

Crown Pastoral Land Tenure Review

Lease name : *THE POPLARS*

Lease number : PC 015

Analysis of Public Submissions – Part 3

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
23	Existing scrub associations at confluence of the Hope and Boyle Rivers should be retained as Conservation Area.	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
24	Stock performance should be improved rather than stock numbers increased.	Disallow
Submission numbers 5		
Rationale for Disallow: The management of land by the holder freeholded post tenure review services not a matter for consideration under the CPLA. 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
25	The Preliminary Proposal is not acceptable. Submitter 10 has concerns that so little land is retained in full Crown ownership and the PP shouldn't go forward in its current form.	Allow	Not Accept
Submission numbers 5,10			
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 The Poplars..The Preliminary Proposal is the result of consultation with the holder, DoC, iwi and other parties. Technical advice has been considered and the consultation process is conducted under LINZ standards LINZS45003 (accessible on the LINZ website) and the general principles of the law. The submitters did not introduce new information or a perspective not previously considered nor have			

Point	Summary of point raised	Allow or disallow	Accept or not accept
28	Other wetlands on higher terraces near CA4 deserve protection.	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
29	Legal roads within the Pastoral Lease requested to be depicted as not part of the Pastoral Lease. Submitter suggests plans are made of a scale for this to be clearly identified.	Disallow
Submission numbers 6		
Rationale for Disallow: The Commissioner is not required to deal with or identify legal roads on plans as he has no responsibility in this regard under the CPLA. The point is therefore disallowed.		

Point	Summary of point raised	Allow or disallow
30	Marginal strips information should be provided with the proposal summary.	Disallow
Submission numbers 6		
Rationale for Disallow: The Commissioner is not required to deal with marginal strips as he has no responsibility in this regard under the CPLA. The point is therefore disallowed.		

Point	Summary of point raised	Allow or disallow
31	General issues relating to legal roads. Submitter 7 prefers more secure access to the area such as paper roads on proposed routes. Submitter 9 says public rights on legal roads are not recognised in the proposal and must retain legal roads. Obstructions such as locked gates must be removed as part of tenure review. Submitters 10 and 15 favour legal roads over easements to secure access.	Disallow
Submission numbers 6,7,9,10,11,12		
Rationale for Disallow: The Commissioner is not required to deal with legal roads as he has no responsibility in this regard under the CPLA. The point is therefore disallowed.		

Point	Summary of point raised	Allow or disallow	Accept or not accept
32	Public vehicle access on existing formed track deviates from the legal road line. "i-j" cited as an example.	Allow	Not accept
Submission numbers 10, 11,12			
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: Public Access has been considered in this review and provided by various easements and access points. The submitters do not introduce new information and this perspective has been considered in the tenure review proposal, therefore the point is <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
33	Support for Section 24 of the Crown Pastoral Land Act.	Allow	Accept
Submission numbers 7			
Rationale for Allow: The tenure review preliminary proposal was prepared in consideration of the objects under section 24 CPLA. 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 is a statement 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
34	Delete 3.9 of the fencing specification requiring matagouri and scrub clearing either side of new fence. Minimal vegetation clearance to prevent biodiversity loss, reduce edge effects on the remnants and avoid creating an invasive path for weeds. Submitter states resource consent is required for such work.	Disallow
Submission numbers 13		
Rationale for Disallow: Matters relating to fencing and Resource Management Act issues are not part of the tenure review process, therefore this point falls outside the ambit of the CPLA and is <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
35	Minister of Conservation should not be able to close easement at will but will have restrictions on this power.	Allow	Not Accept
Submission numbers 7			
Rationale for Allow: The tenure review preliminary proposal was prepared in consideration of the objects under section 24(c)(i) CPLA the securing of public access over the reviewable land. The point is therefore a matter for tenure review and <u>allowed</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.			
Rationale for Not Accept: This is a standard clause in the document and is there for public safety reasons. The submitter does not introduce new information and this perspective has been considered in the tenure review proposal, therefore the point is <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
36	Amuri School sublease of lodge (and access to) will need to be discussed with DOC.	Allow	Accept
Submission numbers 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 submitter is new information and has not previously been fully assessed. The status of present usage appears unclear and requires further investigation. therefore the point 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
37	Submitter advises that Environment Canterbury consent required for a Land Improvement Agreement if the tenure review gets to Substantive Proposal.	Disallow
Submission numbers 14		
Rationale for Disallow: The point relates to consents that would be required to provide for the completion of works under a former run plan. This is not a matter for tenure review under the CPLA and is therefore <u>disallowed</u> .		

Point	Summary of point raised	Allow or disallow	Accept or not accept
38	Tramping tracks not protected by easements. Submitter is saying that easements are not a strong enough protective mechanism.	Allow	Not Accept
Submission numbers 10			
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 Not Accept: Public access to tramping tracks on The Poplars has been considered and allowed for in the proposal. Public access easements are specifically designed to protect public access routes. The submitter does not introduce new information and this perspective has been considered in the tenure review proposal, therefore the point is <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
39	CC1 should be retained by the Crown to avoid fragmented ownership.	Allow	Not Accept
Submission numbers 10			
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. 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
40	Te Araroa Pathway must be protected by easement.	Allow	Not Accept
Submission numbers 10			
<p>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.</p>			
<p>Rationale for Not Accept: Access for tramping tracks, including the Te Araroa route has been provided for in the proposal with the proposed easements "a-b-c-d" and "e-f-h" The submitter does not introduce new information and this perspective has been considered in the tenure review proposal, therefore the point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>			

Point	Summary of point raised	Allow or disallow	Accept or not accept
41	Public access route required from the Hope River near Hope Shelter across CC1 to Neschacker Hill Ridge.	Allow	Not Accept
Submission numbers 11			
<p>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.</p>			
<p>Rationale for Not Accept: The submitter does not introduce new information or a perspective not previously considered. Access to the area described has been provided for via easement "o-j-k" on the plan and proposed the Conservation Area. This point has been considered in the tenure review proposal; therefore the point is <u>not accepted</u> for further consideration by the Commissioner in the formulation of a Substantive Proposal.</p>			