

## **Crown Pastoral Land Tenure Review**

**Lease name: SANDY POINT**

**Lease number: PO 350**

**Public Submissions - Pt 2**

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

**January 06**

(5)

26 April 2005

The Commissioner of Crown lands  
c/- QV Valuations Ltd  
P O Box 13 443  
CHRISTCHURCH



Attention: Tenure Review Team Leader

Dear Sir

**Re: Preliminary Proposal for Tenure Review of Sandy Point Pastoral Lease**

I wish to make the following submission on the preliminary proposal for Sandy Point pastoral lease on behalf of the Clutha River Parkway Steering Group. I am also a member of the High Country Landscape Group of the NZ Institute of Landscape Architects (NZILA). I am a Registered Landscape Architect and Associate Member of the NZILA. I have 16 years of professional experience and have had my own practice for the last 11 years. I reside in Wanaka and am familiar with the landscape of the Upper Clutha basin. I am familiar with the tenure review process, pastoral lease farming systems and the particular landscape issues related to these high country properties. Over the period 1995-2003 I completed more than 40 landscape assessments of pastoral leases in tenure review as a contracted expert to the Department of Conservation in Canterbury.

**The Clutha Parkway Steering Group**

The Clutha River Parkway Steering Group was established in 2004. Its purpose is to promote, advance and implement the concept of a parkway along the length of the Clutha River in a 3-4 year programme. Funding has just been granted for the first year and the group is currently engaging a project manager to enable the programme to be started.

The Clutha River is a world-class river and a major natural asset at a local, regional and national level. Its riparian environment has been compromised and continues to be threatened by development along the river – subdivision for lifestyle blocks, vineyards, forestry, mining, power generation. The Parkway is a visionary long-term concept that aims to protect and improve the natural, recreational and cultural values of the river environment in an integrative manner co-existing with on-going land use and future development. The river environment is seen not just as the river and its banks but the physical entity of the river system in a biophysical sense and in an experiential sense – the areas that directly contribute to the experience of the river corridor landscape.

In my opinion the river corridor deserves the status of outstanding natural landscape. Within the Queenstown Lakes District it has been indicated at Environment Court level that the river is at least an Outstanding Natural Feature – a feature requires a supporting landscape context if its values are to be retained and enhanced. To my knowledge this classification has not been challenged.

Furthermore Section 6(b) of the Resource Management Act 1991 requires the preservation of the natural character of ...rivers and their margins, and the protection of them from inappropriate subdivision, use and development, as a matter of national importance. The interpretation of "margins" should not be limited to the physical edge of the river up to high water mark, but the visual/experiential and biophysical entity of the river and its corridor. Only in this way can the natural character of the river is to be preserved.

The Sandy Point landscape west of the highway is an important and integral part of the river corridor, including low riparian terraces (in cultivated pasture) and enclosing scarps. These areas contribute to a natural and pastoral character that we seek to maintain along the river. I define them as being the "margin" of the Clutha River in a more holistic sense. Sandy Point is a local landmark and an impressive natural feature. The use and management of the land above

and behind the scarps is also an important issue with respect to protecting the values of the river corridor, particularly in respect of buildings and plantation and shelter belt tree planting. Immediately downstream of Sandy Point (within the Central Otago District), subdivision of farmland into 17 smallholdings for lifestyle purposes (the Black Bag, White and L. Bee developments) have been consented to in the last 2 years (see Photo 1). A large house is visible from the river opposite and just upstream of Sandy Point. Coniferous forestry plantations and vineyards have been established close to the river. There has been and will continue to be degradation of the landscape character of the river corridor as a result of these developments.

The district planning process cannot be relied upon to protect the river's natural values, even in the QLDC which has one of the most advanced and comprehensive plans in respect of protection of landscape values. Here a previous pro-development Council (late 1990's) permitted zoning of Clutha River margin lands for rural residential use (the Fox Rock proposal), a decision that is now causing great concern to the community in part because of its adverse effect on the natural character of the river corridor.

