

Crown Pastoral Land Tenure Review

Lease name : GLENTANER

Lease number : PT 006

Analysis of Public Submissions

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

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

ANALYSIS OF PUBLIC SUBMISSIONS

Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act 1998

GLENTANNER TENURE REVIEW Number TR024

Details of lease

Lease name: Glentanner

Location: Mt Cook Road (SH80), Mackenzie Basin, South Canterbury

Lessee: Glentanner Station Limited

Public notice of preliminary proposal

Date advertised: 19 December 2009

Newspapers advertised in: The Press (Christchurch), Otago Daily Times (Dunedin), High Country Herald (Timaru)

Closing date for submissions: 12 March 2010

Details of submissions received

Number received by closing date: 22

Cross-section of groups/individuals represented by submissions:

The submitters comprised 11 conservation and recreation organisations and 13 individual submitters including 6 farmers.

Number of late submissions refused/other:

A late submission was received from Allan E Tibby (13 March). This was accepted by the Commissioner of Crown Lands on 11 May 2010. A further late submission was received from the South Canterbury Section NZ Alpine Club (17 March). The Commissioner of Crown Lands agreed to accept this on 15 March 2010. In addition a submission was received from S & P Cameron (21 July (address error on 11 March)). The Commissioner of Crown Lands agreed to accept this on 21 July 2010.

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 of Crown Lands when formulating the designations for a Substantive Proposal.

The Commissioner of Crown Lands has now considered the matters raised in the public submissions in formulating a Substantive Proposal. This report summarises how the accepted points have been considered.

Analysis

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	The submitters request that the land in the proposed freehold designation CC2 be retained by the Crown.	1,15,17,21	Allow	Not Accept
<p>Rationale for Allow: The submitters have considered the preliminary proposal in respect to the area indicated as CC2 and suggest that the area be retained by the Crown in the promotion of the management of reviewable land in a way that is ecologically sustainable these being objects under Section 24(a)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				
<p>Rationale for Not Accept: The submitter has not provided any new information or a perspective not previously considered nor does the submitter articulate reasons for an alternative outcome under the CPLA. The point is therefore not accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2	The submitters request that area FH1 should have the same proposed designation as CC1 and CC3, that is, it be subject to a covenant.	1,12,15,17,21	Allow	Accept

<p>Rationale for Allow: The point relates to the protection of SIVs through the creation of protective mechanisms which is recognised in Section 24(b)(i) CPLA. This is a matter to be considered under the Act and therefore the point is allowed.</p>
<p>Rationale for Accept: The submitters introduced new information and a perspective not previously considered in relation to the designation of this area. The point is therefore accepted.</p>
<p>Substantive Proposal: The information relating to the freehold designation was reviewed and no significant inherent values were identified to justify a protective covenant.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2a	The covenant is amended to recognize and provide long term sustainable protection for the ecological values identified in the CRR.	12	Allow	Accept

<p>Rationale for Allow: The point relates to sustainable protection which is considered under Section 24(a)(i) CPLA and is therefore allowed.</p>
<p>Rationale for Accept: The point raises the issue of sustainable protection of ecological values which may not have been fully considered in the creation of the proposed conservation covenant. The point is therefore accepted for further consideration by the Commissioner of Crown Lands.</p>
<p>Substantive Proposal: The covenants were reviewed to ensure they provided for long term sustainable protection of ecological values and no changes were considered necessary.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2b	That FH3 and FH4 be subject to a covenant.	17	Allow	Not Accept

<p>Rationale for Allow: The point relates to protection of SIV's which is considered under Section 24(b)(i) CPLA and is allowed as it is a matter for consideration under the CPLA.</p>
<p>Rationale for Not Accept: The point does not raise any matters that have not previously been considered in the development of the preliminary proposal and on the basis that no new information has been provided the point is not accepted.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	The submitters request that the proposed tourist concession term should be reduced, varying in suggesting from 3-5 years up to 15 years.	1,2,9,15,18	Allow	Not Accept

Rationale for Allow:
 The point relates to the term for granting a concession which is considered under section 36(1)(a) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Not Accept:
 The granting of a concession and the term is a point that has been fully considered and has received provisional consent from the Minister of Conservation and as the submitters have not raised new information to be considered the point is not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	The submitter states that it is unusual to include 8870 hectares of unused Crown land in the tenure review and it appears to be included to give the Lessee a preferential right of a concession.	2	Allow	Not Accept

Rationale for Allow:
 The matter of inclusion of unused Crown land is a matter the Commissioner of Crown Lands may consider under section 29 CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Not Accept:
 The Commissioner of Crown Lands may make a decision to include unused Crown land in a tenure review and the presumption to give the Lessee a preferential concession is irrelevant. No relevant new information is provided and therefore the point is not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
5	The submitter raises the point of unfinished issues including compensation for raising Lake Pukaki, inadequate lower land enhancement from the Water & Soil compensation package, surrender of the POL and survey of State Highway 80.	2	Disallow

Rationale for Disallow:
 The matters raised in this point are not actions to be rectified through tenure review as the CPLA makes no provision for this. The point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	The submitters request the provision of vehicle access to the Tasman River and Lake Pukaki from SH80 or CA4.	2, 20	Allow	Not Accept

Rationale for Allow:
 The point relates to public access which is considered under Section 24(c)(i) CPLA and is therefore allowed.

