## Agenda Otago Fish & Game Council

## On Thursday 29<sup>th</sup> November 2018 At Otago Fish & Game Council Office Cnr Hannover and Harrow Streets Dunedin

## Starting 11.45am with lunch

## The Annual General Meeting (AGM) will be held at 3pm

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- 1.0 Present and Apologies
- 2.0 Matters to be raised not on the agenda
- 3.0 Declarations of Interest

#### 4.0 Confirmation of Previous Minutes

# Minutes of the Otago Fish & Game Council Meeting On 25<sup>th</sup> October 2018 Cromwell Presbyterian Church, 10 Elizabeth Street, Cromwell Commencing 12:30pm

The Chairman opened the meeting and welcomed both new and previous councillors to contribute to the meeting. He congratulated the incoming Councillors of Mike Barker, Ray Grubb, and Murray Neilson and also John Highton who was unable to attend.

Presentations were made to two Councillors who did not seek re-election.

Dr John Jillett was recognised for his continuous service to the Otago Council of Fish and Game and Acclimatisation Society since 1982. He remarked that it had been a pleasure to be on the Council over the years and paid tribute to the many quality Councillors who had come and gone during his tenure who had contributed to maintaining the regions resources to a high standard on behalf of licence holders.

Cr Hammond was also commended for bringing an important voice to the Council table for gamebird hunters and the chair remarked that his knowledge and overall contribution would be missed.

#### 1.0 Present and Apologies

Monty Wright (Chair), Dr John Jillett, Dan Rae, Adrian McIntyre, Ian Cole, John Barlow, Rick Boyd, Richard Twining, Vicky Whyte, Colin Weatherall, Murray Neilson, Mike Barker, Mike Turner (part meeting), Alan Hammond, Ray Grubb.

In attendance: Ian Hadland (CE), Niall Watson (OF&GC), Bruce Jefferies (OCB), Pam Jones (ODT) reporter.

Apologies were received from: Dave Witherow, John Highton, Dr Mike Turner.

Moved Rae/Neilson

That the apologies be accepted

#### 1.1 Election Of Officers

**Chair** - Mr Wright vacated the Chair and the Chief Executive called for nominations for Chairperson.

Cr Wright was nominated (Weatherall/Barlow) for Chair.

There being no further nominations, Mr Wright was elected Chair and was welcomed in by acclamation.

Cr Wright thanked the Council for their continued confidence in him as Chair. He said he hoped this would be a very effective Council and encouraged members to speak up and contribute as far as possible.

**NZC Appointee** - The Chair called for nominations for the NZ Council appointee. Colin Weatherall was nominated (Cole/Rae).

There being no further nominations Cr Weatherall was elected as the New Zealand Council Appointee.

**Executive** — With the Chair and NZC appointee automatically being part of the Executive, the chair called for nominations to fill the remaining three positions on the Executive.

Cr Whyte (Weatherall/Rae), Cr McIntyre (Barlow/Whyte) and Cr Rae (Neilson/Cole) were nominated. There being no further nominations they were appointed as executive members.

The chair said that the roles are usually reviewed at the February meeting but that this was rather pointless as there was only one meeting between now and then. He suggested that the current appointments remain until the following February planning meeting and sought comment.

It was **agreed** that the office holders remain in place and be reviewed next at the February 2020 meeting unless required sooner.

#### 2.0 Matters To Be Raised Not On The Agenda

Nil

#### 3.0 Declarations of Interest

Cr Rae raised that he had an interest in a small water right near Bannockburn Cr Grubb noted that he was a Director of KNT at Waikouaiti

#### 4.0 Confirmation of Previous Minutes

It was noted that there was a spelling error in Vicky Whyte's name.

With that correction amended it was Resolved (Weatherall/Whyte)

That the minutes of the meeting held on the 18<sup>th</sup> August be confirmed as a true and correct record.

#### 5.0 Matters Arising from the Minutes

Nil

#### 6.0 Health and Safety Report

The CE explained that the interim self audit had found a few minor deficiencies to be followed up before the full self audit in December. Staff would be working to resolve these over the next month.

Resolved (Rae/Boyd)

That the Health and Safety report be received.

#### 7.0 Items Requiring Decisions

#### 7.1 Council Support for Friends of Bullock Creek Incorporated (FOBC)

The CE spoke to the proposal to support the FOBC group and consider the provision of seed funding. It was suggested the group could also look at the DoC Biodiversity fund for the project.

It was **agreed** that Cr Rick Boyd be the Councils delegate in the FOBC group and Cr Grubb offered to assist.

Resolved (McIntyre/Cole)

That staff work with FOBC to develop an MOU to allow maintenance and development work to continue at the Hatchery Springs site and that Otago Fish & Game Council (OFGC) approve \$2,000.00 per annum from the HERF Fund to assist with works on the Fish & Game property.

#### 7.2 Proposed Code of Practice for Game Bird Hunting

Cr McIntyre noted that section 9 which related to use on non toxic shot was not in line with the current regulations in that lead shot was still able to be used for shooting upland game and other gamebirds not within 200m of water. He also thought that in relation to dogs, that hydatids could be specifically mentioned.

Cr Neilson noted that shooting at departing birds was standard practice for upland game hunting

The CE advised that section 9 could simply be amended so that the code provision is confined to waterfowl shot over or near water and that compliance with regulations was covered elsewhere in the document. He would circulate an amended copy for final comments by email.

Resolved (Weatherall/McIntyre)

To receive the report in principle and after a final circulation to Councillors to confirm amendments, that the draft code of conduct for game bird hunting is to be presented to the NZ Council for consideration by Regions.

#### 7.3 Legislative Compliance 2017/18 Financial Year

The CE presented a list of legislation that the Council had to comply with and noted that in his view the Council had complied with all relevant Acts and Regulations

Resolved (Cole/Barlow)

That Council notes it currently complies with legislation and that the report be received

#### 8.0 Public Excluded Items

Resolved (Cole/Rae)

That the meeting move into public excluded session

It was **agreed** that Richard Twinning, John Jillett, Alan Hammond and Niall Watson could remain.

- 8.1 Pressure Sensitive & Backcountry Fisheries Workshop
- 8.2 Lindis River Hearing: Combined Minimum Flow Plan Change and Catchment Consents

Wright/Rae

That the public excluded session be concluded

#### 9.0 Chief Executives Report

#### 9.1 Administration

The CE updated the Council on the changes to a new accounting package (Xero) and noted that reporting formats were still being finalised. An updated financial position for the beginning of the year would be provided to the November meeting

A draft set of accounts for the 2017/2018 financial year had been provided too late for inclusion in the agenda so were circulated by email and also tabled at the meeting for discussion. The CE explained that the Auditor had asked that the Council adopt a set of draft accounts for presentation to the auditor and have this noted in the minutes.

