

## **Crown Pastoral Land Tenure Review**

**Lease name: The Poplars**

**Lease number: PC 015**

### **Fish & Game Report**

As part of the process of Tenure Review Fish & Game councils may provide advice on significant inherent values within the pastoral lease, and the information may be incorporated in the Conservation Resources Report. The advice is part of the information gathered and assessed for the development of a preliminary consultation document.

The report attached is released under the Official Information Act 1982.

**November**

**08**

# THE POPLARS PASTORAL LEASE

## FISH & GAME RESOURCES REPORT

October 2008

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## Foreword

This report represents Fish & Game's contribution to the Preliminary Proposal for The Poplars pastoral lease tenure review process.

The process for tenure review is set out in Part II of the Crown Pastoral Lands Act 1998. Section 24 of that Act sets out the objects of reviews, which include:

- (a) To—
- (i) Promote the management of reviewable land in a way that is ecologically sustainable;
  - (ii) Subject to subparagraph (i), enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument; and
- (b) To enable the protection of the significant inherent values of reviewable land—
- (i) By the creation of protective mechanisms; or (preferably)
  - (ii) By the restoration of the land concerned to full Crown ownership and control; and
- (c) Subject to paragraphs (a) and (b), to make easier—
- (i) The securing of public access to and enjoyment of reviewable land; and
  - (ii) The freehold disposal of reviewable land.

The Poplars pastoral lease falls within the North Canterbury Fish and Game region. The functions of all regional Fish & Game Councils are set out in Section 26Q of the Conservation Act. Some Fish & Game functions relevant to the Tenure Review process are:

- Assessing and monitoring sportfish and gamebird populations.
- Assessing and monitoring the use of the fish and game resource and the recreational satisfaction of anglers and hunters.
- Maintaining and improving sportfish and gamebird resources.
- Providing information on sportfish and gamebirds, promote angling and hunting and provide education services to anglers and hunters;
- Representing the interests of anglers and hunters in statutory planning processes, including their interests in habitats.

## Executive Summary

The Poplars pastoral lease contains a range of water bodies; from small streams and wetlands through to three major tributaries of the Waiau River - the Kiwi, Hope and the Boyle rivers. Each of these major tributaries has significant value as brown trout fishery habitat and as recreational areas for the pursuit of these fish. The lease also contains a number of riparian and mid-altitude wetland systems, which together with the aforementioned water bodies support sportsfish and gamebird values of varying degrees of significance.

Even though provision exists for legal public access along the reaches of the Kiwi, Hope and Boyle rivers, there are constraints that affect the practical use of these areas by anglers and game bird hunters. The tenure review process offers the opportunity to rationalise access on the lease to overcome the matters that give rise to these constraints.

Key recommendations provided at the conclusion of this report include to:

- Maintain and extend existing legal access ways, including the provision of a car parking and camping areas, and easements to enable access to portions of the property that currently do not have legal public access.
- Provide for new Fish & Game signage at strategic points within the property.
- Impose conservation covenants on larger streams and adjoining wetlands to protect their contributions to the Waiau River fishery from the adverse effects of land development.

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# Introduction

## Purpose of this report

This report constitutes Fish & Game's contribution to the Preliminary Proposal being prepared by the Crown as part of the review of The Poplars pastoral lease. Consistent with Section 24 of the Crown Pastoral Lands Act, this report:

- Summarises the significant inherent sportfish habitat, angling, gamebird habitat and gamebird hunter values of the Poplars Pastoral Lease (s.24 (a)).
- Makes recommendations to protect those values (s.24 (a) (i), (b) (i) &/or (b) (ii)).
- Summarises public access requirements required to allow enjoyment of those values (s.24 (b) (i)).

## Scope of this report

The scope of this report is limited to the significant inherent sportfish, angling, gamebird habitat and gamebird hunting values associated with The Poplars pastoral lease property.

In compiling this report reference has been made to various reports prepared by other organizations, including Environment Canterbury and the Department of Conservation, as well as internal reports of the North Canterbury Fish and Game Council. These references are cited in the report and full details provided in a bibliography at the end of the report.

Fish & Game staff (Jason Holland and Brian Ross) attended a site visit to the property in May, 2007. Areas of the lease that were inspected during this site visit included:

- The portion of the lease bordering the Boyle River, upstream of the confluence with the Hope River.
- The upper Hope River portion of the lease, stretching from the Glynn Wye lease boundary to the Hope / Kiwi River confluence.

