



Land Information  
New Zealand  
*Toitū te whenua*

## **Crown Pastoral Land Tenure Review**

**Lease name : THE WOLDS**

**Lease number : PT 008**

### **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.

Oct

14

## ANALYSIS OF PUBLIC SUBMISSIONS

### Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act

#### THE WOLDS TENURE REVIEW NO. TR125

#### Details of lease

Lease name:	The Wolds
Location:	State Highway 8, Lake Tekapo
Lessee:	The Wolds Station Limited

#### 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:	852
Number of late submissions refused/other:	2 were accepted by the Commissioner's delegate bringing the total number of submissions to 854
One submission received more than 3 months after the closing date for submissions was not accepted because the analysis was already well progressed.	
Submitters 97/236 and 123 subsequently withdrew their submissions bringing the total number of submissions back to 852.	
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 95 comprises 9 individual identical submissions. The submissions are identified as submission numbers 95(1) to (9). Submission 95(1) is analysed in this report.
2.	Submission 96 comprises 6 individual identical submissions. The submissions are identified as submission numbers 96(1) to (6). Submission 96(1) is analysed in this report.
3.	Submission 97 comprises 665 individual identical submissions. The submissions are identified as 97(1) to (665). Submission number 97(236) was withdrawn. Submission 97(1) is analysed in this report.

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

A number of communications were received from submitters in response to their submission acknowledgement, claiming no knowledge of the tenure review and/or their submission. Two of these submitters elected to withdraw their submissions as detailed above.

Total submissions analysed:

179 submissions were listed. Submission 97/236 was withdrawn with no change to the number of submissions analysed as it was one of the identical submissions represented by submission 97. Submission 123 was withdrawn leaving the total number of submissions analysed as 178.

## 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**

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
1	General opposition to the proposal.	Allow	Not Accept
<b>Submission numbers</b> 1, 21, 39, 45, 58, 65, 66, 69, 75, 89, 90, 94, 144, 145			
<b>Rationale for Allow:</b> 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.			
<b>Rationale for Not Accept:</b> The point is a generalised statement in relation to the objects and matters to be taken into account in the CPLA, however it does not introduce any new information or perspective not previously considered during consultation, and 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.			

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
2	Generally public land (and specifically The Wolds) with conservation values, critically important landscapes and tourism potential should stay in Crown ownership because it will be protected for current and future generations of New Zealanders and tourists to enjoy. Submitter 1 notes that none of the other mechanisms available match the security, accountability and public remedies available under Crown ownership.	Allow	Accept
<b>Submission numbers</b> 1, 5, 8, 10, 14, 18, 39, 53, 54, 69, 72, 77, 79, 80, 81, 85, 86, 88, 89, 91, 92, 94, 95, 104, 106, 107, 109, 111, 115, 117, 119, 121, 128, 134, 136, 137, 139, 140, 143, 144, 145, 149, 156, 158, 159, 163, 165, 167, 166, 169, 170			
<b>Rationale for Allow:</b> The point relates to SIV's that are present on The Wolds 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.			
<b>Rationale for Accept:</b> 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.			

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>
3	Large scale freeholding of land as proposed for The Wolds should result in a market value transfer of funds from the holder to the government.	Disallow

**Submission numbers**

1

**Rationale for Disallow:**

Section 43(2) of the CPLA states that the published notice (indicating written submissions on a Preliminary Proposal can be provided to the Commissioner of Crown Lands by a set date), must not disclose any financial information. As the point relates to a financial matter it is therefore disallowed.

Point	Summary of point raised	Allow or disallow
4	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 179 considers that all political parties should adopt policies which will protect the high country and Mackenzie Basin's biodiversity and landscapes.	Disallow
<b>Submission numbers</b> 1, 39, 54, 69, 179		
<b>Rationale for Disallow:</b> The submitter's point concerns matters of current Government Policy. Government policy is not a matter to be considered under the CPLA. The point therefore is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
5	If the runholder cannot afford to pay market value for the proposed freehold, The Wolds should remain Crown land, and a partnership for farming, nature protection, tourism and recreation explored. Submitter 69 supports exploring the concept of the community paying leaseholders to manage land that can't be farmed, including a disincentive for inappropriate and incongruous developments.	Disallow
<b>Submission numbers</b> 1, 69		
<b>Rationale for Disallow:</b> Point 7 below relates specifically to The Wolds remaining a pastoral lease.  Section 43(2) of the CPLA states that the published notice (indicating written submissions on a Preliminary Proposal can be provided to the Commissioner of Crown Lands by a set date), must not disclose any financial information. As the point relates to a financial matter it is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
6	The Wolds is suitable for the creation of mountain bike and walking trails, including loop circuits from Hayman Rd over the summit and crest of Mt Mary. See also point 16.	Allow	Accept
<b>Submission numbers</b> 1, 7, 54			
<b>Rationale for Allow:</b> The point relates to the provision of public access over The Wolds and is a matter for tenure review under section 24(c)(i) CPLA. The point is therefore <u>allowed</u> for further consideration.			
<b>Rationale for Accept:</b> The concept of creating a loop circuit by continuing access south of Mt Mary summit as proposed by the submitters is new information and has not previously been fully assessed during consultation. 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
7	The spacious, open and undeveloped character of the Mackenzie Basin (and The Wolds) still exists 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 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 further on in the report, while this point deals exclusively with the request for The Wolds to stay as a pastoral lease).	Disallow
<b>Submission numbers</b> 1, 17, 18, 26, 27, 39, 65, 66, 69, 71, 73, 74, 78, 83, 85, 86, 113, 132, 179		
<b>Rationale for Disallow:</b> 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> .		

Point	Summary of point raised	Allow or disallow
8	The proposed freehold land will be subject to weak district plan restrictions under the Resource Management Act, which will fail to protect indigenous values and landscapes, and limit intensification and changing land use. Submitter 54 notes the current inadequate provisions in the Mackenzie District Plan and the Council's failure to enforce existing rules, particularly in relation to landscapes. Submitter 28 is concerned about future changes to the plan.	Disallow

<b>Submission numbers</b> 1, 28, 54, 69
Rationale for Disallow: District plan rules and regulations and the RMA 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
9	The costs to the government for administering land designated freehold with a covenant can be the same or higher than the costs associated with managing the land as conservation area, depending on the covenant conditions agreed to.	Allow	Not Accept

<b>Submission numbers</b> 1
Rationale for Allow: Protection of SIVs by way of a protective mechanism is included in section 24(b)(i) CPLA. Covenants and the administration of them is a matter for the terms and conditions agreed to during consultation. Covenants are a protective mechanism permitted in tenure review under section 40 CPLA. The point is therefore a matter for tenure review and is <u>allowed</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.
Rationale for Not Accept: The point does not introduce any new information or a perspective not previously considered, and does not articulate any specific alternative outcome under the CPLA, therefore it 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
10	General concern about the integrity of covenants. Submitter 1 is concerned that covenants can be modified or extinguished without public notification and there is little public accountability for the actions of landowners, and the officials responsible for upholding covenant terms. Covenants should be enduring, particularly as future ownership under freehold tenure is unknown.	Allow	Not Accept

<b>Submission numbers</b> 1, 28, 68
Rationale for Allow: Protection of SIVs by way of a protective mechanism is included in section 24(b)(i) CPLA. Covenants are a protective mechanism permitted in tenure review under section 40 CPLA. The point is therefore a matter for tenure review and is <u>allowed</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.
Rationale for Not Accept: The point relates to whether covenants in general are robust enough to protect into perpetuity the values they are intended to protect. The point does not introduce any new information or a perspective not previously considered during consultation, and does not articulate any specific alternative outcome under the CPLA, therefore it 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
11	The proposal fails to protect the SIVs identified on extensive areas proposed for freehold (particularly landscape), as required under the CPLA. The proposal does not meet the objects of section 24 CPLA, including public access, therefore it should be withdrawn and/or re-negotiated.	Allow	Accept
<b>Submission numbers</b> 1, 2, 4, 7, 9, 10, 11, 13, 15, 17, 20, 21, 24, 25, 27, 29, 31, 32, 35, 36, 39, 44, 50, 52, 53, 54, 56, 57, 58, 59, 60, 62, 64, 65, 66, 67, 68, 70, 71, 75, 76, 81, 84, 87, 90, 93, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 106, 107, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 121, 122, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 179			
<b>Rationale for Allow:</b> 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 and the holder may discontinue a review at any time. The point is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
<b>Rationale for Accept:</b> The submitters request that the proposal be withdrawn or re-negotiated on the basis that it does not meet the objects of section 24 CPLA. As the submitters have articulated a reason why they prefer an alternative outcome, 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
12	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> 1, 12, 23, 31, 54, 64, 70, 140, 165			
<b>Rationale for Allow:</b> 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 <u>allowed</u> for further consideration.			
<b>Rationale for Not Accept:</b> Submissions on particular SIVs with specific information provided are dealt with elsewhere in this report. Therefore, this point is <u>not accepted</u> 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 The Wolds 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	Accept or not accept
13	<p>The Scientific Reserve should be enlarged. Most submitters proposed that all 765 hectares of Maryburn wetland, catchment and stream, identified in the CRR as having SIVs, should be protected as Scientific Reserve. They submitted that the 85 hectares proposed is far too small given that:</p> <ul style="list-style-type: none"> <li>➤ the area is recognized as the best of its kind in the Mackenzie Ecological Region</li> <li>➤ to freehold it does not promote ecologically sustainable management or best use, given the loss of wetlands in New Zealand</li> <li>➤ it has outstanding values</li> <li>➤ it requires protection as conservation land to fulfil the objects of the CPLA.</li> </ul> <p>Submitter 70 advised that the area proposed was too small to protect the ecological integrity essential for its long term sustainability. Submitter 22 has concerns about the degradation of the wetland and cattle pugging reducing its size and naturalness and recommended it extend across to integrate with CA2. Submitters 17, 26, 35 and 40 supported extending Scientific Reserve as it would also protect the glacial moraine features and scientific values in the area (see also point 47). Submitter 4 is concerned that the proposal does not protect the shrubby margins of Maryburn Stream, and Submitter 63 requests that if the land immediately southwest of Scientific Reserve is freeholded it must have restrictions in terms of land use and stocking. Submitter 39 notes that the area is a feature able to be seen from the Canal Rd.</p>	Allow	Accept
<p><b>Submission numbers</b>  1, 4, 9, 10, 13, 17, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 31, 32, 35, 36, 39, 40, 44, 45, 52, 53, 54, 55, 56, 57, 60, 63, 70, 75, 87, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178</p>			
<p><b>Rationale for Allow:</b>  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 <u>allowed</u> for further consideration.</p>			
<p><b>Rationale for Accept:</b>  The point highlights issues previously considered during consultation but articulates reasons why the submitters prefer 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
14	The western slopes and foot slopes of Mary Range running down to Lake Pukaki should be protected to fulfill the objects of the CPLA. Some submitters supported a conservation covenant over the area, but most preferred conservation area with public access, to protect significant inherent values, and particularly landscape values viewed from SH8. Submitter 54 did not consider the land's best use is to be privatized with public access denied, and referenced a 2009 Scion report to support their claim that the land is unsuitable for pastoral intensification. Submitters 26 and 40 were particularly concerned about the glacial moraine scientific values in this area (this matter is dealt with separately under point 47). See also point 48 which deals specifically with the land closer to Lake Pukaki.	Allow	Not Accept
<b>Submission numbers</b> 1, 4, 9, 10, 13, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 35, 36, 37, 39, 40, 44, 45, 52, 53, 54, 55, 56, 57, 59, 60, 62, 67, 68, 70, 71, 75, 87, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178			
<b>Rationale for Allow:</b> 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.			
<b>Rationale for Not Accept:</b> 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> .			

