



Land Information
New Zealand
Toitū te whenua

Crown Pastoral Land Tenure Review

Lease name : LAUDER

Lease number : PO 376

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.

June

14

FINAL ANALYSIS OF PUBLIC SUBMISSIONS

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

LAUDER TENURE REVIEW NO TR295

Details of lease

Lease name:	Lauder
Location:	St Bathans
Lessee:	Calder Farming Co Limited

Public notice of preliminary proposal

Date advertised:	24 April 2010
Newspapers advertised in:	The Press (Christchurch) Otago Daily Times (Dunedin) Southland Times (Invercargill)
Closing date for submissions:	21 June 2010

Details of submissions received

Number received by closing date:
14

Cross-section of groups/individuals represented by submissions:

Eight submissions were received from conservation and recreational user groups, two submissions were received from individuals with a conservation perspective, one submission was received from the mining industry and three submissions were received from statutory boards.

Number of late submissions refused/other:

No late submissions were received in relation to this review.

The total number of submissions received and analysed is therefore 14.

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 is included in this final report reflecting the substantive proposal.

Analysis

Point	Summary of point raised	Submission numbers	Allow or disallow
1	The submitter requests that there is no limitation to access to the land for mineral exploration and mining post tenure review.	1	Disallow
<p>Rationale for Disallow: The point relates to mineral exploration and mining on the land post tenure review. The submitter also specifies that this applies across both the proposed freehold and the proposed conservation land. Access to the land for mineral exploration and mining is covered by the Crown Minerals Act and not the CPLA. It is therefore not a matter that the Commissioner can consider in formulating a substantive proposal and the point is disallowed.</p>			

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2	That provision is made for the transportation of guns and dogs along easement "a-b" or another practical route. (See also point 34)	2	Allow	Accept
<p>Rationale for Allow: The point relates to public access which is considered under Section 24(c)(i) CPLA. The point is therefore allowed as it is a matter to be considered in tenure review under the CPLA.</p>				
<p>Rationale for Accept: While the presence of dogs on the easement was previously considered, the submitter in this case raises new information in relation to alternate routes and guns which was not previously considered. These matters can be considered in formulating the substantive proposal. The point is therefore accepted.</p>				
<p>Substantive Proposal: The following provision is included in the easement document: <i>12 If the Transferee has a hunting permit issued by the Department of Conservation for land to which the easement provides access, he may carry a gun on the Easement Area for the purpose of gaining access to hunt on that land.</i> <i>13 Dogs are not permitted on the Easement Area unless they are confined inside a motor vehicle and the Easement Area is open for public motor vehicle use pursuant to Clause 14 below.</i></p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	The submitters support the proposal for conservation area CA1.	3, 5, 6, 7, 9, 10, 12, 14	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of significant inherent values by restoration to full Crown ownership and control pursuant to Section 24(b)(ii) 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 an aspect of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.</p>
<p>Substantive Proposal: Conservation area CA1 is retained as set out in the preliminary proposal.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	The submitters support the proposed freehold with some submitters noting that this is subject to the SIVs having been adequately protected as outlined in the proposal.	3, 5, 10, 14	Allow	Accept

Rationale for Allow:
 The point relates to the freehold disposal of reviewable land and provided for in Section 24(c)(ii) CPLA and the creation of protective mechanisms as provided for under Section 24(b)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.

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

Substantive Proposal:
 The proposed freehold remains as set out in the preliminary proposal with some changes to the covenants to better protect SIVs.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	The submitters recommend a stock limitation be imposed on the land within conservation covenant CC1.	3, 5	Allow	Accept

Rationale for Allow:
 The point relates to the protection of significant inherent values by use of a protective mechanism as provided for under Section 24(b)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.

Rationale for Accept:
 The consideration of a stock limitation applying to CC1 was not taken account of in the preparation of the preliminary proposal. The submitters have therefore provided new information and a perspective not previously considered and the point is therefore accepted.

