

Crown Pastoral Land Tenure Review

Lease name : *THE POPLARS*

Lease number : PC 015

Analysis of Public Submissions – Part 2

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.

May

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Point	Summary of point raised	Allow or disallow	Accept or not accept
8	Agreement with DOC Historic Resources Report for The Poplars, and sites listed.	Allow	Accept
Submission numbers 3			
Rationale for Allow: The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is <u>allowed</u> for further consideration.			
Rationale for Accept: The DOC Historic Resources Report was completed after the preliminary proposal was formulated. As the point introduces a perspective not previously considered, it is <u>accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow
9	Current and future owners should be made aware of archaeological sites.	Disallow
Submission numbers 3		
Rationale for Disallow: The management of land by the holder freeholded post tenure review is not a matter for consideration under the CPLA. Areas on The Poplars with SIV's have been examined during consultation and protected under this proposal. The point is therefore not validly made, not relevant to the tenure review and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
10	Te Runanga O Ngai Tahu should be consulted with in relation to importance of trails in the Hope-Boyle River areas.	Allow	Not Accept
Submission numbers 3			
Rationale for Allow: The point relates to the object under section 25(1)(b) CPLA, taking into account the Principles of the Treaty of Waitangi. As the point is a matter for tenure review, it is <u>allowed</u> for further consideration.			
Rationale for Not Accept: Te Runanga o Ngai Tahu have been consulted during the development of the Preliminary Proposal and their views have been taken into account and examined during the preparation of the Preliminary Proposal for The Poplars. The point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal as Iwi views have already been considered in the proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
11	General support for all or parts of the proposal. Submitter 4 supports CA4 to guarantee access to abseil and rock climbing area. Submitters 6 and 7 support access routes and support easements allowing MOC to provide signage, styles. Submitter 8 supports CA2 and having no dogs on easement, and vehicles to "c" only.	Allow	Accept
Submission numbers 4,5,6,7,8,13,15			
Rationale for Allow: The Poplars preliminary proposal was prepared in consideration of the objects under section 24 CPLA. The submitters indicate support for all or parts of the proposal. The point is therefore a matter for tenure review and <u>allowed</u> for further consideration.			
Rationale for Accept: As the point is a matter to be taken into account in the CPLA and provides statements of support for aspects of the Preliminary Proposal, it is <u>accepted</u> for further consideration by the Commissioner when formulating the designations for a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
12	Conservation Covenant sought over freehold between CA4 and western Pastoral Lease boundary to protect ecosystem, landscape and SIV's. More worthy of protection than CC1.	Allow	Not Accept
Submission numbers 15			
Rationale for Allow: The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is <u>allowed</u> for further consideration.			
Rationale for Not Accept: Extensive discussions were held on the appropriate designation for this area and parts of the area. SIV's were assessed in consultation with DOC and were not assessed as being sufficient to require further protection. The submitter did not introduce new information or a perspective not previously considered nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore <u>not accepted</u> for further consideration by the Commissioner when formulating the designations for a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow
13	Concerns relating to safety in CA4. BROEC's ability to control use of their equipment and liability issues raised alongside detriment to BROEC's business due to conflicts of use of the abseil and rock climbing site.	Disallow
Submission numbers 4		
Rationale for Disallow: This point refers to activities on the land that are subject to arrangements between DOC and a party that is not the holder of the current Pastoral Lease. The management of land post tenure review is not a matter for consideration under the CPLA. CA4 will be in DOC's responsibility for management after tenure review. The point is therefore not validly made, not relevant to the tenure review and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
14	Clarification required on whether tracks currently used to access rock climbing-abseil area are in CA4. Submitter 8 seeks access to rock on CA4.	Allow	Not Accept
Submission numbers 4,8			
Rationale for Allow: Section 24(c)(i) CPLA sets out the one of the objects of tenure review, to make easier the securing of public access to and enjoyment of the reviewable land. The point relates to public access within the reviewable land, therefore it is a matter for tenure review under the CPLA and is <u>allowed</u> for further consideration.			
Rationale for Not Accept: The submitters are seeking clarification of information regarding public access. This perspective has been consulted on and considered in the Preliminary Proposal. Fence lines have been determined to reflect the outcomes of this consultation and the proposed boundaries allow for the access sought by the submitters. As the submitters have not presented new information or a perspective not previously considered; the point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
15	The submitters would like access on "c-d" to maintain viability of programmes and for health and safety issues, such as evacuation .. Submitter 4 currently has an access arrangement over "c-d". Submitter 8 also seeks vehicle access to the lodge on "c-d".	Allow	Accept
Submission numbers 4,8			
Rationale for Allow: Section 24(c)(i) CPLA sets out the one of the objects of tenure review, to make easier the securing of public access to and enjoyment of the reviewable land. The point relates to public access within the reviewable land, therefore it is a matter for tenure review under the CPLA and is <u>allowed</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Rationale for Accept:

Aspects of the access proposed by the submitters are new information and have not previously been consulted on in full. The status of present usage appears unclear and requires further consultation. Therefore the point is accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
16	Concern that the building permitted under CC1 should not contradict the inherent values stated.	Allow	Not Accept