#### Resolved (Grubb/Weatherall)

# That the draft set of financial accounts for 2017/18 be approved in principle for presentation to the Auditor

The requirement for NZC approval to spend from Otago's reserves was discussed. The CE expressed the view that while it was frustrating to have to apply in this way, it had been an agreed practice to ensure that councils were not spending down reserves and expecting the wider organisation to restore them to threshold levels.

The CE updated the Council on staffing including the casual employment of a 4<sup>th</sup> year Law student to assist with prosecution preparation. Cr Rae and Cr Boyd commented on the very favourable arrangement that the Council has with the University of Otago both with project support and research. Cr Grubb said some of that research could usefully extend to freshwater based issues.

#### Resolved Boyd/Whyte

That the Finance and Licence Sales Report for the period ending 30<sup>th</sup> September 2018 be received.

#### 9.2 Species

#### 1131 Fish Salvage

Cr Rae asked that staff look into what can be done to reduce the impact on spawning due to the irrigation take from Quartz Creek in Wanaka. The CE said that his recollection was that it was a deemed permit therefore would come up for review in 2021 just as other historic Mining Water Rights would.

#### 1172 Anglers notice

The chair remarked that the Anglers Notice changes had been accepted by anglers better than expected. Other Councillors agreed. The CE noted that the only real negative feedback had been from a small number of Upper Pomahaka anglers who were surprised by the removal of bait fishing as a method.

#### 9.3 Habitat

#### **Bullock Creek issues**

Cr Grubb expressed his frustration at the slow pace at which a remedy was being sought to the ongoing sediment and stormwater issues for Bullock Creek. Other Councillors agreed. The CE explained that QLDC and ORC were working hard on resolving the issues including stopping further development of the subdivision until a new sediment management plan was agreed. There was uncertainty about whether consent conditions had been breached for stormwater or sediment management

associated with the construction phase of the subdivision. Cr Grubb recommended that the Council look to taking its own prosecution of the developer.

It was **agreed** that the CE would report back to the November meeting on the current state of consents and action to date.

It was eventually resolved (Grubb/Whyte)

That if the Council remains dissatisfied by the compliance response provided by the QLDC and ORC, then the Council should undertake its own prosecution of the consent holder.

Carried, Cr Weatherall and Cr Rae abstained from voting on the issue.

#### 9.4 User Participation

No discussion

#### 9.5 Public Interface

#### 1411 Liaison

At 2:45pm Maniototo Farmer Geoff Crutchley joined the meeting to discuss Central Otago water management issues and invite the Council to participate in a field trip. He made the following points:

- Both farmers and licence holders were losing big sums of money in the minimum flow process and roll over of Deemed Permits to RMA Consents.
- Much greater consultation between the groups could help both parties and he suggested the Taieri Trust model with all stakeholders in the room was a good model. He was disappointed it wasn't used for the Kyeburn agreement.
- He thought an opportunity was missed for storage by both parties in the Kyeburn which could have delivered considerable benefits to all parties. He thought these should have been explored as a collective.
- He wanted Fish & Game and irrigators to work more cooperatively in future

Mr Watson replied saying that the negotiated outcome for the Kyeburn was 'barely adequate" rather than a 'good' result for the environment and remarked that the gap between expectations was probably too wide for a good outcome for both parties. Mr Watson also noted that the present Water Plan policy framework and legal interpretation of the 'existing environment' (against which effects were assessed) wasn't helping.

Mr Crutchley was thanked for his address and there was a positive response to attendance at his Upper Taieri Water Users Group field trip proposed for the 26<sup>th</sup> November.

#### 1430 Public advocacy

The CE updated the Council on the Indigenous Fish Bill and its ramifications. He noted that many Otago anglers and clubs had made submissions to the select committee

and lobbied other Ministers. The inward correspondence from NZC was used as a guide for where the wider organisation currently sat on the issue.

It was noted that several Councillors had made individual submissions and Cr Grubb intended to speak at the Select Committee hearing. He invited other Councillors to speak to him if they wanted specific concerns raised that he could raise on their behalf.

#### 9.6 Compliance

No discussion

#### 9.7 Licencing

No discussion

#### 9.8 Council

No discussion

#### 9.9 Planning and Reporting

No discussion

Resolved (Grubb/Boyd)

That the CE report be received

#### 10.0 Committee & Delegate Reports

#### 10.1 CFT

Mr Cole provided an update of trust activities for the period.

- Their long serving field officer had resigned and the Trust was regrouping to consider options for the future in terms of staffing. They will also look at developing a 1-3 year plan.
- There are concerns about present low financial returns to the trust from its investments impinging on their work.
- Kane Road stopping continues to frustrate the trust. A geotechnical report has confirmed that land use change and irrigation development on the terrace has impacted the hill slope section surveyed as an alternative road option.
- Agreed to support a witness (landscape) expense for the Lindis Environment court case

The Council thanked CFT Field Officer Aaron Horrell for his support of F&G activities over the years and wished him well for the future.

#### 10.2 NZC

Dr Jillett attended the September meeting of the NZC and reported;

• Audit of Nth Canterbury Region was largely complete and the draft report had been leaked and well covered in the media. Audits of Hawkes Bay and Central South Island were now underway.

- A report from the from the consultant engaged to look at staff remuneration had provided feedback and this had now been distributed to Managers. The NZC have agreed to establish a remuneration policy over the next two years.
- It was also agreed that a review of all baseline funding and assets would be undertaken.

#### 10.3 Salmon Committee

Cr Boyd updated the Council on the National Searun Salmon Committee meeting held in Christchurch:

- Not all regions responded in time or in the right way to the request for information about the future of their salmon fisheries.
- The Committee, at the recommendation of a number of Councils, agreed to the formation of a technical reference group
- Some of the committee were not happy with the Cawthron Report, in particular its criticism of current hatchery practice.
- A report from North Canterbury staff member was considered to be too operational to be of value to the committee which was developing a strategic vision.

#### 11.0 Correspondence

#### 11.1 NZC to Otago

11.1.1 Don Rood - Indigenous Fish Bill update - Noted

#### 11.2 Otago to NZC

11.2.1 National Searun Salmon Committee - Noted

#### 11.3 Other Correspondence

11.3.1 - Trevor Beck Quail Hunting Report - Received

11.3.2 - Audit Arrangements - Received

11.3.3 - Wanaka Gun Club - Received

Resolved (Neilson/Cole)

That the outward and inward correspondence be approved.

