

## **Crown Pastoral Land Tenure Review**

**Lease name: MT NIMROD**

**Lease number: PT 094**

### **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.

**November**

**10**

**ANALYSIS  
OF  
PUBLIC SUBMISSIONS**

**MT NIMROD**



**ANALYSIS OF PUBLIC SUBMISSIONS**

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

**MT NIMROD TENURE REVIEW NO 80**

**Details of lease:**

Lease name:	Mt Nimrod pastoral lease.
Location:	Situated on the eastern flank of the Hunter Hills, approximately 25 kilometres west of Timaru on Back Line Road.
Lessee:	Graham Bradley Patterson.

**Public notice of preliminary proposal:**

Date advertised:	Saturday 23 January 2010.
Newspapers advertised in:	
- The Press	Christchurch
- The Otago Daily Times	Dunedin
- The Timaru Herald	Timaru.
Closing date for submissions:	19 March 2010.

**Details of submissions received:**

Number received by closing date:	21
Number of late submissions received/accepted:	3
LINZ provided approval to include these submissions for analysis on 24 March 2010, 20 April 2010 and 21 May 2010.	
Cross-section of groups/individuals represented by submissions:	
Submissions were received from private individuals, recreational groups and non government environmental groups, together with a regional council, crown entity and the leaseholder.	
Number of late submissions refused/other:	Nil.
Three submitters (RK Patterson, South Canterbury Branch of NZ Deerstalkers Association, and Tim Jackson) provided two submissions each and for the purpose of analysis of public submissions, the submissions have been combined so that there is one submission per submitter.	
Submitter number 23 is a submission regarding alternative public access. This was received in two written submissions (one signed by 48 people and the other signed by 81 people). Again, for the purpose of analysis of public submissions, the two submissions have been combined as one.	
It should be noted that the date that each submission received is detailed in Appendix II (List of Submitters).	

## 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 [i.e. relates to the right property and tenure review], relevant to the tenure review and can be properly considered under the Crown Pastoral Land Act 1998 (CPLA). Where it is considered that 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 Substantive Proposal. To arrive at this decision, the point must be evaluated with respect to the following:

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

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

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

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

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

## Analysis

The submissions have been numbered in the order in which they were received and the points have been arranged so that similar points are grouped together.

Appendix III provides a table of the points raised by the various submitters.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Statements of support for aspects of the proposal.	1, 2, 5, 6, 9, 10, 11, 16, 17, 18, 19, 20	Allow	Accept

### **Support for all aspects of the Proposal:**

Submitters 1, 11 and 19 express support for the preliminary proposal.

### **Support for area Proposed to be Freeholded:**

Submitter 5 agrees with the summary of the preliminary proposal with regard to the area proposed freehold.

Submitter 17 does not oppose the proposal to freehold land adjacent to the Motukaika Road (Note: this is only a small part of the proposed freehold).

Submitter 19 has no objection to the proposed freehold given the existence of the legal road and the proposed new public access easement.

### **Support for Proposed Conservation Areas:**

Submitter 2 supports CA1, its recreational, landscape and scenic values.

Submitter 16 supports the protection of this area on the basis of the protection of the significant inherent values.

Submitter 17 supports CA1.

### **Support for Proposed Scenic Reserves:**

Submitter 2 supports SR1 and SR2 for their recreational, landscape and scenic values.

Submitter 6 expresses support for the addition of SR2 to the Mt Nimrod Scenic Reserve.

Submitter 16 supports the protection of the areas SR1 and SR2 as making a valuable addition to the region's reserve network.

Submitters 9, 17 and 18 support SR1 and SR2.

Submitter 19 supports SR1 and SR2 being added to the existing Mt Nimrod and Matata Scenic Reserves.

### **Support for Proposed Easements:**

Submitter 6 considers the public access easement 'a-b-c' from the western boundary of the reserve to be useful and likely to be used by their members for foot access. Submitter 6 is supportive of no 4WD public access being provided for.

Submitter 9 supports the public foot access easement.

Submitter 10 supports no 4WD public access on the easement 'a-b-c'. Submitter 10 also states that they would value having permanent and year round access through the Mt Nimrod area and supports easement 'a-b-c'.

Submitter 17 supports the provision of public access 'a-b-c'. Submitter 17 also supports the easement for vehicle conservation management purposes 'b-d' and 'e-f'.

Submitter 18 supports the proposed easements for public and management access.

Submitter 20 supports the preliminary proposal and states that they endorse the practical approach taken in recognising that the easement follows the formed farm track.

**Support for New Fencing:**

Submitter 10 states that they are pleased that the new fencing will be provided where required.

Rationale for Allow

Submitters provided reasons for supporting aspects of the proposal, including the benefits that the proposal will offer in relation to public access, the protection of significant inherent values, or ecological sustainability. The promotion of the management of the land in a way that is ecologically sustainable is a matter for consideration under section 24(a)(i) of the CPLA, the protection of significant inherent values is identified in section 24(b), and the making easier of public access is indicated in section 24(c)(i). All these reasons are relevant under the CPLA and these comments have therefore been allowed.

While some of these submitters provide limited or no supporting reasoning, they have provided support for a proposal that has in itself been developed under the CPLA and they have not introduced any reasoning which could not be considered under the CPLA. These comments are therefore allowed. Overall, point 1 is allowed.

Rationale for Accept or Not Accept

Statements of support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. Point 1 is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2	Surrendered land should be declared as conservation land as part of tenure review.	2	Disallow	N/A

Submitter 2 states that the top of the lease (487 ha, including Mt Nimrod) was surrendered in 1995, but has not yet been declared a conservation area. The submitter considers that this oversight by Department of Conservation needs to be rectified as part of this tenure review.

Rationale for Allow or Disallow

This point relates to land that is not included in the reviewable land. It therefore cannot be considered under the CPLA and therefore the point is disallowed.

Rationale for Accept or Not Accept
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N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	Marginal strips should be provided and/or it should be made clear within the tenure review as to which streams will qualify for marginal strips on disposition.	2, 5, 14, 16	Disallow	N/A

Submitter 2 states that they are “surprised” that some of the streams through the area to be freeholded are not shown as qualifying for marginal strips (average distance across the bed greater than 3m, e.g. White Rock Stream, Nimrod Stream) and requests that all marginal strips be checked.