Substantive Proposal:
 CC1 contains a stock limitation limiting the type of livestock to sheep only. It is not considered that a number of sheep needs to be imposed due to the nature of this covenant and the lack of damage by sheep to the values to be protected.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	The submitters recommend monitoring of the vegetation trends within CC1 and in most cases also the ability to amend any stock limitation (see #5 above) should monitoring indicate that this is required.	3, 5, 7, 10, 12, 14	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of SIVs by the creation of a protective mechanism as provided for under Section 24(b)(i) 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 current covenant document is silent in relation to the monitoring of the vegetation and there is no record of this having been discussed during the preparation of the preliminary proposal. The submitters therefore introduce new information and a perspective not previously considered and the point is therefore accepted for consideration in the formulation of the substantive proposal.</p>				
<p>Substantive Proposal: An additional clause has been included in the covenant document as a result of this point. The clause states that "the Minister shall establish a series of photo monitoring sites which will be re-monitored every four years or at lesser intervals if desired. Grazing levels and management will be adjusted should it be necessary to protect the values via analysis of photo point monitoring and field observations by the grantor and owner".</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	The submitters support the creation of conservation covenant CC2.	3, 5, 6, 7, 9, 10, 12, 13, 14	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of SIVs by use of a protective mechanism as provided for under Section 24(b)(i) 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 an aspect of the preliminary proposal which can be considered by the Commissioner in formulating the designations for a substantive proposal. The point is therefore accepted.</p>				
<p>Substantive Proposal: Conservation covenant CC2 is retained as set out in the preliminary proposal.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	The submitters support the creation of conservation covenant CC3.	3, 5, 6, 7, 9, 10, 12, 13, 14	Allow	Accept

<p>Rationale for Allow: The point relates to the protection of SIVs by use of a protective mechanism as provided for under Section 24(b)(i) 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 an aspect of the preliminary proposal which can be considered by the Commissioner in formulating the designations for a substantive proposal. The point is therefore accepted.</p>
<p>Substantive Proposal: Conservation covenant CC3 is retained as set out in the preliminary proposal.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	The submitters support the creation of conservation covenant CC4.	3, 5, 6, 7, 9, 10, 12, 13, 14	Allow	Accept

<p>Rationale for Allow: The point relates to the protection of SIVs by use of a protective mechanism as provided for under Section 24(b)(i) 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 an aspect of the preliminary proposal which can be considered by the Commissioner in formulating the designations for a substantive proposal. The point is therefore accepted.</p>
<p>Substantive Proposal: Conservation covenant CC4 is retained as set out in the preliminary proposal.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	The submitters support the access provisions contained in the preliminary proposal.	3, 4, 5, 6, 7, 8, 9, 10	Allow	Accept

<p>Rationale for Allow: The point relates to the provision of public access as provided for under Section 24(c)(i) 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 an aspect of the preliminary proposal which can be considered by the Commissioner in formulating the designations for a substantive proposal. The point is therefore accepted.</p>
<p>Substantive Proposal: The access provisions contained in the preliminary proposal have been retained.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or no accept
11	The submitters have no objection to the continuation of the existing easements.	3, 5, 10, 12	Allow	Accept
<p>Rationale for Allow: The continuation of existing easements is provided for under Section 36(3)(c) 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 an aspect of the preliminary proposal which can be considered by the Commissioner in formulating the designations for a substantive proposal. The point is therefore accepted.</p>				
<p>Substantive Proposal: The existing easements will continue.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
12	The submitter requests clarification of the DoC discretion regards the use of vehicles into the "hinterland".	4	Allow	Accept
<p>Rationale for Allow: The point relates to the provision for public access to the reviewable land as provided for under Section 24(c)(i) 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 introduces a perspective not previously considered. The point is therefore accepted for consideration in the formulation of a substantive proposal.</p>				
<p>Substantive Proposal: The intent of this point has been considered by the Department of Conservation and it is noted that the discretion relating to vehicles relates to the closure of the track during hours of darkness and also during unsuitable weather conditions including outside of a summer opening period.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow
13	The submitter would like to discuss the legal nature and content of the proposed easement documents,	4	Disallow
<p>Rationale for Disallow: While the object expressed in Section 24(c) CPLA is the securing of public access to and enjoyment of the reviewable land, the specific aspect raised by the submitter is not directly related to this review. The point is therefore disallowed. LINZ should be contacted to discuss the legal nature and content of the easements.</p>			