#### 12.0 Items to be Received or Noted

#### 12.1 Project 1110 Population Monitoring Shoveler Trend Count - Received

#### 12.2 Minimum and Residual Flow Setting Update

Mr Watson spoke to his (and Mr Paragreen's) report. He expressed his disappointment at the ORC decision not to pursue a minimum flow plan change for the Manuherikia, Arrow and Cardrona rivers and associated amendments to the regional water plan which covered residual flows and allocation limits. He said the delays will cause resourcing issues for all parties in the run up to 2021 when Mining

Rights for water allocation will end and could cause a rush of individual consent applications rather than more efficient group applications. Mr Watson concluded by saying that the ORC was looking at options presently for managing the process, but the window of opportunity was closing quickly.

Cr Grubb noted that if there was a time to fund freshwater protection in Otago then this was it and proposed that \$250,000 be used from reserves to fund the science and advocates required to argue for a better environmental share of the water.

Cr Rae expressed his disappointment that the ORC didn't carry through with the Arrow and Cardrona River plan changes as these were less contentious than the Manuherikia and could have been resolved.

Report Received

#### 12.3 RMA Consenting Update

Cr McIntyre enquired about the consent issued for Lake Tuakitoto lake levels. It was explained that the new structure installed by the ORC would help maintain Tuakitoto levels at their prescribed height which was set in the Regional water plan. Cr Neilson added that there was also a management plan in place for the lake and that was being reviewed at present.

Report Received

#### 12.4 Coastal Otago Pukeko Monitoring

No discussion Report received

#### 12.5 Minimum and Residual Flows Plan Change

Largely covered by discussion above in 12.2 Report received

#### 13.0 General Business

Trotter baby - The Council **agreed** to congratulate Morgan and Helen Trotter on the safe arrival of their baby boy and extended their best wishes to both.

The Chair, in closing, recorded a vote of thanks on behalf of the Council and licence holders for the significant contribution made by those unelected and retiring councillors.

He said that Mike Turner, Dave Witherow, John Jillett and Alan Hammond should be proud of the mark they had left and thanked those of them present for attending. Monty Wright (Chairperson)

The meeting closed at 5:45pm

## 5.0 Matters Arising from the Minutes

## 6.0 Health and Safety Report

Two minor vehicle incidents were recorded during the period. No harm was done and neither vehicle was damaged. Staff were reminded to take care when driving and parking.

#### 7.0 Items Requiring Decisions

#### 7.1 Project 1171 - Preliminary 2019 Game Bird Season Regulations

#### **Purpose**

To recommend draft game gazette regulations to Council by November 2018.

#### 1. Regulation Changes

For the 2018 hunting season dates were altered from the previous season to fall in line with the first Saturday in May opening and season closing dates. 2018 was the first year of the national four-year transition to phase out the use of lead shot in shotguns smaller than 12 gauges.

#### Sub gauge shotgun non toxic ammunition

2019 will be the second voluntary season of the four-year phase out period. In 2020, a hunter hunting waterfowl on Department of Conservation or Fish & Game-controlled land must use non-toxic shot, nothing else.

From 2021, non-toxic shot will be required for waterfowl hunting over open water in all shotguns except the .410. This applies to all public (including DOC) and private lands.

An exemption will remain for the 410-gauge due to the unavailability of non toxic shot for this firearm. The 410 gauge is frequently used by junior hunters and is often the introductory firearm for young hunters entering the sport.

#### 2. Population Monitoring

Aerial counts of mallard/ hybrids in the coastal and Lower Clutha areas have been undertaken since 2015. A staff summary report (Otago Mallard Monitoring Study 2018 - P van Klink) was presented in the June 2018 Council Agenda as item 9.3.

Despite the lower count in 2018, reasonable concentrations of mallards were noted on some nearby water bodies that were not included in the counts. The most notable decline in mallards counted was on the Clutha and Pomahaka river transects. High river flows on both of these rivers is thought to be the reason for the low counts.

Birds were likely to be displaced from the usual quiet backwaters and calmer water off the main stem. With this in mind, we could have expected to see a shift in these birds to higher counts in nearby ponds and cross country transect counts. This hasn't transpired, and it would be fair to say that there were generally less mallard/hybrids across the board from previous years. (P van Klink June 2018).

While the 2018 count was down on previous seasons Mackenzie (2018) states that it is difficult to determine how changes in number of mallards counted in each type of survey correspond to each other and has cautioned how they should be interpreted.

Therefore, it is unclear how the 2018 counts correspond to previous counts and it may take several years of survey information to better understand population trends, distribution and environmental influences.

We do know that the spring of 2017 was very dry and probably contributed to reduced breeding and rearing success- and ultimately the hunting success during the 2018 season.

Staff aren't recommending altering the mallard/hybrid daily bag limit from the 2018 season of 25 birds per day but are mindful that if the pre-season aerial counts in April 2019 remain low then further consideration must be given to harvest reduction by way of season length and daily bag limits for the 2020 season.

Major adjustments to regulations, specifically season lengths will require a good level of hunter consultation.

Last season's January aerial trend counts showed populations for both Paradise shelduck and Black swans were similar to the previous season (Aerial Trend Counts 2018 – M Trotter, February 2018 Council Agenda Item 9.1) and within respectable limits over several years. Therefore, no regulation changes for the 2019 season are expected unless this season's trend counts show a significant drop in numbers.

Paradise shelduck and Black swans will be undertaken in late January to determine daily bag limits for both species which will be reported at the February meeting.

In August annually Shoveler counts are undertaken to look at population trends this was reported on at the October 2018 council meeting, (Item. 12.1 Population Monitoring Shoveler Trend Count - M Trotter). The report summary recommended no regulation adjustment.

Pukeko counts are undertaken annually to understand trends in the population. This seasons count was reported at the October 2018 council meeting (Item - 12.4 Coastal Otago Pukeko Monitoring – S Dixon).

The results have shown the Pukeko population in the monitored areas declined but there are no real observable trends. No regulation adjustment is required.

#### 3. Liaison with neighbouring Fish and Game Regions

Aligning regulations and conditions with neighbouring Fish and Game Regions is desirable in the longer term but this would require acceptance from individual Council's and respectable communication with hunters. Regional variances will play a key role in this.

Recent communication with Central South Island Fish and Game staff hasn't indicated changes for their region for the 2019 season and they will be guided by the January Paradise shelduck and Black swan trend counts for both species.

Southland Fish and Game staff are considering the season length for mallard/hybrids and the continuance of differential bag limits on the opening weekend versus the rest of the season. A Southland staff report has been previously circulated by email.