Submitter 5 states that the plan indicates that a marginal strip has been designated along Nimrod Stream (near the Back Line Road) and that no further marginal strips have been designated on the plan. The submitter states that their acknowledgement would be on the basis of the plan and that no further marginal strips are required. The submitter does, however, state that they dispute that there is a marginal strip on Nimrod shown as if it was created at the time of disposition when the lease was renewed.

Submitter 5 states that the matter of marginal strips is the only outstanding matter in the review of their lease. They state that the TL Surveys Waterways Report (12 December 2007) is at variance with the plan forming part of the preliminary proposal and that the report does not show how much over or under the measurements are so as to give an average width, as referred to in the Conservation Act. The submitter seeks that the Department of Conservation ascertain the true average width before the submitter signs the proposal and that if the average is over 3m then they request that the Commissioner apply for an exemption under section 24B of the Conservation Act. The submitter states that if officials had carried out all the requirements at renewal of their lease, then the Minister [of Conservation] would have considered if it was equitable to grant them an exemption. They believe that it would be fair to exempt the strips in this instance.

Submitter 14 requests that marginal strips be provided along the Nimrod Stream and White Rock River. This is on the basis that the fontinalis fisheries in these waterways are marginal but important and that they are potential candidates for future enhancement efforts.

Submitter 16 states that there appears to be no reference to water quality considerations in the preliminary proposal except the request from Fish & Game New Zealand that marginal strips be required along Nimrod Stream and White Rock River. The submitter suggests that this is a reasonable request for the following reasons:

- Both streams are currently in a relatively pristine state and likely to contain healthy viable stream communities
- These streams are susceptible to degradation caused by direct stock access and contaminant (sediment and faecal matter etc) runoff
- The streams provide water that is used by the community for potable and domestic supply and recreational purposes
- The upper reaches of White Rock River flows through the Mt Nimrod Reserve and riparian protection would assist maintaining visibly clean water in the reserve area.

Rationale for Allow or Disallow

The creation of marginal strips on disposition of the land is governed by the Conservation Act 1987 and not by the CPLA. As the point cannot be considered by the CPLA, the point is disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	Changes proposed to the terms and conditions of the easement document.	5	Disallow - sub points (a) and (b)  Allow - sub points (c) and (d)	N/A – sub points (a) and (b)  Accept - sub points (c) and (d)

Submitter 5 seeks four amendments to the easement document in relation to the following:

- Grantors right to use the easement area (sub point a)
- rights and responsibilities of the Grantor and Grantee (sub point b)
- temporary closure of the easement to the public (sub point c)
- carriage of firearms (sub point d).

Rationale for Allow or Disallow

Sub point (a): The point raised relates to amendments to the easement document specific to the extent to which the holder can use the easement area. Public access is a matter that can be considered under the CPLA but access specific to one individual only is not a matter that is able to be addressed under the CPLA. The point is therefore not allowed for further consideration.

Sub point (b): The point raised relates to the maintenance obligations contained with public access easement. Public access is an object of the CPLA, however the issue of maintenance of public tracks is not able to be addressed under the CPLA and will instead be handled alongside the tenure review with the Department of Conservation. As this sub point raised is not a matter that can be assessed under the CPLA, it is disallowed for further consideration.

Sub point (c): The point relates to public access which is a matter that can be considered under s24(c)(i) of the CPLA and therefore is allowed for further consideration.

Sub point (d): This point relates to the conditions of public access. Public access is a matter that can be considered under section 24(c)(i) of the CPLA and therefore is allowed for further consideration.

Rationale for Accept or Not Accept

Sub point (a): N/A.

Sub point (b): N/A.

Sub points (c) and (d): The conditions of the public access easements have of course been developed in consultation with the holders, however, these very specific alterations proposed to the



conditions represent new information or a perspective not previously considered and the points are therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	Access for public 4WD use should be provided on easement 'c-b-d', and to CA1 and/or Kaumira hunting block.	2, 3, 12, 21	Allow	Accept

Sub point (a) – access for public 4WD use should be provided on easement 'c-b-d':  
Submitter 2 states that easement 'a-b-c', including 'b-d', should also be available for public 4WD use, to make access easier for those wanting to access the higher land, or to hunt wallabies and big game, as proposed at the public consultation.

Submitter 3 seeks an unrestricted five month period between February and June to apply on the route taken by the Department of Conservation. The reason given is that access for 4WD use is limited for hunting on Mt Nimrod and the Kaumira hunting block backing onto Mt Nimrod, and that these areas could be closed with a change of ownership.

Submitter 21 requests that the preliminary proposal document be amended so that the proposed easement for public and conservation management purposes would be available to club members as of right for vehicle access except when periods of extreme danger might exist (e.g. flood, impassable roads, fire danger, etc). The submitter's objection is on the basis that the limited access will have a serious effect on the ecology and that club members will not be able to continue to be of benefit in the control of pests such as wallaby, thar, chamois, goats and pigs.

Sub point (b) – vehicle access to CA1 and/or Kaumira hunting block:  
Submitter 2 states that the ability to gain closer vehicle access to CA1 is "highly desirable" and should be provided. The submitter states that for the same reason that the Department of Conservation seeks vehicle access to the re-purchased land, i.e. faster access to reserved lands, so do recreational users (e.g. recreational hunters, 4WD clubs, mountain bikers, etc).

Submitter 12 states that the opening up of a four wheel drive track for public use to go up to the Kaumira hunting block would be a good idea and this would give older people and others that cannot make it by any other means a chance to see the area. The submitter believes that the opening of a track for about four months of a year (e.g. from February to May) would probably not interfere with the farming operation too much. The submitter states that the Kaumira hunting block is close to Timaru so it is important that as many people as possible get to see it.