Rationale for Not Accept:
 The matter of access to the Tasman River and Lake Pukaki has been fully considered and is provided through an extensive frontage of land being restored to full Crown ownership and control as conservation land or Crown control as scenic reserve where the decision for vehicle access rests with the DGC. The point is not accepted on the basis that the matter has been fully considered and the nature of future vehicle access is a matter for the future manager of the land.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	The submitters support the proposed designation of CA2.	2,5,12,15,17,21,25	Allow	Accept
<p>Rationale for Allow: The submitters have considered the preliminary proposal and the support for CA2 indicates that account has been taken of the protection of significant inherent values and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal.</p>				
<p>Substantive Proposal: The designation identified in the preliminary proposal for protection of significant inherent values has been retained.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	The submitters provide support for the proposed designation of scenic reserve (SR).	2,5,12,13,15,17	Allow	Accept
<p>Rationale for Allow: The submitters have considered the preliminary proposal and the support for SR indicates that account has been taken of the protection of the significant inherent values and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore one that can be accepted.</p>				
<p>Substantive Proposal: The designation identified in the preliminary proposal for protection of significant inherent values has been retained.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	That more covenants be applied instead of Crown ownership and control, e.g. CA1 and SR.	3	Allow	Not Accept

Rationale for Allow:
 The point relates to both the protection of SIVs under Section 24(b) CPLA and the enabling of reviewable land capable of economic use to be freed from land management constraints resulting from its tenure under Section 24(a)(ii) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Not Accept:
 The point does not raise any matters that have not previously been considered in the development of the preliminary proposal and on the basis that no new information has been provided therefore the point is not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	The submitters either give whole support or general support, with minor exceptions as covered in other points e.g. 3, 11, 32, to the proposal.	3,4,5,7,8,11,14, 21,23,25	Allow	Accept

Rationale for Allow:
 The point relates to the designation of land under Section 35 CPLA in compliance with the objects expressed in Section 24 CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating designations for substantive proposal and can therefore accepted.

Substantive Proposal:
 The designations identified in the preliminary proposal have largely been retained following review.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
11	The submitter expressed the view that proposed changes designed to secure public access must provide practical access for tramping.	3	Allow	Not Accept

Rationale for Allow:
 The point relates to the provision of public access which is recognized in Section 24(c)(i) CPLA. This is a matter to be considered under the Act and therefore the point is allowed.

Rationale for Not Accept:
 The submitter does not raise any new issue and the provision of marginal strips on all of the principal waterways ensures adequate tramping access. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
12	The submitters provide support for designation of FH2.	5,8,13,14,17,21, 25	Allow	Accept

<p>Rationale for Allow: The submitters have considered the preliminary proposal and support for FH2 indicates reviewable land capable of economic use is being freed from management constraints and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.</p>
<p>Substantive Proposal: The designation identified in the preliminary proposal has been retained.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
13	The submitters provide support for the designation of FH1.	5,13,14,25	Allow	Accept
<p>Rationale for Allow: The submitters have considered the preliminary proposal and support for FH1 indicates reviewable land capable of economic use is being freed from management constraints and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point can therefore be accepted.</p>				
<p>Substantive Proposal: The designation identified in the preliminary proposal has been retained.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14	The submitters support the proposed designation CC2 and CC4 with the deletion of the cultivation provision in the covenant and that there be only domestic and farm buildings with consent.	5,12,13,14,15	Allow	Accept
<p>Rationale for Allow: The point relates to both the protection of SIVs under Section 24(b) and the enabling of reviewable land capable of economic use to be freed from land management constraints resulting from its current tenure under Section 24(a)(ii) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal and points out that conditions in the covenant in relation to cultivation should be deleted for CC2 and CC4 as there is no cultivation on those areas. The point is therefore accepted for further consideration.</p>				

Substantive Proposal:
 The designation identified in the preliminary proposal has been reviewed and the provisions retained that allows cultivation only on any area that had been previously cultivated at the commencement of the covenant and the erection of buildings remains subject to consent.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14a	The submitters support the proposed designation CC2.	25	Allow	Accept
<p>Rationale for Allow: The point relates to both the protection of SIVs under Section 24(b) and the enabling of reviewable land capable of economic use to be freed from land management constraints resulting from its current tenure under Section 24(a)(ii) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal The point is therefore accepted.</p>				
<p>Substantive Proposal: The designation identified in the preliminary proposal has been retained.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
15	The submitters provide support for proposed designation CC1 with the proviso of minimal restrictions.	5,13,14	Allow	Not Accept
<p>Rationale for Allow: The submitters have considered the preliminary proposal and the support for CC1 indicates that account has been taken of the protection of significant inherent values and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Not Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal however they then require minimal restrictions, a matter thoroughly considered, which appears to be in conflict with support for the protection of inherent values. The point is therefore not accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
15a	The submitter provides support for proposed designation CC1.	25	Allow	Accept
<p>Rationale for Allow: The submitters have considered the preliminary proposal and the support for CC1 indicates that account has been taken of the protection of significant inherent values and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				

Rationale for Accept:
 The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive. The point is therefore accepted.

