

## **Crown Pastoral Land Tenure Review**

**Lease name: MT BURKE STATION**

**Lease number: PO 073**

### **Public Submissions - Part 3**

These submissions were received as a result of the public advertising of the Preliminary Proposal for Tenure Review.

**March**

**04**

3 December 2003

The Commissioner of Crown Lands  
c/o D1'2 (NZ) Land Resources Division  
PO Box 27  
ALEXANDRA



P07311  
248  
33.

Dear Sir

**Re; HCLG Submission on the Preliminary Proposal for Mt Burke Pastoral Lease**

Please find enclosed the map and photo images which accompany our submission emailed to your office on Monday 1 December.

We reiterate that as we were not permitted by the lessee to inspect the property, we have not been able to make a full and accurate submission. We reserve the right to make a further submission when the access issue is resolved.

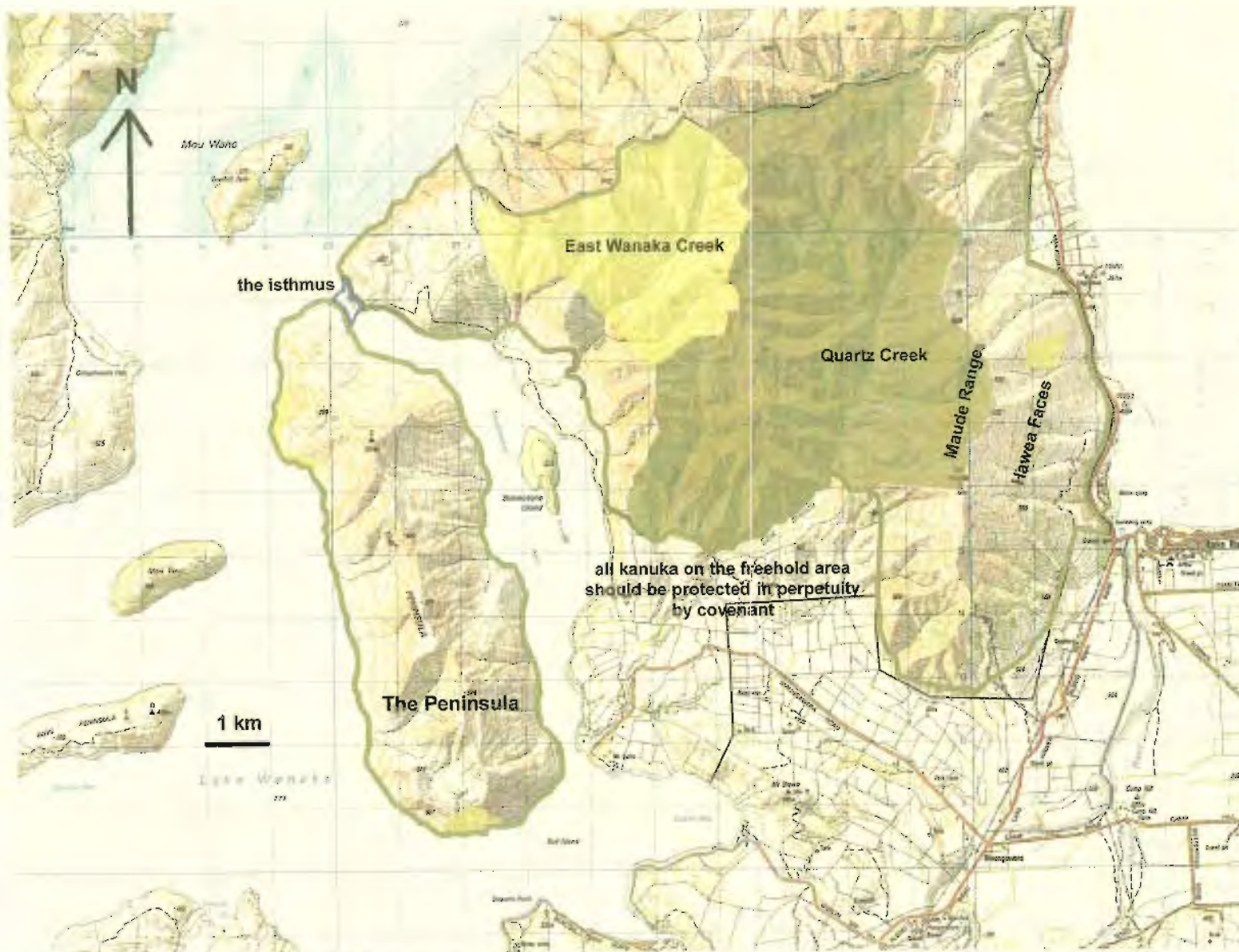
We look forward to seeing the revised proposal for Mt Burke,

Yours sincerely

A handwritten signature in blue ink, appearing to read "Anne Steven".