Rationale for Allow or Disallow
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The sub points relate to provision of public access and the terms and conditions of public access easements. The provision of public access can be considered under s24(c)(i) of the CPLA. The details of easements, such as whether vehicle access should be provided, is also a matter that can be considered as it relates to making public access easier which is also a matter for consideration under s24(c)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept
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The point raised is access for public 4WD use and relates to the objects and matters to be taken into account under the CPLA. The issue of public access has previously been considered but the submitters have articulated reasons for their preferred alternative outcomes under the CPLA. The point is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	Alternative public access should be provided using the legal road/old Bridle Track.	4,10, 12, 15, 17, 18, 20	Disallow	N/A

Submitter 4 suggests an alternative horse access route to Mt Nimrod on the old Bridle Track which goes up through Run 305, leaving from the Nimrod Road. The reason given is that the access through the Mt Nimrod Scenic Reserve is not suitable for horse and rider [refer to point 7 below].

Submitter 10 states that mountain bikes and horses need an alternative to get to point 'b' as access through the Mt Nimrod Scenic Reserve is only practical for foot access.

Submitter 12 states that an alternative access route to Mt Nimrod (Kaumira block) could be the old Bridle Track which goes up through Run 305 leaving from the Nimrod Road [refer to point 7 below].

Submitter 15 supports the recommendation contained in the Department of Conservation's Historic Resources Report that the proposed Public Access and Vehicles for Management Purposes Easement be expanded to incorporate Ramsay's Track, with the track's public amenity values supported through appropriate interpretation.

Submitter 17 suggests an alternative easement [alternative to using tracks in Mt Nimrod Scenic Reserve] for horses and non motorised vehicles could be from Back Line Road to access the present legal road route (through to 'e-f' and 'b-d' and then to the proposed legal road access way) to the upper part of Mt Nimrod itself.

Submitter 18 states that they are aware of the desire expressed by some parties for another access route to the top of Mt Nimrod beside the legal road. The submitter states that it is difficult to argue for another legal route running parallel to the existing legal road as it would probably impede farm operations, but suggests that the lessees are approached to sound out whether or not they would be agreeable to another easement.

Submitter 20 notes that the designation plan does not show any public access to the Matata Reserve and that the proposed area SR1 and Matata Reserve are land locked. The submitter suggests that a possible solution is that access could be provided to the Matata Reserve, including SR1 and the conservation area bordering the run by utilising the length of the unformed legal road from Back Line Road up to and alongside the Matata Reserve before joining the farm track along which the easements are proposed through to point 'c'.

Rationale for Allow or Disallow
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This point relates to land [legal road] which is not included in the reviewable land and therefore cannot be considered under the CPLA. The point is therefore disallowed.

Note: The old bridle track and Ramsay's track are understood to be different names for the same route which is also the alignment of the existing legal road through the property.

Rationale for Accept or Not Accept
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N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	Public access to point 'a' is not suitable for horses or mountain bikes.	4, 6, 8, 10, 12, 17, 20, 23, 24	Disallow	N/A

Submitter 4 states that the track in the Mt Nimrod Scenic Reserve is not a suitable access route for horse and rider, to trek on Mt Nimrod and surrounding hills, due to standards supporting wooden steps, staircases, steepness, low foliage and a bridge with descending steps. The submitter considers that only a basic access is required to link to the legal track and the submitter suggests alternative access routes [see points 6 and 8].

Submitter 6 states that it is not practicable to carry a mountain bike through the Mt Nimrod Scenic Reserve to access the public access easement 'a-b-c'.

Submitter 8 states that the walking access track in the Mt Nimrod Scenic Reserve has steps, is quite narrow and has overhead branches. The submitter believes that all of these would be hazardous to riders and hopes that the Mt Nimrod area will be accessible for horse riding in the future.

Submitter 10 states that the easement 'a-b-c' is to provide for public foot, horse and non motorised vehicle access but as access to it is through the Mt Nimrod Scenic Reserve, it is only practical for foot access.

Submitter 12 states that the access easement starting from the Mt Nimrod Scenic Reserve is not a suitable access route for horse and rider, or non motorised vehicles, and seeks alternative access routes [see point 6 above].

Submitter 17 states that the track through the Mt Nimrod Scenic Reserve to easement 'a-b' is not practical or desirable for horse or mountain bikes to pass over and suggests alternative access [see point 6 above].

Submitter 20 states that given that the proposed public access easement allows for "for public foot, horse and non-motorised vehicle access" (and recognising that the Mt Nimrod Reserve is beyond the boundaries of the lease being reviewed), the Department of Conservation will need to ensure that access provisions through the Mt Nimrod Reserve are the same as those proposed in the easement.

Submitter 23 states that the horse and non motorised vehicle access easement starting from the Mt Nimrod Reserve is impossible for both horse and rider and suggests alternative access [see point 30 below].

Submitter 24 states that the easement 'a-b-c' is insufficient as a protective mechanism for public access as the Mt Nimrod reserve provides very limited access to point 'a' and certainly not for either a trail bike or horse.

Rationale for Allow or Disallow
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The point raised relates to the provision of public access on land which is not part of the reviewable land and therefore is not a matter that can be considered under the CPLA. The point is therefore disallowed.

This analysis, and all submissions, will be forwarded to the Department of Conservation who administer the land referred to in this point [Mt Nimrod Scenic Reserve].

Rationale for Accept or Not Accept
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N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	Alternative public access should be provided using the management purposes easement route.	4, 10, 12, 17, 20	Allow	Accept

Submitter 4 suggests an alternative horse access route to Mt Nimrod [instead of via Mt Nimrod Scenic Reserve as covered in point 7 above] on the vehicle access for management purposes easement. The reason given is that the access through the Mt Nimrod Scenic Reserve is not suitable for horse and rider.

Submitter 10 states that mountain bikes and horses need an alternative to get to point 'b' as access through the Mt Nimrod Scenic Reserve is only practical for foot access.

Submitter 12 states that an alternative access route to Mt Nimrod (Kaumira block) could be the vehicle access for management purposes easement [see point 7 above].

Submitter 17 suggests that the proposed easement for conservation management purposes could be the access route for walkers, horse riders and non motorised vehicles (i.e. mountain bikers) [alternative access to Mt Nimrod Scenic Reserve].

Submitter 20 believes that the use of the portion of the easement 'b-d' will enhance practical access to the Matata Reserve and the proposed SR1, and that provision should also be made for public foot, horse and non motorised vehicle access along this route.