Substantive Proposal:
 The designation identified in the preliminary proposal has been retained.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
16	The submitters' support the designation of CC3, (except that submitter 13 suggest that "The Rest" paddock be unrestricted freehold as in FH1, see Point 37)	5, 13,14,25	Allow	Accept

Rationale for Allow:
 The submitters have considered the preliminary proposal and the support for CC3 indicates that account has been taken of the protection of significant inherent values and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal as is the comment in regard to "The Rest" paddock, however this latter comment has not been fully explored in developing the proposal. The point can therefore be accepted.

Substantive Proposal:
 The designation identified in the preliminary proposal for land to be designated freehold and that the protection of significant inherent values by way of covenant has been retained except on "The Rest" paddock that is a completely modified pasture where the covenant has been lifted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
17	The submitters provide support for proposed designation FH3.	5,14,21	Allow	Accept

Rationale for Allow:
 The submitters have considered the preliminary proposal and support for FH3 indicates reviewable land capable of economic use is being freed from management constraints resulting from its tenure under reviewable instrument these being objects under Section 24(a)(ii) CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.

Substantive Proposal:
 The designation identified in the preliminary proposal has been retained.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
18	The submitters provide support for proposed designation FH4.	5,14,21	Allow	Accept
<p>Rationale for Allow: The submitters have considered the preliminary proposal and support for FH4 indicates reviewable land capable of economic use is being freed from management constraints resulting from its tenure under reviewable instrument these being objects under Section 24(a)(ii) CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.</p>				
<p>Substantive Proposal: The designation identified in the preliminary proposal for land to be disposed of as freehold has been retained, subject to a covenant (see point 45).</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
19	The submitters provide support for the proposed designation CC4.	5,14,17,21	Allow	Accept
<p>Rationale for Allow: The submitters have considered the preliminary proposal and support for CC4 indicates reviewable land capable of economic use is being freed from management constraints and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.</p>				
<p>Substantive Proposal: The designation identified in the preliminary proposal for disposal as freehold, subject to a covenant for the protection of significant inherent values, has been retained.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
20	The submitter makes the point that if the proposed heritage survey assessment identifies historic heritage places, then suitable protection to be afforded and NZ Historic Places Trust be advised.	6	Allow	Accept

<p>Rationale for Allow: The point relates to the protection of significant inherent values of reviewable land being an object under Section 24(b) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>
<p>Rationale for Accept: The submitter introduces new information and perspectives, not previously considered in developing the preliminary proposal, which the Commissioner of Crown Lands can consider in formulating the designations for a substantive proposal. The point is therefore accepted.</p>
<p>Substantive Proposal: The heritage assessment survey did not reveal any matters that required further protection.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
21	The submitter objects to the proposal for all of the CA1 land to become Crown ownership and control. Request that the right bank (Whale Stream) should go to adjoining Ferintosh Station.	9	Allow	Not Accept

<p>Rationale for Allow: The point relates to the designation of land under Section 35 CPLA in compliance with the objects expressed in Section 24 CPLA. The point is therefore allowed.</p>
<p>Rationale for Not Accept: The point does not raise any matters that have not previously been considered. While the section 35(3) CPLA allows for the disposal of land to a person nominated in the proposal, this point equates to a boundary adjustment which should properly be dealt with under section 21 CPLA. The point is therefore not accepted.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or Not accept
22	The submitters object to a concession being granted over the designation SR.	9,18,19	Allow	Not Accept

<p>Rationale for Allow: Section 36(1)(a) CPLA allows for the granting of specified concessions to a person specified in the proposal. The submitters raise issues of noise, risk to other users, and rights for photography in the issuing of a concession. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>
<p>Rationale for Not Accept: While the consideration for granting the specified concession for tourist activities was extensive and based on past performance, the specific issues of noise and risk, particularly in the proposed designation SR, have been considered and incorporated into the concession document. The submitters do not provide any new information nor do they articulate a reason why an alternative outcome is preferred. The point is therefore not accepted for further consideration by the Commissioner of Crown Lands.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
23	The submitter objects to any photography concession to anyone, saying it should be free.	9	Allow	Not Accept
<p>Rationale for Allow: Section 36(1)(a) CPLA does allow for the granting of specified concessions to a person specified in the proposal. The submitter raises the issue of fees in granting rights for photography. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Not Accept: The submitter does not offer any justification in legislation why the Commissioner of Crown Lands, with the consent of the MoC cannot grant a concession that includes a fee, including commercial use photography. As no new information is provided nor a perspective not previously considered the point is not accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow
23a	The submitter requests a definition of "commercial" in relation to photography, filming and art.	9	Disallow
<p>Rationale for Disallow: The point relates to a matter of interpretation in terms of whether or not an activity meets the criteria for the granting of a concession. This is a matter for consideration in terms of the Conservation Act 1987 rather than the CPLA. This is therefore not a matter to be considered by the Commissioner and the point is therefore disallowed.</p>			

