

## **Crown Pastoral Land Tenure Review**

**Lease name: TEMPLE PEAK  
STATION**

**Lease number: PO 094**

### **Analysis on Public Submissions**

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.

**April**

**10**

**ANALYSIS OF PUBLIC SUBMISSIONS**  
**Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act**  
**TEMPLE PEAK TENURE REVIEW NO TR317**

**Details of lease**

Lease name:	Temple Peak
Location:	Rees Valley Road, Glenorchy
Lessee:	Temple Peak Limited

**Public notice of preliminary proposal**

Date advertised:	31 October 2009
Newspapers advertised in:	The Press (Christchurch) Otago Daily Times (Dunedin) Southland Times (Invercargill)
Closing date for submissions:	18 January 2010

**Details of submissions received**

Number received by closing date: Twelve
Cross-section of groups/individuals represented by submissions: Five submissions were received from public conservation groups, four were received from Government related groups, one from the mining industry, one from a well known environmentalist and two from the general public.
Number of late submissions refused/other: A late submission from the New Zealand Walking Access Commission was received on 21 January 2010 and has been accepted by the Commissioner of Crown Lands on 8 March 2010. No further late submissions were received.
The total number of submissions received and analysed is therefore 13.

## ANALYSIS OF SUBMISSIONS

### Introduction

Each of the submissions received has been reviewed in order to identify the points raised and these have been numbered accordingly. Where submitters have made similar points these have been given the same number.

The following analysis:

1. Summarises each of the points raised along with the recorded number (shown in the appended tables) of the submitter(s) making the point.
2. Discusses each point.
3. Recommends whether or not to **allow** the point for further consideration.
4. If the point is **allowed**, recommends whether to **accept** or **not accept** the point for further consideration.

The points raised have been analysed to assess whether they are matters that are validly-made, relevant to the tenure review and can be properly considered under the Crown Pastoral Land Act 1998 (CPLA). Where it is considered that they are the decision is to **allow** them. Further analysis is then undertaken as to whether to **accept** or **not accept** them.

Conversely where the matter raised is not a matter that is validly-made or relevant or can be properly considered under the CPLA, the decision is to **disallow**. The process stops at this point for those points disallowed.

The outcome of an **accept** decision will be that the point is considered further in formulation of the draft SP. To arrive at this decision the point must be evaluated with respect to the following:

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

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

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

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

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

**Analysis**

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
1	The submitters expressed general or strong support for the proposal.	1,2,3,4,9	Allow	Accept
<p>Rationale for Allow: The tenure review preliminary proposal was prepared in consideration of the objects expressed in Section 24 CPLA. The submissions are therefore made in the context of this section and the point is allowed.</p>				
<p>Rationale for Accept: The point is a statement of support for aspects of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.</p>				

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
2	The submitters concur with the proposed recreation concession over CA1 and CA2. Submitter 10 notes that this support is subject to a five year review period.	1,6,10	Allow	Accept
<p>Rationale for Allow: The point relates to the granting of a concession to a specified person as provided for in Section 36(1)(a) 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>				

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
3	The submitters endorse the proposal to include no grazing within conservation area CA1.	1,6	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of SIVs as provided for under Section 24(b) 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>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	The submitters endorse the proposed grazing concession although all the submitters suggest some variations to the terms of the concession. Submitter 1 only refers to the first seven years, submitter 6 suggests a term of 7+7 years and submitters 10 and 12 suggest a term of 5+5+5.	1,5,6,10,12	Allow	Accept

**Rationale for Allow:**  
 The point raised and the context in which it is raised relates to both the protection of SIVs as provided for under Section 24(b) CPLA and the granting of a concession to a specified person under Section 36(1)(a) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.