## Caveats

The North Canterbury Fish and Game Council and its historic predecessor, the North Canterbury Acclimatisation Society has sporadic records on the habitats and recreational use of the lease as it relates to sports fish and game birds.

However, despite what limitations may exist in documentation on the lease Fish and Game maintain the comparison of reports, field visit observations and expert user impressions has produced a strong foundation for the comments and recommendations made in the report. Specific reports referred to in this study are references in the main text and detailed in the bibliography at the end of the document.

# **PART I**

## **Fish and Game Values**

### **Overview**

The lease contains or borders approximately 22 kilometres of the Hope (13 km) and Boyle (9 km) river systems. It also covers a very small portion of the Kiwi River (1-2 km). Collectively, these waterways form a significant portion of the upper Waiau River catchment. The Kiwi, Hope and Boyle Rivers have been identified in Fish and Game and local government reports as having high to outstanding values as brown trout habitat and for the recreational pursuit of this specie

Reports and observations indicate that game bird habitat and recreational values are lower, although populations of Canada geese and paradise shelduck periodically exist in sufficient numbers to support recreational hunting, particularly along the open river flats of the Hope and Boyle Rivers. Access for the management of these species, which can generate problems for local farmers, is considered an important consideration in the review process.

Overall, the lease contains waterways and associated wetland systems of high to low value in terms of their fish and game habitat and recreational values. The high value figures correspond mainly to the main stems of the Kiwi, Hope and Boyle systems and to the brown trout fisheries that they support. Because of the connectivity of these systems to tributary waterways lying within the lease, however, consideration must also be given to provisions that ensure the ecological sustainability of these systems within the tenure review process. Provisions supporting this are subsequently noted in the report.

### **Sports Fishery of the Poplars Pastoral lease**

#### **Background**

The Poplars lease contains a large portion of the Hope River catchment and a smaller portion of the Boyle river system. These rivers and their tributaries are part of the upper Waiau River catchment and have been sculptured from a combination of glacial action and the deposition of eroded outwash alluvium along their river flats. As with other pastoral leases in the upper Waiau catchment some of the best arable land is to be found in the valley floors alongside the river and wetland margins. This makes these areas suitable for more intensive agriculture, which can generate tension with fishery values (e.g., stock entering spawning areas).

## Values

The mainstems of the Hope and Boyle rivers have been documented to contain sports fishery values that rank 'high' to 'outstanding' (Tierney et al., 1987; Daly, 2004; Sutherland-Downing and Elley, 2004). These values are attributed to the presence of a resident brown trout fishery and to the wilderness values of the region that form the back-drop to the experience of angling for this specie (see Figure 1 and 2). The form and magnitude of these values has been described in a range of documents and personal recollections:



**Figure 1:** The Kiwi River from the boundary of the Poplars lease. This vista is emblematic of 'wilderness fishery' values – mountains, beech forest and clear water.



**Figure 2:** The upper Hope River, with brown trout redd in foreground (arrow). These exposed areas are vulnerable to intrusion by livestock.

*"Fishing in the upper part of the Waiau and its tributaries is principally for brown trout and can be very good. There are not large numbers of fish but those that are there tend to be big. Fly-fishing with nymphs and dry flies to*



*sighted fish is the favoured technique*” (North Canterbury Fish and Game Council, 2002).