Point	Summary of point raised	Allow or disallow
15	Support for the concept of a Mackenzie Drylands Park. Submitter 22 thought the concept should be on the agenda for the Shared Vision Working Party, and submitter 24 requested full account should be taken of Landcare work on a viable Scenic/Scientific Reserve across 7 properties including The Wolds. Submitter 4 was concerned at the serious deficiency of low-mid altitude areas of indigenous tussock grasslands and associated eco-systems being protected. Some of the submitters specified parts of The Wolds 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
<b>Submission numbers</b> 1, 4, 8, 22, 24, 37, 54, 61, 70, 76, 77, 83, 84, 85, 86, 90, 179		

**Rationale for Disallow:**

As the point does not deal with specific designations for The Wolds tenure review, but a concept across numerous properties and for the Mackenzie Basin in general, it is therefore 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 Wolds pastoral lease only.

Point	Summary of point raised	Allow or disallow	Accept or not accept
16	<p>Public access is required to and along Mary Range and CA2 from SH8, Canal Rd and Hayman Rd. In particular:</p> <p>(a) Submitter 7 suggests discussions should be had with interested parties and current users regarding the provision of public access over the existing summit track from Canal Rd as Mary Range is a dominant landscape feature in the area with panoramic views. The submitter also suggests routes for loop circuits for walking and mountain biking in the area (see point 6).</p> <p>(b) Submitter 41 would also like access to cater for horses,</p> <p>(c) Submitter 54 does not consider telecommunications is a valid reason to exclude public access to Mary Range.</p> <p>(d) Submitter 63 would like access to CA2 on the eastern faces of Mary Range for game hunting.</p> <p>(e) Submitter 41 would like a car park to facilitate public access to these areas.</p>	<p>Allow in part</p> <p>Sub-points part (a), (b), (c), (d) &amp; (e)</p>	<p>Accept in part</p> <p>Sub-points part (a), (b), (c), (d) &amp; (e)</p>
<p><b>Submission numbers</b></p> <p>1, 7, 9, 10, 13, 15, 17, 20, 21, 22, 25, 28, 29, 30, 32, 35, 36, 39, 41, 44, 45, 46, 52, 53, 54, 55, 56, 57, 60, 62, 63, 67, 68, 71, 72, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 122, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178</p>			
<p><b>Rationale for Allow in part:</b></p> <p>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. Part of sub-point (a) concerns access over the "Telecommunications Area" track where it is outside of the reviewable land (between the boundary of The Wolds and Canal Rd), therefore this does not fall under the ambit of the CPLA and is <u>disallowed</u> for further consideration. However sub-points part (a) in relation to the reviewable land, (b), (c), (d) and (e) relate to public access within the reviewable land, therefore are a matter for tenure review under the CPLA and are <u>allowed in part</u> for further consideration.</p>			
<p><b>Rationale for Accept:</b></p> <p>Sub-points part (a), (b), (c), (d) and (e) relating to public access within the reviewable land, are a matter for consideration under the CPLA, introduce a new perspective not previously considered, and highlight issues previously considered during consultation but articulate reasons why the submitter prefers an alternative outcome under the CPLA. The sub-points are therefore <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
17	The indigenous vegetation and landscape values on the eastern and southeastern faces of Mary Range, which is easily seen from SH8, should be protected by a conservation covenant. Submitter 1 recommends restrictions included in the covenant should include: new buildings, tree planting, earthworks and other soil disturbance. Submitter 71 also adds forestry as a restriction.	Allow	Not Accept
<b>Submission numbers</b> 1, 5, 9, 10, 13, 17, 20, 21, 23, 25, 28, 29, 30, 32, 35, 36, 40, 44, 45, 52, 54, 55, 56, 57, 59, 60, 67, 68, 71, 75, 87, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178			
<b>Rationale for Allow:</b> 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.			
<b>Rationale for Not Accept:</b> Extensive discussions were held on the appropriate designation for this area during consultation. 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> .			

Point	Summary of point raised	Allow or disallow	Accept or not accept
18	Additional protection to SIVs on the Tekapo River terraces adjacent to CA1 is required as follows: (a) The full 888 hectares of Tekapo River terraces as originally recommended by DOC should be protected as conservation area. The submitters note that this area is largely un-modified which is relatively rare in the Mackenzie Basin, and a larger area will be more resilient and have higher ecological value. (b) Submitter 45 seeks protection of all of the uninterrupted sequence of The Wolds moraine. (c) Submitter 39 notes additionally that the proposed fence line Y-Z creates an undesirable visual outcome. (d) Submitter 5 seeks to protect SIVs in the area that record the ages and levels of each of the Pleistocene glaciations. (e) Submitter 146 seeks additional protection of the Tekapo terraces as they are the last stronghold for the grasshopper <i>brachaspis robustus</i> . (f) Submitter 68 supports a covenant for additional protection over the Tekapo terraces.	Allow Sub-points (a), (b), (c), (d), (e) & (f)	Accept in part Sub-point (b) Not accept sub-points (a), (c), (d), (e) & (f)
<b>Submission numbers</b> 1, 4, 5, 9, 10, 13, 17, 20, 21, 22, 23, 24, 25, 28, 29, 32, 35, 36, 39, 44, 45, 52, 53, 54, 55, 56, 57, 59, 60, 67, 68, 69, 71, 75, 87, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 137, 138, 139, 140, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155,			

156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178

**Rationale for Allow:**

The point relates to the object under section 24(b) CPLA, 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 allowed for further consideration.

**Rationale for Accept in part/not accept:**

Sub-points (a), (c), (d), (e) and (f) do not provide any new information or perspective, or articulate reasons for an alternative outcome that have not already considered during consultation, therefore the sub-points are not accepted.

Sub-point (b) in relation to the protection of an uninterrupted sequence of The Wolds moraine, is new information therefore it is accepted in part so that this matter may be further considered by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
19	Paterson Ponds have biodiversity and recreational SIVs and should be protected and have public access provided. The area should be designated a recreation reserve.	Disallow
<b>Submission numbers</b> 1, 10, 17, 24, 28, 35, 45, 52, 54, 59, 75		
<b>Rationale for Disallow:</b> Paterson Ponds are located on existing Crown Land and public access to them is provided for by Meridian Energy who own the Tekapo Canal road and have granted the public a right to access the ponds. The area is not part of the reviewable land therefore the point is not a matter for tenure review and cannot be dealt with under the CPLA. It is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
20	The outwash plains east of Mary Range and SH8 require protection for landscape (particularly as they are within the viewing corridor of SH8 and frame views of Mt Cook), botanical SIVs, and glacial moraines of international scientific significance (see also point 47). The majority of submitters preferred the area be designated to Crown ownership rather than protected by a covenant, and submitter 1 notes that it is vulnerable to shelter belt planting, further land use intensification, unsympathetic location and design of buildings, and further wilding spread.	Allow	Accept
<b>Submission numbers</b> 1, 9, 10, 13, 17, 20, 21, 23, 24, 25, 26, 29, 30, 31, 32, 35, 36, 37, 39, 40, 44, 45, 53, 54, 55, 56, 57, 60, 62, 67, 68, 69, 70, 71, 75, 87, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178			