Anne Steven  
for the High Country Landscape Group, NZILA

Contact Details:  
tel. 03 443 4404  
fax. 03 443 4458  
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**LEGEND**

**High Country Landscape Group Recommendations:**



Areas of Significant Inherent Landscape Value that are Best Protected under Crown Ownership



Areas where Freeholding is Supported (with covenant to protect all kanuka)



Proposed Recreation Reserve

**Preliminary Proposal Details: (for reference)**



Areas Proposed by LINZ to be Retained in Full Crown Ownership and Control in the Preliminary Proposal



Areas Proposed BY LINZ for Freehold with a Conservation Covenant (which allows for topdressing and oversowing to 1000m and grazing to over 1400m)

prepared by Anne Steven  
for the High Country Landscape Group  
NZ Institute of Landscape Architects

30 November 2003

**note:**  
submission is incomplete as lessee refused access for inspection during public submission period. Assessment could only be undertaken from public places. We reserve the right to make a further submission if access is permitted in future.

**PLAN TO ACCOMPANY SUBMISSION  
ON THE PRELIMINARY PROPOSAL  
AS ADVERTISED FOR  
MT BURKE PASTORAL LEASE**

**MT BURKE PASTORAL LEASE**

**PHOTO ILLUSTRATIONS  
TO ACCOMPANY SUBMISSION  
BY HIGH COUNTRY LANDSCAPE GROUP, NZILA**

**December 3 2003**



The Peninsula is a very distinctive and memorable landform as a whole, viewed from many places on and around the south end of Lake Wanaka



View of The Peninsula from Roys Peak.

It is very readily perceived as an isolated peninsula landform that is very distinctive.

Mt Burke, Mt Gold and Mt Maude important as middle background ranges that are also distinctive, as a whole complex.



View of The Peninsula's east side from the opposite lake shore.  
Old lake terraces can be seen, and the groves of cabbage trees are distinctive along with extensive kanuka.



View of The Peninsula's west side. The sheer rugged slopes form a dramatic contrast juxtapositioned with the lake. The skyline is distinctive. The whole forms a distinctive and memorable landform.  
Viewed from out on Lake Wanaka.



View of the Isthmus and the north end of The Peninsula from the top of Mou Waho, over Lake Arethusa. This is an awesome and very memorable view due to the landforms and the water bodies.



View of the steep lake faces northeast of the isthmus, as viewed from Mou Waho Island at the landing place.



View of Mt Burke, Mt Gold (centre left) and Mt Maude (right) from Penrith Park, Wanaka township.  
The whole complex of mountains is incredibly distinctive and memorable, it is crucial they remain together visually as an integral unit.



View from the lake up Stevenson's Arm.  
The hillsides facing the lake are important to the character and quality of the lake experience.  
This is all commonly considered to be outstanding natural landscape. Freeholding of these faces will not secure protection of their special inherent landscape values.



The Hawea Faces ( the east side of the Maude Range) are very important as the setting and backdrop to Lake Hawea and to Hawea township at the bottom (south) end of the lake (picture left, out of view). It is very important that the existing high degrees of naturalness and coherence are maintained and enhanced. Continued burning, spraying and oversowing, along with likely additional fencing and tracking, will not ensure these values are retained.



View of Mt Maude from SH6 at Albert Town. The range is an important part of the backdrop to the village.



The south end of the Maude Range continues to be an important skyline feature from SH6 as ones drives north from Albert Town.

The Commissioner of Crown Lands.  
C/- DTZ New Zealand Limited.  
Email alexandra@dtz.co.nz

## **Crown Pastoral Land Tenure Review**

**Lease name: Mt.Burke**

**Lease number: Po 073**

Submission by:  
Graham McArthur .  
343 Portobello Road,  
Dunedin  
Email grahamm@southnet.co.nz

This submission is concerned specifically with the Wanaka Peninsular area of the Mt. Burke pastoral Lease and submits that this area should be designated as land to be restored to Crown control under Section 35 (2) (b) (1) CPL Act.

### **The reasons for my submission are:**

1) To date, the land which has been reserved in the tenure review process has been in the high country range of altitude, and as such is not representative of the full range of flora from valley floor to mountain top.

The Peninsular rises from its lake shore altitude of 300 m. (above sea level) to its highest point of IOIOm (above sea level) and as such provides unique altitude al for a sanctuary that protects the diversity of native flora to be found in this range.

2) Further, the Peninsular is a significant & unique natural feature. It dominates landscapes and vistas all the way from West Wanaka, Glendhu Bay and Mount Roy, around the entire urbanised lake frontage of Wanaka township, to far up the eastern shoreline of Lake Wanaka. As such, any changes in landscape or activities on the peninsula will affect landscape and amenity values for almost everybody in the Wanaka region, a great many of whom are drawn to the area specifically for its unique natural character.

3) Designating this area as a reserve administered by The Department of Conservation, but destined to be a Mainland Island flora and fauna sanctuary would be the ideal way of ensuring the protection of this unique and accessible natural feature, and would make a significant contribution to the restoration and/or protection of New Zealand's biodiversity.