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
24	The submitters object to a concession being granted over CA2.	9,19	Allow	Not Accept
<p>Rationale for Allow: Section 36(1)(a) CPLA does allow for the granting of specified concessions to a person specified in the proposal, Section 36(1)(b) allows for granting of a specified special lease to a persons specified in the proposal and Section 36(1)(c) allows for the granting of a specified grazing permit to a person specified in the proposal. The submitters raise issues of noise, risk to other users, and rights for photography. The point is therefore allowed.</p>				
<p>Rationale for Not Accept: The submitters do not bring in any new information which has not been considered in formulating the proposal to grant a concession over this area. The Minister of Conservation has granted provisional consent to the concession after considering all factors, and having the benefit of the activity having been carried out for many years. The environmental protection issues are well documented in the proposed concession having been carefully considered. The point is not therefore accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
25	The submitters object to the freehold disposal of area CC4.	9,18	Allow	Not Accept
<p>Rationale for Allow: The point relates to the freehold disposal of reviewable land under Section 24(c)(ii) CPLA, subject also to protection of SIV's - Section 24(a) CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Not Accept: The appropriate designation for "CC4" was given through consideration in developing the preliminary proposal. The submitters do not raise any issues that have not been considered previously. The point is therefore not accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
26	The submitters propose that there be free access between designation FH2 and SR to the Tasman River Delta and Lake (Pukaki), preferably through the motor camp.	10,20	Allow	Not Accept
<p>Rationale for Allow: The point relates to the provision of public access which is recognized in Section 24(c)(i) CPLA. This is a matter to be considered under the Act and therefore the point is allowed.</p>				
<p>Rationale for Not Accept: North of FH2 the land between the highway and the river is being restored to Crown control, a small section is currently Crown, subject to an operating easement for Meridian Energy, providing access. In addition access to the lake is also provided over an extensive frontage towards the southern boundary. No new issues are raised. (Note: Crown land in Point 26a below where access is also available.) The point is therefore not accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow
26a	The submitter requests that public access be made available through "travellers rest" (The Rest) will remain.	10	Disallow
<p>Rationale for Disallow: As the area of land referred to is not included in the tenure review the Commissioner is unable to consider this point. The point is therefore disallowed. Also see point 50.</p>			

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
27	The submitter wants future public use on the true right of Whale Stream (south side) restricted.	10	Allow	Not Accept
<p>Rationale for Allow: The point relates to the provision of public access which is recognized in Section 24(c)(i) CPLA. This is a matter to be considered under the Act and therefore the point is allowed.</p>				

Rationale for Not Accept:
 The point relates to the management of people on proposed conservation land. The submitter does not provide any new information or provide a new perspective. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
28	The submitter states that the proposed concession should not be a monopoly.	10	Disallow

Rationale for Disallow:
 While the granting of concessions is provided for under Section 36(1)(a) of the CPLA, the granting of concessions over conservation land is provided for under the Conservation Act 1987 and rest with the Minister of Conservation. This is not a point that the Commissioner can properly deal with under the CPLA. The point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
29	The submitters propose that historical remnants in SR be preserved.	10,18	Allow	Not Accept

Rationale for Allow:
 The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Not Accept:
 The submitters have not provided any new information nor provided a perspective not previously considered. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
30	The submitter proposes that the conditions applicable to the incumbent over the proposed freehold apply to future owners.	10	Allow	Not Accept

Rationale for Allow:
 The point relates to the continuation of any conditions applicable to a freehold designation including protection of SIVs which is a consideration under Section 24(b) CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Not Accept:
 The conditions proposed in the covenant are in perpetuity and extend to successors in title, which covers the point raised. The submitter has not provided any new information in this regard, nor identified an alternative outcome. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
31	The submitter proposes that the designation of freehold land when disposed of is not subject to rates and levies that make the land unaffordable.	10	Disallow

Rationale for Disallow:
Rates and levies are not a function of the CPLA.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
32	The submitters request the provision of additional walking and cycling access on existing tracks including historic roads.	11,18	Allow	Accept

Rationale for Allow:
The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal however the submitters also ask for additional access along track/road formations to be available. The point has not been fully considered therefore can be accepted.