**Rationale for Accept:**  
 This point is both 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 and also introduces new information or a perspective 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
5	The submitters endorse the establishment of conservation area CA3.	1,6,10,12	Allow	Accept

**Rationale for Allow:**  
 The point relates to the protection of SIVs as provided for under Section 24(b)(ii) 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 aspects of the preliminary proposal which can be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	The submitters recommend a variation to monitoring of the impact of the grazing concession over CA2.	1,6	Allow	Accept

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

**Rationale for Accept:**  
 The submitters have introduced new information related to the detail of the monitoring of grazing effects and a perspective (different bench marks) which has not been fully considered previously and this information needs to be considered by the Commissioner when formulating the designations for a substantive proposal. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	The submitter endorses the proposed freehold with some minor variations in particular relating to monitoring within covenants and additional fencing. The aspects are developed in other points.	1	Allow	Accept
<p>Rationale for Allow: The point relates to the freehold disposal of reviewable land as allowed under Section 24(c)(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. Minor variations referred to are considered in points 8 and 9.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	The submitters recommend additional monitoring within conservation covenant CC1.	1,6,10	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of SIVs within 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 submitters introduce new information and a perspective not previously considered therefore the point is accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	Recommends provision for a mid-slope fence within CC1 at a later date if supported by monitoring.	1,10	Allow	Accept
<p>Rationale for Allow: While this point is getting into the specifics of management of the covenanted area it does nonetheless relate to the protection of SIVs under a protective mechanism as provided for by 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: This point is a flow on from the preceding two points, includes the introduction of information not previously considered (consideration of additional fencing) and provides an additional perspective (the benefits of fencing the covenant if monitoring indicates this) to be considered when formulating a substantive proposal. The point is therefore accepted.</p>				

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Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	The submitter endorses the general conditions of conservation covenant CC1.	1	Allow	Accept

Rationale for Allow:  
 The point relates to the protection of SIVs by the creation of a protective mechanism as allowed 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.

Point	Summary of point raised	Submission numbers	Allow or disallow
11	The submitter endorses the proposed boundary adjustment with Rees Valley Station.	1	Disallow

Rationale for Disallow:  
 The matter of the boundary adjustment with Rees Valley was raised within the preliminary proposal and the public information purely to ensure completeness of understanding. The boundary adjustment is not a matter to be considered under the tenure review but is happening concurrently. Tenure review only deals with reviewable land included in a review. As this is a matter including land not under review the point has been disallowed. Support for this adjustment is however acknowledged.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
12	The submitters endorse the proposed public easements. Submitter 12 does however raise some additional points in relation to these easements that are considered later in this analysis (see points 32, 33 and 36).	1,4,6,8,10,12	Allow	Accept

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.

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.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
13	The submitters recommend the conservation management easements are made available to the public. Submitter 6 extends additional reasons for this (round trips and pest control). Submitter 10 recommends reconstruction of part of the route to avoid adjacent freehold land and submitter 12 offers variations to the easement routes.	1,6,10,12	Allow	Not Accept
<p><b>Rationale for Allow:</b>                      The point relates to the provision of public access in order meet the requirements of 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><b>Rationale for Not Accept:</b>                      This point was well traversed during the preparation of the preliminary proposal. The submitters did not introduce new information or a perspective not previously considered neither have the submitters articulated reasons why alternative outcome is preferred that has not previously been considered. Therefore the point is not accepted.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
14	The submitter endorses the proposed new fences being constructed in conjunction with this review.	1	Allow	Accept
<p><b>Rationale for Allow:</b>                      The point relates to the protection of SIVs which is a requirement of Section 24(b) CPLA. Fences are a mechanism to achieve this. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				
<p><b>Rationale for Accept:</b>                      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>				

Point	Summary of point raised	Submission numbers	Allow or disallow
15	The submitter expresses the hope that Government departments will manage weed control on the proposed conservation area.	4	Disallow
<p><b>Rationale for Disallow:</b>                      This point relates to a management issue in relation to Crown land and potential conservation land and is not contained within the objects of Part 2 CPLA. While the submitters point is</p>			



acknowledged as being important, weed control is not a matter for tenure review.. The point is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow
16	The submitter raises concerns about the content of the public information pack.	5	Disallow

**Rationale for Disallow:**  
 The public information pack is not a component of Part 2 CPLA. The preliminary proposal contained in that pack is a statutory requirement however the information pack itself is not of that status. While the point is noted this cannot be considered further and is therefore disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
17	The submitter expresses concerns about the proposed recreation concession involving helicopters due to the noise disturbance to recreational users.	5	Allow	Not Accept

**Rationale for Allow:**  
 The point relates to the securing of public access to and enjoyment of reviewable land as required under Section 24(c)(i) CPLA. The point also relates to the granting of a specified concession to a person specified in the proposal under Section 36(1)(a) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.