In the Central Otago District, subdivision in the Rural Zone to 8ha minimum lot size is currently a controlled activity, as is residential activity.

### **The High Country Landscape Group**

The High Country Landscape Group of the NZILA is a group of NZILA member landscape architects who have a particular interest and involvement in the landscapes of the South Island High Country. It was established in 2003 in response to growing concerns over the inadequacy of the tenure review process in recognising and protecting landscape values in the high country on pastoral lease lands. The group's purpose is to identify and investigate issues with high country landscapes, promote awareness of issues, and to put forward recommendations for addressing them to the relevant bodies or authorities. The over-riding aim is to advocate for the adequate recognition and protection of landscape values of the high country.

I welcome the opportunity to be able to make a submission on this proposal for the tenure review of Sandy Point pastoral lease. I make this submission on behalf of the Clutha River Parkway Steering Group, and individually as a professional landscape architect.

---

## **SUBMISSION**

### **Discussion**

The proposal has recognised and provided for the protection of some of the significant inherent values on Sandy Point. All these proposals are supported, with some qualifications as I will outline below.

Sandy Point is a relatively small pastoral lease and could not be described as being one of the "icon landscape" properties. The landscape of the property has been highly to moderately modified through pastoral use.

Nevertheless there are significant natural landscape values on this property which are deserving of recognition and protection in perpetuity. The property retains a dominantly natural character (of a pastoral quality) which is an integral part of the highly valued Upper Clutha rural landscape.

Because of the modified nature of the vegetation and the focus on ecological values however, landscape values have tended to get over-looked. The landscape assessment was completed in 2001. Since then, awareness of the landscape values inherent in our rural landscapes and particularly along our rivers has increased; rather, local communities (as well as the tourism sector) now place increased value on our modified but relatively natural rural farm landscapes. As district planning has not proved itself to be robust enough to protect these values, the tenure review process offers a one-off opportunity to secure long-term protection.

As I described in the preceding section, the land west of the highway is of significant value to the natural character of the Clutha River. It is a strategic piece of the river corridor landscape, potentially preventing the downstream sprawl of subdivision and housing moving upstream. The provision of public access to the river from SH6 has been considered and provided for but I submit that the proposal can be improved.

SH6 is an important state highway and tourist route. The basin floor landforms and the west side of the range is an important part of the highway corridor landscape experience. This part of the highway corridor is particularly memorable for its aesthetically pleasing pastoral farming landscape (albeit with a few detracting elements such as visible tracking scars) as well as remnants of native shrublands and tussock grasslands.

The preliminary proposal does not recognise all of these values or provide protection for them. District planning is being relied on as the process to protect them, and, as I said earlier, the district planning process cannot be relied upon to protect landscape values.

### **Recommended Changes to the Preliminary Proposal**

In order to achieve appropriate protection of natural landscape values, I seek the following amendments to the preliminary proposal:

#### **1. Protection of the River Corridor by Landscape Covenant**

A covenant with the purpose of protecting natural to pastoral landscape values should be placed over all the land west of the highway. Its objective would be to protect the river environment and preserve its natural character.

Forestry plantations and subdivision into smallholdings and the building of dwellings and other non-farming structures should be avoided.

The scarp and lower Deep Gully should be retired permanently from grazing and the remnant native grey<sup>1</sup> and kanuka shrubland be given opportunity to spread.

#### **2. Public Access Easement Down Deep Gully**

Public access via an easement should be provided down Deep Gully (to enable enjoyment of the landform and its shrubland) and across the farm paddocks to give ready and direct access to the river at a very suitable point – there is a wide beach in a gap between the thick willow growth where an easement would logically arrive at. There is space for car parking at the top of the gully on the east side of the road.

