

# **Crown Pastoral Land Tenure Review**

**Lease name: REDCLIFFE**

**Lease number: PC 141**

## **Final Report on Public Submissions - Part 1**

This document builds on the Preliminary Report on public submissions. The analysis determines if an issue that was allowed, and further consulted on, is accepted or not accepted for inclusion in the Substantive Proposal and to what extent. The report complies with the requirements of Section 45 Crown Pastoral Land Act 1998.

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

**July**

**06**

**FINAL ANALYSIS OF PUBLIC SUBMISSIONS**

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

**REDCLIFFS TENURE REVIEW NO 54**

**Details of lease**

Lease name: Redcliffs  
 Location: Double Hill Run Road, 32 kilometres north-west of Methven  
 Lessee: William Hugh Duncan Ensor and Sarah Helen Ensor

**Public notice of preliminary proposal**

Date advertised: 5 November 2005

Newspapers advertised in:

- The Press Christchurch
- Otago Daily Times Dunedin
- The Ashburton Guardian Ashburton

Closing date for submissions: 23 January 2006

**Details of submissions received**

Number received by closing date: seven (7)

Cross-section of groups/individuals represented by submissions:-

<b>Sub #</b>	<b>Submitter</b>	<b>Address</b>	<b>Type of Organisation</b>
1	Christchurch Tramping Club	P O Box 527 Christchurch	Non Government Organisation - Local
2	Environment Canterbury	P O Box 345 Christchurch	Local Government Organisation – Regional
3	Federated Mountain Club of New Zealand (Inc)	C/- G R K Hunter Kalaugher Road RD 21 Geraldine	Non Government Organisation – National
4	Peninsular Tramping Club	C/- 271 Centaurus Road Christchurch 8002	Non Government Organisation - Local
5	New Zealand Deerstalkers' Association Incorporated	P O Box 6514 Wellington	Non Government Organisation – National

6	Royal Forest & Bird Protection Society	P O Box 2516 Christchurch	Non Government Organisation – National
7	Geoff Clark	10 Smacks Close Papanui Christchurch 8005	Private individual

Number of late submissions refused/other: nil
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## ANALYSIS OF SUBMISSIONS

### Introduction

### Methodology

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:

- Summarises each of the points raised along with the recorded number (shown in the appended tables) of the submitter(s) making the point.
- Discusses the point.
- Records the decision made as to whether or not to allow for further consultation.
- Records further consultation undertaken on the allowed points.
- Recommends whether or not to accept the allowed points.

The following approach was adopted when making the decision to allow for further consultation:

The points raised were analysed to assess whether they were matters that could be dealt with under the Crown Pastoral Land Act 1998 (CPLA). Where it was considered that they were, the decision was to allow them.

Further consultation with both the Director General of Conservation's delegate and the leaseholders has been completed on all those points that were allowed.

A recommendation to accept or not accept the point is made taking into account the views of all parties consulted and any other matters relevant to the review, balanced against the objects and matters to be taken into account in the Crown Pastoral Lands Act 1998 (Sections 24 and 25 of the Act).

The outcome of an accept decision will be that the point is included in the draft substantive proposal, conversely the outcome of a not accept decision is will be that the point is not included in the draft substantive proposal.

**Analysis**

J B

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Support for the proposal to retain the land indicated for Crown ownership.	1, 2, 3, 5	Allow	Accept

Rationale

**Allow/Disallow**

The submitters note that this outcome will protect land that was intended for surrender under the earlier Soil and Water Conservation Plan (SWCP). Submitter two also considers that protecting the large mountain area will make a major contribution to landscape protection of this important mountain backdrop. Submitter five underlines that the area to be protected has high recreational value for hunting and other outdoor recreation activities.

The point relates to objectives and outcomes which are covered by the CPLA; therefore the point was allowed.

**Accept/Not Accept**

Following consultation with both the holder and the DGC's delegate the proposed conservation area designations have been retained largely intact with only very minor adjustments made to the boundaries to obtain more practical fence lines.

The point is accepted and the preliminary proposal designations are retained for a draft substantive proposal with the minor boundary adjustments mentioned above.

J B

Point	Summary of point raised	Submission number	Allow or disallow	Accept or not accept
2	Support the designated Scenic Reserve in Redcliffe Stream.	1	Allow	Accept

Rationale

**Allow/Disallow**

The submitter contends that the gorge section of Redcliffe Stream has high ecological and landscape values of this area and as Crown land it will improve the Public access opportunities.

The point relates to objectives and outcomes which are covered by the CPLA; therefore the point was allowed.