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14	The submitters give general support to the designations outlined in the preliminary proposal.	5, 6, 7	Allow	Accept
<p>Rationale for Allow: The designations provided for in the preliminary proposal were considered in the light of 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 an aspect of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.</p>				
<p>Substantive Proposal: The designations contained in the preliminary proposal have been retained.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
15	The submitters support the establishment of conservation covenant CC1.	5, 6, 7, 9, 10, 12	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of SIVs by use of a protective mechanism as provided for under Section 24(b)(i) 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 an aspect of the preliminary proposal which can be considered by the Commissioner in formulating the designations for a substantive proposal. The point is therefore accepted.</p>				
<p>Substantive Proposal: Conservation covenant CC1 is retained as set out in the preliminary proposal with some refinement of the covenant conditions.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
16	The submitters request that the seasonal closures of the access easement to vehicle use be removed.	7, 9, 11	Allow	Not accept
<p>Rationale for Allow: The provision of public access is a matter to be considered under Section 24(c)(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 seasonal closures to vehicles of the access easement where traversed at some length during the preparation of the preliminary proposal. The submitters have not provided any new information, a perspective not previously considered or an alternative outcome. The point is therefore not accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow
17	The submitter requests that if any changes are made to the proposal the proposal is re-advertised.	7	Disallow
<p>Rationale for Disallow: While the Commissioner may consult with those with whom he chooses under Section 26 CPLA there is no provision for additional consultation or re-advertising of a proposal. The point is therefore disallowed.</p>			

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
18	The submitter requests a review of a number of conditions contained within the easement (refer also points 16, 19, 20, 21, 22).	8	Allow	Accept
<p>Rationale for Allow: The point relates to the provision of public access as provided for under Section 24(c)(i) 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 submitter has provided new information, and a perspective not previously considered plus recommended an alternative outcome. The point is therefore accepted for consideration by the Commissioner in formulating the substantive proposal</p>				
<p>Substantive Proposal: These points were considered when the final draft of the easement document was being prepared and to the extent possible these are now incorporated in the re-drafted easement document. A number of the points related to generic issues that could not be taken account of in a specific review.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
19	The submitters question the requirement for the closure of the easement during the lambing period.	8, 9	Allow	Not accept
<p>Rationale for Allow: The point relates to the provision of public access as provided for under Section 24(c)(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: As with many aspects of this easement the requirement for a closure over the lambing period was fully traversed during the preparation of the preliminary proposal. The submitters have not provided any new information, a perspective not previously considered or rationale for an alternative outcome. The point is therefore not accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow
20	The submitter requests that if the easement route is closed to the public it should be closed to all users including the land holder.	8	Disallow
<p>Rationale for Disallow: While the point raised relates loosely to the provision of public access, the terms of an easement are not deemed to control the rights and activities of the underlying land holder other than in the provision of access to a third party, in this case members of the public. The point is therefore disallowed.</p>			

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
21	The submitters have requested a review of the need for an overnight closure of the easement to vehicles or consideration of alternate times (submitters 12 and 14).	11, 12, 14	Allow	Accept
<p>Rationale for Allow: The point relates to the provision of public access to and for the enjoyment of the reviewable land as provided for under Section 24(c)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				
<p>Rationale for Accept: While overnight closures were the result of previous consultation, the submitters have provided a perspective not previously considered in the preparation of the preliminary proposal and also provided the rationale for consideration of alternative outcome. This particularly relates to the hours of any closure. The point is therefore accepted for consideration by the Commissioner in formulating a substantive proposal.</p>				
<p>Substantive Proposal: The easement document was reviewed in light of this point and the hours that the easement would be open for were extended slightly. The conditions pertaining to this easement are consistent with those pertaining to an equivalent easement on the other side of the Dunstan Mountains.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
22	The submitter requests that the management of vehicle access rest solely with the Department of Conservation and that notification to the holder is not required.	11	Allow	Not accept
<p>Rationale for Allow: The point relates to the provision of public access for the enjoyment of the reviewable land as provided for under Section 24(c)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				