Submission numbers

4

Rationale for Allow:

The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is allowed for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Rationale for Not Accept:

While the submitter has indicated a concern regarding protection of inherent values, extensive discussions were held on the appropriate designation for this area and parts of the area. The submitter did not introduce new information or a perspective not previously considered that indicates a threat to SIV's nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
17	All of the pastoral lease still has very significant conservation and scenic values requiring protection and provides a transition from wilderness to human activity. SH7 runs through lease highlighting scenic values. Lease occupies a strategic position between the wild lands upstream towards the Lewis Pass and lands shaped by human activity.	Allow	Not Accept

Submission numbers

5

Rationale for Allow:

The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is allowed for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Rationale for Not Accept:

Extensive discussions were held on the appropriate designation for this area and parts of the area. The submitter did not introduce new information or a perspective not previously considered nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow
18	Removal of any part of the lease is not realistic if economic farming is to continue. Submitter is indicating farming not economic if the lease is reduced in size.	Disallow
Submission numbers 5		
Rationale for Disallow: The CPLA does not specify a requirement for proposed freehold land to comprise an economic or viable farm unit therefore the point is not a matter for tenure review and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
19	Proposed freehold north of point "a" on the map is particularly rich botanically. Submitter says it should be protected with a Conservation Covenant or Conservation Area and would rather see a Covenant or Conservation Area here than the proposed CC1 if it was a choice. See also Points 20 and 27.	Allow	Not Accept
Submission numbers 5			
Rationale for Allow: The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is <u>allowed</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			
Rationale for Not Accept: Extensive discussions were held on the appropriate designation for this area and parts of the area. The submitter did not introduce new information or a perspective not previously considered nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
20	CC1 is not as important ecologically or scenically as unencumbered land north of point "a", but support for CC1 is still noted by submitter.	Allow	Accept
Submission numbers 5			
Rationale for Allow: The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is <u>allowed</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Rationale for Accept:

As the point is a matter to be taken into account in the CPLA and is a statement of support for aspects of the Preliminary Proposal, it is accepted for further consideration by the Commissioner when formulating the designations for a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
21	Concerns about a possible increase in cow numbers- 430 to 700 could have potentially disastrous effect on the property's nature.	Allow	Not Accept

Submission numbers

5

Rationale for Allow:

While the submitter's comments relate to "the properties nature" we have taken this to mean their concerns about the protection of landscape and ecological SIVs from the effects of intensive agriculture, and are a matter for tenure review under section 24(b) CPLA. The point is therefore allowed for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Rationale for Not Accept:

Protection of SIVs is dealt with elsewhere in this report under the particular areas concerned. As the submitter has not introduced any new information or a perspective not previously considered, and does not articulate reasons why they prefer a different outcome under the CPLA in relation to the point, it is therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
22	Support for current farm management regime and for retaining this into the future. Retains weed and pest control and balance between farm production and retention of SIV's. Could include an ecotourism enterprise also to keep in balance.	Allow	Not Accept

Submission numbers

5

Rationale for Allow:

The point raised by the submitter infers that the current management system protects the natural values present. The point therefore relates to the protection of significant inherent values plus the sustainability of the land. It is therefore a matter that can be considered under Section 24(a)(i) CPLA. The point is therefore allowed for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Rationale for Not Accept:

The submitter makes a statement about the protection of SIVs on The Polars in relation to the current farm management regime. Protection of SIVs is dealt with elsewhere in this report under the particular areas concerned. As the submitter has not introduced any new information or a perspective not previously considered, and does not articulate reasons why they prefer a different outcome under the CPLA in relation to the point, it is therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal..

reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore not accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal.

Point	Summary of point raised	Allow or disallow	Accept or not accept
26	Significant levels of protection are required to protect against any future owners with destructive land development methods.	Allow	Not Accept
Submission numbers 5			
Rationale for Allow: The point relates to the object under section 24(b) CPLA, the protection of significant inherent values on the reviewable land. As the point is a matter for tenure review, it is <u>allowed</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			
Rationale for Not Accept: Extensive discussions were held on the appropriate designation for this area and parts of the area. The submitter did not introduce new information or a perspective not previously considered nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. It should also be noted the management of land by the holder or future owners post tenure review is not a matter for consideration under the CPLA. The point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
27	Area north of point "a" should be conservation area perhaps subject to a grazing concession. See also points 19 and 20.	Allow	Not Accept
Submission numbers 5,15			
Rationale for Allow: The point relates to the object under section 24(b) CPLA, the protection of significant inherent values by the creation of protective mechanisms; or (preferably) by restoration of the land to full Crown ownership and control. As the point is a matter for tenure review, it is <u>allowed</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			
Rationale for Not Accept: Extensive discussions were held on the appropriate designation for this area and parts of the area. The submitters did not introduce new information or a perspective not previously considered nor have reasons been articulated why an alternative outcome is preferred that has not been previously considered. The point is therefore <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			