**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 allowed for further consideration.

**Rationale for Accept:**

As the point introduces a perspective not previously considered regarding the presence of SIVs in this area that require protection, it is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
21	The northeast triangle of Unoccupied Crown Land should be protected as it has SIVs, it is a good quality fescue tussock grassland, has highly visible landscapes from SH8 and is a site of moa bones. The tenure review provides an opportunity to change its status.	Disallow
<b>Submission numbers</b> 1, 4, 9, 10, 13, 17, 20, 21, 24, 25, 29, 35, 36, 39, 40, 44, 45, 54, 55, 56, 57, 60, 67, 71, 75, 87, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178		
<b>Rationale for Disallow:</b> The Unoccupied Crown Land is not part of the reviewable land therefore the point is not a matter for tenure review and cannot be dealt with under the CPLA. It is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
22	Objections to the proposal based on the size of the designated areas, and that the size does not promote ecologically sustainable management. Submitter 11 notes that the public versus private gains should be more equal, and submitter 22 points out that the severe depletion of the SIVs doesn't justify so much land to freehold because protection will result in improvements to the SIVs. Submitter 32 quotes scientists as saying that a minimum of 30% of low basin ecosystems should be protected to ensure their long term survival.	Allow	Not accept
<b>Submission numbers</b> 1, 4, 10, 11, 22, 24, 25, 27, 31, 32, 52, 56, 61, 62, 70, 93			
<b>Rationale for Allow:</b> The promotion of sustainable management is a matter for tenure review under section 24(a)(i) CPLA, therefore the point is can be considered under the CPLA and is <u>allowed</u> for further consideration.			
<b>Rationale for Not Accept:</b> The submitters do not introduce any new information or perspective not considered during consultation, or articulate reasons for an alternative outcome that have not already been considered, therefore the point is <u>not accepted</u> . Whilst the submitters refer to the protection of SIVs and ecologically sustainable management and these matters are dealt with elsewhere in this report, essentially the point relates to the actual size of the areas designated for freehold and			

conservation area. The sizes of the areas are a result of consultation with DOC and the holders, and the application of section 24 of the CPLA.

Point	Summary of point raised	Allow or disallow
23	If the Crown retains ownership of a significant portion of The Wolds, the outcome will be more affordable for the holder.	Disallow
<b>Submission numbers</b> 1		
Rationale for Disallow: Section 43(2) of the CPLA states that the published notice (indicating written submissions on a Preliminary Proposal can be provided to the Commissioner of Crown Lands by a set date), must not disclose any financial information. As the point relates to a financial matter it is therefore <u>disallowed</u> . It should be noted that the public are not invited to comment on financial aspects of a proposal. The financial settlement is a matter between the Commissioner and the holder and does not form part of the public notice provided under section 43(2) CPLA.		

Point	Summary of point raised	Allow or disallow	Accept or not accept
24	The Crown should ensure that any land designated as conservation area with no grazing rights, is not continued to be grazed post tenure review.	Allow	Not Accept
<b>Submission numbers</b> 1			
Rationale for Allow: The point relates to the object under section 24(b) CPLA, 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 <u>allowed</u> for further consideration.			
Rationale for Not Accept: The appropriate designations for The Wolds were considered in consultation leading to the preliminary proposal, including the appropriateness of grazing in relation to the protection of SIV's. Grazing concessions have not been included in the designations. The management of the land post tenure review, including unauthorised grazing, is not a matter for the tenure review as this is a matter for DOC to administer. The submitters have not introduced 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. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow	Accept or not accept
25	The proposal shows no regard, or is not consistent with, the National Priorities for protecting rare and threatened native biodiversity on private land. Submitter 45 highlights the protection of wetlands under NP 2, and protection of the eastern moraine and Tekapo River terraces under NP 3.	Allow	Not Accept
<b>Submission numbers</b> 22, 29, 45, 69, 70			



**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 is validly made and is relevant to the tenure review and is allowed.

**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 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
26	General support for (or not opposed to) all or parts of the proposal. Parts not supported are discussed elsewhere in this report.	Allow	Accept

**Submission numbers**

3, 5, 6, 7, 19, 22, 28, 31, 33, 38, 39, 42, 43, 45, 46, 47, 48, 49, 51, 54, 63

**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
27	The proposal should result in a viable farming unit that is sustainable. Submitter 43 considers that the proposal will enable this. Submitter 22 has a different angle on the point suggesting that the freehold should be evaluated using new and improved technologies and management practices that should result in an economic and environmentally sustainable business with much less freehold land.	Disallow

**Submission numbers**

3, 22, 42, 43, 48, 49, 51

**Rationale for Disallow:**

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

Point	Summary of point raised	Allow or disallow
28	<p>The proposal should be withdrawn until it can be informed of the outcome of the Upper Waitaki Shared Vision Forum, and a shared vision for the Mackenzie Basin agreed on. Submitters 5 and 69 add that to proceed now would foreclose future protection options and that it is too soon to make far reaching decisions.</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 confirm 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
<b>Submission numbers</b> 4, 5, 8, 10, 12, 15, 17, 22, 24, 25, 30, 32, 34, 45, 52, 53, 56, 57, 58, 60, 68, 69, 71, 73, 75, 76, 77, 78, 79, 82, 84, 87, 88, 91, 92, 93, 96, 125, 152, 177, 179		
<b>Rationale for Disallow:</b> 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 not relevant to the 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.		

Point	Summary of point raised	Allow or disallow	Accept or not accept
29	Exotic trees should not be planted on any proposed freehold land due to their adverse impact on landscape and other SIVs. Submitter 4 notes that other methods of ecological restoration should be considered. Submitter 54 is concerned that there are no covenants on the proposed freehold to prevent forestry.	Allow	Accept
<b>Submission numbers</b> 4, 39, 45, 54			
<b>Rationale for Allow:</b> The point essentially relates to protecting the landscape and other SIVs present on The Wolds from the effect of exotic tree planting as an attempt to protect SIV's, with a covenant suggested to prevent it, 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. The submitters are also concerned about exotic tree planting on proposed freehold land post tenure review. This is generally a matter for the district plan to deal with post tenure review under the Resource Management Act 1991.			
<b>Rationale for Accept:</b> As the point introduces a new perspective not previously considered during consultation with regard to a covenant preventing exotic forestry as a method of protecting SIV's, 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
30	The small area proposed for freehold on the north western side of Mary Range should be included in CA2 to protect vegetation SIVs as sought by DOC in 2008. Submitter 4 also supports this so that there is no need for a freehold corridor or public access easement between the two parts of CA2. Submitter 22 also has the expectation that the area will extend into Irishman Creek Station (see point 44).	Allow	Not Accept
<b>Submission numbers</b> 4, 22, 28, 54			
Rationale for Allow: The point relates to section 24(b)(ii) CPLA to protect SIVs by the restoration of reviewable land 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 under the CPLA and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: This point was well traversed in consultation leading to the preliminary proposal. 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. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow	Accept or not accept
31	CC1 is too small, it should include a broad transition zone to blend with surrounding landscapes and be fenced to protect vegetation SIVs by excluding stock grazing.	Allow	Not Accept
<b>Submission numbers</b> 4, 22, 23, 51, 70			
Rationale for Allow: The point relates to the protection of SIVs by a protective mechanism under section 24(b)(i) CPLA, therefore it is a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: This point was well traversed in discussions leading to the preliminary proposal. 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. Therefore the point is <u>not accepted</u> .			

Point	Summary of point raised	Allow or disallow	Accept or not accept
32	Public access should be provided to CC1. Submitter 4 specifies an alternative shorter route near the northern boundary.	Allow	Not Accept
<b>Submission numbers</b> 4, 28, 30, 53			

**Rationale for Allow:**

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

**Rationale for Accept:**

The need for public access to CC1 was discussed in detail leading to the preliminary proposal. 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. Therefore the point is not accepted.

Point	Summary of point raised	Allow or disallow
33	In relation to wilding trees west of Mary Range: (a) these must be controlled by DOC post tenure review (b) funding must be provided to support DOC, to ensure ongoing sustainable management (based on the land being designated conservation area), and (c) Submitter 62 supports funding going to the owner if the land is freehold with a covenant, to control wildings.	Disallow sub-points (a), (b) & (c)
<b>Submission numbers</b> 4, 5, 9, 10, 13, 17, 20, 21, 22, 25, 29, 32, 35, 39, 44, 45, 53, 54, 55, 56, 57, 60, 62, 67, 68, 70, 71, 87, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 122, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178		
<b>Rationale for Disallow:</b> Control of wilding trees on the designated conservation area is a matter for land management post tenure review. It is not a matter for the tenure review itself therefore sub-point (a) 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 sub-points (b) and (c) are not a matter for tenure review and are disallowed for further consideration. The point is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
34	Concerns regarding the effect of intensive agriculture on SIVs found on The Wolds and throughout Mackenzie Basin. The submitters concerns include: ➤ the irreversible effect of cultivation, irrigation and farming on landscapes and ecology, ➤ degradation of water quality, ➤ increasing dairy cow numbers and potential effluent pollution, ➤ Submitter 162 is concerned about the unknown effects of the loss of fauna and flora on the planets health and survival, and would like to see alternative irrigation methods investigated, ➤ Submitter 135 cites Australia with concerns about salification of soils as a result of irrigation in a naturally dry habitat,	Allow in part Sub-point (a) Disallow Sub-points (b) & (c)	Not accept part Sub-point (a)