Rationale for Allow or Disallow
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The point raised relates to the provision of public access which is a matter that can be properly considered under s24(c)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept
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The point raised is alternative public access using the management purposes easement route and relates to the objects and matters to be taken into account under the CPLA. The issue of public access has previously been considered but the submitters have articulated reasons for their preferred alternative outcomes under the CPLA. The point is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	Comments on marginal strips and tenure review process for disposition of Crown Land.	5	Disallow	N/A

The submitter (who is the holder) has made a number of observations regarding the process for identifying Marginal Strips and reserving them through tenure review.

Rationale for Allow or Disallow

The creation of marginal strips on disposition of the land is governed by the Conservation Act 1987 and not by the CPLA. As the point cannot be considered by the CPLA, the point is disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	The fencing around Mt Nimrod Scenic Reserve is inadequate.	6, 10	Disallow	N/A

Submitter 6 points out that the fencing around the Mt Nimrod Scenic Reserve is inadequate with frequent stock incursions and therefore inevitable damage to the bush.

Submitter 10 states that they have some concerns about the current fencing around parts of the Mt Nimrod Scenic Reserve, in particular near the start of the proposed access 'a-b'. They state that according to the map provided, the fence is inside the Mt Nimrod Reserve and is certainly within the bush and subject to damage. The submitter considers that this fence line should be replaced and follow the actual boundary, and that all other fences be made stock proof.

Rationale for Allow or Disallow

The point raised relates to fencing of existing legal boundaries and is therefore not a matter that can be considered under the CPLA. It is a land management issue between the leaseholder and adjoining neighbour (Department of Conservation). The point is therefore disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
11	Public 4WD access should not be provided for on the easements.	6, 10, 18, 24	Allow	Accept

The submitters noted that there was no provision for public 4WD access in the proposal and are supportive of this. Although most did not provide reasons for this position, one submitter felt that it was appropriate that the adjacent landowners be allowed to retain control over public vehicle access because of the fragile nature of the tracks and common use of firearms in the area.

Rationale for Allow or Disallow

This point relates to public access on reviewable land, a matter which is relevant to tenure review and can be considered under the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept

This point is considered to be a statement of support because the submitters concur that the proposed designation for a public access easement is for non-vehicle use only. Statements of

support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal and the point is therefore accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
12	Access should be provided from Mt Nimrod Scenic Reserve to CA1.	6, 10, 17	Allow	Accept

Submitters 6, 10 and 17 state that walking up a vehicle track [public access 'a-b-c'] is not their preferred way of walking to Mt Nimrod and is an indirect route to the summit. The submitters seek a walking route (pole marked) from the top of Mt Nimrod Scenic Reserve more or less directly along the ridge to CA1 and onto Mt Nimrod. Submitter 6 states that this would provide a considerably shorter time to the summit and they accept that restrictions would have to be placed on its use during farm activities (such as lambing) in the same way as occurs in many similar situations elsewhere. This submitter also suggests that the route avoid the environs of Graham Patterson's hut.

Submitter 6 states that this direct route would link up nicely to the easement 'a-b-c' to provide a round trip for trampers and that this route would require minimal time or cost to maintain and have little or no impact on the environment or farm management. The submitter also states that they strongly object to the proposal on page 2 of the tenure review document that "No specific access to CA1 is provided for".

Rationale for Allow or Disallow
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The point raised relates to the provision of public access which is a matter that can be considered under s24(c)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept
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The point raised is the provision of access from Mt Nimrod Scenic Reserve to CA1 and relates to the objects and matters to be taken into account under the CPLA. The issue of public access has previously been considered but the submitters have articulated reasons for preferred alternative outcomes under the CPLA. The point is therefore accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
13	Access should be provided to the Matata Scenic Reserve and/or SR1.	6, 10, 12, 13, 17, 22, 24	Allow	Accept

Various public access options have been proposed by submitters, as follows:

Submitter 6 seeks the provision of a short track from the legal road to the Matata Scenic Reserve. The submitter states that there has been discussion in the local outdoor community regarding access to this reserve.

Submitter 10 states that members would like to see a poled route across to the top of the Matata Reserve as this would allow a trip up to the Mt Nimrod Scenic Reserve and down to the Matata Reserve or vice versa.

Submitter 12 states that the Matata Reserve should be linked to the Mt Nimrod Reserve by a pole marked route public access easement. The submitter states that at present the public go into the Matata Reserve heading for the top of Mt Nimrod or Kaumira hunting block, crossing run 305 block, mostly without getting the runholder's permission. The submitter suggests that there could be two routes (pole marked). One, a shorter one being where the proposed public access track passes within 300m of the Matata Reserve south end.

Submitter 12 refers to the Matata Reserve and SR1 and considers that this area needs its own access arrangements because the Matata Reserve has no legal access at the present time. The submitter states that it is the goodwill of the present owners that the public get to go over the freehold land to get access to the reserve and that this could be withdrawn at any time.

Submitter 13 seeks that a pole walking route be put in place for public access between the Matata Scenic Reserve and Mt Nimrod Scenic Reserve, going from the shortest point of the yellow line on the preliminary proposal plan to the Matata Scenic Reserve.

Submitter 17 seeks a poled foot access easement route to be provided from the legal road across a short length of land to be freeholded to the upper parts of Matata Scenic Reserve, or to SR1.

Submitter 22 seeks that a pole walking route be established for public access between the Matata Scenic Reserve and Mt Nimrod Scenic Reserve to link them. The submitter suggests that it could go from the yellow line at the shortest point to the Matata Scenic Reserve.

Submitter 24 states that the Mt Nimrod and Matata Scenic Reserves should be connected in a useful way so that a 2 - 4 hour walking track can be created with a junction at the legal road enabling access to Mt Nimrod (1525m) and beyond that, a loop track [covered under point 30]. The submitter states that this could accommodate the apparent need for access to SR1. The proposed route is detailed on a map attached to the submission (dated 21 May 2010).

These submitters all seek the provision of a short public walking access route from the easement 'a-b-c' to the Matata Scenic Reserve and/ or the proposed area SR1. The reasons given include:

- there is currently no legal access to the Matata Scenic Reserve or SR1 from the public access easement 'a-b-c'
- the establishment of this additional public access route would provide a link between the Matata and Mt Nimrod Scenic Reserves.