South Otago which is our main mallard/hybrid production area has similarities in climate and breeding conditions to Southland so there is the potential to align regulations with Southland in the future for consistency and simplicity whilst considering our regional biological, monitoring, and harvest information.

#### 4. Adjustment to the junior summer paradise shelduck season.

The present regulation allows junior hunters to hunt Paradise shelduck on the first Saturday day in March only and is restricted to locations 200 metres or more from open water. The daily bag limit is 5 birds.

At the February 2018 council planning meeting the one-day Junior paradise shelduck regulation in March was discussed and it was considered the current regulation may be overly restrictive and preventing adults from participating with junior hunters. Permitting an adult to hunt with a junior licence holder was seen as a possible option.

#### Staff overview

The regulation provides a good opportunity for junior hunters and allows the hunting of birds when they mob up after the moult. Large flocks commonly create crop predation issues around this time and the additional harvest has little influence on the population. We suspect the past level of participation has been low.

Allowing the adult to hunt will add to the hunting experience for participating hunters leading into the main game bird hunting season in May. There will be a greater harvest, but this is unlikely to impact on regional shelduck populations.

From the points raised above the following is recommended

- **4.1** Regulations are altered to permit an adult to hunt with a junior hunter for the one-day paradise shelduck season in March.
- **4.2** An adult hunter must be accompanied by at least 1 active junior hunter.
- **4.3** The maximum daily bag limit for each hunter is 5 birds.

#### **4.4** Wording of the regulation

Suggested rewording of 5.4 of the regulations for the 2020 season.

"The summer paradise duck season is open for one day on 7 March 2020. Junior hunters can hunt independently (under supervision where required) but an adult gambird licenceholder must be accompanied by a junior hunter, and hunting is restricted to locations 200 metres or more from open water"

#### 5. Recommendations for 2019 season

- **5.1** The junior one-day summer paradise shelduck season in March is altered to permit an adult hunter to hunt with a junior hunter with a maximum daily bag of 5 birds per hunter.
- **5.2** The suggested regulation wording in 5.4 of the regulations to read;

The summer paradise duck season is open for one day on 7 March 2020. Junior hunters can hunt independently (under supervision where required) but an adult game bird licence holder must be accompanied by a junior hunter, and hunting is restricted to locations 200 metres or more from open water.

5.3 There is a very tight deadline for confirmation of gamebird regulations to the NZC Office immediately after the January trend count in order to obtain Ministerial approval and get regulations printed in time for the season.

To avoid complications with seeking Council approval after the fact (the February Council meeting occurs after the Ministerial deadline), staff seek a conditional approval of the regulations listed in Appendix 1 below subject to season duration date changes and any decisions relative to points 5.1 and 5.2 above.

There are no bag limit changes to last season's regulations proposed, provided Otago harvest and population trends remain consistent with historic trends. Should January Paradise shelduck or Black swan trend counts indicate a significant increase or decrease Council will be consulted immediately via email.

Last season's regulations have been attached as appendix 1.

Cliff Halford Fish and Game Officer November 2018

#### References

Van Klink, P. 2018. Otago Region Mallard Monitoring Study, April 2018, Unpublished report. Otago Fish and Game Council June 2018.

MacKenzie, D. I. 2016. Review of Fish and Game Regional 2016 Mallard Reports. Unpublished report, Proteus Wildlife Research Consultants.

MacKenzie, D. I. 2018. Review of Fish and Game Regional 2017 Mallard Reports. Unpublished report, Proteus Wildlife Research Consultants.

Trotter, M. 2018. Aerial Trend Counts, February 2018, Unpublished report. Otago Fish and Game Council February 2018.

Trotter, M. 2018. Shoveler Trend Count, October 2018, Unpublished report. Otago Fish and Game Council October 2018.

Dixon, S. 2018 Coastal Otago Pukeko Monitoring, October 2018, Unpublished report. Otago Fish and Game Council October 2018

Table 1: Last Seasons (2018) Game Regulations

#### OTAGO FISH AND GAME REGION<sup>1</sup>

#### 1 Game That May be Hunted or Killed—Duration of 2018 - 19 Season

| Species   | Season Duration (dates inclusive) | Daily Bag<br>Limit | Hunting Area   |
|---|-----------------------------------|--------------------|--|
| Grey/mallard duck and any hybrid of those species | 5 May to 29 Jul 2018              | 25                 | All areas  |
| NZ shoveler duck                                  | 5 May to 29 Jul 2018              | 2                  | All areas  |
| Paradise shelduck                                 | 5 May to 26 Aug 2018              | 12                 | All areas  |
|   | 2 Mar 2019                        | 5                  | All areas junior hunting day (refer to clause 5.4 for this region)                                       |
| Pukeko  | Closed season                     | 0                  | All areas  |
| Black swan  | Closed season                     | 0                  | Area A   |
|   | 5 May to 26 Aug 2018              | 5                  | Area B   |
| California quail                                  | 2 June to 26 Aug 2018             | 10                 | All areas  |
| Pheasant  | 2 June to 26 Aug 2018             | 5                  | All areas excluding upland game properties with special conditions specified in clause 7 for this Region |
|   | 5 May to 26 Aug 2018              | No limit           | Upland game properties with special conditions specified in clause 7 for this Region                     |
| Red-legged partridge                              | 5 May to 26 Aug 2018              | No limit           | Upland game properties with special conditions specified in clause 7 for this Region                     |
| Chukar  | 2 June to 26 Aug 2018             | 2                  | All areas  |

#### 2 Definition of Areas

- 2.1 Area A: The Clutha River catchment upstream from the Clyde Dam.
- 2.2 Area B: The Clutha River catchment downstream from the Clyde Dam; the Taieri River catchment and all the coastal catchments between Shag Point and The Brothers Point on the east coast of the South Island.

#### **3** Shooting Hours

Area A: 7.00am to 6.45pm Area B: 7.00am to 6.30pm

#### 4 Decoy Limit

No limit.

#### 5 Special Conditions

- 5.1 No person shall use or cause to be used on any water within the region for the hunting or killing of game, any fixed stand, pontoon, hide, loo or maimai, except within a distance of 10 metres from the water margin in non-tidal waters, or from the low water mark in tidal waters, or from the outside edge of the raupo growth where raupo abounds, without the prior consent of the Otago Fish and Game Council.
- 5.2 No person may leave on the hunting ground the bodies or parts of bodies of Black swan or other game shot in the Otago Fish and Game Region.
- 5.3 Shooting from a boat is prohibited on the Clutha River from 5 to 13 May (refer to first schedule regulation 7).
- 5.4 The summer Paradise duck season is open on 2 March 2019 for junior licence holders only and is restricted to locations 200 metres or more from open water.