**Accept/Not Accept**

Similar to point 1 above the designation of this area is substantially unchanged other than slight amendments made following a more accurate mapping of the existing fence lines.

The point is accepted and the preliminary proposal designations are retained for a draft substantive proposal with the minor boundary adjustments mentioned in point 1 above.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	Ensure appropriate public access to Black Hill, Mt Hutt ranges and upper Swift River through both Redcliffe and Glenrock stations.	1,4, 6	Allow in part	Accept

Rationale

**Allow/Disallow**

The submitters want good quality access to the newly proposed Crown land created from a number of reviews in the district. They note that with more than one property involved there are a number of Service Providers involved.

Improved public access is an object of the CPLA. However, the request for Service Providers to talk to each other is not directly a CPLA matter. The point was allowed in part.

**Accept/Not Accept**

Following consultation with the holder and the DGC's delegate on this point an inspection was made of Hutt Stream to determine if the stream and its margins provided adequate public access to the Steep Face Hill and the Mt Hutt Range. The stream was found to provide easy walking right up to the proposed conservation area boundary as shown in figure 1 below. As the stream will attract a marginal strip on disposition no formal easement arrangements will be required.

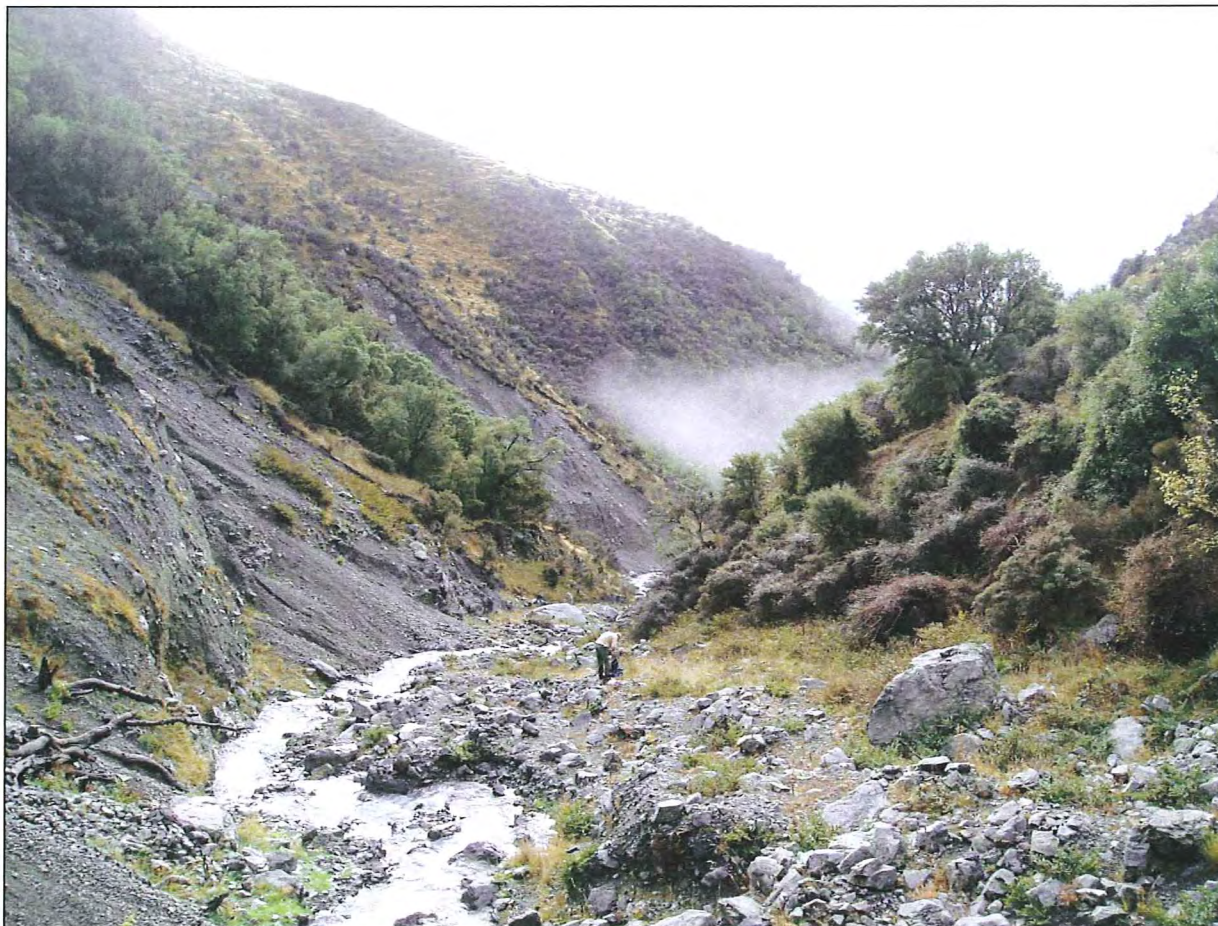


Figure 1 - Hutt Stream looking downstream from approximate position of conservation area boundary.