Substantive Proposal:
The options were reviewed with limited opportunities available. Additional access was provided into CA3 (re-labelled CA4).

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
33	The submitters support the proposed designation CA1.	12,15,17,21,25	Allow	Accept

Rationale for Allow:
The submitters have considered the preliminary proposal and the support for CA1 indicates that account has been taken of the protection of significant inherent values and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.

Substantive Proposal:
The designation identified in the preliminary proposal has been retained.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
34	The submitter requests adding soil, water and water eco systems to the values to be protected under the conservation covenant.	12	Allow	Accept

Rationale for Allow:
The point relates to the protection of significant inherent values (Section 24(b) CPLA) and the promotion of the management of Crown land in a way that is ecologically sustainable (Section

24(a)(i) CPLA) and is allowed as it is a matter for consideration in tenure review under the CPLA.
<p>Rationale for Accept: The submitters support an aspect of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The submitters also introduced new information and a perspective not previously considered when reviewing the proposed designations. The point is therefore accepted.</p>
<p>Substantive Proposal: The aspect of further consideration for soil and water were further considered. These are incumbent in the conservation designations and the conservation covenants which are further underpinned by other legislation. No changes were made to the covenants.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
35	The submitter requests the addition of a monitoring programme to the conservation covenant and that it be set out in detail within the covenant.	12	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point requests more detail in the provisions for monitoring the conservation covenant. This is new information for the Commissioner of Crown Lands to consider as it extends the provisions currently provided in the covenant. The point is therefore accepted.</p>				
<p>Substantive Proposal: The matter of mandatory monitoring was reviewed and the discretionary right to carry out monitoring remained without change as this provided the appropriate level of involvement.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
35a	The submitter supports the monitoring provisions.	15	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.</p>				
<p>Substantive Proposal: No change was made to the covenant.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow
36	The submitter requests that proposed designation CA2 be amended where necessary to be inclusive of the riparian margins of Twins, Bush and Freds Streams.	12	Disallow
<p>Rationale for Disallow: The point relates to the disposition of land adjacent to qualifying water bodies which is the subject of other legislation. The point is therefore disallowed.</p>			

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
37	The submitter requests that "The Rest" paddock be unrestricted freehold as in FH2. (also see point 16)	13	Allow	Accept
<p>Rationale for Allow: The point relates to the enabling of reviewable land capable of economic use to be freed from management constraints resulting from its tenure (Section 24(a)(ii)) and the freeholding of land under Section 24(c)(ii). The point is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The submitter has provided reasons why an alternative outcome should be considered for the designation relating to a cultivated pasture paddock. The point is therefore accepted.</p>				
<p>Substantive Proposal: The designation identified in the preliminary proposal for land to be designated freehold and included that there be protection of significant inherent values by way of covenant, which included "The Rest" paddock that is a completely modified pasture. The covenant on this area ["The Rest"] has been lifted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow
38	The submitter proposes that the Crown gives an undertaking to control weeds and pests.	14	Disallow
<p>Rationale for Disallow: The submitter raises a valid point however control of weeds and pests is the function of other legislation and as it is not a function of tenure review the point is disallowed.</p>			

Point	Summary of point raised	Submission numbers	Allow or disallow
39	The submitter proposes that further concessions on SR consider the cumulative effects and that perhaps there be only one operator.	15	Disallow

Rationale for Disallow:
 The point relates to the future administration of the area once it has been designated as a Scenic Reserve. This is not a function of the CPLA and is dealt with under other Acts of Parliament. The point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
40	The submitter requests that if not already provided in the concession that there be controls on fire (no smoking), noise, rubbish.	15	Allow	Accept in part

Rationale for Allow:
 The point relates to promoting the management of reviewable land in a way that is ecologically sustainable as required by Section 24(a)(i) CPLA is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept in part:
 The submitter raises a new perspective in relation to fire. This aspect of the point is therefore accepted. The matter of noise and rubbish has been given consideration in the preliminary proposal and the submitter has not provided a new perspective on these matters. This aspect of the point is therefore not accepted. Also see point 51.

Substantive Proposal:
 The concession conditions were reviewed and found to contain appropriate measures in the standard and special conditions.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
41	The submitter requests provision for DoC management access on the true right of Twins Stream over an existing track to area CA2.	15	Allow	Accept

Rationale for Allow:
 The point relates to access to enable conservation management of the area of CA2 which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The point raises the question of access onto CA2 for management purposes. This is new information which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.

Substantive Proposal:
 Provision had been made in the proposal for DoC management access over an existing track in the vicinity. No further provision was made for additional access.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
42	The submitters support the proposed designation of CA3.	15,21	Allow	Accept

Rationale for Allow:
 The submitters have considered the preliminary proposal and the support for CA3 indicates that account has been taken of the protection of significant inherent values and the promotion of the management of land in a way that is ecologically sustainable these being objects under Section 24 CPLA. The point is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.