Rationale for Allow or Disallow
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The point relates to the provision of public access which is a matter that can be considered under s24(c)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept
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As discussed above, the point relates to the objects and matters to be taken into account under the CPLA. The point has not previously been considered and is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14	Access should be provided from the public access easement 'a-b-c' to high points near the easement.	6, 10	Allow	Accept

Submitter 6 states that if access is provided as discussed in point 13 above [access from legal road to Matata Scenic Reserve], then the provision of a short poled route from the legal road to point '790' [on the topographical map] should also be considered as many people are likely to head for this obvious high point regardless of their access rights.

Submitter 10 states that access off the main track 'b-c' to the high points along the ridge would be desirable as these would be good destinations for those not going as far. The submitter has detailed the proposed route on a map in the submission.

Rationale for Allow or Disallow
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The point raised relates to the provision of public access which is a matter that can be considered under s24(c)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept
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The point raised is the provision of access from the public access easement to high points near the easement and relates to the objects and matters to be taken into account under the CPLA. The issue of public access has previously been considered but the submitters have articulated reasons for preferred alternative outcomes under the CPLA. The point is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
15	Protection of silver beech trees should be provided by means of conservation area or covenant.	7, 10, 12, 17	Allow	Accept

Submitters 7, 10, 12 and 17 have referred to an area above the Matata Scenic Reserve containing silver beech trees. These submitters seek the protection of these trees either by the formation of a covenant or by inclusion into the Matata Scenic Reserve. Submitters 10 and 12 also seek public walking access to this area. The reasons given for the protection of these trees include:

- they are a significant inherent feature
- there are few beech trees in the Hunter Hills and the central east coast of the South Island
- they are significant both locally, regionally and nationally and that this would add significantly to the already high botanical importance of the Matata Scenic Reserve
- the additional protected area would avoid fragmentation and blend the protection of beech trees and landscape (natural character).

Rationale for Allow or Disallow
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This point relates to the protection of significant inherent values within the reviewable land. The protection of significant inherent values is a matter which can be considered under the s24(b) of the CPLA. Submitters also raise a point relating to the provision of public access which is a matter for consideration under s24(c)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept
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The point raised is the protection of silver beech trees and relates to objects and matters that can be taken into account in the CPLA. The issue of protection of significant inherent values has previously been considered but the submitters have articulated reasons for preferred alternative outcomes under the CPLA. The point is therefore accepted for further consideration.



<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
16	CA1 should be freeholded with a covenant allowing for appropriate levels of grazing to protect significant inherent values.	9	Allow	Accept

Submitter 9 questions whether full Crown ownership and control is required for the area designated CA1 given that the existing qualities which make it desirable to protect have persisted under pastoral lease. The submitter states that it is difficult to see why continued protection cannot be provided by a covenant allowing for appropriate levels of grazing.

<b>Rationale for Allow or Disallow</b>
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The alternative designation suggested by the submitter could be achieved under the CPLA, and the reason given relates to the adequate protection of significant inherent values, which is a matter for consideration under s24(b) of the CPLA and ecological sustainability which is a matter for consideration under s24(a)(i) of the CPLA. The point can therefore be considered under the CPLA and is therefore allowed.

<b>Rationale for Accept or Not Accept</b>
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The point raised is freeholding CA1 with a covenant to protect significant inherent values and is relevant under the objects and matters to be taken into account under the CPLA. The issue of protection of significant inherent values has previously been considered but the submitter has articulated reasons for a preferred alternative outcome under the CPLA. The point is therefore accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
17	Protection of significant inherent values should be provided for in the vicinity of White Rock River and Nimrod Stream.	10, 16	Allow	Accept

Submitter 10 states that the proposed freehold has a substantial amount of modified indigenous vegetation, especially in White Rock River upstream from the reserve and in the Nimrod Stream [photos have been provided in the submission]. The submitter considers that there needs to a protective mechanism in place for these areas to prevent the best of this from being further degraded, to sustain the “special quality and integrity of the high country landscape”, to provide a corridor from the bottom to the top of the range, and to provide protection over the complete altitudinal range. The submitter suggests that restricting grazing to current levels by either a covenant, if freehold, or by retaining it in Crown ownership with a controlled grazing lease, should at least maintain the indigenous vegetation at its current level.

Submitter 16 recommends that to provide for the long term, sustainable protection of the range of significant biodiversity values identified on this land, that the proposed area CA1 be extended to include more of those parts of “critically underprotected” land environment Q2.1a identified in the Conservation Resources Report and to link with the proposed SR1 and SR2. The submitter considers that this could be achieved by incorporating the following:

- 1) Using the existing fence line below the proposed lower CA1 fence line to protect more of the important tussock grasslands above 750m; and

- 2) Extending down the White Rock River from the current CA1 boundary to the lower SR2 area to include the lower forest and shrub areas along the south-facing slopes and to provide important linkage between the upper and lower protected areas.

The submitter states that the White Rock River has retained the most intact indigenous cover and it is identified in the Conservation Resources Report as having high ecological value. Protecting this area would significantly enhance the quality and biodiversity value of the combined areas [CA1 and SR2]. The submitter has attached a map to the submission detailing the recommended extension to CA1.

Rationale for Allow or Disallow

This point relates to the protection of significant inherent values and ecological sustainability within the reviewable land. The protection of significant inherent values is a matter for consideration under s24(b) of the CPLA and ecological sustainability is a matter for consideration under s24(a) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept

The point relates the protection of significant inherent values in the vicinity of White Rock River and Nimrod Stream and relates to objects and matters that can be taken into account in the CPLA. The issue of protection of significant inherent values has previously been considered but the submitters have articulated reasons for preferred alternative outcomes under the CPLA. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
18	Access for management purposes should be provided to Nimrod Stream and White Rock River for the protection of significant inherent values.	14	Allow	Accept

Submitter 14 seeks access to Nimrod Stream and White Rock River for management purposes. This is on the basis that the fontinalis and brown trout fisheries in these waterways are marginal but important and that they are potential candidates for future enhancement efforts.