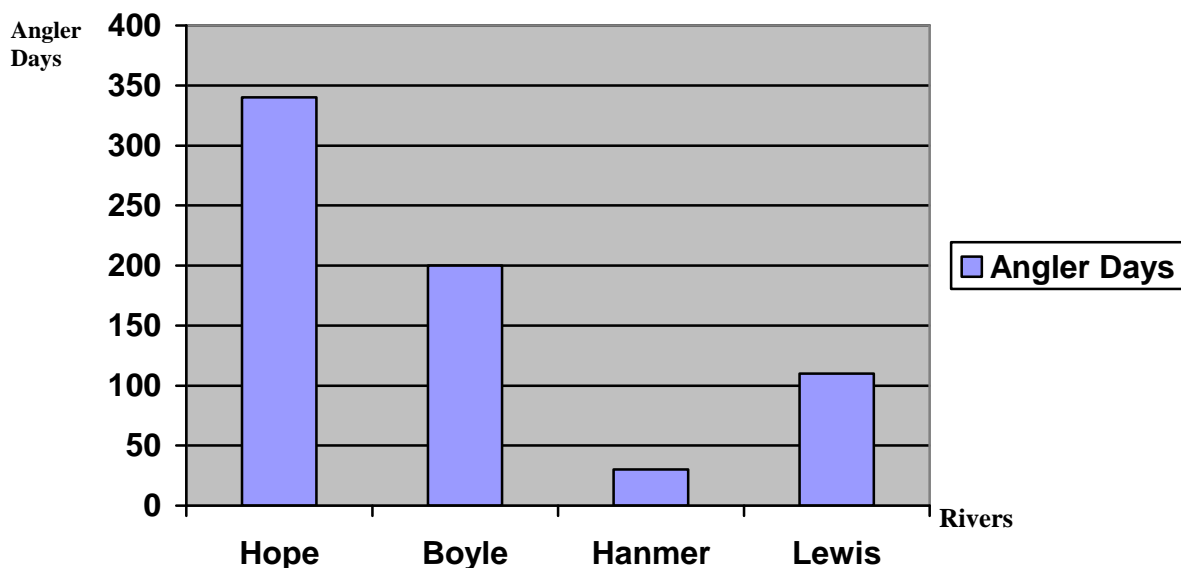
*“The Hope River upstream of the Boyle River confluence is of outstanding value as a trout fishery”* (Daly, 2004).

Several factors account for the high ranking of the Hope, and to a lesser extent the Boyle River, in these reports. The known presence of large brown trout, in the sought after '10 lb plus' category is one factor; added to this are the locational features of the two systems, including mountains, native forest, and tussock and modified tussock grasslands. Together, the combination of large brown trout and setting contribute to the archetypical values of a 'wilderness' fishery, whose worth is valued by both national and international anglers. Reporting on the Hope and Boyle systems Tierney *et al.* for example comments:

*“... set amid native forested ranges, making their scenery and solitude outstanding.”*

Tierney *et al.* (1987) subsequently adjudged the river to have the highest of possible rankings of scenic beauty and solitude under the survey criteria used in their study.

Of the two rivers, the Hope has traditionally attracted the greatest fishing pressure of all of the upper Waiau tributaries (Tierney *et al.*, 1987). This was a point reiterated in the 2001 – 2002 National Angler Survey, which revealed total fishing days well above the other rivers in the upper Waiau catchment (see figure 1).



**Figure 3:** Total fishing days reported in the 2001 – 2002 National Angler Survey for the main tributaries of the upper Waiau catchment (Unwin and Image, 2003).

Apart from the wilderness values of this river, two other factors help to account for the comparative high recreational value of the Hope to anglers.

The first is the tendency of the river to resist the detrimental effects that rainfall can have on river angling. As a consequence the river often is fishable when nearby waterways are not (the Boyle River, in contrast, has been noted to be more flood prone than the Hope River). The second factor is access. A portion of the Hope River can be accessed from portions of SH 7, which allows anglers to enter and fish the mainstem of the river. The portion of the Boyle River within the lease area is similarly accessible. Nonetheless, for all but the most intrepid angler much of the Hope River and the Kiwi River, which abuts the western portion of the lease, is difficult to access. This is because of distances involved and the need, if to comply with legal designations, to travel up the bed of the river. Because wilderness fisheries are characterised by small numbers of large fish, spread over several kilometres, improved formalised access would improve on the accessibility and hence recreational fishery value of these rivers.

The Poplars contains a number of tributary waterways that discharge into the three main rivers found within the boundaries of the lease. A number of these are unnamed, while Fish and Game has no information on their specific fish and game values. Contour topographical information suggests that a number of those tributaries running into the Hope River are steep, fast-flowing streams. Because of this it is likely that they contain limited holding water that would sustain either sportfish spawning or angling. However, land use activities alongside these streams have the capacity to create impacts that would detrimentally affect the sportfish qualities of the Hope and Kiwi systems. Road development, forestry and stocking for example could, together or separately, lead to the discharge of sediments that would harm the brown trout fishery values of these two rivers.

In comparison, the area of the lease between Windy Point and the Poplars homestead is comparatively flat and contains several waterways that could be suspected to have some immediate fisheries value.

More specifically, of the smaller waterways contained within the lease three are of note in terms of identified fisheries values:

1. Nathan Stream – On the eastern boundary of the lease. Reported to contain brown trout (DoC, 2006)
2. Tui Stream – On northern boundary of the lease, below Engineers Camp. Reported to contain brown trout (DoC, 2006)
3. Museum Hut Stream – On the southwest boundary of the lease, near the Hope / Kiwi confluence. A 2006 Department of Conservation investigation reported that this waterway contained brown trout.