	<p>➤ Submitter 50 considers a land ethic needs to be adopted and that the Mackenzie Basin is following a nationwide trend of deteriorating waterways which makes a mockery of New Zealand's claims to be "clean and green" and "100% pure".</p> <p>The submitters concerns fall into three categories:</p> <p>(a) Effects of the above in relation to The Wolds proposal;</p> <p>(b) Effects of the above in relation to The Wolds post tenure review;</p> <p>(c) Effects of the above throughout the Mackenzie Basin.</p>		
<p><b>Submission numbers</b></p> <p>8, 9, 12, 13, 17, 24, 25, 27, 34, 35, 39, 45, 46, 50, 55, 58, 59, 60, 65, 66, 68, 70, 71, 74, 80, 81, 83, 85, 88, 90, 91, 94, 96, 101, 102, 111, 114, 124, 129, 133, 135, 138, 139, 141, 150, 158, 161, 162, 164, 170, 171, 173, 179</p>			
<p><b>Rationale for Allow:</b></p> <p>The submitters comments in relation to The Wolds 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 <u>allowed in part</u> for further consideration.</p> <p>The submitters comments in relation to intensive agriculture on The Wolds 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 <u>disallowed</u> for further consideration.</p>			
<p><b>Rationale for Not Accept:</b></p> <p>Sub-point (a) is a statement about the protection of SIVs on un-specified parts of The Wolds 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, and do not articulate reasons why they prefer a different outcome under the CPLA in relation to sub-point (a), it 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
35	<p>The Wolds and Mackenzie Basin are worth more with SIVs protected in their current natural state, particularly as a tourism asset and for businesses associated with tourism in the area, and to boost the New Zealand economy. Submitter 5 notes that the Mackenzie Basin in its natural state will attract a greater income for the next millennia as dwindling national landscapes will become a scarce resource eagerly sought by tourists. Submitter 170 notes that tourism allows the unique and important landscape to remain an environment which can support the species living there.</p> <p>The submitters concerns fall into two categories:</p> <p>(a) Comments in relation to tourism in the wider Mackenzie Basin and The Wolds post tenure review.</p> <p>(b) Comments in relation to protecting landscape and ecological SIVs in The Wolds proposal to</p>	<p>Disallow Sub-point (a)</p> <p>Allow in part Sub-point (b)</p>	Not accept Sub-point (b)

	enhance its tourism attraction and associated revenue.		
<b>Submission numbers</b> 1, 5, 9, 35, 56, 67, 78, 80, 99, 137, 164, 150, 179			
<b>Rationale for Allow:</b> The submitters comments in relation to sub-point (a) 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> . 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 in part</u> for further consideration.			
<b>Rationale for Not Accept:</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, the sub-point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal. Sub-point (b) is a statement about the protection of SIVs on un-specified parts of The Wolds 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.			

Point	Summary of point raised	Allow or disallow
36	Support for the current leaseholder as the best custodian for the land as they will continue farming the proposed freehold land to a high standard. Submitter 6 notes that The Wolds leaseholder has demonstrated care for the land, waterways, ecology and stock on the property, and submitter 51 values the efforts required to farm within the constraints of the environment whilst conserving its beauty.	Disallow
<b>Submission numbers</b> 6, 43, 48, 49, 51		
<b>Rationale for Disallow:</b> The leaseholder's performance in terms of meeting the good husbandry and other requirements set out in the Land Act 1948 is not a matter to be considered under the CPLA. Tenure review designations are developed on the basis that land, once freeholded, could change ownership at any time. The point is therefore irrelevant to decision making under the CPLA and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
37	Support for the tenure review process on (a)The Wolds and (b) in Mackenzie Basin. Submitter 51 considers that tenure review is required for farming families to survive and for a future Mackenzie Basin that can cater for everyone's needs. Submitter 49 feels the proposal achieves what the process is all about.	Allow in part Sub-point (a) Disallow Sub-point (b)	Accept in part Sub-point (a)
<b>Submission numbers</b> 6, 42, 49, 51			
<b>Rationale for Allow:</b> Tenure review is a process that is legislated for under the provisions of the CPLA, therefore sub-point (a) in relation to The Wolds tenure review is <u>allowed</u> for further consideration. Sub-point (b)			

supporting tenure review in the Mackenzie Basin relates to land outside the reviewable land and is disallowed. The point is therefore allowed in part for further consideration.

Rationale for Accept in part:

As the submitters are giving a statement of support for The Wolds tenure review, the sub-point (a) is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
38	The proposal does not consider the potential impacts on dark sky values and the creation of a Dark Skies Heritage Park at Mt John. The 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. Submitter 18 contends that night sky inherent values are important and should be considered alongside other inherent values. See also point 123.	Disallow

**Submission numbers**

9, 16, 18, 20, 108

Rationale for Disallow:

The point is not relevant to the tenure review and cannot be properly considered under the CPLA and is therefore disallowed.

The definition of significant inherent value in the CPLA under section 2 "Interpretation", is as follows:

**Significant Inherent Value**, 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.

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.

Point	Summary of point raised	Allow or disallow	Accept or not accept
39	There should be some form of protection over the artificial pond at SH8/Tekapo Canal Rd intersection to protect botanical values and promote ecologically sustainable management. Options include: (a) a sustainable management covenant, preferred by most submitters. Submitter 54 recommends an SMC should protect against drainage and stock grazing, and require weed control. (b) a protective mechanism (such as a conservation covenant)	Allow Sub-point (a) & (b)	Accept in Part Sub-point (a) Not accept Sub-point (b)
<b>Submission numbers</b> 10, 17, 35, 40, 45, 54, 59, 75			

**Rationale for Allow:**

The point relates to the protection of SIVs and ecologically sustainable management of the artificial pond by a protective mechanism under section 24(b)(i), section 40(1)(c) and section 40(2)(b) CPLA, or a qualified designation under section 24(a)(i) and section 36(3)(a) CPLA, therefore it is a matter for tenure review and allowed for further consideration.

**Rationale for Accept in Part/Not Accept:**

In relation to sub-point (a) the submitters introduce a new perspective not previously considered during consultation in relation to the promotion of ecologically sustainable management of the pond with a Sustainable Management Covenant. The sub-point is therefore accepted in part for further consideration by the Commissioner in the formulation of a Substantive Proposal.

In relation to the sub-point (b) which advocates for protection of SIV's in the pond area, the submitters have not introduced any new information or perspective, or articulated reasons why an alternative outcome is preferred, that has not been previously considered. The sub-point is therefore not accepted.

Point	Summary of point raised	Allow or disallow	Accept or Not accept
40	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**

17, 179

**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, there is no QEII National Trust covenant designated in the proposal and the submitters have not provided any new information or perspective, or articulated reasons for an alternative outcome that have not previously been considered during consultation. 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
41	General dissatisfaction with the lack of gains to the public from the proposal including: (a) It is unfair and ignores the interests of the public and community, for the gain of few. (b) Submitters 108 and 142 are concerned about the Crown ignoring the environment for money, and submitter 1 "second-guesses" the financial outcome concluding that LINZ and DOC will be failing the public when there is no transferral of funds from the holder to the government. (c) Submitter 99 would like the land kept safe from overseas ownership.	Disallow Sub-points (a), (b) & (c)

**Submission numbers**

1, 7, 22, 24, 27, 35, 39, 54, 81, 99, 108, 112, 127, 142, 145



**Rationale for Disallow:**

The submitters make generalised statements about the lack of gains to the public in terms of land area, protection of values, financial returns to the Crown and risk of sale of freehold land to overseas parties. The sub-points are analysed as follows:

- (a) The sub-point in this context does not identify specific concerns therefore it is not validly made and cannot be considered under the CPLA.
- (b) The sub-point does not identify specific concerns therefore it is not validly made and cannot be considered under the CPLA. In relation to financial comments, Section 43(2) of the CPLA states that the published notice (indicating written submissions on a Preliminary Proposal can be provided to the Commissioner of Crown Lands by a set date), must not disclose any financial information, therefore the public was not invited to submit comments on financial aspects of the tenure review.
- (c) Overseas ownership of land in New Zealand is a matter for the Overseas Investment Act and the Overseas Investment Office, there are no provisions for the CPLA to deal with this matter.

The sub-points are therefore disallowed.

Point	Summary of point raised	Allow or disallow
42	All or some tenure reviews (including The Wolds) should be put on hold until the findings of the Upper Waitaki Shared Vision Forum are announced. The Wolds tenure review should not be considered in isolation as it could shut off future options. Submitter 69 recommends a more integrated approach in the Mackenzie Basin to develop strategies. A number of the submitters note that a viable scenic and scientific reserve would take in parts of seven pastoral leases.	Disallow

**Submission numbers**

5, 12, 15, 22, 24, 28, 29, 34, 58, 69, 73, 75, 76, 77, 78, 79, 87, 88, 90, 91, 92, 105, 130

**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 disallowed. The Upper Waitaki Shared Vision Forum is not relevant to the 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.

Point	Summary of point raised	Allow or disallow
43	The Scientific Reserve recommended for protection (see point 13) should extend into Irishman Creek Station.	Disallow

**Submission numbers**

22, 54

**Rationale for Disallow:**

The reviewable land in this tenure review comprises The Wolds pastoral lease only. The point is making a recommendation for designations in neighbouring Irishman Creek pastoral lease tenure review. As this is not a matter for The Wolds tenure review the point is disallowed.