Rationale for Allow or Disallow

The point raised relates to the protection of significant inherent values (recreational fisheries) which is a matter for consideration under s24(b)(i) of the CPLA and ecological sustainability which is a matter for consideration under 24(a)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept

The point raised relates to the protection of significant inherent values in Nimrod Stream and White Rock River and relates to objects and matters that can be taken into account in the CPLA. The issue of protection of significant inherent values has previously been considered but the submitter has introduced new information that has not previously been considered. The point is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
19	Fencing should be provided to keep stock from the proposed freehold out of the Motukaika River.	14	Allow	Accept

Submitter 14 seeks the fencing of Motukaika River from stock in the area of the relevant freehold land. This is on the basis that the fontinalis fisheries in these waterways are marginal but important and that they are potential candidates for future enhancement efforts.

The Motukaika River is the boundary of the lease and is technically not in the reviewable land, however, the topo maps of the area indicate that there has been some erosion and at least some parts of the river are now within the lease boundaries.

Rationale for Allow or Disallow
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The point raised relates to the protection of water quality and significant inherent values and is a matter that can be considered under the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept
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The point raised is the provision of fencing to keep stock from the proposed freehold out of the Motukaika River and relates to the objects and matters to be taken into account under the CPLA. This point introduces a perspective that has not been previously considered and is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
20	Recommendation for consultation to be undertaken with Te Runanga of Ngai Tahu to identify areas of Maori heritage value within the proposed freehold land.	15	Allow	Not Accept

Submitter 15 states that there is no mention of consultation with Te Runanga o Ngai Tahu (TRoNT) in the preliminary proposal. On this basis, the submitter recommends that consultation with TRoNT be undertaken to identify any areas of Maori heritage value within the area of proposed freehold land.

Rationale for Allow or Disallow
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Pursuant to s44 of the CPLA, the Commissioner must consult with the iwi authority on the preliminary proposal. As consultation with the iwi authority (ie Te Runanga o Ngai Tahu) is a statutory requirement under the CPLA, it is a matter of tenure review and the point is therefore allowed for further consideration.

Rationale for Accept or Not Accept
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Consultation with Te Runanga o Ngai Tahu (TRoNT) on the preliminary proposal has been undertaken. A Cultural Values report was prepared by TRoNT on 30 September 2002. A submission on the Mt Nimrod preliminary proposal was received by TRoNT dated 24 February 2010.

As consultation with TRoNT has been undertaken in accordance with the statutory requirement under the CPLA, the point is not accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
21	Public access should be provided from the public access easement 'a-b-c' to SR2.	17	Allow	Accept

Submitter 17 notes that there is no specific foot access from outside the Mt Nimrod Scenic Reserve to SR2 and questions whether foot access from the Mt Nimrod Scenic Reserve to SR2 would be practical for most active walkers. The submitter seeks a practical poled foot access easement from the legal road to the northern boundary of SR2.

Rationale for Allow or Disallow
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The point raised relates to the provision of public access which is a matter that can be considered under s24(c)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept
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The point raised is the provision of public access from the public access easement 'a-b-c' to SR2 and relates to the objects and matters to be taken into account under the CPLA. The issue of public access has previously been considered but the submitter has articulated reasons for alternative preferred alternative outcome under the CPLA. The point is therefore accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
22	Protection sought for an area south of the legal road by means of scenic reserve or covenant.	17	Allow	Accept

Submitter 17 states that the south facing slope, below the legal road and SR2, contains a good cover of native plants, including celmesia and dracophyllum. The submitter believes that it is worthy of protection for its significant values present, preferably by inclusion in the Mt Nimrod Scenic Reserve, or separately protected by a conservation covenant.

Rationale for Allow or Disallow
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This point relates to the protection of significant inherent values within the reviewable land. The protection of significant inherent values is a matter which can be considered under s24(b) of the CPLA and the point is therefore allowed.

Rationale for Accept or Not Accept
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The point raised is the protection for an area south of the legal road by means of scenic reserve or covenant and relates to objects and matters that can be taken into account in the CPLA. The issue of protection of significant inherent values has previously been considered but the submitter has articulated reasons for a preferred alternative outcome under the CPLA. The point is therefore accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
23	Protection sought for rocky outcrops on proposed freehold by inclusion in SR1 or by means of covenant.	17	Allow	Accept

Submitter 17 states that there are interesting high rocky outcrops, above the central legal road, that are worthy of protection and seek that this area be included in SR1, or at least protected by a conservation and landscape covenant.

**Rationale for Allow or Disallow**

This point relates to the protection of significant inherent values within the reviewable land. The protection of significant inherent values is a matter which can be considered under s24(b) of the CPLA and the point is therefore allowed.

**Rationale for Accept or Not Accept**

The point raised is the protection sought for rocky outcrops on proposed freehold by inclusion in SR1 or by means of covenant and relates to objects and matters that can be taken into account in the CPLA.. The issue of protection of significant inherent values has previously been considered but the submitter has articulated reasons for a preferred alternative outcome under the CPLA. The point is therefore accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
24	Protection sought for rock bound waterway and stands of bush along stream margins near SR2 by inclusion in SR2 or by means of covenant.	17	Allow	Accept

Submitter 17 states that the areas around a rock bound waterway, surrounded by good stands of native bush (including broadleaf trees and shrublands along stream margins) and waterfall (probably a branch of White Rock Stream), are worthy of protection either within SR2, or at least by a conservation covenant. This is on the basis of ecological and landscape significance.

**Rationale for Allow or Disallow**

This point relates to the protection of significant inherent values within the reviewable land. The protection of significant inherent values is a matter which can be considered under s 24(b) of the CPLA and the point is therefore allowed.

**Rationale for Accept or Not Accept**

The point raised is the protection for a rock bound waterway and stands of bush along stream margins near SR2 and relates to objects and matters that can be taken into account in the CPLA. The issue of protection of significant inherent values has previously been considered but the submitter has articulated reasons for a preferred alternative outcome under the CPLA. The point is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
25	Protection of geckos sought by way of extension to SR2 or by means of conservation covenant.	17	Allow	Accept

Submitter 17 states that there are small populations of the threatened jeweled gecko (*Naultinus gemmeus*) within the shrublands, in particular in the areas of bush and shrubs along the streams which flow through the pastoral lease. The submitter recommends that these areas be included in SR2, or by way of conservation covenant, to ensure that this gecko population and habitat remain intact for the long term. The submitter offers assistance to identify these areas where the gecko is present.