Ensuring the protection of these waterways from the adverse effects of land activities is an important consideration given their connectivity to the Boyle / Hope systems.

## Summary

All of the portions of the Hope, Kiwi and Boyle Rivers that abut the lease are considered to be of high to outstanding importance in terms of their brown trout fishery value (habitat and recreational). For reasons of system connectivity, all of the waterways flowing from the lease into these rivers are also considered to have similarly high value. In the main this is because activities undertaken in these waterways could seriously jeopardise the values of these larger rivers, while three of the larger streams (Nathan, Tui and Museum Hut) have been identified as supporting brown trout.

## Gamebird Values

### Overview

Gamebird values in the upper Waiiau River catchment have been described as 'moderate' (NCFGF, 1999). Species present of interest to hunters include mallard/grey duck, Canada geese, paradise shelduck, and to a lesser extent upland game birds, notably California quail.

On the lease itself, Canada geese and paradise shelduck are known to occur in numbers that vary between years. Nonetheless, even in lower recorded years, sufficient numbers of these species exist to provide a 'moderate' recreational hunting experience. Equally significant, from a management perspective, Canada Geese numbers can reach levels (100 +) that could cause problems for land owners (e.g., predation on crops) and could require active management by Fish and Game. Figure 4 highlights Canada Geese trend counts in two areas located within or alongside the lease between 2007 and 2001.

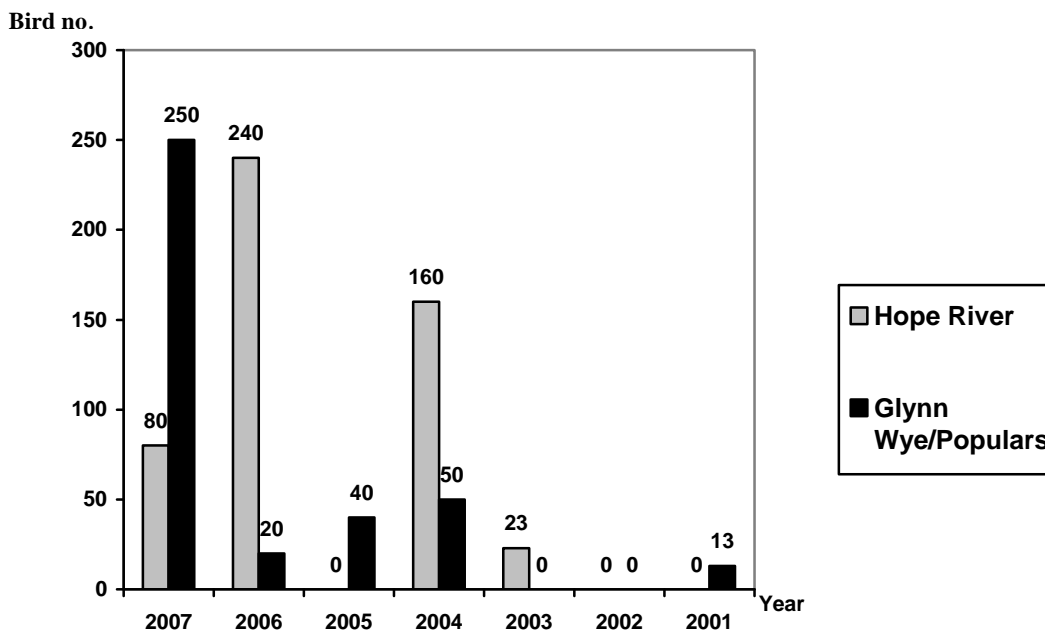


Figure 4: Canada geese annual trend count numbers for the Hope River and Glynn Wye/Poplars Area (Source: North Canterbury Fish and Game, 2007)

## Summary

Overall, the greatest game bird values on the lease can be ascribed to the Hope River Valley and the larger wetlands on the flats on the lower portion of the Boyle River. These are also the areas where greatest recreational interest is likely to fall. Some value might also be ascribed to upland game hunting opportunities along the north-facing slopes of the Boyle and Hope Rivers, but the Council has no information on the extent to which this occurs. It would probably, however, be low in terms of use as bird numbers appear to be limited (see DoC, 2006).