Point	Summary of point raised	Allow or disallow
44	The protection proposed for the western slopes from Mary Range to Lake Pukaki (see point 14) should extend into Maryburn Station to the south and Irishman Creek Station to the north.	Disallow
<b>Submission numbers</b> 22		
Rationale for Disallow: The reviewable land in this tenure review comprises The Wolds pastoral lease only. The point is making a recommendation for designations in neighbouring Irishman Creek and Maryburn pastoral lease tenure reviews. As this is not a matter for The Wolds tenure review the point is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
45	The proposed boundary of CA1 on The Wolds should be extended to the west to better align and be contiguous with proposed CA1 in the Maryburn tenure review.	Disallow
<b>Submission numbers</b> 22, 23, 45, 46		
Rationale for Disallow: The point relates specifically to amending the proposed designations on the reviewable land to fit with proposed designations on neighbouring land that is not part of the tenure review. The point is making a recommendation for designations on the neighbouring pastoral leases, which are not part of The Wolds Tenure review. It is therefore not a matter for tenure review under section 24 CPLA and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
46	Legal roads on and adjacent to The Wolds should be retained.	Disallow
<b>Submission numbers</b> 63		
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
47	Opposition to the proposal because it fails to acknowledge the international scientific importance of the glacial moraine systems on The Wolds. They are important 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 which	Allow	Not Accept

	submitter 75 refers to as a unique feature that could be lost for all time. See also point 52.		
<b>Submission numbers</b> 26, 40, 75			
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.			
Rationale for Not Accept: The point relates to the overall lack of consideration of the scientific values associated with the glacial moraine systems on The Wolds 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 The Wolds, 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.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
48	Matters relating to the land proposed for freehold adjoining Lake Pukaki:  (a) The proposed land for freehold adjoining Lake Pukaki, and including the lower faces and dryland moraine sequence in this area, should be conservation area. (b) Public access should be provided to this area.  See also point 14.	Allow Sub-points (a) & (b)	Not Accept Sub-points (a) & (b)
<b>Submission numbers</b> 27, 45			
Rationale for Allow: Sub-point (a) relates to the designation of proposed freehold land adjoining (or adjacent to) Lake Pukaki as conservation area under section 35(2)(a)(i) of the CPLA. It is therefore a matter for tenure review and the sub-point is <u>allowed</u> .  Sub-point (b) 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> .  The point is therefore <u>allowed</u> for further consideration.			
Rationale for Not Accept: Sub-point (a) highlights an issue previously considered but does not articulate reasons why the submitter prefers an alternative outcome under the CPLA, therefore the sub-point is <u>not accepted</u> .  Sub-point (b) does not provide any new information or perspective not previously considered, nor does it articulate reasons why the submitter prefers an alternative outcome under the CPLA. Regardless of the designation of this land, there is already public access provided by a formed legal road (Hayman's Rd) adjacent to this area. Therefore the sub-point is <u>not accepted</u> .  The point is therefore <u>not accepted</u> in its entirety.			

Point	Summary of point raised	Allow or disallow
49	There is a marked imbalance between the sizes of CA1 designated in The Wolds tenure review and CA1 designated in Maryburn tenure review.	Disallow
<b>Submission numbers</b> 22		
Rationale for Disallow: The reviewable land in this tenure review comprises The Wolds pastoral lease only. The point is in regard to a perceived discrepancy in the size of CA1 on The Wolds compared with that designated for the Maryburn pastoral lease. Maryburn is not part of the reviewable land for The Wolds tenure review, therefore the point is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
50	The submitter's submission for The Wolds must be read alongside their submission for Maryburn tenure review because The Wolds proposal has obviously been drawn up in consideration of Maryburn.	Disallow
<b>Submission numbers</b> 7		
Rationale for Disallow: The reviewable land in this tenure review comprises The Wolds pastoral lease only. The Maryburn pastoral lease is not part of the reviewable land therefore the point is not a matter for The Wolds tenure review and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
51	Concerns that the proposed freehold land will not be ecologically sustainable. Submitter 54 notes that there is no scientific or other information in the preliminary proposal to support the comments that freehold designation would promote ecological sustainability. Submitter 24 advises that history has shown the sustainable management of highly erodible infertile soils and landforms is extraordinarily difficult, and soil loss is such that designating the land as conservation area is in the national interest. Submitter 69 doesn't consider locking up small areas as conservation area is biologically sustainable.	Allow	Not Accept
<b>Submission numbers</b> 8, 24, 46, 54, 56, 59, 60, 64, 69, 71, 96			
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 not accepted.

Point	Summary of point raised	Allow or disallow	Accept or not accept
52	<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 26 provides a plan of the specific areas concerned between the Mary Range and Lake Pukaki, and between Mary Range and SH8, 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> 26, 40			
<b>Rationale for Allow:</b> The point 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.			
<b>Rationale for Accept:</b> The point introduces new information to the tenure review in relation to the presence, form and significance of the scientific 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
53	<p>Concerns relating to potential changes in land use on The Wolds and wider Mackenzie Basin, that will result in irreversible pollution and loss of SIVs, landscapes and public access. Submitter 45 is particularly concerned that there is a lack of understanding of ecological systems and how to stem negative trends. A number of the submitters are concerned about preserving lakeside values and access to lakes. The concerns relate to The Wolds and Mackenzie Basin with respect to:</p> <ul style="list-style-type: none"> <li>(a) The Wolds and wider Mackenzie Basin post tenure review.</li> <li>(b) The Wolds tenure review.</li> </ul>	Disallow Sub-point (a) Allow in part Sub-point (b)	Not Accept Sub-point (b)

**Submission numbers**

5, 9, 12, 17, 27, 31, 45, 51, 55, 56, 59, 60, 61, 64, 69, 71, 74, 76, 85, 91, 120, 121, 147, 148, 157, 161, 177, 178, 179

**Rationale for Allow in Part:**

In the context of sub-point (a) the submitters comments in relation to land use in the wider Mackenzie Basin and on The Wolds post tenure review are a matter for the District and Regional Plan to deal with under the Resource management Act 1991. There are no provisions for this matter in the CPLA therefore the sub-point is disallowed for further consideration.

In the context of sub-point (b) the submitters comments in relation to The Wolds 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 allowed in part for further consideration.

**Rationale for Not Accept:**

Sub-point (b) is a generalised statement about the protection of SIVs, landscapes and public access on The Wolds 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 during consultation, 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	Accept or not accept
54	Public access should be provided to Scientific Reserve from SH8. Submitter 46 notes the public should have the right to go to public land, and that DOC have the power to manage access if necessary for protection of the SIVs. Submitter 63 would like access for gamebird hunters, to take vehicles to Maryburn Stream and foot access into the southwest of the proposed reserve.	Allow	Not Accept

**Submission numbers**

28, 30, 39, 45, 46, 52, 53, 63

**Rationale for Allow:**

The point relates to the provision of public access over The Wolds and is a matter for tenure review to consider under section 24(c)(i) CPLA. The point is therefore allowed for further consideration.

**Rationale for Not Accept:**

This point was well traversed during consultation and the health and safety risks to the public in this area fully assessed in the preparation of 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
55	CC1 should be designated conservation area and fenced.	Allow	Not Accept

**Submission numbers**

28, 30

**Rationale for Allow:**

The point relates to the protection of SIVs by designation to conservation area and exclusion of stock, and is a matter for tenure review to consider under section 24(b)(ii) CPLA. The point is therefore allowed for further consideration.

**Rationale for Not Accept:**

This point was fully discussed 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 not accepted.

Point	Summary of point raised	Allow or disallow
56	The proposal must be considered in light of the Canterbury Water Management Strategy and "Principles that must be met" agreed by community stakeholders.	Disallow
<b>Submission numbers</b> 29		
<b>Rationale for Disallow:</b> 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. Therefore the point cannot be properly considered under the CPLA and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
57	The proposal is one of the last few opportunities that exist to protect SIVs like those found on The Wolds and provide public access, therefore it is of national importance.	Allow	Not Accept
<b>Submission numbers</b> 31, 32, 69, 70, 76, 130			
<b>Rationale for Allow:</b> 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.			
<b>Rationale for Not Accept:</b> 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 during consultation, 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.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
58	The proposal doesn't consider the LENZ classifications therefore the full range of SIVs are not protected. Submitter 39 is concerned about the land immediately to the west of SH8, while submitters 45 and 70 identify an area on The Wolds moraine and Tekapo River terraces as being in an "At Risk" LENZ environment that requires	Allow	Not Accept

	protection.		
<b>Submission numbers</b> 31, 39, 45, 70			
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 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
59	The omission of a 2008 DOC report on The Wolds from the LINZ web site means that submitters have not had access to the information contained in a significant update to the CRR.	Disallow
<b>Submission numbers</b> 32, 54		
Rationale for Disallow: Under section 43(b) of the CPLA the Commissioner must give notice of every preliminary proposal put under section 34(1) CPLA, and describe the proposal in general terms. This description was provided for The Wolds in advertisements placed in specified publications under section 43(3). LINZ web site updates are a provided by LINZ from time to time and additional information is available under the Official Information Act 1982. 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
60	The Wolds tenure review should not be finalised until the easement applied for by Pukaki Irrigation Company has been determined by the Commissioner and the easement created.	Disallow
<b>Submission numbers</b> 33		
Rationale for Disallow: The point concerns an application currently in process for an easement under the Land Act 1948 over land outside The Wolds boundaries. It is not an easement for public access under the CPLA therefore it is not a matter for that can be properly considered under the CPLA and is <u>disallowed</u> .		