This is a rare opportunity to create an enduring national asset, close to an area of rapidly increasing population, as well as protecting a central feature of the landscape for which the area is especially valued.

As the first step on that path, it is imperative that the Peninsular is retained in Crown ownership and is restored to Crown control as stated above.

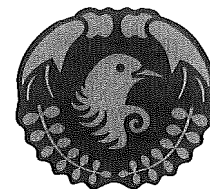
**My Submission would be met by the Commissioner making the following decision:**

That the Wanaka Peninsular area of the Mt. Burke pastoral Lease be designated as land to be restored to Crown control under Section 35 (2) (b) (I) CPL Act.

**If possible I wish to be heard in support of my submission.**

Thank you

35. P0073/11.  
246



**FOREST  
& BIRD**

ROYAL FOREST AND  
BIRD PROTECTION  
SOCIETY OF  
NEW ZEALAND INC

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1st December 2003

The Manager  
Mr Ken Taylor  
DTZ  
Box 27  
Alexandra

Dear Ken Taylor

**Submission to Mount Burke Proposed Tenure Change**

Thank you for the opportunity to comment on this proposal.

**INTRODUCTION**

1. This submission can not present any new information as the Society has been denied access to assess the Preliminary Proposal. This denial of access effectively prevents us from making an informed submission and represents a failure of natural justice. It makes a mockery of the provisions for public consultation provided for under the CPLA.
2. Accordingly the Society wishes this submission to be regarded as an interim submission and we request that this tenure review not proceed until such time as the public and members of our Society have an opportunity to inspect the lease and submit a meaningful submission.
3. We consider that L1NZ has a responsibility to ensure the integrity of the tenure review process and failure to secure reasonable access to inspect the proposals under this Preliminary Proposal represents a complete breakdown in the public accountability and participation in the tenure review process.
4. It is also clear that this proposal relies on an out of date Conservation Resource Report, and is based on inspections carried out between 1993 and 1999. This is particularly significant as the CPLA only came into being in 1998 and it is highly unlikely that the Crown had developed criteria to enable the definition of 'significant inherent values' before the surveys were carried out.
5. The data is at least 4 years out of date and can not reflect the current understanding of what constitutes "significant inherent values", and the relatively new scientific understanding of the indigenous vegetation of Central Otago prior to human occupation.

6. The Crown in relying on out of date information is doing conservation and the public a severe disservice and is not in our view adequately carrying out its task under the CPLA, which requires the protection of significant inherent values. The common English reading of this is the protection of significant inherent values as identified at the time of implementing or applying this act to a particular tenure review. Presenting a proposal which is based on data 4 years out of date, means that the public can have no confidence that the information contained in the Preliminary Proposal is accurate, or upto date.
7. Accordingly we submit that this proposal does not meet the requirements of the CPLA.

**The proposal as presented:**

***Land to be freeholded***

- 7340 hectares (approximately) with six proposed protective mechanisms being conservation covenants - CC1, CC2, CC3, CC4, CC5 and CC6 totaling 1055 hectares (approximately).

*[DRAFT PRELIM/NARY PROPOSAL*

- *6551.611 Ha proposed for freeho/ding with 234 ha of conservation covenants.]*

***8. Land to be retained in Crown ownership and control and proposed designations:***

- 1 hectare (approximately) to be designated as recreation reserve (R)
- 2657 hectares (approximately) to be designated **as a** conservation area (CA)

*[DRAFT PRELIM/NARY PROPOSAL*

- *1.5ha as Recreation Reserve*
- *3445ha proposed as Conservation Area}*

***Proposed Easements***

- 'g-h-i', 'h-j', and 'm-n' - easements for foot and non-motorised vehicle access and for vehicle parking.
- 'a-b-c', "b-d-e', sUbject to a two month closing for lambing and year-round closure at the discretion of the lessee to facilitate stock movement and farm management.
- 'l-k' for public foot and non-motorised vehicle and motorised vehicle access.
- 'f' and 'm' - for vehicle parking.
- 'o-p' for moving stock across proposed conservation area CA