#### 6 Refuges and Closed Game Areas

The following wetland refuges and closed game areas are closed to hunting:

#### Refuges

- 6.1 Lake Hayes Queenstown/Arrowtown Highway
- 6.2 Hawkesbury Lagoon Waikouaiti East Otago
- 6.3 Finegand Balclutha

#### **Closed Game Areas**

- 6.4 Ashley Downs Near Clinton, South Otago
- 6.5 Tomahawk Lagoon Dunedin
- 6.6 Kawarau River outlet From Lake Wakatipu downstream to the Shotover River Confluence

#### 7 Upland Game Properties with Special Conditions

7.1 Rough Ridge: The total area of Rough Ridge Farm with special conditions is described as Rough Ridge and defined as approximately 900 hectares of Rough Ridge Farm near Oturehua that includes Section 24 Block XV1, Section 2 Block XV11 Blackstone Survey District, Section 3 Block V1 Poolburn Survey District, and Section 42 PT and Section 10 Block XV1 Blackstone Survey District. The boundaries are marked with signposts reading "Rough Ridge Game Preserve". The property "Rough Ridge" is owned by Fraser and Murray McKnight.

## 8.0 Public Excluded Items

- 8.1 Bullock Creek Update On Compliance and Stormwater Disposal
- 8.2 Lindis River Hearing Update Verbal update, N Watson

#### 9.0 Chief Executives Report

#### 9.1 ADMINISTRATION

#### **Finance**

The finance report for the period from 1 September 2018 to 31 October 2018 is attached. Expenditure to date is \$611,318 (including levies \$251,200, agent commission \$32,543 and depreciation (\$14,681) compared with the Year To Date budget of \$470,690. See appendix 1 - Profit and Loss Report for the 2 month ended 31st October 2018.

Total income to date is \$798,291 compared with budget of \$745,084. This is to be expected as at this time of the year there are a lot of licence sales.

Budget and expenditure figures are exclusive of GST.

#### Audit

BDO Invercargill have finished the 2017/18 financial audit the annual report will be presented at this meeting.

#### Licence Sales 2018/19 Season

Fish licences sales revenue for the 2018/19 season recorded to 1<sup>st</sup> November 2018 total \$990,990 compared with \$1,009,211 for the same period last year (including commission).

The budget for 2018/19 is \$1,746,748

Budget and expenditure figures are exclusive of GST.

See Appendix 2 for fish licence sales categories and numbers.

Fishing licence sales to 1<sup>st</sup> November in whole season licence equivalents (LEQs) are 7493.97 LEQs compared with 7856.17 for the same period last year.

Funds Position at 31st October 2018

ANZ 00 account \$ 29,746.94 ANZ 70 account \$241,028.34

#### Reparation Trust Account

| Account balance to 31 August 2018     | \$41,989  |
|---------------------------------------|-----------|
| Revenue for year to 31st October 2018 | \$ 0.0    |
| Less grants to 1st Nov 2018           | \$ 6,050  |
| Total                                 | \$ 35,939 |

**Backcountry Management** 

Account balance to 31 August 2018 \$105,295

Term investments as at 31st October 2018:

ASB 0079 \$337,031.86 @ 3.50% maturing January 2019 SBS 44624 \$505,278.44 @ 3.55% maturing April 2019

The sum of \$71,046.10 is held by Anderson Lloyd in trust for wetland management via DOC.

#### **Recommendation**

That the Finance and Licence Sales Report for the period ending 31<sup>st</sup> October 2018 be received.

#### **Agents and Debts**

No liabilities or potential liabilities at the present time.

#### **Capital Expenditure**

#### **Buildings**

The adjustment to the Window Treatments tenanted space nears completion and should be completed early in the new year. They have recently signed a lease agreement for 5 years with a right of renewal for a further 5 years.

#### Equipment

The Councils water flow meter has been recalibrated in Australia and is ready for the summer work programme.

#### **Staffing**

There has been a good response to the F&G Officer role advertised and shortlisting has been completed. Interviews will commence in the coming week.

#### 9.2 SPECIES

#### **Monitor Fisheries (1113)**

A report on the status of the upper Clutha Fishery is being drafted. A project plan to add additional angling information into the report is being developed. Some long term anglers of the upper Clutha have been interviewed in depth. This might include creel surveys and recording of discussions with long term anglers to gain their perception of changes in the fishery over time.

A spawning Survey of Quartz Creek was completed in late October.

#### Success & Satisfaction (1122)

Creel Survey Report for 2017/18 season is attached as Item 12.2

Lake Wanaka Creel Surveys have begun with 2 random sampling days completed and two proposed before the end of the month.

#### Fish Salvage (1131)

High flows in Quartz Creek over October and November has negated the need for salvage of rainbow trout. These typically strand when the irrigation water is taken.

#### **Hatchery Operations (1141)**

The hatchery continues to operate smoothly. The young of the year are now free swimming in troughs and will soon be graded into tanks for the summer.

#### Releases (1161)

Scheduled releases from Macraes Hatchery are complete for the season with the exception of some two year old stock which is being drip fed to local reservoirs and dams ahead of kids fishing events.

#### 9.3 HABITAT

#### **Resource Management (1211)**

#### Consents

See separate report 12.3

#### **Bullock Creek**

See separate report in Public Excluded Section 8.1

#### **Contact Energy Consents**

Contact Energy have recently reported back with a revised schedule for hatchery design noting that they expect to have hired a salmon farming consultant to develop a construction proposal for them and the CE meet with that consultant separately and has provided him with additional information.

#### **Minimum and Residual Flow Setting**

#### **Kye Burn Residual Flows**

Agreement has now been reached on consent conditions and on an MOU with Kye Burn Catchment Limited. The agreements are still in the process of being finalised.

#### **Lindis Minimum Flow Plan Change**

The Environment Court hearing of appeals over the Lindis Minimum Flow Plan Change decision began in Wanaka on 7th<sup>th</sup> November and continued in Cromwell up until 15<sup>th</sup> November. Expert evidence was presented by hydrologists and ecologists and some of the

other parties involved but the hearing was not completed and has been adjourned until late January 2019 again in Cromwell.

#### Niall Watson to update in Public Excluded section

#### Reserves Management (1221)

Additional planting has been undertaken with volunteers at Takitakitoa wetland. This was again part funded by Ricoh with their staff again making a major contribution of labour.