**Rationale for Not Accept:**  
 The potential negative effects of the proposed concession were given full consideration during the preparation of a preliminary proposal. The submitter has not introduced new information or a perspective previously considered. While this point was previously considered and could be considered again the submitter has not articulated reasons why they would prefer the alternative outcome. The point is therefore not accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
18	The submitters support the proposed conservation area CA1.	6,10,12	Allow	Accept

**Rationale for Allow:**  
 The consideration of conservation area CA1 was undertaken in light of the objects of Section 24 CPLA. It is believed that the conservation area meets these objects. 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.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
19	The submitters advise that they have no objection to the proposed freehold land up to an altitude of 1000m.	6,10	Allow	Accept
<p><b>Rationale for Allow:</b>                      The point relates to the freehold disposal of reviewable land as considered under Section 24(c)(ii) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				
<p><b>Rationale for Accept:</b>                      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>				

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
20	The submitters support the proposed conservation covenant south of Davidsons Creek albeit with some recommendations as to a review of the conditions of the covenant (See points 8, 25, 29 & 31).	6,12	Allow	Accept
<p><b>Rationale for Allow:</b>                      The point relates to the protection of SIVs on the reviewable land by the creation of a protective mechanism. Provision for this is contained in 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><b>Rationale for Accept:</b>                      The point is in part 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 also introduces new information not previously considered that should be taken account of when formulating the designations for the substantive proposal. The point is therefore accepted.</p>				

<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	The submitters recommend that the area of CC1 north of Davidsons Creek becomes conservation area as in their view this would provide better protection of SIVs.	6,12	Allow	Accept
<p><b>Rationale for Allow:</b>                      The point relates to the protection of SIVs on the reviewable land as provided for under Section 24(b) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				

**Rationale for Accept:**  
 The submitters raise new information in relation to the SIVs in CC1 and also articulate reasons why they prefer an alternative outcome under the CPLA. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
22	The submitter requests that there is no limitation to access the land for mineral exploration and mining post tenure review.	7	Disallow

**Rationale for Disallow:**  
 The point relates to mineral exploration and mining on the proposed land post tenure review. The submitter also specifies that this applies across both the proposed freehold and the proposed conservation land. Access to land for mineral exploration and mining is covered by the Crown Minerals Act and not the CPLA. This is therefore a matter that the Commissioner cannot consider in formulating a substantive proposal and the point is disallowed.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
23	The submitters endorse the proposed conservation management easements.	9,10	Allow	Accept

**Rationale for Allow:**  
 The point relates to the creation of an easement pursuant to section 36(3)(b) 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.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
24	The submitters support the proposed conservation area CA2.	10,12	Allow	Accept

**Rationale for Allow:**  
 The point relates to the restoration of land to full Crown ownership and control to protect SIVs as provided for in Section 24(b)(ii) 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.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
25	The submitters recommend that that CC1 be enlarged down slope to encompass additional significant inherent values.	10,12	Allow	Accept
<p>Rationale for Allow: The point relates to the protection of SIVs as provided for in Section 24(b) 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 submitters have introduced new information in relation SIVs in this area that has not previously been considered and also articulate reasons why they prefer an alternative outcome under the CPLA. Submitter 12 also includes additional conditions that could be considered in an enlarged covenant. The point is therefore accepted for consideration by the Commissioner in formulating a substantive proposal.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
26	The submitter requests further assessment of historic values and on receipt of such the opportunity to provide further comment.	11	Allow	Not Accept
<p>Rationale for Allow: The point relates to the protection of SIVs as provided in Section 24(b) 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 point does not meet the criteria for acceptance by the Commissioner for further consideration in the formulation of a Substantive Proposal. This is because advice on the historic values was received from DOC as part of the information gathering process. This is part of the administrative process of tenure review and is not subject to public submission.</p> <p>The submitter has not provided any additional information in relation to historic values to be considered.</p> <p>There is no statutory provision for submitters to be consulted on new information, however all submitters have access to the decisions on points raised and can request to be notified when this information is available.</p>				

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
27	The submitter recommends lower western boundaries for both CA1 and CA2 to incorporate additional SIVs.	12	Allow	Not Accept
<p>Rationale for Allow: The point relates to the protection of SIVs as provided in Section 24(b) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				

**Rationale for Not Accept:**

In relation to this specific point the submitter has not provided new information or a perspective not previously considered. The point is therefore not accepted. It is noted that aspects of this point were however further refined and this was covered in point 21.