**LAND PROPOSED FOR FREEHOLDING - 'THE PENINSULA'**

9. The Conservation Resource Report identifies the Peninsula as having, high, moderate to high and moderate inherent landscape values, and is an important regional landscape. It is clear that this land comprises 'significant inherent values' and meet the following criteria identified in DOC's tenure review Manuel (8.04.02).
10. It is an area that sustains the quality and integrity of the high country landscape, especially the indigenous component.
11. It is an area, which sustains one of the most culturally valued scenic landscapes in the Wanaka area, and is set within a natural High Country Landscape.
12. The Conservation Resource Report, (p4) notes the following values:
  - Highly visible from many parts of Lake Wanaka and environs.
  - A highly distinctive landscape.
  - Its sheer size, height, lack of structures and essentially uniform untracked and little fenced character make it a distinctive and well-known landform.
13. In addition we submit that it is an outstanding natural feature and is a dominant element in the highcountry landscape as viewed from Wanaka, and the Lakes environs. Modification of this landscape by structures and tracking or roading, or exotic forestry will severely degrade the quality and integrity of the high country landscape in the Wanaka area. This was noted by Earl Bennett in his report.<sup>1</sup>
14. Criteria 4. It provides habitat for a threatened species - the endangered cress (*schnocarpus novae-zelandiae*). As the Conservation Resource Report is 4 years out of date the Preliminary Proposal presents no data to indicate whether this species may be found in other parts of the Peninsula, that are proposed for freeholding with no protective covenants. Given the importance of protecting significant species and the requirements under the NZ Biodiveristy Strategy, it is unacceptable to rely on an old report.
15. Criteria 5. The Peninsula contains communities, habitats and ecosystems that are uncommon within the Wanaka Ecological District. There are broadleaf and kowhai (which the PP (page 2) notes are uncommon in this ecological district, that are outside the proposed covenant areas.
16. Criteria 7. The Peninsula is an area, which makes a special contribution to the overall quality, natural functioning and ecological integrity of significant values, particularly with regard to their potential state. The two proposed conservation covenants CC1, containing the most advanced natural regeneration of shrubland and Halls Totara, show what the entire western shores of the Peninsula would look like if they were allowed to regenerate. The western faces in particular are steep, predominantly covered in dense bracken, with a matagouri and speargrass understory. All along there are occasional cabbage, broadleaf and kowhai trees, scattered native brooms, patches of tutu, flax, and wineberry, all clearly visible from the Lake.

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<sup>1</sup> Bennett E.H, and Russell H., 1993 Wanaka/Hawea/Makarora – Planning for Landscape Change, Visual Landscape Assessment.

This area has the potential to regenerate to form an intact, indigenous shrubland and possibly forest. If protected from fire and stock it will eventually become an even more valued scenic asset for Wanaka and it's environs.

As noted by the Otago Conservation Board 29<sup>th</sup> November 2003 this Peninsula has the potential to be restored and enable the return of Weka and perhaps kiwi. It would be possible to predator proof this area from possums, cats and dogs, and maybe eventually stoats and rats.

17. The Peninsula also offers significant recreational opportunities. For boaties, kayakers and those recreating along the western shores it is a magnate beckoning to be climbed and explored. Secure public access should be provided to enable a round trip along the spine of the Peninsula with exits/entrances at the isthmus and from Stevensons arm, opposite Quartz Creek and from the popular beach at CC1.
18. The Society also considers that this area is not capable of ecologically sustainable development. Much of the western side is steep, with many bluffs, and is prone to erosion, slips are obvious from the lake. Continued farming will require regular burning, which without the input of fertiliser is unsustainable and fertiliser should not be applied as it poses a run off risk to the Lake.
19. The Society considers that The Peninsula has extensive significant inherent values, including landscape, ecological and recreational values that require protection and restoration to full crown ownership and control.
20. Further the western side in particular is not suited to freeholding as it is incapable of ecological sustainable management. Continued grazing and burning poses a threat to the proposed covenant areas, making them ecologically unsustainable on their own.

#### **PROPOSED COVENANT AREA CC6**

21. The Society is dismayed that the area proposed for covenanting is to be freeholded and not restored to full crown ownership and control. The Conservation Resource Report (p15) states that the upper part of the East Wanaka Creek contains a large area of very high quality *Chionochloa macra* and *C. rigida* tussocklands and diverse shrublands. It ranks the *C. macra* tussock lands as being of particular conservation significance. This area contributed to the assessment which ranked the entire area, including the land now proposed to be returned to full crown ownership and control, as high in 6 out of the 7 PNA criteria. This area was recommended for full crown ownership and control in the Proposed Designations Report and the Draft Preliminary Proposal. It is readily apparent that this area contains significant inherent values which warrant the return to full crown ownership and control. It does not meet the usual criteria for conservation covenants, being discrete areas not adjacent to proposed conservation areas.
22. The Consultation Report (pp6,&9) and the Submission on the Draft Preliminary Proposal (p4) recorded that this land contains significant inherent values, especially the *C macra* grasslands above 1100m as well as having significant landscape values. It is clear that the officials have

'some reservations about whether the proposed conservation covenant, CC6 promotes sustainable land management'. The concern expressed was related to grazing by sheep without fertiliser replenishment.