#### **2. Extension of CA2**

This proposed conservation area should include a good 30-50m of land behind the crest of the scarp, to provide long term access along the top of this actively back-eroding gravel scarp. It is difficult to tell from the map in the proposal how much land on top of the scarp is included. Enough land should be included at the north end to allow easy access up and down the scarp. It is recognised that recent subdivision has made access at the southwest corner of the property difficult, where one now has to vertically descend/ascend the scarp along the fence to/from the marginal strip. This land is of little productive value, being light and sandy. This measure would also prevent any building on the crest that is visible from the river.

A containment policy should be applied to the existing pine trees, allowing only a few new ones as replacements for trees as they mature. The trees have a value in holding the bank together and have some aesthetic value as well. Old trees should be removed.

---

<sup>1</sup> Grey Scrub refers to naturally occurring a mix of indigenous divaricating species including matagouri, coprosma, corokia, olearia, mountain wineberry

Given there is a lifestyle block immediately adjacent on the south boundary, it would be better to locate the access easement away from the fence for mutual privacy reasons. It could be located closer to the next fence, either going through or on the other side of the young pine trees.

### **3. Highway Corridor Landscape**

In similar vein to protecting the landscape of the river corridor, - and in the context of inadequate district plan protection (this is now in the Central Otago District) - a covenant to protect the existing pastoral and natural landscape values should be placed over the faces from the road to the crest.

Activities such as buildings, fence lines, tracking, shelter belts and woodlots or plantations need to be carefully located (or even avoided). The covenant should require that any proposals for such activities should be reviewed and approved before any construction or planting. Ideally a suitably qualified landscape architect should review and approve any such proposals.

### **4. Definition of CC1**

I suggest that the top of this area could more closely relate to landform rather than the existing fence which appears to cut unnaturally across the spur.

These recommended amendments are illustrated on the attached plan.

---

## **Conclusion**

**The Preliminary Proposal for Sandy Point Pastoral Lease identifies significant inherent landscape values on the property and provides for their protection but does not recognise all of them. In particular it fails to recognise the significant natural values of the Clutha River corridor.**

**The proposals outlined in the Preliminary Proposal are supported however I suggest that amendments be made as described above.**

Thank you for the opportunity to review and comment on this proposal,

Yours sincerely



Anne Steven

Secretary for the Clutha River Parkway Steering Group  
and  
Member of the High Country Landscape Group  
and  
Registered Landscape Architect, Wanaka



EXISTING SUBDIVISION OF THE CLUTHA RIVER ENVIRONS IMMEDIATELY DOWNSTREAM OF SANDY POINT. A LARGE NUMBER OF SMALL HOLDINGS NOW PROLIFERATE IN THIS AREA. THE PERMANENT AND SIGNIFICANT ALTERATION OF THE NATURAL CHARACTER OF THE RIVER CORRIDOR, TO A MORE DOMESTICATED CHARACTER, IS AN INEVITABLE OUTCOME.

prepared by Anne Steven Registered Landscape Architect April 2005



**LEGEND**



Area Recommended to be Covered by a Landscape Covenant to Protect the Natural Landscape Values of the Clutha River



Scarp - Recommend De-stocking to allow Grey Shrubland and Kanuka to expand



Recommended Public Foot Access to the River



Recommended Extent of Proposed CA2, with Proposed Easement "g-h" Positioned Away from Shared Boundary with Lifestyle Block

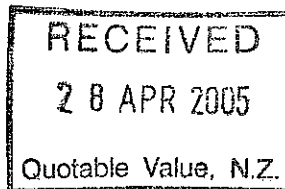


**SANDY POINT PASTORAL LEASE**

Recommended Changes to the Preliminary Proposal

Submission by Anne Steven  
Registered Landscape Architect  
on behalf of the Clutha River  
Parkway Steering Group

RELEASED UNDER THE OFFICIAL INFORMATION ACT



## NGAI TAHU Development

Level 1, Te Waipounamu House  
158 Hereford Street  
PO Box 13-046, Christchurch  
Phone 03-366 4344  
Fax 03-366 4267

