	Not Accept

**Submission numbers**

94,95

Rationale for Allow:  
Sustainable Management Covenants are a mechanism provided in tenure review under section 97 of the CPLA, therefore the point is allowed for further consideration.

Rationale for Not Accept:  
The matter of SMC terms and conditions has been extensively explored during the consultation phase. The submitters have not provided any new information or a perspective not previously considered, nor have they provided reasons why they prefer an alternative outcome. The point is therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
116	It is important that the freehold land be allowed to be irrigated.	Disallow

**Submission numbers**

94, 95, 106

Rationale for Disallow:  
The point relates to management of the proposed freehold land post tenure review, which is a matter for District and Regional planning processes under the Resource Management Act 1991. The point therefore cannot be properly considered under the CPLA and is disallowed.

Point	Summary of point raised	Allow or disallow	Accept or not accept
117	Public access to the freehold needs to be managed so farming operations are not compromised.	Allow	Accept

**Submission numbers**

94,95

Rationale for Allow:  
Public access is a matter for tenure review under section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of reviewable land, therefore the point is allowed for further consideration.

Rationale for Accept:  
Matters relating to public access to the proposed Conservation land have been well traversed during consultation however the submitters have presented new information in terms of the impact of public access to the freehold areas, therefore the point is accepted.



Point	Summary of point raised	Allow or disallow	Accept or not accept
118	Support for easement concessions "a-b" and "c-d". Submitter states these are essential for uninterrupted farm management.	Allow	Accept
<b>Submission numbers</b> 108			
Rationale for Allow: The tenure review proposal was prepared in consideration of the objects expressed in Section 24 CPLA 1998. The point is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: As the submitters' point is a matter to be taken into account in the CPLA and is a statement of support for aspects of the Preliminary Proposal, it is <u>accepted</u> for further consideration by the Commissioner when formulating the designations for a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
119	<p>A covenant is proposed to protect glacial moraine systems for internationally important research and to future-proof new developments in techniques for such work. Submitter 99 provides a plan of the areas concerned to the east and west of Mary Range, and recommends covenant conditions as follows:</p> <ul style="list-style-type: none"> <li>• No fencing, buildings, structures or other improvements</li> <li>• No burning or chemical spraying</li> <li>• No cultivation, earthworks or soil disturbance</li> <li>• No prospecting or mining, or moving or removal of rock of any kind on and under the land</li> <li>• The landowner must assist the Fire Authority to extinguish wildfire on or threatening the land</li> <li>• Keep the land free from rubbish or other unsightly/offensive material arising from their use</li> <li>• Allow vehicular access to the land with implements to Crown Royal Institutes and internationally recognized universities, for the purpose of research, sampling or study.</li> </ul>	Allow	Accept
<b>Submission numbers</b> 99			
Rationale for Allow: The submitter proposes the protection by covenant of significant scientific values on proposed freehold land. As this relates to section 24(b)(i) of the CPLA which enables the protection of SIVs by the creation of a protective mechanism under section 40 CPLA, the point is a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The submitters' point introduces new information to the tenure review in relation to the presence, form and significance of the landscape values associated with the moraines concerned, and is therefore <u>accepted</u> for further consideration by the Commissioner in the formulation of a			

Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
120	Proposed freehold areas should be substantially protected by a Sustainable Management Covenant.	Allow	Not accept
<b>Submission numbers</b> 101			
Rationale for Allow: Sustainable Management Covenants are a mechanism provided in tenure review under section 97 of the CPLA, therefore the point is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The matter of SMC application to the proposed freehold areas has been extensively explored during the consultation phase and the submitter has not provided any new information or a perspective not previously considered, the point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
121	Support specifically for Fish and Game recommendations for access.	Allow	Accept
<b>Submission numbers</b> 104			
Rationale for Allow: Public access is a matter for tenure review under section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of reviewable land, therefore the point is <u>allowed</u> for further consideration.			
Rationale for Accept: The submitter has presented information in support of public access to parts of Maryburn therefore the point is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
122	Existing grazing at the Pink Elephant boulders is compatible with recreational use.	Allow	Accept
<b>Submission numbers</b> 104			
Rationale for Allow: The tenure review proposal was prepared in consideration of the objects expressed in Section 24 CPLA 1998. The point is made in relation to the protection of SIV's and provision of public access and is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: As the submitter has presented new information in relation to a mix of recreational use and grazing on a proposed freehold area on the Pukaki Moraines near Lake Pukaki, it is therefore <u>accepted</u> for further consideration by the Commissioner when formulating the designations for a			

Substantive Proposal.

## Summary and Conclusion

### Overview of analysis:

819 submitters have been represented by the 171 submissions analysed in this report. The submitters have raised 122 points of which 68 have been allowed and 8 allowed in part, because they relate to matters that can be considered under Part 2 of the CPLA. 46 points have been disallowed because they deal with matters that cannot be considered under Part 2 of the CPLA.

Of the 76 points allowed or allowed in part, 34 have been accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal because they introduced new information or a perspective not previously considered, or highlighted issues previously considered but articulated reasons why an alternative outcome was preferred that had not previously been considered, or were a statement of support for the proposal.

42 points were not accepted for further consideration because they did not introduce any new information, a new perspective, or new reasoning to justify reconsidering issues that had already been fully investigated and a consensus reached by all parties.

The majority of the submitters were not supportive of the proposal and sought extensive changes to the designations. There were also a number of submitters who supported the proposal.

### Generic issues:

The accepted points fell into a wide range of categories –

- Support for CA1 and support for a Mackenzie Drylands Park from this.
- General preference for Crown ownership.
- Provision of better public access to waterways, lakes and the Mary Range.
- Enlarging CA1 (and a drylands park).
- Landscape protection by Crown ownership or covenant for the southeast faces of Mary Range and plains east of Mary Range and SH8.
- General support for the proposal.
- Control or exclusion of stock in the vicinity waterways, including fencing.
- Protection for Meridian Energy hydro-electric infra-structure.
- Protection for internationally scientifically significant moraines used for Ice Age dating, on land to the west and east of Mary Range .
- Protection for ecological and landscape values on proposed freehold with a Sustainable Management Covenant on the eastern faces of the Mary Range.
- Support for the Sustainable Management Covenant outlined in the proposal.
- Support for the freehold areas.
- Further information required on the presence of threatened spring annuals on Maryburn.

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

A number of issues were identified that require further investigation. These include –

- Protection require for recreational access and use of boulders on the Pukaki Moraines.
- Mountain biking access to the Pukaki Moraines.
- Access to the crest of the Mary Range and Lake Pukaki.
- The potential presence of threatened spring annuals.
- Internationally significant scientific values associated with moraines immediately to the west and east of Mary Range that may require protection for continued Ice Age research work.

Risks identified:

No risks have been identified at this point.

General trends in the submitters' comments:

Just under half of the submitters points have been disallowed because they are not matters for tenure review under the CPLA. Significant publicity earlier in the year regarding cubicle cow farming and envisaged destruction of the Mackenzie Basin may have had a flow on effect in that the Maryburn public submissions process has been used to express generic public disapproval of such a land use. The majority of other points not able to be considered under the CPLA fell into the categories of –

- Financial matters.
- Matters relation to the collaborative process in the Mackenzie Basin (Waitaki Shared Vision Forum).
- Matters relating to marginal strips and legal roads.
- Matters relating to local district council policy and regulations including the District and Regional Plans.
- Concerns over wilding pines, rabbit, heiracium and other pest management issues post tenure review, including costs.
- Post tenure review management issues.
- Matters relating to land outside of the reviewable land.
- Tenure review operational matters.
- Matters relating to dark skies values.