<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	The submitter questions ecological sustainability of freeholding the land above 900m due to poor pasture response to fertilizer.	12	Allow	Not Accept

**Rationale for Allow:**

The point relates to the promotion of management of reviewable land in a way that is ecologically sustainable as provided in Section 24(a)(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 aspect of promoting ecological sustainability on the reviewable land was carefully considered during the preparation of the preliminary proposal and included the provision of a protective mechanism over the upper reaches of the proposed freehold. In this case the submitter has not introduced any new information or a perspective not previously considered, neither is a reason articulated why the submitter prefers the alternative outcome under the CPLA. The point is therefore not accepted.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
29	The submitter suggests that there are significant deficiencies in the proposed conservation covenant and the proposed covenant does not meet the requirements of Section 24(b) CPLA.	12	Allow	Accept

**Rationale for Allow:**

The point relates to the protection of SIVs through the creation of a protective mechanism as provided 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:**

In raising the concerns about the proposed covenant the submitter has provided additional information in relation to SIVs and the covenant conditions required to protect these. This is information for consideration in the formulation of the substantive proposal. The point is therefore accepted.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
30	The submitter suggests that the conservation covenant should be extended to include all the land north of Davidsons Creek and the covenant be amended to include additional conditions if such land is not retained by the Crown.	12	Allow	Accept
<p><b>Rationale for Allow:</b>                      The point relates to the protection of SIVs of reviewable land either by the creation of protective mechanisms or preferably by the restoration of the land concerned to full Crown ownership and control as provided for in Section 24(b) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				
<p><b>Rationale for Accept:</b>                      The inclusion of all the land including the lower altitude land north of Davidsons Creek in the conservation covenant has not previously been considered. The submitter has articulated reasons why they prefer an alternative outcome under the CPLA. The point is therefore accepted.</p>				

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
31	The submitter suggests that consideration should be given to the return of the covenant area south of Davidsons Creek to the Crown.	12	Allow	Not Accept
<p><b>Rationale for Allow:</b>                      The point relates to the preference expressed in the CPLA for the restoration of land concerned to full Crown ownership and control to protect SIVs as provided under Section 24(b) CPLA. The point is allowed as it is a matter to be considered in tenure review under the CPLA.</p>				
<p><b>Rationale for Not Accept:</b>                      The appropriate protection for the SIVs in this area was fully considered in the preparation of the preliminary proposal and the submitter has not articulated any particular reason why the alternative outcome is preferred. It is noted that this point also included particular reference to an area of shrublands north of Precipice Creek however this aspect was also fully considered and no new perspective has been provided. The point is therefore not accepted.</p>				

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
32	The submitter requests that additional public access be provided to the conservation area at Davidsons Creek.	12	Allow	Accept
<p><b>Rationale for Allow:</b>                      The point relates to the securing of public access to and enjoyment of the reviewable land as provided 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 Accept:  
 Access proposed by the submitter has not previously been considered and is therefore new information and a perspective not previously considered. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
33	The submitter requests that a link is provided from the Precipice Creek easement to the 4WD track at the base of the shrubland and for the 4WD track to become public access.	12	Allow	Accept

Rationale for Allow:  
 The point relates to the securing of public access to and enjoyment of the reviewable land as provided 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:  
 Access proposed by the submitter has not previously been considered and is therefore new information and a perspective not previously considered. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
34	The submitter recommends a shrubland management plan over the proposed freehold.	12	Allow	Accept

Rationale for Allow:  
 The point relates to the protection of SIVs by way of what is assumed to be a covenant as provided for in 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 submitter articulates reasons why an alternative to the current proposal is preferred. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow
35	The submitter requests that the boundary on Precipice Hill be defined to avoid unintentional trespass.	12	Disallow