Point	Summary of point raised	Allow or disallow	Accept or not accept
61	The Waitaki Hydro Power Scheme (WHPS) as a national strategic asset must not be compromised by the outcome of the tenure review. Access to The Wolds must be provided and protected (in the Substantive Proposal) to enable the operation, maintenance and repair of the WHPS and associated infrastructure that is located on The Wolds, and for Meridian Energy Limited to meet its other obligations. The submitter 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 62 to 69 regarding specific matters raised by Meridian.	Allow	Accept
<b>Submission numbers</b> 38			
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 The Wolds. The point is a matter for tenure review and is therefore <u>allowed</u> for further consideration.			
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 The Wolds 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.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
62	Meridian Energy and its personnel require access to the land adjoining Tekapo Canal for the purposes of inspection and maintenance, and emergency works and repairs from time to time. The 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
<b>Submission numbers</b> 38			
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 for inspection, maintenance and repairs to land adjoining Tekapo Canal, 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
63	Meridian Energy require the ability to operate, maintain, repair and undertake emergency works on a 33kV overhead line running across The Wolds on proposed freehold land on the western edge of the property. The 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
<b>Submission numbers</b> 38			
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.			
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 <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
64	Meridian Energy require the ability to operate monitoring equipment including wells, weirs, piped drains, automatic and manual piezometric monitoring points, manual and telemetered data loggers, rain gauges, solar panels for data loggers, culvert pipes and piezo tapping points, including some internal drains under buttress works. The right to operate this equipment is crucial for the safe operation of the WHPS and the 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 equipment, therefore an easement provided for in the Substantive Proposal is requested.	Allow	Accept
<b>Submission numbers</b> 38			
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.			
Rationale for Accept: The submitter introduces new information to the tenure review in relation to securing operation,			

maintenance and access rights to WHPS infrastructure located on The Wolds, 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
65	Meridian Energy needs to be able to continue to locate telecommunications equipment on the Mt Mary telecommunications site, including a mobile radio voice repeater, voice repeater linking to mid Waitaki, private radio paging service and diversity radio for data network on Mt Mary, and have the ability to access that equipment for maintenance and operational purposes. An easement for such is therefore requested to be included in the Substantive Proposal.	Allow	Accept
<b>Submission numbers</b> 38			
<b>Rationale for Allow:</b> The telecommunication equipment concerned is located within the circle of land on Mt Mary designated to the Crown for telecommunications purposes under section 35(2)(iii) of the CPLA, with access to it along an easement that is designated as a continuation in force under section 36(3)(c) of the CPLA. See also points 116 to 118. 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.			
<b>Rationale for Accept:</b> The submitter introduces new information to the tenure review in relation to security of access to and locating telecommunications equipment on Mt Mary, 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
66	Meridian Energy request a Memorandum of Encumbrance or easement in favour of Meridian to protect its ability to operate, maintain and repair two stock water pipelines and associated water supply infrastructure for the benefit of those using this supply. The pipelines run north/south through the centre of CA1.	Allow	Accept
<b>Submission numbers</b> 38			
<b>Rationale for Allow:</b> 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.			
<b>Rationale for Accept:</b> 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.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
67	<p>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:</p> <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
<b>Submission numbers</b> 38			
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. 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 land proposed for freehold disposal adjacent to Lake Pukaki, 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
68	<p>Meridian Energy extract rock for shoreline protection works under a 10 year Mining Permit no. 41867 under the Crown Minerals Act 1991. The rock is quarried from an area of approximately 223 hectares on land designated for freehold disposal adjacent to SH8. The submitter notes that Meridian have registered a Notice of the access arrangements against the leasehold title, and that they do not expect the tenure review to alter the access and mining rights.</p>	Allow	Accept
<b>Submission numbers</b> 38			
Rationale for Allow: Under section 36(3)(c) CPLA a preliminary proposal may designate freehold land subject to the continuation in force of an existing easement, therefore the point is a matter for tenure review and is <u>allowed</u> for further consideration.			

**Rationale for Accept:**

The submitter introduces new information to the tenure review in relation to the registration of the Notice, therefore the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal. It is noted that the notice was registered around the time the Preliminary Proposal was under consideration by LINZ, and that due diligence in the next phase of tenure review will in any case identify it as a registered interest that may require designation as a continuation in force in the SP.

Point	Summary of point raised	Allow or disallow
69	Meridian Energy would meet the cost of any surveys required for the preparation of the easements and Memorandum of Encumbrance described in points 62 to 67, and the cost of its solicitors in preparing those documents.	Disallow
<b>Submission numbers</b> 38		
<b>Rationale for Disallow:</b> Section 43(2) of the CPLA states that the published notice (indicating written submissions on a Preliminary Proposal can be provided to the Commissioner of Crown Lands by a set date), must not disclose any financial information. As the point relates to a financial matter it is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
70	Mackenzie Basin communities and farming families need to decide to work together and market the Basin as a prime exemplar of sustainable high country agriculture in harmony with natural indigenous biological elements.	Disallow
<b>Submission numbers</b> 69		
<b>Rationale for Disallow:</b> The point relates to a district-wide promotional idea and is not relevant to the tenure review for The Wolds. It therefore cannot be properly considered under the CPLA and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
71	The lines marking the boundary of the freehold and conservation areas on the plan should be shown as adjoining, not including, all parcels of legal road.	Allow	Not Accept
<b>Submission numbers</b> 41			
<b>Rationale for Allow:</b> The submitter points out that the current depiction on the plan shows all parcels of legal road as being included in the pastoral lease. The point relates to whether or not the proposal deals with reviewable land and is a matter for tenure review, therefore it is <u>allowed</u> for further consideration.			
<b>Rationale for Not Accept:</b> The submitter has not commented on the designations themselves, therefore has not introduced			

any new information or a perspective not previously considered, or highlighted issues previously considered and given reasons why an alternative outcome is preferred under the CPLA. Depiction of designations is an operational matter and the point is therefore not accepted.

Legal roads are not part of the designations in this proposal, and whilst in this instance the plan does not highlight the boundaries of the legal roads, they are nevertheless shown as being defined separately from The Wolds.

Point	Summary of point raised	Allow or disallow
72	Matters relating to marginal strips. Submitter 41 would like proposed marginal strips to be shown on the plan and a copy of the Qualifying Water Body report made publicly available. Submitter 63 notes that marginal strips should be applied to the Maryburn Stream and Irishman Creek to guarantee foot access for anglers and the public. Submitter 43 is satisfied that the proposal will result in adequate public access along Irishman Creek and Maryburn Stream.	Disallow
<b>Submission numbers</b> 41, 43, 63		
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> .		

Point	Summary of point raised	Allow or disallow
73	Integrated access analysis needs to be addressed as part of tenure review negotiations of neighbouring properties. Submitter 45 specifically identifies that Mt Mary access should continue through Maryburn Station until it reaches SH8.	Disallow
<b>Submission numbers</b> 41, 45		
Rationale for Disallow: The point is making a recommendation for designations on the neighbouring pastoral leases, which are not part of The Wolds Tenure review. The reviewable land in this tenure review comprises The Wolds pastoral lease only, therefore access matters on neighbouring tenure reviews cannot be considered under the CPLA and the point is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
74	The proposal constitutes a very poor return to the Crown with thousands of dollars of new fencing required to protect small scattered areas.	Disallow

<b>Submission numbers</b> 54
Rationale for Disallow: Section 43(2) of the CPLA states that the published notice (indicating written submissions on a Preliminary Proposal can be provided to the Commissioner of Crown Lands by a set date), must not disclose any financial information, therefore the public is not invited to comment on financial matters related to The Wolds tenure review. The point is therefore <u>disallowed</u> .

Point	Summary of point raised	Allow or disallow	Accept or not accept
75	Public access to CA1 is required. Submitter 41 would also like a car park provided to facilitate public access to CA1.	Allow	Not Accept

<b>Submission numbers</b> 41, 52
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 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
76	Whatever the outcome of the tenure review, the submitter seeks assurance that there will be strict adherence to the "Lighting Ordinances as set out in Section 11 of the District Plan adopted by the Mackenzie District Council in 1997". Under the ordinances light pollution is minimized. Refer also to point 38.	Disallow

<b>Submission numbers</b> 16
Rationale for Disallow: Adherence to District and Regional Plan rules and regulations is a matter for the requirements of the Resource Management Act 1991. It is not provided for in objects of the CPLA and is not a matter for tenure review, therefore the point is <u>disallowed</u> .

Point	Summary of point raised	Allow or disallow	Accept or not accept
77	Support for the proposed access to Mt Mary, which should not allow public access due to the aviation and communications structures present on the summit, and because of potential stock disturbance on the upper slopes.	Allow	Accept

<b>Submission numbers</b> 43
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**Rationale for Allow:**

The point relates to section 24(c)(i) of the CPLA to make easier the securing of public access to and enjoyment of reviewable land and section 35(2)(a)(iii) which enables the designation of land to be restored to or retained in full Crown ownership and control for some specified Crown purpose. It is therefore allowed for further consideration.

**Rationale for Accept:**

The point identifies reasons why in this case public access to Mt Mary is not appropriate, and is a statement of support for this aspect of the Preliminary Proposal. 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
78	The Mackenzie District Council district plan provides a good level of protection for the proposed freehold land against inappropriate development.	Disallow
<b>Submission numbers</b> 43		
<b>Rationale for Disallow:</b> District plan rules and regulations are a matter for the Resource Management Act 1991 and are not a matter for tenure review. Therefore the point cannot be considered under the CPLA, therefore it is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
79	The proposal meets the requirements of the legislation. Submitter 43 notes specifically that the proposal adequately protects the important natural values remaining on The Wolds given that it is a more developed property than most in the Mackenzie Basin.	Allow	Accept
<b>Submission numbers</b> 43, 49			
<b>Rationale for Allow:</b> Protection of SIVs is provided for under section 24(b) of the CPLA therefore the point is a matter for tenure review and is <u>allowed</u> for further consideration.			
<b>Rationale for Accept:</b> The point is a statement of support for the proposal meeting the requirements of the CPLA and in particular for the level of protection of SIVs provided by the proposal. It 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
80	Support for a change in land title to freehold ownership as per the proposal that will give the holder the confidence to continue farming. Submitter 47 considers it is of utmost importance that people farming the land can own it.	Allow	Accept
<b>Submission numbers</b> 43, 47			



**Rationale for Allow:**

One of the objects under section 24(a)(ii) of the CPLA is to enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument. This is achieved by designating land to freehold ownership, therefore the point is a matter for tenure review and is allowed for further consideration.