Access for management reasons is a major concern and should be maintained as a condition in any tenure agreement. This should include an easement for all vehicles and people supporting official game-bird management operations by the Council. This is most likely to be for the control of Canada geese and paradise shelducks.

## Access

A marginal strip exists along the respective sides of the Hope, Kiwi and Boyle Rivers, which has ensured the legal right of users to move along the beds of these water-bodies. To enter the marginal strips public access has primarily been via through SH 7, with portions of the river abutting this roadway. Using this roadway the public may access portions of the Hope River in proximity to the Poplars homestead and small portions of the Boyle River. This access is however limited as, at times, the State Highway is some distance from the two rivers; as a consequence at a number of points access requires movement across the lease itself. To achieve this users have traditionally relied on the permission of the lease holder. In some cases users have been able to leave vehicles on the eastern side of the Windy Point Bridge and walk from here to the Hope River. In other cases permission has been granted to drive vehicles along a farm track and to either park on the northern side of the Hope River or to ford the river itself and continue up a farm track towards the Hope / Kiwi confluence.

Several unformed legal roads exist within the boundaries of the lease. One of these connects the Boyle to the Hope River, while the second runs along the entire southern side of the Hope River. Near the Museum Hut this unformed road divides with one section heading north up the Hope River and the other heading southwest along the Kiwi River. Ground truthing indicates that this road, in sections, corresponds with farm tracks and could form the basis for public access in a tenure review agreement. However, means would need to be built into the agreement to ensure the ability of recreationalists to move from the road to the Hope River as, at times, the distance between the two can be several hundred metres. Overall, legal provisions for recreational

angler and game hunter use are unclear and need to be stipulated and codified as outputs in the tenure review process.

Consideration should also be given to maintaining the quality of the wilderness fishery experience. This requires striking a balance between improving legal access and the forms by which people move across the landscape of the pastoral lease. For this reason the access recommendations in this report do not advocate for motorised access into the headwaters of the Hope River, as the presence of significant numbers of vehicles would detract from the sense of 'wilderness' that marks the fishery in the river as recreationally significant.

## PART II

### Recommendations

This section of the report presents a series of recommendations to: (a) protect the significant inherent sportfish and gamebird values located on the Poplars pastoral lease; (b) secure public access to the lease for anglers and game bird hunters; and (c) maintain access for fish and game management activities. The recommendations listed below draw on the observations detailed in the first part of this report.

#### **Recommendations for Ensuring the Protection of Significant Inherent Fish and Game Habitat**

##### **Overview**

The Kiwi, Hope and Boyle Rivers, respectively, maintain high water quality and sufficient flow to support a brown trout fishery that regularly ranks as high to outstanding (see Part I). All three rivers also rank high in terms of natural character, particularly the upper portion of the Hope River up to its confluence with the Kiwi River. The Boyle and lower Hope River portions of the lease, although residing in more developed agricultural areas, also retain significant inherent values owing to the qualities of the landscape they are located within.

In terms of habitat considerations the Council's main concern is ensuring that on-going and future land use activities to not jeopardise the local brown trout fishery or detract from its associated 'wilderness' recreational fishery. The Council has therefore partially focused its recommendations on conservation easements that seek to constraint activities (for example, grazing of cattle or deer) that could threaten these values.

Conservation easements have also been presented as a tool for the protection of wetland areas. While it is appreciated that there are a number of small wetlands within the lease, Fish and Game considers that only those one hectare in size or over will have significant inherent fish and game value. It is considered that given the size of these wetlands and the potential constraints imposed by the conditions of the conservation easements that it may be practical to fence these areas to ensure their protection.

#### **Recommendations** [with reference to Map 1]

1.  *Conservation Easement*

Location: On the south side of the Hope River between its confluence with the Kiwi River (NZMS: L32 483 - 413) and downstream to an area above the Boyle River confluence at or about (NZMS: M32 572 – 442).

Conditions: The conservation easement should designate conditions that ensure the control of activities that would detract from the significant inherent values of the water quality and quantity of the Hope and Kiwi Rivers and their tributaries that fall within the boundaries of the lease, and the associated intrinsic value of its wilderness brown trout fishery, such as a requirement for fencing to create a suitable riparian buffer zone between farmed areas and the river edge.

Rationale: Sections in Part I of the report have highlighted the significant inherent values of the Hope River brown trout fishery (habitat and recreational). The easement is proposed as a means of limiting activities that could detract from these values.