Rationale for Not Accept:
 This is a management related issue that was fully traversed with the holders and the DGC during consultation leading to the preliminary proposal. The submitter has not provided any new information, a perspective not previously considered or the rationale for an alternate outcome. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
23	The submitter requests direct communication with the CCL in relation to 4WD access under tenure review generally.	11	Disallow

Rationale for Disallow:
 While one of the objects of the Section 24(c) CPLA is the securing of public access to and for the enjoyment of reviewable land, the specific aspect raised by the submitter is not directly related to this review. The point is therefore disallowed. LINZ should be contacted to discuss the nature and content of 4WD access in tenure review.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
24	The submitter requests an additional covenant to protect the grey shrublands on Woolshed Hill.	12	Allow	Accept

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

Rationale for Accept:
 The use of a covenant to protect grey shrublands on Woolshed Hill was not considered in the preparation of the preliminary proposal. The submitter has therefore provided new information and a perspective not previously considered. The point is therefore accepted for consideration by the Commissioner in formulating a substantive proposal.

Substantive Proposal:
 The grey shrublands were further investigated following the receipt of public submissions and it was considered that the additional encumbrance was not justified by the nature of the matagouri shrublands involved.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
25	The submitter requests a covenant over remaining shrublands in both branches of Woolshed Creek.	12	Allow	Not Accept

Rationale for Allow:
 The point relates to the protection of SIVs by the creation of a protective mechanism under Section 24(b)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.

Rationale for Not accept:
 The extent of the covenant protection of the shrublands in Woolshed Creek was fully traversed during the preparation of the preliminary proposal. The submitter has not provided any new information, a perspective not previously considered or the rationale for an alternative outcome. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
26	The submitter requests that public access be provided to conservation covenant CC2.	12	Allow	Accept

Rationale for Allow:
 The point relates to the securing of public access for the enjoyment of the reviewable land as provided for under Section 24(c)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.

Rationale for Accept:
 The provision of access to this covenanted area is a perspective not previously considered and the point is therefore accepted for consideration by the Commissioner in formulating a substantive proposal.

Substantive Proposal:
 Covenant CC2 is the historic coal pit and as it is located in the centre of an intense farming area as of right public access was not considered appropriate. Members of the public may however approach the holders for access to this covenant area or view it from the adjacent easement.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
27	The submitter suggests the re-routing of the track around Woolshed Hill should be considered.	12	Allow	Not Accept

Rationale for Allow:
 The point relates to the securing of public access to an enjoyment of reviewable land as provided for under Section 24(c)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.

Rationale for Not Accept:
 The appropriate route for this track was fully considered in the preparation of the preliminary proposal. At the point of tenure review implementation this will be an established farm track and this matter was fully considered. The submitter has not provided any new information, a perspective not previously considered or the rationale for an alternative outcome. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
28	The submitter requests additional public access is created from the proposed easement to the legal road across the mouth of Woolshed Creek.	12	Allow	Accept

<p>Rationale for Allow: The point relates to the securing of public access to and enjoyment of reviewable land as provided for under Section 24(c)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>
<p>Rationale for Accept: Access on the route suggested has not previously been considered. This is therefore new information and a perspective not previously considered and the point is therefore accepted for consideration by the Commissioner in formulating a substantive proposal.</p>
<p>Substantive Proposal: This point was considered when finalising the easement provisions. It is noted that while this is only a short distance between the current easement and the legal road it would cause major disruption to the operation of the property. Therefore no changes were made in relation to this point.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
29	The submitter requests additional conditions in relation to conservation covenant CC4 (the historic buildings)	13	Allow	Not accept