Substantive Proposal:
 The designation identified in the preliminary proposal was retained.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
43	The submitter requests provision of an easement for public access over exchange land FH4 to CA3.	15	Allow	Accept

Rationale for Allow:
 The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The point relates to access to conservation land remaining conservation which has not been fully considered and can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.

Substantive Proposal:
 Access was reviewed. Provision was made in the SP for public access through FH4 (relabelled CC5 in the SP).

Point	Summary of point raised	Submission numbers	Allow or disallow
44	The submitter notes that the surrender of SR from grazing will affect the balance of the property.	13	Disallow

Rationale for Disallow:
 There is no provision in the CPLA for considering the effects (for grazing or economic use) on the balance of the property remaining in farming or other economic use.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
45	The submitter requests that there be restrictions on FH4 to prevent building or that the area be retained by the Crown and leased for grazing.	15	Allow	Accept

Rationale for Allow:
 The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.

Substantive Proposal:
 The designation of FH4 was reviewed. The area was designated freehold subject to a covenant (CC5).

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
46	The submitter requests provision of an easement for public and management over the track on the true left of the Twins Stream.	15	Allow	Not Accept

Rationale for Allow:
 The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Not Accept:
 The point does not raise any matters that have not previously been considered in the development of the preliminary proposal and on the basis that no new information has been provided the point is not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
47	The submitter requests a covenant be placed over FH2 to protect matagouri and control wilding trees.	15	Allow	Not Accept

Rationale for Allow:
 The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA. The point is therefore allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Not Accept:
 The point does not raise any matters that have not previously been considered in the development of the preliminary proposal and on the basis that no new information has been provided the point is not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
48	The submitter requests the provision of secure public access to the lake along Twins Stream.	15	Allow	Not Accept

Rationale for Allow:
 The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Not Accept:
 The point does not raise any matters that have not previously been considered in the development of the preliminary proposal and on the basis that no new information has been provided the point is not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
49	The submitter suggests that remnant Beech preferably be restored to conservation estate.	15,21	Allow	Not Accept

Rationale for Allow:
 The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA. .

Rationale for Not Accept:
 The point does not raise any matters that have not previously been considered in the development of the preliminary proposal and on the basis that no new information has been provided the point is not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
50	The submitter requests that the <i>Rest Area</i> remain as public land.	15	Disallow

Rationale for Disallow:
 The land in the area mentioned (referred to as “Rest Area” by the submitter but locally known as “The Rest” is an old Ministry of Works road works camp site, and formerly a “rest” stop for coaches) has not been included in the tenure review. The Commissioner cannot therefore consider this area under the CPLA. Therefore the point is disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow
51	That a ban be imposed on smoking on proposed conservation areas.	15	Disallow

Rationale for Disallow:
 The submitter raises a point that is more properly dealt with by the DGC in the management of conservation areas. It is not a function of the CPLA under tenure review to prescribe management of Conservation land upon completion of the review. Therefore the point is not accepted. Note point 40 relating to a ban on smoking under a concession.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
52	The submitters suggest continuing of grazing on areas CA2 and SR.	16,25	Allow	Not Accept

Rationale for Allow:
 The point relates to a continuation of grazing on proposed conservation area which is considered under Section 36 (CPLA) and is allowed as it is a matter for consideration in

tenure review under the CPLA.
<p>Rationale for Not Accept: The question of grazing concessions was considered in the development of the preliminary proposal and the submitter has not provided a new perspective on this or provided reasons to consider an alternative outcome. The point is therefore not accepted for further consideration in the tenure review.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
52a	The submitter suggests continuing of grazing on CA2 (near Birch Hill Stream) through inclusion of this area in CC1.	25	Allow	Accept

Rationale for Allow:
 The point relates to a continuation of grazing and adjustment of the proposed conservation area which is considered under Section 36 (CPLA) and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The submitter raises new information in relation to the designation of an area, suggesting the area be included in CC1. Detailing the boundary is an issue that needs further consideration under the tenure review. The point is therefore accepted for further consideration in the tenure review.

Substantive Proposal:
 The boundary was reviewed. A suitable fence line resulted in a small additional area from CA2 being included in CC1.

Point	Summary of point raised	Submission numbers	Allow or disallow
52b	The submitters suggest the need for specific grazing by sheep to minimise the establishment of unwanted weeds.	25,26	Disallow

Rationale for Disallow:
 The submitters raise a point that is more properly dealt with by the DGC in the management of conservation areas. It is not a function of the CPLA under tenure review to prescribe management of Conservation land upon completion of the review. Therefore the point is therefore disallowed. Note that other submitters' have also suggested continued grazing for various reasons and is matter that should be brought to the attention of the DGC.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
53	The submitter requests that special conditions of conservation covenants be amended for the area between Birch Hill Stream and Fred Stream as follows; no burning, no replacement of exotic trees, only domestic or farm buildings to be considered for consent.	17	Allow	Accept