## 2. *Conservation Easements*

Location: Various locations in the vicinity of the Hope and Boyle River confluence and nearby flats

Conditions: The purpose of these easements are to seek the protection of wetland areas one hectare or greater in size within the lease. Conditions on the respective easements should specify that no activities should occur in or within a radius of 20 metre buffer zone that detract from the inherent values of these systems. It is suggested that the easiest management option might be to separate these easements from other activities through fencing.

Rationale: Sections in Part I and in the report of the Department of Conservation (2006) identified several wetlands within the pastoral lease that were at or above one hectare in size and which should be important areas of game bird habitat. The presence of such wetlands in North Canterbury is increasingly rare and so when the opportunity exists for their protection – such as through tenure review – efforts to secure their natural value should be taken.

## 3. *Conservation Easement*

Location: Along the Boyle River between NZMS M32 587 – 483 and NZMS M32 605 - 454; and below the Boyle / Hope River confluence from NZMS M32 615 – 456 to NZMS M32 652 – 465.

Conditions: The conservation easement should designate conditions that ensure the control of activities that would detract from the significant inherent values of the water quality and quantity of the Boyle and Hope Rivers and their tributaries that fall within designated area, and the associated intrinsic value of its wilderness brown trout fishery.

Rationale: Sections in Part I of the report have highlighted the significant inherent values of the Hope and Boyle River brown trout fisheries (habitat and recreational). The easement is proposed as a means of limiting activities that could detract from these values.

## **Recommendations for Securing Public Access for Sportsfish Anglers and Game Bird Hunters**

### **Overview**

Within the lease the most significant access considerations relate to angler right of entry to the Kiwi, Hope (southern side) and Boyle Rivers. Currently, while marginal strips permit legal movement along all three rivers there are few locations that allow recreationalists to move from legal roads (formed and unformed) down to these areas. Where they do exist, meanwhile, unformed legal roads do not always align with existing tracks, which complicates physical access. The recommendations of Fish and Game seek to rationalise the access situation and to secure passage between different legal right-of-ways so that the three respective rivers are more open for legal angler use.

Meanwhile, where access is designated for sportsfish angling along the three rivers this should be extended to include access for game bird hunters. This will open up the river flat margins to hunters which, investigations suggest, hold the most significant recreational game bird values on the lease.

### **Recommendations** [with reference to Map 2]

1.  *Access Easement*

Location: On the south side of the Hope River between its confluence with the Kiwi River (NZMS: L32 481 - 413) and downstream to at or about NZMS: M32 571 – 443.

Conditions: The access easement is intended to create legal access between the unformed legal road and the marginal strips that exist along the Hope and Kiwi Rivers. The easement should include provision for anglers and hunters and their dogs. It should not, however, include a right to hunt.

Rationale: With this provision it will be legally possible for anglers and game bird hunters to move from the unformed legal road across to the southern




bank of the Hope River and the lower eastern portion of the Kiwi River, which borders the lease.

2.  *Legal Road alignment with farm track*

Location: On the south side of the Hope River from NZMS: M32 572 - 442 to its confluence with the Kiwi River at or about NZMS L32 482 – 412.

Conditions: It is recommended that the existing unformed legal road that runs along the southern side of the Hope Valley be aligned with the existing property farm track and made open to access by anglers and game bird hunters. It is recommended that use of this road be restricted to walking and mountain-bike passage.

Rationale: The provision is intended to rationalise and improve the practicalities of access to and along the upper Hope and lower Kiwi Rivers. The restriction on the form of access (walking and mountain bike) is included as a term because the presence of vehicles can be expected to reduce the intrinsic feeling of solitude and remoteness, which are attributes of the wilderness fishery experience that is a feature of the valley.

3.  *Access Easements on the Tui [a] and Nathan Streams [b]*

Location: Along the Tui Stream from NZMS M32 574 – 481 to M32 78 – 483; and the Nathan Stream from NZMS M32 636 – 463 to M32 640 – 460.

Conditions: It is recommended that access easements be created for anglers wishing to fish for brown trout in the portions of the Tui and Nathan Streams that lie within the lease. These access easements should link to the marginal strips that presently exist on the Boyle and Hope Rivers respectively.

Rationale: The 2006 report by the Department of Conservation reported the presence of brown trout in both of the streams; however as they are unlikely to wider than three metres in width there is no automatic provision for the establishment of marginal strips along these waterways. The recommended provision would ensure that access is established to these waterways. Anglers should be able, in turn, to access both easements via moving along the marginal strips that presently exist along the Boyle and Hope Rivers.