23. The officials have not considered the fact that grazing per se of *C macra* will not permit the long-term retention of the dense *C macra* tussock grasslands. Merino sheep tend to preferentially graze *C. macra* ahead of *C. rigida*, as it is more nutritious. *C. macra* has higher organic matter digestibility and metabolisable energy than *C. rigida*.<sup>2</sup> Thus even though the *C. rigida* is more dense at lower altitudes, the sheep will no doubt climb to the *macra*. *C. macra* is much more sensitive to grazing pressure than *C. rigida*, and grazing can significantly effect the regeneration of *macra*. Rose and Platt<sup>2</sup> in a study of the regeneration of *C macra* in 10 montane-subalpine sites in the Harper Avoca catchment, subjected to different sheep grazing and hare browsing found that on areas subject to about 80 years of sheep grazing that most snow tussocks had been destroyed and that remaining tussocks were predominantly senescent and seedlings were infrequent. In contrast the stands retired from sheep grazing for 34 or 21 years were characterised by low proportions of senescent tussocks and high proportions of seedlings and juveniles, suggesting the onset of increases in tussock abundance. Population structures inside and out side a 10 year old enclosure showed that browsing by hares alone was capable of inhibiting *C. macra* recovery. Significantly they found that although depleted by past grazing, snow tussock populations in retired stands showed signs of considerable recovery. Senescent tussocks were infrequent and tussocks were taller than in other stands, high proportions of seedlings and juveniles and decreasing proportions of individuals in successively larger diameter classes, indicated increased seedling recruitment since retirement.
24. The stated reason for excluding this area from full crown ownership and control was because the lessee considers that this area has important economic values for farming. This is not a reason under the CpLA and as the PP notes the future use of the freehold area may include subdivision for life style blocks, hence decreasing the "economic necessity" of retaining this area for grazing. At the very least the CPLA requires that this area be returned to full crown ownership and control, and provision for a short term (5-year) grazing concession could be granted to enable the lessee to make the transition.

### **East Branch Quartz Creek**

25. It appears that as a result of negotiations a compromise has been made to move the conservation/freehold boundary in the East branch of Quartz Creek further north west which on the maps looks like it now entails a new fence, and means that part of the catchment is excluded from the Proposed Conservation Area. It is not clear if a new fence is required whether this will involve bulldozing or clearing a fenceline. If it will involve clearing a fence line this will create unacceptable scars on the landscape.

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<sup>2</sup> Fenner et al., 1993. Chemical features of *Chionochloa* species in relation to grazing by ruminants in Southland, New Zealand. *NZ Journal Ecology* 17 (1).

<sup>2</sup> Rose, A.B., and Platt, K.R., 1992. Snow tussock population responses to removal of sheep and European hares, Canterbury, New Zealand. *NZ Journal of Botany*. Vol 30: 372 -382.

26. This increases the cost to the Crown, freeholds an area that is defined as meeting the CPLA test for "significant inherent values" and makes very poor reserve design sense. It is not clear from the maps provided where exactly the boundary will be, however it looks as if it is along the creek bed. This will effectively split the catchment, which will reduce the long-term natural functioning and ecological integrity of the Proposed Conservation Area. This clearly contravenes the criteria arising from the Reserves Act 1977, listed in Appendix 6 of the DOC SOP on tenure review.
27. The Society submits that the boundary of the East Branch Quartz Creek be as proposed in the Draft PP.

### **MT MAUDE**

28. It appears from the rather imprecise map supplied with the PP that the boundary of the proposed conservation area is north of the summit of Mt Maude. This boundary reduces the ecological integrity of the summit and needs to be extended southwards at least as far as G in the draft PP to include the east facing tops of its north ridge, and preferably to include Little Mt Maude, and its upper eastern slopes which also from long past memory has natural shrublands, beech and totara trees. These are not reported on in the Conservation Resource Report, or the PP. Both Little Mt Maude and Mt Maude are distinctive natural landscape elements in the Wanaka - Luggate area and are popular day walking destinations, and warrant return to full crown ownership and control under the CPLA.

### **CONSERVATION COVENANTS CC1-CC6**

The Society strongly endorses the submission from our Upper Clutha Branch as follows:

#### ***Wording of Covenant documents for CCI-CC5***

*Values - Schedule 1; Point 3 requires that the values of the land be protected. The wording of this is not strong enough and should read as it does for Appendix 7: 9.1 (a) of the 'easement concession document for access for farming management purposes (on route 'o-p'). The owner will not by act or omission "interfere with, remove, damage or endanger the natural feature, indigenous animals and plants or historic resources" on the covenanted area.*

***Landscape - Schedule 1; Point 3. The values of the land to be protected do not include any mention of protecting the landscape. In addition to the point immediately above the following should be added - "The natural values of the land, including its natural environment, natural features, landscape values, including mixed shrub/and remnants, Halls totara forest remnants and the rare native cress Ishaocarpus novae-zelandiae will be preserved and the natural regeneration enhanced"***

*Point 2.1 of Appendix 2 - Draft Conservation covenant document for proposed covenant areas CC1 - CC5 requires that "The Land must be managed to preserve its values." We also note that 3.1.5 prohibits any burning, chemical spraying, top dressing or sowing of seed, and as amended by Schedule 2 - special conditions #2 the words "or spraying of indigenous vegetation" are added. We totally agree with the provisions prohibiting burning and spraying.*

*Stock must be also be excluded from these areas by fencing them off securely as grazing will not only be detrimental to the survival and regeneration of the indigenous*

*vegetation but will also bring about a nutrient loss with the prohibition of top dressing and oversowing (we agree with this prohibition). This creates a situation as identified in the Martin Report where such use is not sustainable due to nutrient losses which is a direct contradiction of Part 2, Section 24.a.i of the CPLA 1998 which promotes "the management of reviewable land in a way that is ecologically sustainable". As the covenant conditions stand they neither completely satisfy Part 2, Sec 24 (a) (i) - that is they do not "promote the management of reviewable land in a way that is ecologically sustainable" nor do they meet the objectives of (b) of this same section that is "To enable the protection of the significant inherent values of the reviewable land."*

29. The covenant documents do not make it clear that DOC has provision for guaranteed access to inspect and monitor the proposed conservation covenants. For these covenants to have any integrity this must be provided for.