The ORC has now completed its review of consenting costs for Takitakitoa Wetland development and their report had been added to inward correspondence. In the interests of concluding the matter I recommend that the Council pays the revised remainder of \$2000. (Outstanding invoice was \$5,389.87)

#### **Recommendation**

That Council agree to pay the revised fee of \$2000 to the Otago Regional Council to finalise the outstanding bill for Consents.

#### 9.4 USER PARTICIPATION

#### Access (1311)

An easement (in favour of Walking Access Commission) to facilitate access along the new boardwalk at the Bullock Creek Hatchery Springs Wetland has been submitted to LINZ. Once the signatures have been witnessed the matter can be finalised.

#### **Signage (1312)**

Updates to signage following regionwide changes to bag limits is now compete.

#### Magazine Supplements and Newsletters (1331)

The NZC Chief Executive has advised that the F&G magazine will now be produced by another provider at a reduced fee with some savings being made in the regions for the cost of pages. We will move to four pages for the pre game season issue (previously two) and look to increase the number of pages for the spring edition next year as well. We propose to have a discussion with NZC about how we may be able to circulate regional content by electronic newsletter.

#### **Reel Life/Both Barrels**

Monthly contributions to online newsletters are continuing.

#### Fishing and Hunting Events (1352)

Early preparation is underway for three proposed boat fishing seminars to be held in Southern lakes campgrounds over the peak holiday season.

#### Take-a-kid-fishing (1352)

See separate report 12.1

#### Commercial Use (1362)

Staff have again had input into a Guides Licence document being put together by the Ministers advisors. We are told that the NZPFG has also had input and that there is now very close alignment by all parties.

#### 9.5 PUBLIC INTERFACE

#### **Liaison (1411)**

Staff and Councilors are due to attend a field trip to the Kyeburn Catchment at the invite of the on the Upper Taieri Water Resource Management Group.

The Otago Water Users Group have since invited Councilors and staff to their proposed field day to share values of the Manuherikia Valley. That is proposed for the 4<sup>th</sup> December 2018.

#### For Discussion

#### Media (1431)

There has been wide coverage on the Lindis hearing.

#### 9.6 COMPLIANCE

#### Ranger Support (1521)

Two rangers have retired recently leaving gaps in Alexandra and Queenstown. It may be necessary to undertake a recruitment campaign to get one or two more rangers to support those that remain.

Ranger training is being conducted on the 23<sup>rd</sup> of November and a reasonable turnout is expected.

#### Prosecutions (1531)

One tourist angling offender has completed diversion under the new regime. Two other anglers have agreed to completed diversion and one further angler has elected to have the matter heard in court. A summons has been issued and he should appear in Court before years end.

#### CE to report.

#### 9.7 LICENCING

#### **Licencing System (1611)**

The Eyede licencing system is running smoothly.

#### 9.8 COUNCIL

#### **Council (1720)**

A meeting schedule has been drafted but we note that NZC staff have rearranged their meeting cycle (with little consultation) and this could have an influence on our own meeting schedule. They will decide on a schedule at the November NZC meeting. It is suggested that the Council adopts a full year meeting schedule at the February planning meeting to be held on the 9/10 February 2019.

#### **Recommendation**;

That Council agree to adopt 12month meeting schedule at its February meeting, unless agreed via email circulation sooner.

Governance Training – at the last meeting governance training was mentioned. I have sought out a number of providers and if there is agreement, could arrange for one to present at the February planning meeting.

#### For discussion

#### 9.9 PLANNING AND REPORTING

#### **Annual Planning (1821)**

The Annual Operational Workplan and budget has been circulated and a further copy is in the folders that will be issued at the meeting.

#### Annual Report (1831)

This will be completed and circulated before adoption at the AGM.