28 April 2005

Barry Dench  
QV Valuations  
PO Box 13-443  
Christchurch

Tēnā koe Barry

### Preliminary Proposal – Sandy Point Pastoral Lease

Te Rūnanga o Ngāi Tahu and the relevant Papatipu Rūnanga: Te Rūnanga o Ōtakou, Te Rūnaka o Hokonui, Kāti Huirapa ki Puketeraki and Te Rūnanga o Moeraki have considered the information provided in the Sandy Point Preliminary Proposal and have the following comments:

#### CA 1

The Preliminary Proposal states that the area referred to as CA 1 contains significant landscape and ecological values. Ngāi Tahu supports the protection of significant values and therefore supports the proposed CA 1.

#### CA 2

The Preliminary Proposal shows that an area of 2 hectares approximately to be designated as land to be restored or retained in full Crown ownership and control as a Conservation Area. The Clutha River / Matau-au contains spiritual, cultural and historical values to Ngāi Tahu Whānui and the proposed Conservation Area will assist in the protection and access to these values. Ngāi Tahu supports CA 2.

#### Clutha River – Matau-au

The Clutha River / Matau-au is a river of considerable significance to Ngāi Tahu Whānui. The Clutha / Matau-au is a Statutory Acknowledgement and Deed of Recognition under the Ngāi Tahu Claims Settlement Act 1998. The following information is an extract from the NTCSA 1998.

*The Matau-au river takes its name from as Ngāi Tahu whakapapa that traces the genealogy of water. On that basis the Matau-au is seen as a descendant of the creation traditions.*

*On another level the Matau-au was part of a mahinga kai trail that led inland and was used by Ōtakou kapū, including Ngāti Kuri, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāti Tūāhuriri.*

*The river was also very important in the transportation of pounamu from inland areas down to the settlements on the coast from where it was traded north and south. Thus there were numerous tauranga waka (landing places) along it. The tūpuna has an intimate knowledge of navigation, river routes, safe harbours and landing places and the locations of food and other resources on the river. The river was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The Matau-au is where Ngāi Tahu's leader, Te Hautapunui o Tū, established the boundary line between Ngāi Tahu and Ngāti Mamoe. Ngāti Mamoe were to hold mana (authority) over the lands south of the river and Ngāi Tahu were to hold*



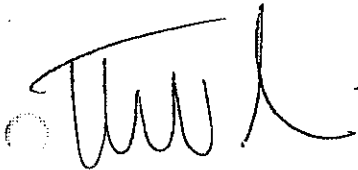
## RELEASED UNDER THE OFFICIAL INFORMATION ACT

*mana northwards. Eventually, the unions between the families of Te Hautapunui o Tū and Ngāti Mamoe were to overcome these boundaries. For Ngāi Tahu, histories such as this represent the links and continuity between past and present generations, reinforce tribal identity, and document the events which shaped Ngāi Tahu as an iwi.*

The Clutha River / Mata-au is of significance to Ngāi Tahu Whānui. The Preliminary Proposal shows that there is a marginal strip proposed for those parts of the Clutha River / Mata-au which provides some protection and access for Ngāi Tahu Whānui to Clutha River / Mata-au. The Clutha River and the land immediately surrounding the Clutha River contains Significant Inherent Values as defined under the CPLA 1998. Ngāi Tahu would like to discuss with LINZ the options for protection mechanisms under the CPLA 1998 for the land immediately surrounding the Clutha River / Mata-au to ensure the greatest method of protection possible for the land immediately surrounding the Clutha River / Mata-au.

If you have any questions please do not hesitate to contact me.

Heoi anō



Takerei Norton  
Kairuruku Pūrero Ngā Rawa Taiao  
**Natural Resources Unit Project Co-ordinator**

cc Te Rūnanga o Moeraki  
Kāti Huirapa ki Puketeraki  
Te Rūnaka o Hokonui  
Toni Russell