**Rationale for Accept:**

The point is a statement of support for the freehold disposal of land in the proposal and is therefore accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
81	In the future a DOC campsite should be considered along Lake Pukaki (if it were designated conservation area) to enhance recreational utilization and provide a base for freedom camping. Refer also to point 14 which requests protection of this area preferably as conservation area.	Disallow
<b>Submission numbers</b> 45		
<b>Rationale for Disallow:</b> Future plans for campsites or any other usage post tenure review on land proposed for conservation area are a matter for DOC to deal with after the tenure review has concluded. They are not provided for under the CPLA and are not a matter for tenure review therefore the point is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
82	Support for the proposed freehold on the basis that the New Zealand nation gains from the agricultural revenue generated by productive properties such as The Wolds. Submitter 47 notes that these are tough economic times and New Zealand needs to increase its production not decrease it.	Allow	Accept
<b>Submission numbers</b> 47, 48, 51			
<b>Rationale for Allow:</b> The object of section 24(a)(ii) of the CPLA is to enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument. As the object and the point are both essentially about promoting economic use of The Wolds, the point is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
<b>Rationale for Accept:</b> The point is a statement of support for the economic use that will come about as a result of the freehold disposal of land in the proposal 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
83	The processing of this proposal will mean that the taxpayer won't have to foot the bill for the \$60,000 odd per annum spent on rabbit control or the thousands per annum spent on weed control.	Disallow
<b>Submission numbers</b> 47		
Rationale for Disallow: Costs associated with rabbit and weed control post tenure review are not a matter that can be considered under the CPLA. The point is not relevant to the tenure review itself and is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
84	The government and hence the public already own and have access to a third of New Zealand's landmass, and don't need to own or pay for the conservation of any more.	Disallow
<b>Submission numbers</b> 47		
Rationale for Disallow: The tenure review deals only with the reviewable land being The Wolds pastoral lease. The CPLA does not take into consideration nationwide government ownership of land therefore the point is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
85	The proposal is a very good deal for the public and the submitter considers public needs have been met.	Allow	Accept
<b>Submission numbers</b> 49			
Rationale for Allow: The point relates to the designations in the proposal therefore it is a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The point is a statement of support for the Preliminary Proposal 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
86	In the context of recommending Maryburn Stream and associated wetlands being designated conservation land, submitter 39 requests that weeds and pests are managed under a conservation covenant.	Allow	Accept
<b>Submission numbers</b> 39			

**Rationale for Allow:**

A conservation covenant is a protective mechanism that is provided for under section 40(1) and (2) of the CPLA, therefore the point is a matter for tenure review and is allowed for further consideration.

**Rationale for Accept:**

The point introduces a perspective not previously considered during consultation in relation to weed and pest control in Maryburn Stream and wetlands and gives reasons for an alternative outcome, 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
87	The economy must serve the environment, not the other way around, to maintain land, water and nature in its entirety to be able to support humans and not further threaten biodiversity, in the long-term.	Disallow
<b>Submission numbers</b> 50		
<b>Rationale for Disallow:</b> The point is not relevant to the tenure review, does not relate to any of the objects under section 24 and cannot be considered under the CPLA, therefore it is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
88	The submitter recommends that those charged with determining drylands management should read the relevant essays of Rebecca Solnit and the late Edward Abbey.	Disallow
<b>Submission numbers</b> 50		
<b>Rationale for Disallow:</b> The point is not specific to the tenure review, does not relate to any of the objects under section 24 and cannot be considered under the CPLA, therefore it is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
89	The submitter states that they have never been denied access on request to (a) The Wolds and (b) other properties around Lake Tekapo, and considers that asking permission to access a property is a common courtesy that urban dwellers would expect from anyone wishing to access for example a stream in their garden.	Allow in part Sub-point (a) Disallow in part Sub-point (b)	Not accept Sub-point (a)
<b>Submission numbers</b> 51			
<b>Rationale for allow in part:</b> Sub-point (a) relates to public access to The Wolds and is a matter for tenure review under section 24(c) CPLA, therefore it is <u>allowed</u> for further consideration.			

Sub-point (b) relates to properties outside the reviewable land, therefore it is not able to be considered under the CPLA and is disallowed.

Rationale for not accept:

Sub-point (a) does not provide any new information, perspective or reasons for an alternative outcome, therefore it 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
90	Substantial parts of the proposed freehold require a Sustainable Management Covenant to retain their ecological and landscape values. Submitter 70 specifies the land between Mary Range and Irishman Creek to be subject to an SMC which prevents cultivation, irrigation, forestry and manages the level of grazing.	Allow	Accept
<b>Submission numbers</b> 52, 70			
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 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 point highlights an issue previously considered during consultation but articulates reasons why the submitter prefers 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
91	Any re-negotiated proposal should be re-notified for public submissions. Submitter 130 cautions that if the tenure review progresses to finality the ability to have a full public debate on the future of Mackenzie Basin is significantly reduced.	Disallow
<b>Submission numbers</b> 52, 53, 54, 56, 60, 64, 68, 71, 88, 96, 130		
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> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
92	The south east faces of Mary Range should be retained by the Crown as conservation land to protect landscape and vegetation SIVs and invertebrate habitat, and public access provided to the area.	Allow	Accept

**Submission numbers**

53

**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 allowed for further consideration.

**Rationale for Accept:**

The point introduces a perspective not previously considered during consultation and the submitter articulates reasons why an alternative outcome is preferred under the CPLA, 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
93	The Tenure Review Quality Assurance Board has failed to provide the robust checks envisaged by Government (CAB Min (09) 27/7C at para.21) because it has allowed the proposal to be notified.	Disallow

**Submission numbers**

54

**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 disallowed.

Point	Summary of point raised	Allow or disallow
94	The submitter considers that factors such as the size of the area proposed for freehold (point 22) and the omission of the most recent DOC report from the LINZ web site (point 59), undermine the integrity of the proposal and if it is not withdrawn (point 11) a judicial review is highly likely.	Disallow

**Submission numbers**

32

**Rationale for Disallow:**

The factors referred to have been dealt with elsewhere in this report as noted above. The public have been invited to comment only on the proposal, not on the legal, economic or any other context surrounding a decision made by a government department. There are no specific provisions in the CPLA with regard to judicial review and it is not a matter for the tenure review, therefore the point is disallowed.

Point	Summary of point raised	Allow or disallow
95	The status report doesn't include any information on the Land Improvement Agreement and whether land was retired and fencing done as agreed in return for Catchment Board or Crown funding.	Disallow
<b>Submission numbers</b> 54		
Rationale for Disallow: The completion of works under a former run plan is not a matter for tenure review under the CPLA and is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
96	The existing Deed of Easement applying to the Telecoms Area recognizes the interests of Telecom New Zealand Limited only. The submitter advises that Kordia Limited, Transpower Limited and Airways Corporation of New Zealand Limited will also need to be recognized by way of amendment to the existing Deed of Easement.	Disallow
<b>Submission numbers</b> 176		
Rationale for Disallow: There are no provisions in part 2 of the CPLA for making an amendment to an existing Deed of Easement, as this is a matter for the Commissioner to consider under the Land Act 1948. The point is therefore not relevant to the tenure review and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
97	Opposition to the tenure review process, particularly in the Mackenzie Basin. Submitter 76 doesn't consider that tenure review is delivering protection of SIVs in the Mackenzie Basin and Submitter 69 states that it is a poor tool to fix high country land care problems.	Disallow
<b>Submission numbers</b> 54, 69, 76, 81, 85, 91, 113, 127, 170		
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 Wolds preliminary proposal, therefore it is not validly made and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
98	It is a conflict of interest having the same LINZ contractor negotiate preliminary proposals then do the public submissions analysis because there is a strong incentive to decline points seeking to increase protected areas. Most of the submission points are rejected and few	Disallow

	changes are made to proposals.	
<b>Submission numbers</b> 54		
<p>Rationale for Disallow: Public submissions are analysed under section 45 CPLA 1998. The purpose of the public notice is the identification of aspects which have not been consulted on.</p> <p>The appointment of contractors to provide tenure review services to LINZ is not a matter for consideration under the CPLA. The point is therefore not validly made, not relevant to the tenure review and is <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow	Accept or not accept
99	The 2.4 hectare Telecommunications Area is inadequate to protect the habitat of 2 notable beetle species and doesn't implement sound reserve design.	Allow	Accept
<b>Submission numbers</b> 54			
<p>Rationale for Allow: The point expresses concern that the area designated "Telecommunications Area" has also been identified as the habitat of two notable beetle species, and that the area proposed for Crown ownership is not large enough or of an appropriate reserve design to protect them. The object of section 24 (b) of the CPLA is to protect significant inherent values on the reviewable land, therefore the point is <u>allowed</u> for further consideration.</p> <p>Rationale for Accept: The point 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
100	LINZ's failure to ensure the lessee meets good husbandry requirements to keep land clear of pests and weeds, and the subsequent wilding spread by Lake Pukaki, does not justify the freeholding of the land.	Disallow
<b>Submission numbers</b> 54		
<p>Rationale for Disallow: Weed and pest control on a pastoral lease is dealt with pursuant to the requirements of the Land Act 1948, it is not a matter for tenure review under the CPLA and the public have not been invited to comment on pastoral lease management. The point is therefore not validly made and cannot be considered under the CPLA, and is <u>disallowed</u>.</p>		