4.  *Legal Road alignment with farm track*

Location: Along an existing farm track from a bridge across the Boyle River located at approximately NZMS M32 587 - 467 to the Hope River at or about NZMS M32 594 – 456.

Conditions: It is recommended that the unformed legal road that runs along the western side of the Boyle River be aligned with the existing lease farm track and made open to access by anglers and game bird hunters. It is recommended that use of this road be open to vehicles and terminate at a car parking area described under recommendation 5 (next, below). As part of this recommendation a farm bridge located approximately 1000 metres above Windy Point will need to have the lock located on its gate removed and public right of way provided.

Rationale: The provision is intended to provide practical access for anglers and game bird hunters to the upper portion of the Hope River. Presently, some anglers are allowed to use the access described in the recommendation with the permission of the lease holder; this provision will formalise this route and ensure its availability to the wider public. Consideration will need to be given with this recommendation to the public safety standards of the bridge fording the Boyle River.

#### 5. *Public car parking area on the north bank of the Hope River*

Location: At the terminus of the proposed aligned farm track and public road (see recommendation 4) at or about NZMS M32 595 - 455.

Conditions: It is recommended that an area be designated for the parking of motor vehicles at the end of the re-aligned public road described in recommendation four.

Rationale: As legal public vehicle access is not recommended above this point, a location for leaving motor vehicles is required. At present some anglers who have obtained permission to access the upper Hope Valley via the farm track on the south side of river choose to leave their motor vehicles at a parking area in or around this location. The recommendation seeks to codify this into a legal right as part of the review negotiation process.

#### 6. *Access signage*

Location: At or about the following map points: NZMS: L32 483 – 412; NZMS: M32 572 – 442; NZMS: M32 587 – 467; and NZMS: M32 595 – 455.

Conditions: The signs should comply with all local and national authority rules, and have sufficient information to meet the intent of the Fish and Game Council.

Rationale: The presence of the signs and the information they provide will help to ensure that people are aware of their legal rights to utilise the Poplars property and the responsibilities that these rights carry. The signs will also help to ensure that future users respect the property rights of the land holder by not, for example, inadvertently trespassing onto their area.

## 7. ▲ *Camping sites along the Hope River*

Location: The first camping area designation is recommended at the site of the Museum Hut (NZMS L32 489- 416) and would provide space for the erection of tents and associated camping activities. The second would be at a point on the Hope River at NZMS M32 563 – 437 and include the same requirements as for site 1.

Conditions: The two sites should be designated as legal camping areas. The first camping site (Museum Hut) should include the legal right to use the hut as well as the grounds around the Hut for camping. Relevant legal conditions should prevail over the use of the sites (e.g., local authority and Department of Conservation rules).

Rational: Angler and hunter movement up and down the Hope River entails distances that cannot generally be covered easily in a day; further the recommendation in point 2 restricting the nature of vehicle movement will reinforce the time it takes to fish the river. Additionally, part of the wilderness fishery experience typically involves the enjoyment of the surroundings and the ability to maximise the intrinsic values of being in the 'back of beyond'; camping can help to provide this.

It is noted that alternative camping areas, in the form of huts and sites linked to the Kiwi / Hope walkway do exist for use at this time. However, anglers and game bird hunters are typically distinct recreational user groups from walkers and as such interact with the environment, including camping sites, in different ways and with different demands. It is therefore argued that having alternative sites for the latter will help to reduce potential conflicts and ensure that the respective demographics get the most from their outdoor experience in the Hope River environs.

Collectively, these three points support the provision of additional camping facilities for recreational users as part of the provisions for negotiation.

#### **8. Marginal Strips (Section 58 strips)**

Location: All waterways over three metres in width lying within the pastoral lease, including the Hope, Kiwi and Boyle Rivers.

Conditions: All waterways over three metres in width existing on the pastoral lease should have marginal strips of at least twenty metres in length designated over them. These strips should include provisions for legal public access, including that by anglers and game bird hunters.

Rationale: The land status report prepared by the Crown's agent notes that all waterways existing on the lease are subject to Section 58 of the Land Act (1948) and should have marginal strips set aside on them when they are greater than three metres in width (Land Information New Zealand, 2006). The report notes, however, that presently such strips are notional only. Fish and Game recommends that these strips be formalised to ensure their establishment as part of the tenure negotiation process; further, these strips should be at least twenty metres in width so to maximise public access to the waterways lying within the lease.