### **Kanuka/Manuka Remnants Quartz Creek Delta**

30. The Conservation Resource Report, (P3) refers to "Native Kanuka dominated shrublands have been left intact on recent riverbed gravels, steep terrace scarps and the Lake Wanaka foreshore and in some locations as farm shelter belts. They are recorded in Photograph 1 as being on the Quartz Creek delta. These shrublands provide an attractive natural component in an otherwise cultural landscape."

31. According to the Conservation Resource Report these shrublands are ***largely*** within the marginal strip. (p8). On page 15 of the Report these are described as having '*high inherent value*'.

32. It is not clear from the maps provided in the PP that these have been protected. If not then the marginal strip needs to be widened as part of this tenure review to provide for their retention in full crown ownership and control.

### **PUBLIC ACCESS**

33. The proposed tenure review fails to meet public expectations and need for recreational access and use of the foreshore of lakes. The proposals must be renegotiated to provide adequate and secure access to the entire lake foreshore in this lease.

34. The proposed recreation reserve at I is not an alternative to the Flax Paddock which the DPP made clear was essential to be restored to full crown ownership. There are inadequate provisions around the lakeshore generally for freedom camping which is part of being a "kiwi". The Mt Burke tenure review provides an unparalleled opportunity to remedy this inadequacy. A one ha picnic and boat launch with inadequate and insecure access (due to periodic flooding of the creek crossing) is unacceptable.

35. There is a need to expand the marginal strip provisions to create a recreation reserve around the entire lakeshore of Stevensons Arm.

**Route N-M - Original Dinner Creek I-J DPP**

36. Without undertaking an inspection we can not evaluate the practicality of this route. However we consider that it is unlikely to be an alternative to the original proposed route I-J which is up a formed track. This track is currently used by mountain bikers and although access is dependent also upon the generosity of a neighboring lessee this should not prevent this access route as it passes through Mt Burke from being protected via easement in this tenure review. N-M does not look suitable for mountain biking.

**Dinner Creek Track originally proposed I-J**

37. The Conservation Resource Report, (p 18) noted that mountain bikers and four wheel drivers periodically complete a high level traverse of neighboring Glen Dene and Mt Burke using the formed track originally proposed as I-J.

**Extra Access**

38. Extra access is needed exiting off e-d at the narrowest point up to the conservation area to provide direct access from the lake shore to the proposed conservation area for people using boats and people camping at R.

**Lambing Closures**

39. We consider that 8 weeks closure for lambing is unnecessary and contrary to the provision in the CPIA to secure public access and enjoyment. Such closure at one of the best times of the year for walking will severely curtail the public's enjoyment of this area.

**SUPPORT FOR PANZ RECOMMENDATIONS**

40. The Society endorses the Submission by PANZ with regard to the terms of public access easements and designation of all public access ways as 'public highways'.

**CONCLUSIONS**

This proposal fails to satisfactorily meet the requirements of the CPIA and legitimate public expectations for tenure review, and access to and use of lake foreshores. Unless it is substantially renegotiated, and access for public inspection is secured the Society considers the CCI should decline to proceed with this tenure review.

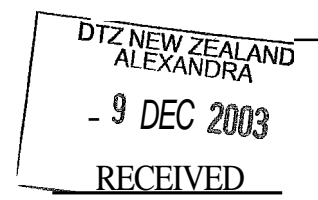
Yours sincerely



S

ue Maturin  
Southern Conservation Officer

Landcare Research  
Private Bag 1930  
Dunedin  
8 December 2003



### **TENURE REVIEW PROPOSAL: MT BURKE STATION**

The following comments are intended as a contribution to the submission process on the tenure review proposal for Mt Burke Station.

I am a botanist and plant ecologist with particular expertise in wetland vegetation and wetland processes. My research background includes studies of lake shore vegetation of South Island lakes. My familiarity with the vegetation of the Wanaka basin includes having written reports and provided management advice on various reserves and conservation lands in the district, and having described the shoreline vegetation of Lake Wanaka (Johnson, P.N. 1980: Shoreline Vegetation, Pp 60-66 in Robertson, B.T. & Blair LD. The Resources of Lake Wanaka. Tussock Grasslands and Mountain Lands Institute, Lincoln.)