Rationale for Disallow:  
 The point does not directly relate to the protection of SIVs or the provision of public access as provided in Section 24 CPLA. Boundary definition is an aspect that lies parallel to but does not form part of the tenure review. The point is therefore disallowed.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
36	The submitter considers the proposed public access to be impractical.	13	Allow	Not Accept
<p><b>Rationale for Allow:</b>                      The point relates to the provision of public access to and enjoyment of reviewable land 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><b>Rationale for Not Accept:</b>                      The proposed access route has been carefully researched and has indeed been supported by a number of other submitters. The submitter has not provided new information nor has it articulated reasons why an alternative outcome is preferred. The point is therefore not accepted.</p>				

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>
37	The Walking Access Commission would like to discuss the legal nature and content of the proposed easements.	13	Disallow
<p><b>Rationale for Disallow:</b>                      While one of the objects of 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. The correct forum for Walking Access New Zealand to have input into the nature and content of the easement documents would be in policy discussion with the Commissioner and DGC.</p>			



### **Summary and Conclusion**

#### Overview of analysis:

Thirteen submitters have raised 37 points in relation to this tenure review. Of the 37 points, 31 have been allowed as they relate to matters considered under Part 2 CPLA. Six points have been disallowed as they do not deal with matters that are able to be considered under Part 2 CPLA. Of the 32 points allowed, 15 included statements of support for the proposal and were accepted for consideration in the formulation of the substantive proposal. A further 9 points raised issues or provided other new information that needs to be considered in the formulation of the substantive proposal and these points were also accepted. Seven 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. One submitter only requested additional information be obtained and another felt that the review fell well short of meeting the objects of the CPLA. A further submitter dealt with matters that had previously been considered or lay outside the objects of the Part 2.

#### Generic issues:

There were only two generic issues that emerged. The first related to the provision of public access on the previously recommended conservation management only access. Some of the submitters did however recognise the limitations of this due to the terrain and other tenure land being involved. The other generic point with a number of submitters raising it was the additional protection of SIVs in the area north of Davidsons Creek.

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

Two gaps have been identified in this and other reviews considered recently. The first relates to the adequacy of historic information gathering in preparing a Conservation Resources Report and the second relates to the input of third parties into documentation.

#### Risks identified:

No specific risks were identified.

#### General trends in the submitters' comments:

As noted under generic issues there are only two general trends the first related to additional public access on the currently management access only easements and the second relating to the adequacy of the protection of SIVs north of Davidsons Creek. Otherwise the general trends in the submitters' comments were largely positive towards the proposed outcomes.

I recommend approval of this analysis and recommendations

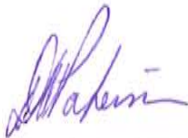


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Ken Taylor  
DARROCH LIMITED

Date 9-4-10

Peer reviewed by



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David Paterson  
DARROCH LIMITED

Date 9-4-2010

Approved/Declined



Commissioner of Crown Lands

Date 15-4-10

Mathew Clark (Manager Pastoral)  
Land Information New Zealand  
Under delegated authority of the  
Commissioner of Crown Lands.

Appendices

1. Copy of Public Notice
2. List of Submitters
3. Copy of Annotated Submissions

### Schedule of Submitters

	Submitter	Points Raised
1	Alan Mark	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
2	CORANZ	1
3	Fish & Game (Otago Region)	1
4	Jim Fulton	1, 12, 15
5	North Otago Tramping and Mountaineering Club	4, 16, 17
6	Forest & Bird (Dunedin Branch)	2, 3, 4, 5, 6, 12, 18, 19, 20, 21
7	AUSIMM	22
8	Grant McGillivray	12
9	Otago Conservation Board	1, 23
10	Federated Mountain Clubs of NZ	2, 4, 8, 9, 12, 13, 18, 19, 23, 24, 25
11	NZ Historic Places Trust	26
12	Forest & Bird (Central Otago - Lakes Branch)	4, 5, 12, 13, 18, 21, 22, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38
13	NZ Walking Access Commission	39, 40