

Crown Pastoral Land Tenure Review

**Lease name: EREWHON PARK
(Mt Potts Special Lease)**

Lease number: SC 156

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.

September

05



9 May 2003

Astrid Blackburn
Opus International
PO Box 1482
CHRISTCHURCH

Dear Astrid,

TENURE REVIEW – MT POTTS STATION

Mt Potts Station includes Deep Creek; a springfed tributary of the Rangitata River and a major salmon spawning and juvenile rearing stream of significance to the continued survival of the self-sustaining Rangitata salmon fishery.

In Dec 1999, Fish and Game applied for a Water Conservation Order under S199 of the Resource Management Act for the Rangitata River on the grounds that the catchment included outstanding cultural, scenic, and amenity values. The application attracted some 1,100 written submissions of which about 930 were in support of such an Order. About 150 witnesses gave evidence before the Special Tribunal appointed to hear the application, that Hearing taking 28 days to complete.

The Tribunal concluded that the Rangitata River and its tributaries does have outstanding cultural, scenic and amenity values, and has recommended to the Minister of Environment that a Water Conservation Order be granted.⁽¹⁾ That recommendation has been appealed by Federated Farmers, ECan, Timaru District Council, and Rangitata South Irrigation. Those appeals will be heard by the Environment Court later this year.

1. Deep Creek

Deep Creek catchment includes a springfed stream located on Crown Land adjoining the subject property. It is a major salmon spawning area and for this reason the tenure review relating to this property is of particular interest to Fish and Game.

The stream has a mean flow of about 5 cumecs at the point where it joins the Potts River, and is made up by a number of springfed tributary streams and wetlands that dominate the area from Rabbit Hill past Mt Sunday and to the Potts confluence.

1.1 Deep Creek and the WCO

In recommending that a Water Conservation Order be granted the Special Tribunal concluded:

"We find that the Rangitata River provides an outstanding salmon fishery in the upper Rangitata River and in the lower river (gorge to the sea) because of the spawning and rearing habitat in the upper river, and the ability provided by the flow regime and water quality that enables juveniles to migrate to sea and adult salmon to return."

(1) Ministry for Environment (2002):Rangitata Conservation Order Application – Report by the Special Tribunal, October 2002 (174p)
Statutory managers of freshwater sports fish, game birds and their habitats

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In reaching that conclusion they noted the evidence presented by Webb to the effect that 70% of all salmon spawning occurs in Deep Creek (Mt Potts) and Deep Stream (Mesopotamia), with the former supplying approximately 60% of that contribution. Webb advised that '*these streams have exceptional values.*' A number of witnesses gave similar evidence regarding the outstanding spawning and juvenile rearing habitats provided by Deep Creek and the streams significance towards maintaining the self sustaining salmon fishery of the Rangitata River.

As noted by other witnesses, the biggest threat to the habitat values associated with Deep Creek is from land use change, and particularly cattle and deer grazing within the catchment area.

1.2 Land Use and Status

Up until recently the area has not been grazed and the area has remained largely in a native vegetation state. In recent years the area has been ring fenced and grazing, mainly with cattle, has become more noticeable.

We now face the situation where the area is being subdivided to enable more concentrated cattle grazing. This is of considerable concern to Fish and Game. Based on our experiences elsewhere, we firmly predict this development will lead to:

- pugging of the wetlands, some of which are quite extensive
- damage to streambanks and beds of the myriad of springfed stream that drain the area
- depletion of riparian margins provided by existing native vegetation
- damage to spawning shingles through trampling, siltation, and faeces deposition
- disruption to spawning salmon and trout
- reduction in water quality to the extent that the water quality standards contained within the Draft Water Conservation Order are no longer complied with.

The impacts resulting from the above will lead to a reduction of spawning area and habitat available and ultimately a decline in the Rangitata salmon fishery. There are now only four rivers in New Zealand that support a self-sustaining population of chinook salmon, the Waimakariri, Rakaia, Waitaki, and the Rangitata.

1.3 Provisions Sought (Deep Creek)

Fish and Game seeks that all lands included in the area shown on the attached plan be reserved to the Crown including in particular Sect 6 SO 18220. Part of that land is, we understand, unoccupied Crown Land presently, and part is classified road reserve.