Ian Hadland Chief Executive November 2018

Appendix 1

## **Profit and Loss**

Otago Fish and Game Council For the 2 months ended 31 October 2018

|  | Month<br>Actual | Month<br>Budget | YTD<br>Actual | YTD<br>Budget | Variance          | % of YTD<br>Budget           | Annua<br>budge |
|--|-----------------|-----------------|---------------|---------------|-------------------|------------------------------|----------------|
| Income   |                 |                 |               |               |                   |                              |                |
| Licence Sales  |                 |                 |               |               |                   |                              |                |
| Fish Licence Sales   | 471,236         | 363,440         | 777,651       | 720,548       | 107 706           | 108%                         | 1 740 740      |
| Non-Resident Licence Revenue   | 10,522          | 303,440<br>0    | 13,004        | * .           | 107,796<br>10,522 | 0%                           | 1,746,748      |
| Ab to the contract of the cont | 10,522          | . 7             |               | 0             |                   |                              | 244 400        |
| Game Licence Sales   |                 | 10,490          | 700.055       | 10,490        | (10,490)          | 0%                           | 344,100        |
| Total Licence Sales  | 481,757         | 373,930         | 790,655       | 731,038       | 107,827           | 108%                         | 2,090,848      |
| Other Income   |                 |                 |               | - 6-14        | de edici          |                              |                |
| Interest Income  | 67              | 2,987           | 146           | 5,974         | (2,920)           | 2%                           | 35,851         |
| Fines - Fishing & Game Offences  | 153             | 416             | 242           | 832           | (263)             | 29%                          | 5,000          |
| Rent Received  | 2,627           | 2,970           | 4,387         | 5,940         | (343)             | 74%                          | 35,644         |
| Fishing Competitions   | 35              | 0               | 35            | 0             | 35                | 0%                           |                |
| Donations & Grants   | Ö               | 0               | 500           | 0             | 0                 | 0%                           | Ç              |
| Merchandise Sales/Other  | 328             | 0               | 328           | 0             | 328               | 0%                           | . (            |
| RMA Costs Reimbursed   | 1,845           | 0               | 1,845         | 1,300         | 1,845             | 142%                         | 1,300          |
| Sundry Income  | 0               | 0               | 153           | . 0           | 0                 | 0%                           | C              |
| Total Other Income   | 5,055           | 6,373           | 7,636         | 14,046        | (1,318)           | 54%                          | 77,795         |
| Total Income   | 486,812         | 380,303         | 798,291       | 745,084       | 106,509           | 107%                         | 2,168,643      |
| Gross Profit   | 486,812         | 380,303         | 798,291       | 745,084       | 106,509           | 107%                         | 2,168,643      |
| Expenses   |                 |                 |               |               |                   |                              |                |
| Species Management   |                 |                 |               |               |                   |                              |                |
| Population Monitoring  | 0               | 0               | Ò             | 0             | Ö                 | 0%                           | 12,000         |
| Harvest Assessment   | 0               | Ö               | Ö             | 0             | Ö                 | 0%                           | 3,000          |
| Hatchery Operations  | 8               | 363             | 126           | 726           | (355)             | 17%                          | 10,000         |
| Releases   | o .             | 0               | 38            | 720           | (5,55)            | 0%                           | 10,000         |
| Total Species Management   | 8               | 363             | 164           | 726           | (355)             | 23%                          | 25,000         |
| Habitat Protection & Mngt  | U               | 303             | 104           | 120           | (333)             | 23 /0                        | 25,000         |
| Resource Mngt Act  | 33,961          | 374             | 143,321       | 748           | 33,587            | 19161%                       | 4 500          |
|  |                 |                 |               |               | 1                 | and the second second second | 4,500          |
| Works & Management   | 1,033           | 291             | 2,667         | 582           | 742               | 458%                         | 3,500          |
| Habitat Enhancement Research Fund  | 4,050           | 0               | 6,050         | 0             | 4,050             | 0%                           | 1,300          |
| Total Habitat Protection & Mngt Participation  | 39,044          | 665             | 152,039       | 1,330         | 38,379            | 11431%                       | 9,300          |
| Access   | 164             | 166             | 457           | 332           | (2)               | 138%                         | 2,000          |
| Satisfaction Survey  | 474             | 0               | 295           | 0             | 474               | 0%                           | Ö              |
| Newsletters  | 0               | Ō               | 1,500         | 1,500         | 0                 | 100%                         | 4,500          |
| Other Publicators  | 0               | 84              | 0             | 168           | (84)              | 0%                           | 1,000          |
| Training   | 686             | 250             | 2,487         | 3,500         | 436               | 71%                          | 7,000          |
| Club Relations   | 391             | 0               | 417           | 500           | 391               | 83%                          | 1,000          |
| Total Participation  | 1,715           | 500             | 5,156         | 6,000         | 1,215             | 86%                          | 15,500         |
| PUBLIC INTERFACE   | 1,1 10          | 300             | 3,130         | 0,000         | 1,210             | 00 /0                        | 15,500         |
| Media Releases   | 0               | 0               | 0             | 500           | 0                 | 0%                           | 1,000          |
| Total PUBLIC INTERFACE   | . 0             | . 0             | 0             | 500           | 0                 | 0%                           |                |
| COMPLIANCE   | U               | U               | U             | ວບບ           | U                 | 0%                           | 1,000          |
| and the second of the second o |                 | 000             | 400           |               | (0.00)            | 4704                         | 0.500          |
| Ranging  | 0               | 208             | 196           | 416           | (208)             | 47%                          | 2,500          |
| Ranger Training  | 0               | 0               | 0             | 0             | 0                 | 0%                           | 4,500          |
| Compliance   | 0               | 454             | 4,442         | 5,454         | (454)             | 81%                          | 10,000         |
| Total COMPLIANCE<br>LICENCING  | 0               | 662             | 4,638         | 5,870         | (662)             | 79%                          | 17,000         |
| Agent Servicing  | 0               | 250             | 18            | 250           | (250)             | 7%                           | 500            |
| Commission/Fees  | 19,598          | 16,827          | 32,543        | 32,896        | 2,771             | 99%                          | 94,088         |
| Total LICENCING COUNCIL  | 19,598          | 17,077          | 32,561        | 33,146        | 2,521             | 98%                          | 94,588         |
| Council Meetings   | 1,393           | 2,500           | 1,431         | 2,500         | (1,107)           | 57%                          | 15,000         |
|  | 1,393           | 2,500           | 1,431         | 2,500         | (1,107)           | 57%                          | 15,000         |
| Total COUNCIL  |                 | £,000           | 1,401         | 2,000         | (1,107)           | J1 /0                        | 19,000         |
| Total COUNCIL PLANNING & REPORTING   | 1,000           | •               |               |               |                   |                              |                |
| PLANNING & REPORTING   |                 |                 | 3 633         | · 0           | 3 59 <u>0</u>     |                              | 13 000         |
|  | 3,588<br>0      | 0               | 3,633<br>14   | 0<br>0        | 3,588<br>0        | 0%<br>0%                     | 13,000<br>0    |

## **Profit and Loss**

Otago Fish and Game Council For the 2 months ended 31 October 2018

|                         | Month<br>Actual | Month<br>Budget | YTD<br>Actual | YTD<br>Budget | Variance | % of YTD<br>Budget | Annual<br>budget |
|-------------------------|-----------------|-----------------|---------------|---------------|----------|--------------------|------------------|
| ADMINISTRATION          |                 |                 |               |               |          | •                  |                  |
| Salaries                | 58,694          | 64,462          | 115,536       | 128,924       | (5,768)  | 90%                | 773,540          |
| Staff Expenses          | 1,224           | 713             | 2,392         | 1,426         | 511      | 168%               | 15,564           |
| Office Premices         | 9,207           | 7,838           | 16,839        | 20,480        | 1,369    | 82%                | 84,872           |
| Office Equipment        | 32              | 583             | 58            | 666           | (551)    | 9%                 | 2,500            |
| Communications          | 1,416           | 2,092           | 2,532         | 4,184         | (676)    | 61%                | 25,100           |
| General                 | (1,137)         | O               | (964)         | 5,241         | (1,137)  | -18%               | 6,741            |
| General Field Equipment | 41              | 250             | 119           | 250           | (209)    | 48%                | 3,500            |
| Vehicles                | 5,022           | 4,124           | 9,291         | 8,248         | 898      | 113%               | 49,500           |
| Total ADMINISTRATION    | 74,500          | 80,062          | 145,802       | 169,419       | (5,562)  | 86%                | 961,317          |
| Depreciation            | 7,340           | 0               | 14,681        | 0             | 7,340    | 0%                 | 23,004           |
| NZ Fish & Game Levies   | 251,200         | 251,199         | 251,200       | 251,199       | 1        | 100%               | 1,004,798        |
| Total Expenses          | 398,385         | 353,028         | 611,318       | 470,690       | 45,357   | 130%               | 2,179,507        |
| Net Profit              | 88,427          | 27,275          | 186,973       | 274,394       | 61,152   | 68%                | (10,864)         |