Rationale for Allow or Disallow

The point raised relates to the protection (by covenant or land to be retained under Crown ownership and control) of significant inherent values (habitat for geckos) within the reviewable land. The extent to which this habitat is actually within the reviewable land is unclear, however, it is a matter which can be considered under s24(b) of the CPLA. The point is therefore allowed for further consideration.

Rationale for Accept or Not Accept

This point relates to the object and matters to be taken into account in the CPLA, as discussed above. Geckos were not identified in the Conservation Resources Report and as such this point introduces new information and is accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
26	The access road to Mt Nimrod Scenic Reserve should be formalised.	17	Disallow	N/A

Submitter 17 states that the disposal of the area around the homestead and farm buildings should be acceptable provided that the access road to the Mt Nimrod Scenic Reserve itself is formalised by the time the tenure review is completed.

It is noted that the formed road to the reserve is legal so it is not clear what the point being made is.

Rationale for Allow or Disallow

This point relates to a road which is not included in the reviewable land and therefore cannot be considered under the CPLA. The point is therefore disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
27	Protection of a stand of native trees near the homestead should be protected.	17	Allow	Accept

Submitter 17 seeks that a stand of native trees, opposite the entrance to the homestead road on the east side of Back Line road within a small parcel of the pastoral lease, should be protected. The submitter also considers that this area needs to be fenced to keep stock out for the long term survival of this stand of trees.

**Rationale for Allow or Disallow**

This point relates to the protection of significant inherent values within the reviewable land. The protection of significant inherent values is a matter which can be considered under s24(b) of the CPLA and the point is therefore allowed.

**Rationale for Accept or Not Accept**

The point raised is the protection of a stand of native trees near the homestead and relates to objects and matters that can be taken into account in the CPLA. The issue of protection of significant inherent values has previously been considered but the submitter has articulated reasons for a preferred alternative outcome under the CPLA. The point is therefore accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
28	Protection of significant inherent values sought for area in the north of the property by means of covenant.	18	Allow	Accept

Submitter 18 refers to an area of significant inherent values contiguous with CA1 across the proposed freehold and including the upper catchment of the un-named tributary of the White Rock River in the north of the property (approximately 200 ha). The submitter recommends that a special conditions covenant banning the use of blanket spraying and burning be imposed on this area described. This is on the basis that it is essential to increase the probability of the long term retention of the tall tussock, shrubs, herbs and forest remnants of this area under grazed-grassland management. The submitter also recommends negotiations to extend this covenant over those lower altitude areas too steep for conventional cultivation or direct drilling, and that spot spraying for weed control should remain acceptable.

**Rationale for Allow or Disallow**

This point relates to the protection of significant inherent values within the reviewable land. The protection of significant inherent values is a matter which can be considered under s24(b) of the CPLA and the point is therefore allowed.

**Rationale for Accept or Not Accept**

The point raised is the protection of significant inherent values sought for area in the north of the property and relates to objects and matters that can be taken into account in the CPLA. The issue of protection of significant inherent values has previously been considered but the submitter has articulated reasons for a preferred alternative outcome under the CPLA. The point is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
29	Proposed freehold should remain in Crown control.	24	Disallow – sub points (a) and (b)	N/A – sub points (a) and (b)

Sub point (a): Submitter 24 states that their primary position is that Crown land should remain as it is and they do not support disposition to freehold/fee simple.

Sub point (b): Submitter 24 also states that if the land is to be freeholded, the land should be transferred at current market value taking into account the area, location, yield, potential yield and protective mechanisms.

Rationale for Allow or Disallow
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Sub point (a): The point raised of not supporting disposition to freehold/fee simple is not validly made as it represents a philosophical opposition to tenure review and is not relevant to this review specifically. The point is therefore disallowed.

Sub point (b): Financial consideration is not consulted on and is not a matter that can be properly considered under s24 or s25 of the CPLA. The point is therefore disallowed for further consideration.

Rationale for Accept or Not Accept
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Sub points (a) and (b): N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
30	Public access should be provided to Mt Nimrod summit.	23, 24	Allow	Accept

Submitter 23 states that the horse and non motorised vehicle access easement starting from the Mt Nimrod Reserve is impossible for both horse and rider (see point 7 above) and suggests alternative access on the easement over the original existing farm track off Back Line Road. This is the track that links vehicle access to the proposed Conservation Management Area and would give horse access to the top of Mt Nimrod.

Submitter 24 considers that there should be an easement from Back Line Road up the south side and past CA1 to enable the best walking access to Mt Nimrod summit. This is on the basis that this is the most accessible route, it is already tracked and it also serves area CA1 which appears not to have access to it. The submitter states that a loop easement for walking or Crown vehicle access around the entire area is sensible and necessary. The submitter has detailed the proposed route on maps in the two submissions dated 24 March 2010 and 21 May 2010.

In principle this is a similar point to points 5, 6 and 12, however, it is along a totally different route (the track along the Southern boundary of the lease).

Rationale for Allow or Disallow
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The point raised relates to the provision of public access which is a matter that can be properly considered under s24(c)(i) of the CPLA. The point is therefore allowed.



Rationale for Accept or Not Accept

The point raised is the provision of public access to Mt Nimrod summit and relates to the objects and matters to be taken into account under the CPLA. The issue of public access has previously been considered but the submitters have articulated reasons for preferred alternative outcomes under the CPLA and the point is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
31	The legal road should be retained for management purpose access.	14	Disallow	N/A

Submitter 14 seeks the retention of the legal road if it facilitates access [management purpose access to Nimrod Stream and White Rock River] as covered in point 18 above. This is on the basis that the fontinalis fisheries in these waterways are marginal but important and that they are potential candidates for future enhancement efforts.

Rationale for Accept or Not Accept

This point relates to land [legal road] that is not included in the reviewable land. It therefore cannot be considered under the CPLA and therefore the point is disallowed.

Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
32	Public walking access should be provided from SR1 to point 'c' via the Matata Creek watershed.	12	Allow	Accept

Submitter 12 proposes that a second pole marked route could be out from SR1 up to the small patch of silver beech trees in the Matata Creek water shed, then up to the ridge to the legal road on top of the ridge and head south to point 'c' linking it with Kaumira Block.

