

In our submission dated ^{26 1 07} we stated that we did not wish to lose our rights to the river under freehold title. There is no Queens chain and the boundary enjoys riparian rights.

This also includes the rights to the private enjoyment of our bush and farmland and also the protection of our bush. We have a river frontage of approx. 800 metres that could be affected by this scheme.

This includes 3 separate titles and an access easement all with a right to build on and all with private access to the river.

Issues involved are-----

1. The splitting of titles by an access road across each title.

2. Private access to the river from each title for fishing, jet boating, picnicking, coast to coast viewing and boat access. This is valuable land and we would not like that value diminished. (There has not been a valuer over this land for many years).

3. The rights to the privacy and enjoyment of our bush. The so called Rutherfords Bush. This bush is approximately 3-4 ha in size and is environmentally unique for the Malvern District. (Being the only small amount of mature bush that survived the great fires of the 1860s etc). Unique because it still has Matai, Totara, Kahikatea, Black Beech, Hinau and Miro trees of millable size. There is also a possibility that tunnelling could interfere with any deep rooted species. (Depending on which direction a tunnel would head). Certainly heavy machinery in the immediate vicinity would be disruptive of bird life etc. We have spent a lot of time and money trying to restore this bush to a more natural state.

I have been told by Environmental Canterbury staff that the Kowhai trees that are through and around the bush are the source of the seed that now grows on the flood plains above Christchurch. From time to time they have toppled into the river and the seed has been carted downstream.

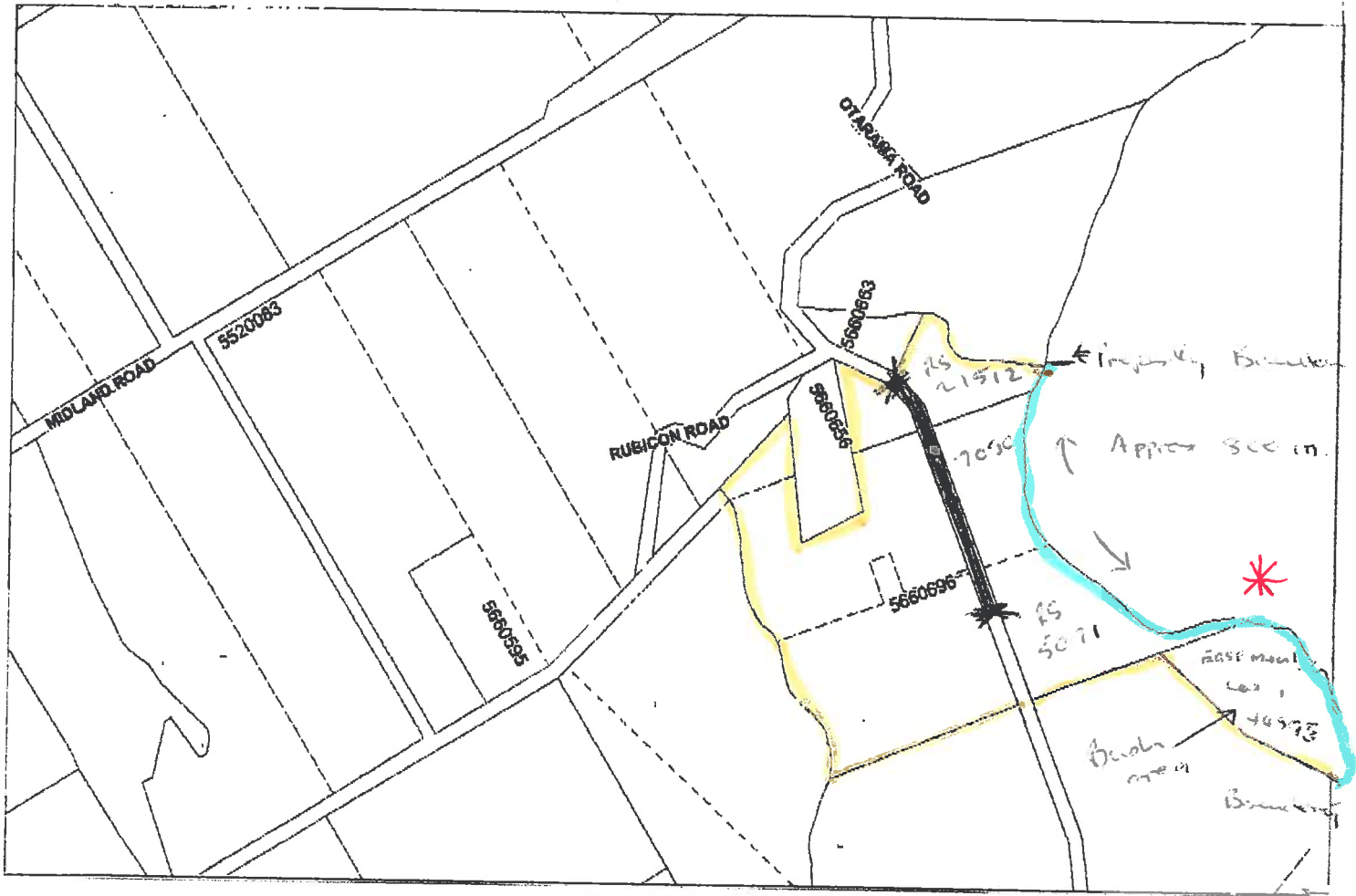
We would also like to point out that the portion of Rubicon Road that divides our property would be subjected to heavy construction machinery during and after the building process. This particular piece of road is already too narrow for 2 busses to pass without putting their wheels onto the grass verge and getting stuck.

Therefore an improvement would be needed on this portion of road.

Finally if these issues cannot be satisfactorily resolved we would strongly object to a tunnel under our property.

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22nd July 2008



* area where proposed
Tunnel may start