Options for other access points into the proposed conservation area were discussed and inspected with the only viable access identified being a track into Terrible Gully.

The necessity of this was questioned by the holder as he did not think that there would be any public demand to go into this area, however he was not opposed to the use of this track for a public easement provided the public stuck to the branch going up the stream and did not use the track which veers off into paddocks used for lambing. The proposed easement is shown in diagram 1 at right.

These two points are considered the only practical access points into the Mt Hutt Range and no other options were inspected.

The point is accepted and a public access easement into Terrible Gully is included in the draft substantive proposal.

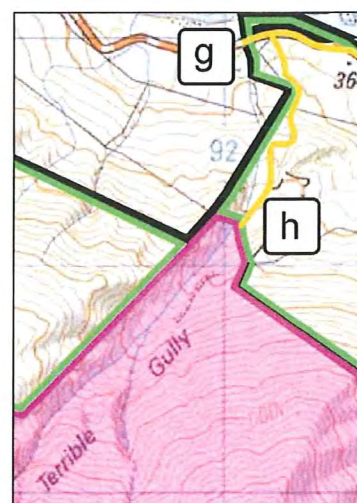


Diagram 1

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	A better principle public access route is required to the proposed Conservation land.	1, 4, 5, 6	Allow	Accept

Rationale

**Allow/Disallow**

The submitters believe that the Redcliffe Stream is not a practical and reasonably convenient route. A farm track would be satisfactory; or something equivalent to it.

An object of Part 2 of the CPLA is to make easier the securing of public access to and enjoyment of reviewable land. So public access is a matter for the Commissioner of Crown Land (CCL) consideration under the Act.

The point was therefore allowed.

**Accept/Not Accept**

In consultation the holder acknowledged that the Stream bed itself did not provide particularly practical access into the designated SR1.

He indicated that he would allow a public access easement over the old farm track into this area provided that the easement was as far as possible to the true right of the Redcliffe Stream valley from the bridge to the boundary of the pastoral lease.

This will take the public away from the intake for his hydro power/irrigation scheme. When inspected this request was found to be quite practical as this area is reasonably flat and will merely require a small amount of scrub clearing to be made useable.

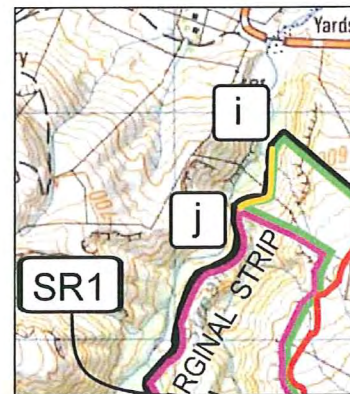


Diagram 2

It is noted that the line of this easement is substantially outside of the pastoral lease and will require further consultation and negotiation with the holder as owner of the adjoining freehold to achieve practical legal access. These negotiations have commenced but are outside of the tenure review process and therefore are not reported here.

The actual easement proposed as a tenure review designation is shown in the diagram 2 above.



Figure 2 - Proposed public access easement looking down Redcliffe Stream from boundary of SR1

The proposed easement combined with the existing track through SR1 is clearly the best access to the proposed conservation land and was lacking in the preliminary proposal.

The point made by the submitters is accepted and the easement is include in the draft substantive proposal.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	Use an old farm track above Redcliffe Stream for a public access route.	1, 4	Allow in part	Accept

Rationale

**Allow/Disallow**

The submitters propose a public access route start on the freehold land and with some clearing of scrub will provide access to the paper road at Rat Hill Stream. The provision of access on freehold land cannot be considered under the CPLA and would need to be dealt with by a process outside of tenure review.



The securing of public access to reviewable land is an object of Part 2 of the Crown Pastoral Land Act. The point was therefore allowed for the part that is on the pastoral lease land.

### **Accept/Not Accept**

The farm track identified by submitters was investigated and found to be almost entirely within SR1. The new easement described in point 4 above is over this track as far as the boundary of the scenic reserve and the point is accepted to this extent.

The submitter also suggested that the access follow the track as far as the commencement of the legal road line to give legal access to the Rat Hill area of the conservation designation. This was investigated and the line of the legal road as well as the proposed access to it is considered impractical for public access (being steep rough going through dense scrub).