2.0 Potts River

The Potts River is used by anglers to access the Rangitata River. Traditionally they use the 4WD track on the south side of the river starting at the Hakatere Potts Road bridge. Additionally the Mt Potts lessees have, with their permission, allowed anglers to drive to the lower sections of Deep Creek via the air strip.

The Potts River itself has little sportsfish value, although the occasional angler does venture upstream from the bridge into the gorge to try their luck.

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2.1 Provisions Sought (Potts River)

Fish and Game seeks additional 4WD access down the 'legal' road reserve and Potts River on the north side of the Potts River. This would enable anglers and other recreational users (canoeists, rafters) to access the Rangitata River and the lower reaches of Deep Creek. Were such access provided, recreational users would no longer be reliant upon the goodwill and tolerance of the landowners for vehicle access to this important recreational area.

Fish and Game also requests that a marginal strip is set aside throughout the length of the Potts River up to about the point MR J35:440370. Such foot access will allow trampers and others to assess the upper gorge and the Potts Range.

3. Comment

The significance of Deep Creek to the continued sustainability of the Rangitata River salmon fishery cannot be over emphasised. It is without doubt the major spawning stream for the Rangitata River. Ideally we wish to keep the stream in its existing natural state and look to the tenure review process to achieve the protection it deserves. Should you or the Commissioner seek further information, either in the form of written submission or by way of deputation we will be happy to comply.

Yours faithfully



Frank Scarf
Fish and Game Officer

- Cc:
1. Takerei Norton, TRONT
 2. Chris Stewart, DoC, ChCh
 3. Cirs Rooney, Hall, Hamilton, Wilkie

REMOTE STATION	START	TIME	Pages	RESULT	REMARKS
036158401	26-05 14:59	00:00 29	001/001	OK	

REMARKS TMR:Timer, POL:Poll, TRN:Turn around, 2IN:2in1 Tx, ORG:Original size set, DPG:Book Tx
 FME:Frame erase Tx, MIX:Mixed original, CALL:Manual-Com, KRDS:KRDS,FWD:FORWARD
 FLP:Flip Side 2, SP:Special Original
 FCODE:Fcode, MBX:Confidential, BUL:Bulletin, RLY:Relay, RTX:Re-Tx, PC:PC-FAX
 S-OK:Stop communication, Busy:Busy, Cont.:Continue, No ans:No answer
 M-full:Memory full, PW-OFF:Power switch OFF, TEL:Rx from TEL

Facsimile

To	<i>Fish & Game, Central South Date Island Region</i>	26 May 2003
Fax No	<i>(03) 615-8401</i>	File No CON/50214/09/12785
Attention	<i>Frank Scarf</i>	Proj/Task
From	<i>Mike Todd</i>	
Subject	<i>Mt Potts - Tenure Review</i>	



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Hi Frank,

Thanks for your report & recommendations contained in your letter of 9 May 2003.

Your recommendations generally concur with those made by Department of Conservation.

However, your recommendation under 2.1 is a little unclear to me. Are you stating that you wish to be able to utilise the legal road and Potts River to access the area the confluence with the Rangitata and Deep Creek. If so I would point out that neither the legal road nor the river are actually within the lease and therefore are not part of the tenure review.

My view at present is that clearly the Potts River will have a marginal strip laid off and Deep Creek will have ample public access from the road approximately 1 kilometre north of the airstrip therefore I don't see a need for further access.

If you disagree or I have misinterpreted your original request could you please get in touch or send me a diagram that clearly shows what you propose.

Thanks

Mike Todd

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Mike Todd

From: Vaughan Lynn [vlynn@xtra.co.nz]
Sent: Wednesday, 28 May 2003 09:18
To: Mike Todd
Subject: Mt Potts

Hi Mike

Reference your fax dated 26/5.

If Deep Creek is to be reserved to the Crown then any requirement to access the lower parts of Deep Creek will be satisfied by access about 1km north of the airstrip. Ideally we would seek to fence of a parking area at that point to force anglers to walk if they want to fish the remaining 2.5 km to the junction with the Potts.

Furthermore provided there is a public gate on the Road Reserve on the northside just downstream from the Potts Bridge those with 4WD can access the lower reaches of Deep Stream and the Rangitata River at that point via the Road Reserve and the Potts river bed and marginal strip all of which as you point out is outside of lease and not part of tenure review.

Give me a call if you want to discuss this further. As you will see I'm operating of Vaughn's E-mail address until we find a replacement for him.

regards

frank scarf

28/05/2003