<p>Rationale for Allow: The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>
<p>Rationale for Accept: The point relates to the special conditions in the conservation covenant in the northern part of the property and raises aspects of the preliminary proposal which can be further considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal.</p>
<p>Substantive Proposal: The conditions of the covenant were reviewed. It already provided for the controls requested therefore no changes were made except for burning limited to the extant holder.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
54	This point is related to point 53 above and requests the amending of special conditions in the conservation covenants to exclude replacement of exotic trees and allow applications for domestic or farm buildings only.	17	Allow	Accept

<p>Rationale for Allow: The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>
<p>Rationale for Accept: The point relates to the special conditions in all the conservation covenants and seeks an alternative outcome in relation to replacing shelter trees now in existence. It raises aspects of the preliminary proposal which can be further considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal.</p>
<p>Substantive Proposal: The conditions of the covenant were reviewed. It provided for controls that do not allow any extension of exotic tree plantings, which are very limited, to the extent of being almost non-existent, in the covenant areas. No changes were made to the covenant conditions.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow
55	That fencing to be completed to keep stock out of the national park and other conservation areas to the north and east.	17	Disallow

<p>Rationale for Disallow: The completing of fencing that may be set out in a preliminary or substantive proposal is a management function for implementing the proposal. Therefore the point is disallowed.</p>
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Point	Summary of point raised	Submission numbers	Allow or disallow
56	The submitter requests that "paper" roads be retained.	17	Disallow
Rationale for Disallow: Legal roads and their retention or revoking is not a function of the CPLA. The point is therefore disallowed.			

Point	Summary of point raised	Submission numbers	Allow or disallow
57	The submitter raises a concern about the fire risk from future conservation land near neighbouring buildings.	18	Disallow
Rationale for Disallow: The prevention or otherwise of fire from and to conservation land is a function of the management of that land in the future and not a function of the CPLA. The point is therefore disallowed.			

Point	Summary of point raised	Submission numbers	Allow or disallow
58	The submitter raises concern about rubbish, litter, excrement and dogs on proposed conservation land. (Also relates to point 58a)	18	Disallow
Rationale for Disallow: The management of conservation land is a function of the management of that land in the future and not a function of the CPLA. The point is therefore disallowed.			

Point	Summary of point raised	Submission numbers	Allow or disallow
58a	Several matters that are operational matters in managing Conservation were raised including; dogs on walkways spreading disease to farmland, humans defecating along trails, rubbish left at trail ends.	25	Disallow
Rationale for Disallow: Operational matters over proposed Conservation land are outside the scope of the CPL Act and are not matters for the Commissioner of Crown Lands to consider. The point is therefore disallowed.			

Point	Summary of point raised	Submission numbers	Allow or disallow
59	The submitter raises concern with public negotiating Whale Stream and interfering with adjoining Ferintosh Station.	18	Disallow

Rationale for Disallow:
 Ferintosh Station is not included in the reviewable land forming part of this review. The Commissioner cannot therefore consider this point under the CPLA. The point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow
60	The submitter raises issues relating to the public use of "The Rest" being Crown land just north of Whale Stream and further referred to in other points above.	18	Disallow

Rationale for Disallow:
 "The Rest" is Crown land that is not part of the reviewable land in the tenure review therefore not relative to this tenure review. Therefore the point is disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow
61	The submitter states that "Forks Country" was previously in Ferintosh Station, not Glentanner.	18	Disallow

Rationale for Disallow:
 The statement is relative to history and appears to refer to land in the headwaters of Whale Stream. The southern portion of which is currently Crown land proposed for conservation and not a subject of the tenure review and the northern area of UCL is proposed to be designated (CA2) as conservation land. The comment does not relate to a function of the CPLA and therefore is disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or Not Accept
62	The submitter requests protection for the historic Mt Cook Road and particularly refers to Devils Elbow and a hand packed stone groyne presumably near Birch Stream	18	Allow	Accept

Rationale for Allow:
 The point relates to the protection of SIVs which is a consideration under Section 24(b) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
 The submitter raises the issue of the historic Mt Cook Road, most of which will be within the area proposed as SR however there may be short links, such as Devils Elbow, which may require further consideration by the Commissioner of Crown Lands in formulating a substantive proposal. This is new information and a perspective not previously considered in respect to "Devils Elbow" outside of the proposed SR area. The point is therefore accepted.

Substantive Proposal:
 The area was reviewed and the original formation is almost non existent and modified within the proposed freehold designation area. No change was made to the designation.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or Not Accept
63	The submitters request retaining the present access for CA1 and CA2.	20,24	Allow	Accept
Rationale for Allow: The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.				
Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The context of the point is that the submitter wishes to ensure that this access continues to be available. The point is therefore accepted.				
Substantive Proposal: The designation in the preliminary proposal has been retained.				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or Not Accept
64	The submitter requests access and off road parking at six points north of FH2 on the eastern side of the highway.	20	Allow	Not Accept
Rationale for Allow: The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.				
Rationale for Not Accept: While the request is for access and parking to the area proposed to become scenic reserve, adjacent to the highway, the management (including parking) and access to rivers will be a function of the management by the DGC and no specific access to or parking on the land needs be specified under the CPLA. The submitter has not provided any new information or a different perspective therefore the point is not accepted.				