I have a particular concern for the proposals for freeholding virtually all of the lake front of The Peninsula and Stevensons Arm, notwithstanding the indication on the tenure review proposal map for some form of marginal strip. My concern is centred on the impacts of livestock grazing and trampling on the lake margin habitats, their communities, and biodiversity. Apart from sections of hard rock shore, much of the Lake Wanaka shoreline has narrow beaches of stones, cobbles, and gravels, while the most gently sloping sections of shore, where fine sediments accumulate, hold silty substrates that are more amenable to holding a vegetation cover. The natural sequence of vegetation zones can be summarised as running from aquatic plant beds, up through zones of semi-aquatic turf vegetation and in places patches of sedgeland, to upper shore stands of manuka shrubs, then lower hillside fern - scrub - low forest remnants of various composition.

The aquatic and shore vegetation of Lake Wanaka is of particular biological conservation value insofar as this is one of the few large inland South Island lakes that has not been altered in level by hydro-electricity control, and because native plants still dominate most of the vegetation, invasive naturalised aquatic weeds being few in number, and under relatively controlled management. The turf vegetation of Lake Wanaka, although scattered in distribution, is very rich in plant species, forming communities that are now restricted to relatively few and scattered lakes and ephemeral wetlands throughout New Zealand. Some of the best Lake Wanaka examples are to be found along the east shore of Stevensons Arm.

At present livestock, especially cattle, have ready access to the lake shore, where their trampling and faecal impacts are quite severe and obvious upon the gravel, silt, and turf shores. Undoubtedly livestock cause a considerable increase to the nutrient status of these substrates and to the lake waters. Modern livestock practices tend to favour the prevention of direct livestock access to waterways, and I believe this should be the aim also for the Lake Wanaka shores, including those on Mt Burke Station.

I am not aware of what protective mechanisms are being considered for the lake shore marginal strips, but I believe that the following two items should be addressed in the tenure review:

1. That marginal strips should be wide enough along all lake frontage to incorporate the full sequence of immediate lake shore vegetation types, and that the marginal strips be fenced to prevent livestock access to the lake.
2. That the best examples of sequences of lake shore vegetation zones, plus the upslope habitats of hill toe-slope seepages and hillside woody vegetation be identified for protection with a status that excludes livestock.

These principles for management of livestock adjacent to a lake margin should be applied not only on Mt Burke Station, but also to all of the Lake Wanaka shore.

(Dr) Peter N. Johnson



37 P007311  
226



Commissioner of Crown Lands  
C/- DTZ New Zealand Ltd.  
Land Resources Division  
PO Box 27  
ALEXANDRA

Dear Sir/Madam

The Otago Fish & Game Council wish to submit on the preliminary proposal prepared by the Commissioner of Crown Lands for the Mount Burke Pastoral Lease property.

**Our Submission:**

The proposed plan does not specify marginal or conservation covenant protection for Quartz Creek and therefore does not adequately protect instream aquatic or sports fishery values.

Some existing legal access ways (unformed roads), which have not been incorporated in the proposed plan due to current farming activities, have the potential to enhance proposed recreational access.

Access provided in the plan may be difficult to use or impassable at certain times of the year and is therefore inadequate.

**The Reasons for our Submission:**

***Marginal Strip Protection:***

Quartz Creek does not appear to have been given marginal strip protection. It may be the case that marginal strip protection is to be given, but is not shown on the designation plan. This is a point of frustration to stakeholders as we are unable to determine whether waterways will be given protection or not in the review process.

**2.1.2 "The Flax Paddock (mouth of Quartz Creek)",**

Access to the two-hectare area that has been designated as recreational reserve ('R' on plan) is not guaranteed to all vehicular traffic. Crossing Quartz Creek in a vehicle can be problematic at times, as flood events scour the riverbed, and can make it unpassable to all but four-wheel drive vehicles. At times this would exclude two-wheel drive vehicles, and those towing caravans or boats. It appears illogical to create a reserve area and ROW easement that people may not find easily access at all times. We consider that a simple option to overcome this would be to create the recreational reserve, and right of way easement (ROW), to the south of Quartz Creek thereby overcoming access difficulties.

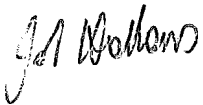
**2.5 'Public Foot/Mountain Bike - Isthmus to East Wanaka Creek''.**

This proposed access runs from the Isthmus, south along the edge of the Lake, to point 'e' on the proposed designation report map. Immediately to the south of point 'e' there is a legal road which passes close to point 'f' (motor vehicle parking) before joining Maungawera Road. The Otago Fish & Game Council consider it is not appropriate for the ROW easement to be halted due to farming practices, particularly so when a legal road in the immediate vicinity has been fenced, and contains locked gates. We wish to bring to the commissioner's attention that it is illegal to halt public access along legal roads. Our view is that at the very least, access from point 'e' to Maungawera Road, and/or point 'f' on the designation map should be established.