<p>Rationale for Allow: The point relates to the protection of significant inherent values by the use of a protective mechanism as provided for under Section 24(b)(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 in relation to the covenant conditions that has not previously been considered. The submitter has not provided any new information, a perspective not previously considered or the rationale for consideration of an alternative outcome. The point is therefore not accepted.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow
30	The submitter encourages LINZ to provide initial funding to stabilise the buildings contained within conservation covenant CC4.	13	Disallow

<p>Rationale for Disallow: There is no provision in the CPLA for the Commissioner to provide funding to assist in this manner. The point is therefore disallowed.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
31	The submitter supports the provision for ongoing discussion with the New Zealand Historic Places Trust contained in the draft covenant for CC4.	13	Allow	Accept

<p>Rationale for Allow: The point relates to the protection of SIVs through the use of a protective mechanism as provided for under Section 24(b)(i) 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 raised is a statement of support for an aspect of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.</p>
<p>Substantive Proposal: This provision has been retained in the documentation for CA4.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
32	The submitter assumes that there will be the opportunity to visit conservation covenant CC1 with land holder permission.	14	Allow	Accept

<p>Rationale for Allow: The point relates to the securing of public access to and enjoyment of reviewable land as provided for under Section 24(c)(i) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>
<p>Rationale for Accept: While members of the public can visit the covenanted area with the permission of the land holder, the specifics of access are not currently addressed in the proposal. This is a perspective not previously considered. The point is therefore accepted.</p>
<p>Substantive Proposal: While not forming a condition of the covenant, this has been confirmed with the land holder.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow
33	The submitter offers the opportunity for consultation on the implementation of 4WD access management arising from this review.	14	Disallow

<p>Rationale for Disallow: While the point relates to the securing of public access to and enjoyment of reviewable land pursuant to Section 24(c)(i) CPLA, it more specifically relates to the management of the easements post review which is not a tenure review matter.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
34	The submitter raises a question in relation to the carrying of firearms on the easement route. (See also point 2)	14	Allow	Accept

<p>Rationale for Allow: The point relates to the securing of public access to and enjoyment of reviewable land as provided for under Section 24(c)(i) 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 submitter has raised an aspect of the use of the easement which is a perspective not previously considered. This matter is therefore accepted for consideration by the Commissioner in formulating a substantive proposal.</p>
<p>Substantive Proposal: Refer to the earlier comments in relation to Point 2.</p>

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
35	The submitter suggests special access arrangements for club use of the proposed easement.	14	Allow	Accept

<p>Rationale for Allow: The point relates to the securing of public access to and enjoyment of the reviewable land as provided for under Section 24(c)(i) 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 perspective not previously considered in the tenure review and the point has therefore been accepted by the Commissioner for consideration in the formulation of a substantive proposal.</p>
<p>Substantive Proposal: This was considered by the Department of Conservation and was considered inappropriate. Club members have the opportunity to use the easement route in common with other members of the public.</p>

Summary and Conclusion

<p>Overview of analysis: Fourteen submitters have raised 35 points in relation to this tenure review. Of the 35 points, 28 have been allowed as they relate to matters considered under Part 2 CPLA. Seven points have been disallowed as they do not deal with matters that are able to be considered under Part 2 CPLA. Of the 28 points allowed, 10 included statements of support for the proposal and were accepted for consideration in the formulation of the substantive proposal. A further 12 points raised issues or provided new information that needs to be considered in the formulation of the substantive proposal and these points were also accepted. Six points related to aspects of the review that had been fully traversed previously and the submitters did not provide any additional information or new perspectives in relation to these points. These points were therefore not accepted. Overall 10 of the submitters were generally supportive of the proposal, although some variations were suggested.</p> <p>Generic issues: The only generic issue was a general endorsement of the proposal with the only matters arising related to the stock limitation and potential monitoring of conservation covenant CC1 and with some concerns relating to the seasonal and overnight closures of the proposal easement to vehicle use.</p>

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

Risks identified:
No specific risks were identified.

General trends in the submitters' comments:
The submitters were generally supportive of the proposal and the points for further consideration relate largely to fine tuning of the proposed designations.