Point	Summary of point raised	Submission numbers	Allow or disallow
65	That marginal strips be provided on foreshore Lake Pukaki, along the Tasman River and around Acland Lagoon.	20	Disallow
Rationale for Allow: The point relates the provision of marginal strips considered under other legislation and is therefore disallowed.			

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or Not Accept
66	The submitter asks to ensure access from State Highway 80 to Whale Stream.	22	Allow	Accept

Rationale for Allow:
The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The context of the point is that the submitter wishes to ensure that this access continues to be available. The point is therefore accepted.

Substantive Proposal:
Access is retained from SH 80 into Whale Stream.

Point	Summary of point raised	Submission numbers	Allow or disallow
67	The submitter requests provision of walking access along the paper road from John Browns grave to higher ground.	22	Disallow

Rationale for Disallow:
Legal roads are not in the tenure review and not a function of the CPLA. The point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or Not Accept
68	Provide walking access over the farm track at the northern end of the property.	22	Allow	Accept

Rationale for Allow:
The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.

Rationale for Accept:
The point relates to access over proposed freehold land which has not been considered and can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. The point is therefore accepted.

Substantive Proposal:
The access routes were reviewed. No change was made as there was adequate access along marginal strips and the Mt Cook NP beyond.

Point	Summary of point raised	Submission numbers	Allow or disallow
69	The submitter requests to discuss the legal nature and content of the proposed easements.	22	Disallow

Rationale for Disallow:
The point relates to the preparation of technical documents which lies outside the scope of the CPLA. The legal nature and content of easements is not directly related to the tenure review. LINZ should be contacted to discuss the legal nature and content of the easements

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or Not Accept
70	The submitter recommends consultation with Runanga o Ngai Tahu.	6	Allow	Not Accept
<p>Rationale for Allow: The point relates to consultation with Runanga o Ngai Tahu a requirement under Section 24, CPL Act. The point is therefore allowed.</p>				
<p>Rationale for Not Accept: The point is one that that is being processed as part of the tenure review and is a statutory function. No new issues or functions are raised. It is therefore not accepted for further separate consideration.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or Not Accept
71	That public walkways be closed to the public for eight weeks during lambing.	25	Allow	Accept
<p>Rationale for Allow: The point relates to public access which is considered under Section 24(c)(i) CPLA and is allowed as it is a matter for consideration in tenure review under the CPLA.</p>				
<p>Rationale for Accept: The point relates to access over proposed freehold land which has previously not been considered and can be considered by the Commissioner of Crown Lands when formulating the designations for a substantive proposal. While no such access has been proposed, it could be, as the result of further consideration. The point is therefore accepted.</p>				
<p>Substantive Proposal: The access routes were reviewed with public access routes not being through area used or likely to be used for lambing. No change was made.</p>				

Summary and Conclusion

Overview of analysis:

Submissions were received from 26 groups or individuals. From these submissions 71 points and ten sub-points were identified, 58 of which were relevant to a review under Part 2 Crown Pastoral Land Act 1998. These points were allowed. The remaining twenty-three points dealt with matters outside the scope of Part 2 Crown Pastoral Land Act 1998 and were therefore disallowed. The 58 points allowed included thirteen that were support for components of the review and along with twenty-one that introduced new considerations or matters where further consideration is justified and have been accepted for consideration in formulating a substantive proposal. Twenty-four points were not accepted as they neither supported the proposal nor provided information or perspectives not previously considered.

Generic issues:

No generic issues were identified.

Gaps identified in the proposal or tenure review process:

A gap identified was the provision of access for management purposes at certain points.

Risks identified:

Nil

General trends in the submitters' comments:

The environmental submitters strongly endorsed the retention of Areas "SR" and "CA2" as conservation land and the proposed covenants, whereas two farmer submitters and one scientist expressed the view that continued grazing of "SR" and part of "CA2" would assist with continued management as conservation land, and one noted the importance of these areas to the balance of the property with one suggesting minimal conditions in covenants and that a present paddock area should not be within a covenant. A number of submitters identified that "FH1" should be protected by covenant to protect additional SIVs, particularly patches of beech. Several also promoted the view that CC2 should be restored to Crown control and other uses permitted by way of a concession.

Access was not a significant issue however some suggested more walking access and one a round route bike trip. Many confused the opportunity for access in the proposed designations by suggesting that access be made available in areas proposed to be restored to Crown control or on legal road routes.

In general there was wide support for the proposal as a whole and many submissions while offering support made suggestions for small changes.