Rationale for Allow or Disallow

The point relates to the provision of public access which is a matter that can be considered under s24(c)(i) of the CPLA. The point is therefore allowed.

Rationale for Accept or Not Accept

As discussed above, the point relates to the objects and matters to be taken into account under the CPLA. The point has not previously been considered and is therefore accepted for further consideration.

## Summary

### Overview of analysis:

Twenty four submissions were received from private individuals, recreational groups and non government environmental groups, together with a regional council, Crown entity and the leaseholder. Submissions were analysed in the order in which they were received and points were listed in the order in which they were encountered.

Point 1 covers all statements in specific support either for the entire proposal, or for parts of the proposal. Twelve out of the total twenty four submitters expressed statements of support for various aspects of the proposal.

A large number of submissions were made in relation to the provision of additional public access to the proposed scenic reserves and conservation area, and to the scenic reserves and conservation areas not included in the reviewable land.

A number of submissions were made in respect of further and/ or tighter protection mechanisms or return to full Crown ownership.

From all the thirty two points derived from the twenty four submissions received, twenty two were allowed (either fully or in part) for further consideration. Twenty one of the allowed points and sub points were accepted (either fully or in part) for further consideration in the formulation of the draft Substantive Proposal. Ten points were disallowed for further consideration.

Appendix III lists the points raised, grouped by categories.

### Generic issues:

The generic issues identified were:

- Public access [not on reviewable land] to the proposed easements is not suitable for horses or mountain bikes and alternative access for horses and mountain bikes on the reviewable land should be provided.
- Additional public access should be provided to the proposed scenic reserves and conservation area.
- Public 4WD use should be provided on the proposed easements and/or additional access routes.
- Greater protection of significant inherent values, through an expansion of the areas for Crown retention, or the use of covenants on some of the land proposed to be freeholded, should be provided.

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

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

### Risks identified:

No risks identified in the proposal or tenure review process.

General trends in the submitters' comments:

The general trend in submitters comments was one of support for the proposal, but more public access was sought and greater protection of significant inherent values.

List of submitters:

A list of submitters is included in Appendix II and a summary of the points raised by submitters is included in Appendix III.

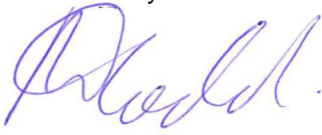
I recommend approval of this analysis and recommendations:



Louise Mincher – Tenure Review Consultant

Date: 12/10/2010

Peer reviewed by:



Mike Todd - Work Group Manager, Property Consultancy

Date 12/10/10

Approved ~~Declined~~



Commissioner of Crown Lands

Date: 26/10/10

**Appendices:**

- I Copy of Public Notice
- II List of Submitters
- III Points Raised by Submitters
- IV Copy of Annotated Submissions

## **APPENDIX II**

### **List of Submitters**

<b>Submitter Number</b>	<b>Date received</b>	<b>Submitter</b>	<b>Representative</b>	<b>Address</b>
1	16/02/10	Geoff Clark		10 Smacks Close, Papanui, Christchurch 8051
2	8/03/10	Council of Outdoor Recreation Associations of New Zealand Inc	Dr Hugh Barr, Secretary	PO Box 1876, Wellington
3	11/03/10	P R Rathgen		Claremont Road, 4RD, Timaru
4	10/03/10	Strathallan Riding Club Inc	Frances Hughes (Secretary) and Toni Humphrey (President)	C/- Mrs F Hughes, 39 Wallingford Road, Temuka
5	12/03/10	G & V Patterson		Mt Nimrod, RD 14, Cave
6	15/03/10	South Canterbury Section, NZ Alpine Club	Mark Easton, Secretary	PO Box 368, Timaru
7	15/03/10	Adrian Cogle		60 Matai Crescent, Highfield, Timaru 7910
8	16/03/10	Gillian Johns		612 Monavale Road, 14 RD, Cave 7984
9	18/03/10	North Otago Tramping Club and Mountaineering Club	John Chetwin, Secretary	PO Box 217, Oamaru 9444
10	17/03/10	South Canterbury Tramping Club	Hazel Marshall, Secretary	PO Box 221, Timaru
11	16/03/10	Christopher Pearson		5322 Whitetail Dr #9, Springfield IL 62703, USA
12	15/03/10 and 23/03/10	R K Patterson		White-Rock, Cannington, 14 RD, Cave
13	18/03/10	Geraldine Tramping Club	Denise Macpherson, Secretary	Langridge Road, 25 RD, Temuka
14	18/03/10	Central South Island Region, Fish & Game New Zealand	Devon Christensen, Resource Officer	PO Box 150, Temuka
15	19/03/10	Southern Regional Office, New Zealand Historic Places Trust	Malcolm Duff, General Manager Southern	PO Box 4403, Christchurch
16	23/03/10	Environment Canterbury	Cathie Brumley, Senior Resource Management Planner	PO Box 345, Christchurch

17	19/03/10	South Canterbury Branch, Royal Forest & Bird Protection Society of New Zealand Inc	Fraser Ross, Branch Field Officer (Voluntary)	29a Nile St, Timaru 7910
18	19/03/10	Canterbury/ Aoraki Conservation Board	John M Keoghan	C/- Department of Conservation, Private Bag 4715, Christchurch
19	19/03/10	Federated Mountain Clubs (FMC) Inc	David Round	PO Box 1604, Wellington
20	22/03/10	New Zealand Walking Access Commission	Mark Neeson, Chief Executive	PO Box 12348, Thorndon, Wellington 6144
21	16/03/10 and 22/03/10	South Canterbury Branch, New Zealand Deerstalkers Association  (signed by 23 members)	Kerry O'Rourke, Secretary	C/- GD O'Rourke & Sons, 85 Main Road, Pleasant Point 7903
22	18/03/10	Temuka Tramping Club	Viv Paul (President) and Lindsay Peck (Custodian)	C/- 27 Ormsby St, Temuka
23	11/03/10 and 23/03/10	48 submitters  81 submitters		
24	26/03/10 and 25/05/10	Tim Jackson		126 Otipua Road, Timaru 7910