### **Recommendations for Fish and Management Purposes**

#### **Overview**

As part of its statutory responsibilities (see foreword) the North Canterbury Fish and Game Council will, from time-to-time, require access to portions of the future Poplars property. This could require access and associated activities that could go beyond the recommendations already made in this report. This could include, for example, accessing the upper Hope River Valley, using motor vehicles, to undertake rangers and game bird control operations.

#### **1. Fish and Game Management Easement**

Location: Through-out the present or future boundaries of the present Poplars Pastoral lease.

Conditions: It is recommended that an easement for Fish and Game management purposes be created that covers the entire area of the current or future Poplars' property. This access should be restricted to Fish and Game staff or parties designated by them (e.g., honorary fish and game rangers, game bird control hunters) to undertake Council approved activities within these boundaries. A condition of the easement should be that Fish and Game

(or its designees) will, before entering the property, liaise with the property's owner or manager(s) to ensure that any activities harmonise, as best as possible, with farm operations. This condition, however, should not give the land owner the right to deny or veto Fish and Game activities on the property.

Rationale: The North Canterbury Fish and Game Council has a statutory responsibility to undertake a variety of legal activities within the region. The Fish and Game management easement is intended to ensure that access is provided, in the future, to execute these responsibilities as and when they arise.

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### **Concluding Comments**

This report has been prepared on behalf of the North Canterbury Fish and Game Council to assist the Crown in the development of a preliminary proposal under the Crown Pastoral Tenure Review process for the Poplars pastoral lease. Part I summarises the sports fish and game bird values (habitat and recreational) of the Poplars pastoral lease. Part II provides a set of recommendations for the protection and enhancement of these values.

All comments and questions on this report should be directed to "The Environment Officer", of the North Canterbury Fish and Game Council, in the first instance (Ph: (03) 366 9191).

## References Cited

- Daly, A. (2004). *Inventory of Recreation Values for Rivers and Lakes of Canterbury New Zealand*. Report U04/14. ECan: Christchurch.
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## **Appendix 1: Consequential addendum to Glynn Wye Fish & Game Resource Report (original report 1997)**

### **Attached:**

- **Explanatory letter**
- **Map**


22 October 2008

The Manager  
Land Resources Division  
DTZ New Zealand Limited  
P.O. Box 142  
**CHRISTCHURCH**

Dear Sir / Ms.

**Addendum to Fish and Game Resource Report for the Glynn Wye Pastoral Lease Review Process**


In November 1997 the North Canterbury Fish and Game Council submitted a tenure review resource report for the Glynn Wye pastoral lease; this is a lease that lies adjacent to the Poplars pastoral lease, which has now also entered the review process. In preparing this document it has become apparent that there are additions that can be made to the Glynn Wye review process that would synergise with proposals for promoting angler and game bird hunter access in the Hope River valley. These additions are described below and presented illustratively in a map attached to this letter (Map 4).

**Addition 1:**  *Legal public access from SH 7 to the boundary of the Poplars pastoral lease*

Location: Provision been made for legal public access for vehicular traffic from SH 7 at or about NZMS M32: 698 – 464 to the present boundary of the Poplars pastoral lease at M32 573 – 442, using formed roads and existing farm tracks.

Conditions: The access should be defined as legal, should follow existing roadways and farm tracks and should be for walking, mountain biking, cars and 4 WD vehicles.

Rationale: This access will improve public access to the Hope Valley and the recreational use of its resources. It will also ensure access for Fish and Game managers requiring access to the Hope Valley for their management operations.

**Addition 2:**  *Provision of car park at the boundary of the Poplars pastoral lease*

Location: Provision been made for a legal car park public on the boundary with the Poplars pastoral lease at or about NZMS M32: 573 - 442.

Conditions: Legal public car parking site be provided at the site designated above.

Rationale: The car park location will allow anglers and hunters wishing to access the Hope Valley to legally park their vehicles. This opportunity is required because of the recommendation in the main body of this resource report that restrictions be placed on the use of motor vehicles in the valley by anglers and game bird hunters.



If you have any further questions please direct them to the undersigned.

Regards,

Jason Holland  
Environment Officer  
**North Canterbury Fish & Game Council**

Encl.            Map depicting recommended easement

**Map 4**  
**Addendum to Fish and Game Resource Report for the Glynn**  
**Wye Pastoral Lease Review Process**



Through  
to SH 7

