

## **Crown Pastoral Land Tenure Review**

Lease name : *THE POPLARS*

Lease number : PC 015

### **Analysis of Public Submissions – Part 4**

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*

*12*

Point	Summary of point raised	Allow or disallow	Accept or not accept
42	Public access required up finger of CC1 up to Neschacker Hill Ridge.	Allow	Not Accept
<b>Submission numbers</b> 11			
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: The submitter does not introduce new information. Access to the area described has been provided for via easement "o-j-k" on the plan and the proposed 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.			

Point	Summary of point raised	Allow or disallow	Accept or not accept
43	Finger of CC1 should be shortened, or provide an access line.	Allow	Not Accept
<b>Submission numbers</b> 11			
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 submitter does not introduce new information or a perspective not previously considered. Access to the area described has been provided for via an easement "o-j-k" on the plan and the proposed Conservation Area. 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
44	Submitter queries how flora and fauna on Crown land up the Hope Valley will be protected from farm stock without an expensive fence.	Allow	Not Accept
<b>Submission numbers</b> 11			
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. This included discussions relating to fencing. The terms and conditions of the covenant have been designed to ensure stock encroachment does not occur. 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	Accept or not accept
45	Horse access over "d-e" impractical and dangerous. Better horse access required 1.5km downstream where the road intersects Riverbed, or via Nathans Stream on existing Crown Land. Taranaki gate also requires replacing with swing gate.	Allow	Accept

**Submission numbers**  
 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 allowed for further consideration by the Commissioner in the formulation of a Substantive Proposal.

**Rationale for Accept:**  
 The point introduces a perspective not previously considered and the submitter articulates reasons why an alternative outcome is preferred under the CPLA, 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
46	Small area of freehold at Kiwi Stream should be Conservation Area. No practical farming purpose.	Allow	Not Accept

**Submission numbers**  
 12

**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:**  
 It is the role of the Department of Conservation to advise on SIV's. No SIV's were identified on this area of land. The submitter did not introduce new information or a perspective not previously considered. The point is therefore not accepted.

Point	Summary of point raised	Allow or disallow	Accept or not accept
47	Submitter does not support CA1 for the following reasons: -Not as high SIV's as Rough creek/ Poplars fan area; -CA1 not visible; -Stock wouldn't venture that high generally unless pushed and held- therefore minimal risk of stock intrusion into Lake Sumner Forest Park.	Allow	Not Accept
<b>Submission numbers</b> 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 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
48	Submitter does not support new fence S-T as high maintenance from snow. Prefer to leave unfenced.	Allow	Not Accept
<b>Submission numbers</b> 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 need for fencing on the conservation boundary. 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
49	Conservation Covenant sought over land between CA2 and SH7 to prevent access to private hut above CA2, and to protect SIV's.	Allow	Not Accept
<b>Submission numbers</b> 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 during consultation. The area identified in the submission did not have any SIV's that warranted protection by way of a covenant. 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
50	6-8ha wetland near "f-h" track should be Conservation Area.	Allow	Not Accept
<b>Submission numbers</b> 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. 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
51	Conservation Covenant sought over freehold between CA4 and western pastoral lease boundary to protect SIV's, ecosystems and landscape values more worthy of protection than CC1.	Allow	Not Accept
<p><b>Submission numbers</b> 15</p>			
<p>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.</p>			
<p>Rationale for Not Accept: Extensive discussions were held on the appropriate designation for this 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.</p>			

## Summary and Conclusion

### Overview of analysis:

There were a total of 15 submitters. The submitters have raised 51 points of which 42 have been allowed, because they relate to matters that can be considered under Part 2 of the CPLA. 9 points have been disallowed because they deal with matters that cannot be considered under Part 2 of the CPLA.

Of the 42 points allowed, 9 have been accepted for further consideration by the Commissioner in the formulation of a Substantive Proposal because they introduced new information or a perspective not previously considered, or highlighted issues previously considered but articulated reasons why an alternative outcome was preferred that had not previously been considered, or were a statement of support for the proposal.

33 points were not accepted for further consideration because they did not introduce any new information, a new perspective, or new reasoning to justify reconsidering issues that had already been fully investigated and a consensus reached by all parties.

A significant majority of the submitters were interested in issues relating to public access, while a number of others were concerned that SIV's did not receive adequate protection.

### Generic issues:

The accepted points fell into a wide range of categories –

- Matters relating to the Historic Resources report and relationship to SIV's;
- Issues relating to public access, including tramping tracks;
- General support for the proposal;
- Matters relating to the Boyle River Outdoor Education Center facilities and related access issues, including the Amuri School;
- Safe horse access to the area across the Boyle River.

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

Issues that were identified that require further investigation include –

- Resolving any outstanding public access issues;
- Matters relating to access to the lodge with Boyle River Outdoor Education Centre and Amuri School.

### Risks identified:

No risks have been identified at this point.

### General trends in the submitters' comments:

The generic issues are listed above.

9 of the submitters points have been disallowed because they are not matters for tenure review under the CPLA. The majority of points not able to be considered under the CPLA fell into the categories of –

- Economic matters;
- Matters relating to marginal strips and legal roads;
- Matters relating to local district council policy and regulations;
- Matters relating to regional council policy and regulations;
- Post tenure review management issues;
- Tenure review operational matters.

I recommend approval of this analysis and recommendations



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Tony Sharpe  
DARROCH LIMITED  
Date: 28 January 2012

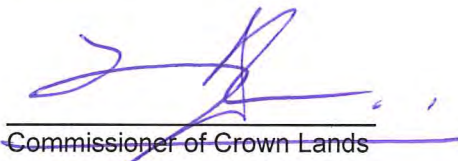
Peer reviewed by:



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David Paterson  
DARROCH LIMITED  
Date: 30 January 2012

*Noted*  
~~Approved/Declined~~



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Commissioner of Crown Lands

Date:

Appendices:

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