**Our Submission would be met by the Commissioner making the following decision:**

- 1/. The confirmation that marginal strip protection will be placed on Quartz Creek.
- 2/. The continuation of ROW easement 'd - e' to a point that joins Maungawera Road, or the reserve area at the mouth of Quartz Creek, or parking area 'f'. Our preference would be from point 'e' - f.
1. The establishments of a ROW easement and reserve area to the south of Quartz Creek to allow unrestricted recreational access or for the land owner to maintain access across quartz such that it is passable by two-wheel drive vehicles and/or those towing boats.

Dated: November 28 2003



John Hollows  
Resource Officer  
Otago Fish & Game Council

38.

P0073/1

PO Box 212,  
Wanaka  
Phone: 443 8903  
Fax: 443 8953

258



DTZ NEW ZEALAND  
ALEXANDRA  
- 5 JAN 2004  
RECEIVED

*for the aspiring angler*

*We hope this submission can still be accepted,  
even though it is just the cut of date  
Sorry for any inconveniences*

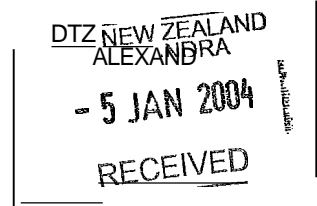
*Regards  
Scott Little*



*for the aspiring angler*

15 December 2003

Commissioner of Crown Lands  
C/- DTZ New Zealand Ltd.  
Land Resources Division  
PO Box 27  
ALEXANDRA



Dear Sir/Madam

The Upper Clutha Angling Club wish to submit on the preliminary proposal prepared by the Commissioner of Crown Lands for the Mount Burke Pastoral Lease property.

**Our Submission:**

The proposed plan does not specify marginal or conservation covenant protection for Quartz Creek and therefore does not adequately protect instream aquatic or sports fishery values.

Some existing legal access ways (unformed roads), which have not been incorporated in the proposed plan due to current farming activities, have the potential to enhance proposed recreational access.

Access provided in the plan may be difficult to use or impassable at certain times of the year and is therefore inadequate.

**The Reasons for our Submission:**

***Marginal Strip Protection:***

Quartz Creek does not appear to have been given marginal strip protection. It may be the case that marginal strip protection is to be given, but is not shown on the designation plan. This is a point of frustration to stakeholders as we are unable to determine whether waterways will be given protection or not in the review process.

**2.1.2 "The Flax Paddock (mouth of Quartz Creek)".**

Access to the two-hectare area that has been designated as recreational reserve *CR'* (on plan) is not guaranteed to all vehicular traffic. Crossing Quartz Creek in a vehicle can be problematic at times, as flood events scour the riverbed, and can make it unpassable to all but four-wheel drive vehicles. At times this would exclude two-wheel drive vehicles, and those towing caravans or boats. It appears illogical to create a reserve area and ROW easement that people may not find easily accessed at all times. We consider that a simple option to overcome this would be to create the recreational reserve, and right of way easement (ROW), to the south of Quartz Creek thereby overcoming access difficulties.

**2.5 "Public Foot/Mountain Bike - Isthmus to East Wanaka Creek".**

This proposed access runs from the Isthmus, south along the edge of the Lake, to point 'e' on the proposed designation report map. Immediately to the south of point 'e' there is a legal road which passes close to point 'f' (motor vehicle parking) before joining Maungawera Road. The Upper Clutha Angling Club consider it is not appropriate for the ROW easement to be halted due to farming practices, particularly so when a legal road in the immediate vicinity has been fenced, and contains locked gates. We wish to bring to the commissioner's attention that it is illegal to halt public access along legal roads. Our view is that at the very least, access from point 'e' to Maungawera Road, and/or point 'f' on the designation map should be established.

**Our Submission would be met by the Commissioner making the following decision:**

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- 3/. The establishments of a ROW easement and reserve area to the south of Quartz Creek to allow unrestricted recreational access or for the land owner to maintain access across quartz such that it is passable by two-wheel drive vehicles and/or those towing boats.

Dated: 15 December 2003

Scott Little  
Upper Clutha Angling Club

39. P0073/1,  
256

Wakatipu Tramping and Mountaineering Club  
POBox 137  
Queenstown

Your Ref: P0073

7 January 2004



The Commissioner of Crown Lands  
C/- DTZ New Zealand Limited  
POBox 27  
Alexandra

Dear Sir/Madam

**RE: TENURE REVIEW- MT BURKE PASTORAL LEASE**

We wish to apologise for our late submission, but we hope our submission can still be considered.

We have perused the proposal and we wish to comment as follows:

Our members are concerned that The Peninsula may be freeholded. This area of land is prominent on this side of the lake and is worth preserving for the benefit for future generations.

We believe that The Peninsula shall be restored to Crown control as a conservation area.

By doing this no burning or grazing can no longer suppress the re-vegetation of the native flora.

If the above can not be achieved the Crown may grant grazing leases for a limited time of the year, but prohibit burning.

Under no circumstances shall burning be allowed on The Peninsula at any time.

The rest of the proposal appears satisfactory.

Yours faithfully

Hans Arnestedt  
Secretary