

Crown Pastoral Land Tenure Review

Lease name: WOODBANK

Lease number: SC 079

Preliminary report on 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 CPLA. 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.

March 04

Report in Accordance with Contract 50346

Preliminary Analysis of Public Submissions for Preliminary Proposal

File Ref: CON/50000/16/12739/A-ZNO-04 **Submission No:** QVV 634 **Submission Date:** 24 /3 /2004

Office of Agent: Christchurch

LINZ Case No:

Date sent to LINZ: 30 /3 /2004

RECOMMENDATIONS

- (1) That the Commissioner of Crown Lands approves this report for tenure review of Sc 079 Woodbank Special Lease.

Signed by Contractor:

Barry Dench
Team Leader for Tenure Review

Approved/Declined by:

Name:
Date of decision: / /

(1) Details of lease:

Lease Name: Woodbank
Location: Woodbank Road, Hanmer Springs
Lessee: Margot Joan HEWITT

(2) Public notice of preliminary proposal:

Date, publication and location advertised:

Saturday 24 January 2004

- The Press Christchurch
- Otago Daily Times Dunedin

Closing date for submissions:

19 March 2004

(3) Details of submissions received:

A total of 2 submissions were received by the closing date and one late submission was received.

(4) Analysis of submission:

4.1 Introduction:

Explanation of Analysis:

This is a preliminary analysis of submissions. The purpose of this preliminary analysis is to identify those issues raised which are appropriate for further consideration.

After such further consideration and appropriate consultation, a final analysis of submissions will be completed which will record the outcome of such consideration on each point and whether or not it has been approved for inclusion in the draft Substantive Proposal.

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 submission number of those submitters making that point.
- Provides a discussion of the point.
- The CCL decisions whether or not to allow/not allow for further consultation.

The decision to “**allow**” the point made by submitters is on the basis that the matter raised is a matter than can be dealt with under the Crown Pastoral Land Act 1998. Conversely, where the matter raised is not a matter that can be dealt with under the Crown Pastoral Land Act, the decision is to “**not allow**”. Those points that are ‘allowed’ will be given further consideration with respect to the proposal.

It should be noted that points relating to the Conservation Act, or any other statutory authority outside of the Crown Pastoral Land Act 1998 are not able to be considered by the Commissioner of Crown Lands.

4.2 Analysis:

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission No.</i>	<i>Decision</i>
1	General support for the proposal and the allocation of land for full Crown ownership and control.	Nos. 1 & 3	Allow

Two submissions were received which indicated support for the proposed allocation of land to be restored to or retained in full Crown ownership and control. Submission noted “ I have no argument against the proposal in this review” and submission 3 noted “In other respects, the proposal is a good one”.

As the retention of land in full Crown ownership and control, creation of an easement over reviewable land and for freehold disposal is enabled by the Crown Pastoral Land Act 1998 the point should be allowed so that these views can be taken into account in further consideration of the proposed designations.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission No.</i>	<i>Decision</i>
2	Support for the proposed land to be retained in full Crown ownership and control.	No. 2	Allow

One submission was received that provided support for the proposed allocation of land in full Crown ownership and control, as conservation area.

The return of land to full Crown ownership and control, as conservation area is a consideration of tenure review under the Crown Pastoral Land Act 1998. The point should be allowed as it meets the objects of the Act.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission No.</i>	<i>Decision</i>
3	Support for the proposed easement	No. 2	Allow

One submission was received that provided support for the proposed easement.

As the creation of an easement over reviewable land meets one of the objects of the Crown Pastoral Land Act 1998 to make easier the securing of public access to and enjoyment of reviewable land, the point should be allowed.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission No.</i>	<i>Decision</i>
4	Public access over adjacent freehold land.	Nos.2 & 3	Not allow

Two submissions were received which noted that the easement over the reviewable land is not secure but acknowledged that separate negotiations are being undertaken by the Director-General of Conservation in a process outside of and running parallel to the tenure review to allow the easement to be put into practical effect.

The proposed easement over adjacent freehold land jointly owned by the leaseholder is not included as this land is not included in the review. To this extent the submissions do not raise matters relevant to the decisions to be made by the Commissioner under the Crown Pastoral Land Act 1998. This point should not be allowed.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Submission No.</i>	<i>Decision</i>
5	Final agreement to be dependent upon securing access over the adjoining land	No.2	Allow

This submission sought that the final agreement between the parties be made dependent upon securing access across freehold land along the existing farm roads and tracks to Empson River and secondly that access be for motor vehicles to the Grantham River and for foot and non-motorised vehicle access beyond the river.