Our interpretation of the point made is that the submitter wished to see access established between the SR1 and CA1 designations. On inspection this was considered best achieved by linking the top of SR1 to the nearest point of CA1. This provides relatively easy walking access along the length of SR1 and then over a short easement to CA1. This is illustrated in figure 3 – over page.

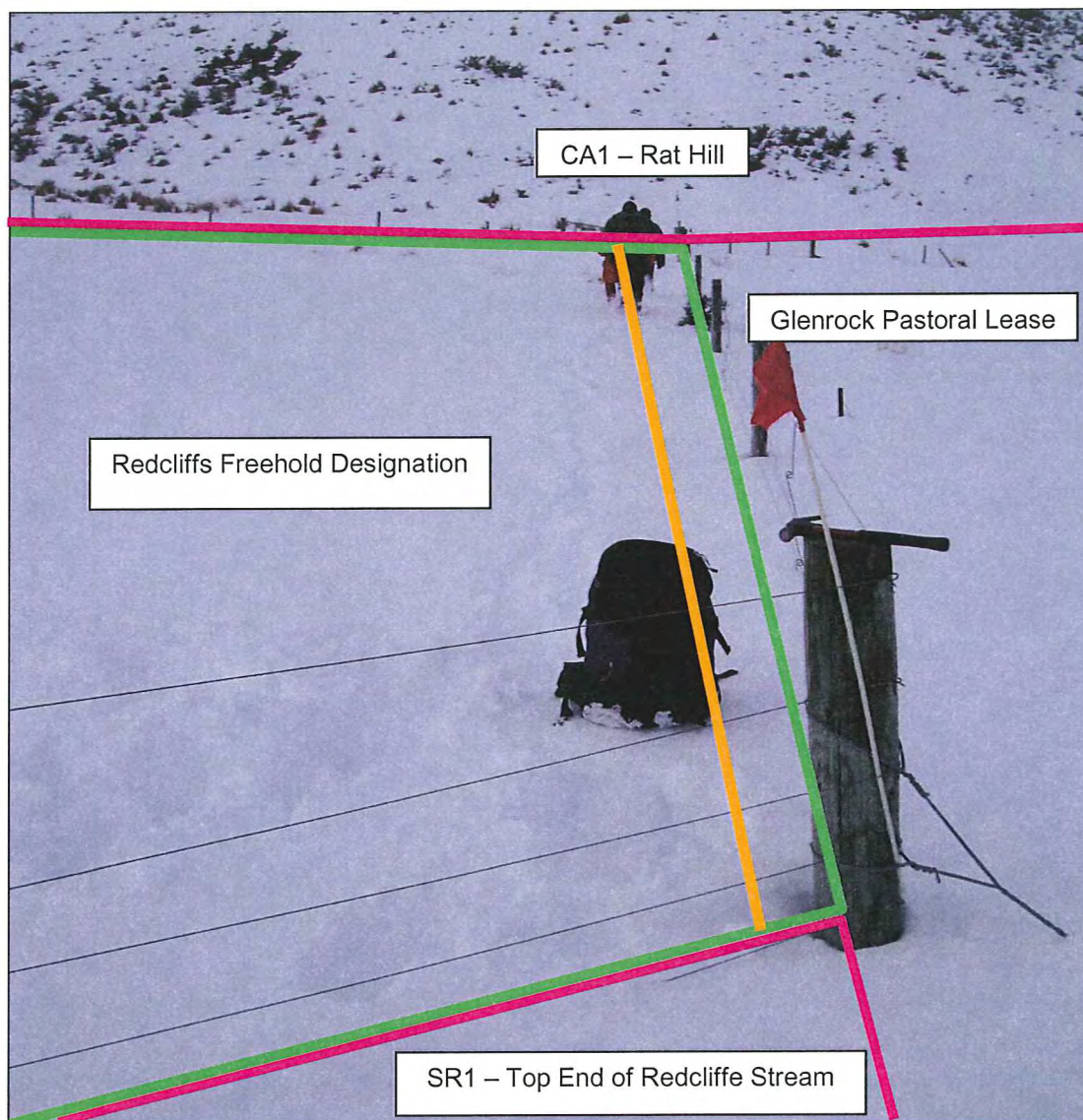


Figure 3 - Proposed easement (orange line) linking SR1 and CA1.

Both the DGC's delegate and the holder accepted that this provides the best public access linkage between these designations. The point as interpreted (a requirement for a public access link between conservation designations) is therefore accepted and the proposed easement has been included in the draft substantive proposal.