Point	Summary of point raised	Allow or disallow
101	Merino sheep have to return to the Mackenzie Basin (and The Wolds) in greater/fewer numbers.	Disallow
<b>Submission numbers</b> 56		
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 <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
102	The submitter requests an assurance of public and angler access adjacent to the Mary Burn. The Mary Burn is a priority for such access as it is a more significant fishery.	Allow	Accept
<b>Submission numbers</b> 63			
Rationale for Allow: As the point relates to section 24(c)(i) of the CPLA, to make easier the securing of public access to and enjoyment of the reviewable land, it is a matter for tenure review and is <u>allowed</u> for further consideration.			
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.			
Point	Summary of point raised	Allow or disallow	Accept or not accept
103	Access across The Wolds is requested for Fish & Game New Zealand to enable a future Alder tree control operation in Tekapo River and lower Mary Burn, to prevent vegetation build up affecting the passage of flood water and impediment to angler access and casting.	Allow	Accept
<b>Submission numbers</b> 63			
Rationale for Allow: The point relates to section 36(3)(b) of the CPLA, the creation of an easement in gross for management purposes to the waterways concerned. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The point introduces new information not previously considered during consultation in relation to the need for management access to the waterways for vegetation maintenance, 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
104	Mary Burn and Irishman Creek should be fenced to exclude stock, including a buffer area to prevent water quality degradation; or covenanted with stock access restrictions. Submitter 63 notes that this is particularly important for Mary Burn which has a sports fishery of significant value. See also point 13 regarding the protection of SIVs on parts of Mary Burn.	Allow	Accept
<b>Submission numbers</b> 39, 63			
<b>Rationale for Allow:</b> 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, and section 24(b)(i) to enable the protection of the SIV's by the creation of a protective mechanism to control the stocking intensity. It is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
<b>Rationale for Accept:</b> The 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
105	The size of the areas recommended for protection should be increased on the basis that although many of the ecosystems and habitats on The Wolds and in the Mackenzie Basin are typically modified, they are resilient and will recover with sympathetic management.	Allow	Not Accept
<b>Submission numbers</b> 70			
<b>Rationale for Allow:</b> 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.			
<b>Rationale for Not Accept:</b> The point does not provide any new information or a perspective not previously considered during consultation, or specific reasons for an alternative outcome. Therefore it is <u>not 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
106	The Wolds moraine and outwash plain (central moraine land) is highly likely to provide habitats for nationally critical spring annual plants ( <i>Myosurus minimus</i> and <i>Ceratocephala pungens</i> ) and button daisy which are present on the same habitats on adjoining Maryburn Station, but the DOC survey was not undertaken at the	Allow	Accept

	right time of year for these species at this site.		
<b>Submission numbers</b> 70			
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.			
Rationale for Accept: The point introduces new information to the tenure review that was not considered during consultation that can be taken into account in the CPLA, 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
107	In the context of protecting land from changing land use and agricultural intensification, and providing public access, a Queen's kilometre is requested along every river and stream.	Allow	Not Accept
<b>Submission numbers</b> 74			
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 point does not introduce any new information or a perspective not previously considered during consultation, nor does it 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
108	Support for tax dollars being used to continue to manage public wild lands.	Disallow
<b>Submission numbers</b> 145		
Rationale for Disallow: The point is not related to the objects of section 24 CPLA, is not relevant to the tenure review and cannot be properly considered under the CPLA, therefore it is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow
109	The nation does not need to hand over more public land to private ownership because we can produce all we need from what we already have.	Disallow

<b>Submission numbers</b> 145
Rationale for Disallow: The point is not related to the objects of section 24 CPLA, is not relevant to the tenure review and cannot be properly considered under the CPLA, therefore it is <u>disallowed</u> .

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>
110	There should be proper protection for all landscapes and biodiversity on all remaining pastoral leases.	Disallow

<b>Submission numbers</b> 179
Rationale for Disallow: The point relates to the management of existing pastoral leases which is a matter for the Commissioner to deal with under the Land Act 1948. It is not related to The Wolds proposal therefore it is not validly made and is not a matter for The Wolds tenure review under the CPLA and is <u>disallowed</u> .

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>
111	Concern about the loss of land to a growing population, and the reduction of per capita land mass available. The submitter notes that this will impoverish the biodiversity of the land, the long term survival of our species, and is disastrous economically when for instance a large farm is subdivided into numerous smaller and less productive farms.	Disallow

<b>Submission numbers</b> 155
Rationale for Disallow: The point speculates on potential future effects of freeholding land as a result of tenure review. The matters referred to are matters for the Resource Management Act 1991, post tenure review. As the point is not specific to The Wolds proposal or the objects of section 24 CPLA, and cannot be properly considered under the CPLA, it is <u>disallowed</u> .

<b>Point</b>	<b>Summary of point raised</b>	<b>Allow or disallow</b>
112	Opposition to the sale of any part of the Conservation Estate anywhere in New Zealand.	Disallow

<b>Submission numbers</b> 168
Rationale for Disallow: The point is not validly made in relation to The Wolds tenure review proposal, which does not include the disposal of any part of the conservation estate. In any case the sale of conservation land would be a matter for DOC to deal with and not a matter for tenure review. The point is therefore not able to be considered under the CPLA as it is not validly made, and is irrelevant to the tenure review, and is <u>disallowed</u> .

Point	Summary of point raised	Allow or disallow
113	Farmers /new landowners are mainly focused on making money and on the whole don't protect the land or environment.	Disallow
<b>Submission numbers</b> 172, 179		
Rationale for Disallow: The point is not validly made in relation to The Wolds proposal, is not relevant to the tenure review and cannot be considered under the CPLA. It is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
114	Public access should be guaranteed on existing tracks through The Wolds.	Allow	Accept
<b>Submission numbers</b> 59			
Rationale for Allow: Section 24(c)(i) of the CPLA seeks to make easier the securing of public access to and enjoyment of the reviewable land. The point is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The point introduces new information and a perspective not previously considered in relation to access over all existing tracks on The Wolds, 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
115	The land on Mt Mary designated for Telecommunications purposes should be re-designated as land to be retained by the Crown "for Broadcasting and Telecommunications purposes".	Allow	Accept
<b>Submission numbers</b> 176			
Rationale for Allow: The land concerned is designated under section 35(2)(a)(3) of the CPLA as land to be restored to or retained in full Crown ownership and control for "some specified Crown purpose". The point relates to section 25(1)(c) CPLA which requires the Commissioner to take into account the purpose for which reviewable land is used or intended to be used by the Crown. As the point can be considered under the CPLA and is relevant to the tenure review it is <u>allowed</u> for further consideration.			
Rationale for Accept: The submitter is recommending the designations include a more detailed description of the proposed Crown use of the land to be retained for Telecommunications. As the point provides a perspective not previously considered during consultation, 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
116	The tenure of the Mt Mary broadcasting and telecommunications site needs to be resolved as part of the tenure review.	Allow	Accept
<b>Submission numbers</b> 176			
Rationale for Allow: The land concerned is designated under section 35(2)(a)(3) of the CPLA as land to be restored to or retained in full Crown ownership and control for "some specified Crown purpose". As the point can be considered under the CPLA and is relevant to the tenure review it is <u>allowed</u> for further consideration.			
Rationale for Accept: Notwithstanding points 96 and 117, the point is a statement of support for the resolution of the tenure of this area by designating it as a telecommunications area in the proposal, which will result in the culmination of actions initiated under a compensation certificate in 1983. It 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
117	The Crown should obtain a separate title for the broadcast and telecommunications land with Kordia (previously Broadcast Communications Limited – BCL) to be granted a registered lease and Telecom NZ, Transpower NZ and Airways Corp NZ entitled to co-locate at the facility, as per clause 7 of the Heads of Agreement document.	Allow	Accept
<b>Submission numbers</b> 176			
Rationale for Allow: The CPLA has provisions for land to be designated under section 35(2)(b)(iii) as land to be restored to or retained in Crown control for some specified Crown purpose, subject to a qualified designation under section 36(1)(b) the granting of a specified special lease to a person specified in the proposal. The point is therefore a matter for tenure review and is <u>allowed</u> for further consideration.			
Rationale for Accept: The point introduces new information and a perspective not previously considered in relation to the submitter's recommendation for the land to be designated to Crown ownership subject to a special lease to the parties identified as having facilities on the area. It is therefore <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

## Summary and Conclusion

### Overview of analysis:

852 submitters have been represented by the 178 submissions analysed in this report. The submitters have raised 117 different points of which 57 have been allowed and 7 allowed in part, because they relate to matters that can be considered under Part 2 of the CPLA. 53 points have been disallowed because they deal with matters that cannot be considered under Part 2 of the CPLA.

Of the 64 points allowed or allowed in part, 38 have been accepted or accepted in part 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.

Twenty-seven 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.

### Generic issues:

The accepted points fell into a wide range of categories –

- Support for the proposal
- General preference for Crown ownership
- Provision of better public access - to CC1, Scientific Reserve, along existing tracks, to Mary Burn, access for stream weed management, and primarily access to and along Mary Range
- Enlarging Scientific Reserve, CA1 and CC1
- Landscape protection by Crown ownership or covenant for the southeast faces of Mary Range and plains east of Mary Range and SH8
- Consideration of a Sustainable Management Covenant over the pond on the corner of Tekapo Canal and SH8
- Protection by preferably Crown ownership for SIVs, particularly landscape, on land between Mary Range and Lake Pukaki
- Control or exclusion of stock in the vicinity of Mary Burn and Irishman Creek
- 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
- Issues relating to the Mt Mary Telecommunications Site
- Protection for ecological and landscape values on proposed freehold with a Sustainable Management Covenant
- Further information required on the presence of threatened spring annuals on The Wolds moraine and outwash plain
- Protection of a larger area on Mt Mary to provide beetle habitat.

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

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

- The potential presence of two notable beetles on Mt Mary that may require habitat protection
- The potential presence of threatened spring annuals on The Wolds moraine and outwash plain that may require protection
- 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:

The generic issues are listed above.

Just under half of the submitters' points have been disallowed because they are not matters for tenure review under the CPLA. The majority of points not able to be considered under the CPLA fell into the categories of –

- Financial matters
- Matters relating to marginal strips and legal roads
- Matters relating to local district council policy and regulations
- Matters relating to regional council policy and regulations
- Post tenure review management issues
- Matters relating to land outside of the reviewable land
- Tenure review operational matters
- Matters relating to dark skies values