As this submission meets the objects of the Crown Pastoral Land Act “to make easier the securing of public access to and enjoyment of

reviewable land” it should be allowed to the extent that further consultation is to be undertaken.

Discussion and Conclusions

Discussion relevant to particular points has been made above under each point for simplicity and clarity.

The very low response indicates that the public view this proposal as a sound one and that no changes have been sought. Submitters principle concerns are that the easement over the reviewable land was not secure due to it not being accessible at present but acknowledged that discussions were being undertaken by the Director-General of Conservation with the objective of securing access over adjacent land.

Sc 079 Woodbank Special Lease
Preliminary Analysis: Iwi Submission 30 March 2004

REPORT IN ACCORDANCE WITH CONTRACT 50346

Preliminary Analysis of Iwi Submission for Preliminary Proposal

File Ref: CON/50000/16/12739/00/A-ZNO-03 Submission No: QVV 636 Submission Date: 30/3/2004
Office of Agent: Christchurch LINZ Case No: Date sent to LINZ: 30/3/2004

TRO 148

RECOMMENDATIONS

- (1) That the Commissioner of Crown Lands **notes** the receipt of this report for the review of Woodbank special lease..

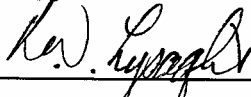
Signed by Contractor:



Barry Dench
Team Leader for Tenure Review

Approved/Declined by:

PURSUANT TO A DELEGATION
FROM THE COMMISSIONER
OF CROWN LANDS



Name:
Date of decision: *8/4/04*

(1) Details of lease:

Name: Woodbank
Location: Woodbank Road, Hanmer Springs
Legal Description: Rural Sections 40900 and 40899.
Area: 1276.0000 hectares

(2) Details of Iwi Submission:

Received On: 29 March 2004
Received From: Takarei Norton
Natural Resources Unit Project Co-ordinator
Office of Te Runanga o Ngai Tahu
On Behalf Of: Te Runanga o Ngai Tahu and Te Ngai Tuahuriri.

(3) Analysis of submission:

3.1 Introduction:

Explanation of Analysis:

This is a preliminary analysis of the submission. The purpose of this preliminary analysis is to identify those issues raised which are appropriate for further consideration.

After such further consideration and appropriate consultation, a final analysis of submissions will be completed which will record the outcome of such consideration on each point and whether or not it has been approved for inclusion in the draft Substantive Proposal.

The submission has been reviewed in order to identify the points raised and these have been numbered accordingly.

The following analysis:

- Summarises each of the points raised
- Provides a discussion of the point.
- The CCL decisions whether or not to allow/not allow for further consultation.

The decision to “**allow**” the point made is on the basis that the matter raised is a matter than can be dealt with under the Crown Pastoral Land

Act 1998. Conversely, where the matter raised is not a matter that can be dealt with under the Crown Pastoral Land Act, the decision is to “**not allow**”. Those points that are ‘allowed’ will be given further consideration with respect to the proposal.

It should be noted that points relating to the Conservation Act, or any other statutory authority outside of the Crown Pastoral Land Act 1998 are not able to be considered by the Commissioner of Crown Lands.

3.2 Analysis:

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Decision</i>	
1	Support for the areas recommended to be included as Conservation Area	Accept	Allow

Ngai Tahu supports that areas shown labelled as “CA1” and “CA2” have been included in the proposed area to be retained in full Crown ownership and control as conservation area.

The submission provides no new information.

As one of the objects of the Crown Pastoral Lands Act 1998 is to protect the significant inherent values of Crown land this point should be accepted.

<i>Point</i>	<i>Summary of Point Raised</i>	<i>Decision</i>	
2	Support for the proposed land for freehold disposal.	Accept	Allow

Ngai Tahu supports the proposal to designate land for freehold disposal.

The submission provides no new information.

As one of the objects of the Crown Pastoral Lands Act 1998 is to enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument, this point should be accepted.

Discussion and Conclusions

Te Runanga o Ngai Tahu have provided a submission that takes into consideration the local Maori interest in the Woodbank Preliminary Proposal. Each point is discussed in detail in this analysis.