#### Appendix 2:

# Otago Fishing Licence Sales 2018/19 Compared with 2017/18 Till 1st Nov Of Year

#### 2018/19

| Channel              | FWF   | FWA   | <b>FWNA</b> | FSLA | FLAA | FLBA | FSBA | FDA | FDNA | FWJ | FWNJ | FDJ | FDNJ | FWNC | FDNC | Total | Fish LEQ | Fish \$      |
|----------------------|-------|-------|-------------|------|------|------|------|-----|------|-----|------|-----|------|------|------|-------|----------|--------------|
| Agents               | 1,623 | 2,060 | 74          | 483  | 88   | 1    | 27   | 130 | 200  | 171 | 7    | 17  | 10   | 1    | 13   | 4,905 |          |              |
| Eyede Ltd            | 6     | 1     | 1           | 5    | 0    | 0    | 0    | 0   | 0    | 0   | 0    | 1   | 0    | 0    | 0    | 14    |          |              |
| <b>Public Online</b> | 886   | 973   | 189         | 201  | 81   | 1    | 32   | 187 | 233  | 102 | 5    | 16  | 10   | 0    | 8    | 2,924 |          |              |
| Total                | 2,515 | 3,034 | 264         | 689  | 169  | 2    | 59   | 317 | 433  | 273 | 12   | 34  | 20   | 1    | 0    | 7,843 | 7,493.97 | \$990,990.00 |

#### 2017/18

| Channel              | FWF   | FWA   | FWNA | FSLA | FLAA | FLBA | FSBA | FDA | FDNA | FWJ | FWNJ | FDJ | FDNJ | FWNC | FDNC | Total | Fish LEQ | Fish \$        |
|----------------------|-------|-------|------|------|------|------|------|-----|------|-----|------|-----|------|------|------|-------|----------|----------------|
| Agents               | 1,641 | 2,184 | 99   | 476  | 105  | 3    | 32   | 156 | 236  | 279 | 4    | 23  | 7    | 0    | 0    | 5,245 |          |                |
| Eyede Ltd            | 8     | 4     | 2    | 6    | 0    | 0    | - 2  | 1   | 0    | 1   | 0    | 0   | 0    | 0    | 0    | 24    |          | -              |
| <b>Public Online</b> | 961   | 1,009 | 201  | 182  | 87   | 2    | 17   | 149 | 358  | 124 | 7    | 14  | 6    | 0    | 0    | 3,117 |          |                |
| Total                | 2,610 | 3,197 | 302  | 664  | 192  | 5    | 51   | 306 | 594  | 404 | 11   | 37  | 13   | 0    | 0    | 8,386 | 7,856.17 | \$1,009,211.00 |

FWF (Family), FWA (Adult), FWNA (Non Resident), FSLA (Senior Loyal), FLAA (Local Area),

FWJ (Junior), FWNJ (Junior non resident), FLBA (Long Break), FSBA (Short Break), FDA (Adult Day), FDJ (Junior Day)

FDNJ (non resident Junior), FWNC (non resident Child), FDNC (non Resident child day)

## 10.0 Committee & Delegate Reports

10.1 CFT

10.2 NZC

10.3 Salmon Committee

## 11.0 Correspondence

11.1 NZC to Otago

Nil

#### 11.2 Otago to NZC

#### Ian Hadland

From: Ian Hadland

Sent: Monday, 5 November 2018 5:30 PM

**To:** Robert Sowman (rsowman@fishandgame.org.nz)

Cc: 'Erin Garrick'; Zane Moss

**Subject:** Draft Gamebird Hunting Code of Conduct

Attachments: Draft Hunting Code of Conduct 2018 (Final).docx; Code of Conduct for Game Bird

Shooting; Hunting Code

Hi Robert,

Attached is final draft Code of Conduct for hunting which was adopted by our Council at its October 2018 meeting. Can you please add to the NZC agenda as discussed for circulation to regions with a view to it being adopted nationally.

As part of that consultation could you also send a copy to Dan Lynch (Orvis) who'd like to add something on the risk posed by sheep measles and also Ewan Kelsall who is senior policy analyst for Fed Farmers. Both are keen to have practical input and I think the document would have more weight because of that.

I've attached their emails so you can have direct contact with them.

**Thanks** 

Kind regards

Ian Hadland | Chief Executive

Cell: 027 254 9700 DDI: +64 3 479 6555

Email: <u>ihadland@fishandgame.org.nz</u> Web: www.fishandgame.org.nz

Otago Fish & Game Council PO Box 76

Dunedin New Zealand

#### 11.3 General Correspondence to OF&GC

Otago Regional Council

Our reference: A1171087

30 October 2018

Ian Hadland Otago Fish and Game PO Box 76 **Dunedin 9054** 

Dear Ian

Sections 357B Resource Management Act 1991: Objection to costs on Resource Consent Application No. RM12.138

I acknowledge your letter received on 9 July 2013 objecting to the costs involved in processing the above resource consent application.

A report has been written that considers your objection. Please find attached the report for your review. You can make comments on the report and decide whether you agree with its recommendations or not.

If you agree with the report recommendations the objection can be determined by the Chief Executive on the paper without a hearing, under delegations.

If you do not agree with the recommendations in the report and wish to be heard on the issues under objection, the objections committee of council will hear the objection. You will be given at least 10 days notice of the objection hearing.

Once you have had time to consider the recommendations please let me know if you agree with the recommendations or not.

If you have any queries regarding this matter, please contact me at this office.

Yours sincerely

**Kylie Galbraith** 

**Acting Manager Consents** 





#### REPORT

Document Id:

A1171046 RM12.138

File No:
Application No:

RM12.138.01-04

Prepared For:

Sarah Gardner, Chief Executive

Prepared By:

Kylie Galbraith, Acting Manager Consents

Date:

30 October 2018

Subject:

Objection to Costs: Otago Fish and Game, RM12.138

#### 1. Purpose

To report and make recommendations on the determination of an objection under Section 357B of the Resource Management Act 1991 (the Act).

#### 2. Précis

Otago Fish and Game (the applicant) applied for Land Use Consent RM12.138.01 and Water Permits RM12.138.02-04 on 11 June 2012 to dam water, erect a structure, to place culverts in and to discharge sediment to a regionally significant wetland for the purpose of the restoration of the wetland environment.

The application was withdrawn on 10 February 2014.

The applicant objected to the costs charged by Otago Regional Council (ORC) for processing the consent.

#### 3. Background

#### 3.1 Fees for Consent Processing

ORC sets out its fees for processing consent applications in its LTP and Annual Plan, and on the consent application forms. A scale of fees for charging staff time is included. The fees include deposits that are payable on lodgement for consent, then staff time at hourly rates is charged thereafter. In the past ORC has considered all of the costs of processing a consent application to be the normal costs of processing an application.

Case law in the last few years has indicated that any charges in excess of a deposit for processing consent applications is an "additional charge" in terms of Section 36 of the Act. Additional charges under this section may be objected to under Section 36(6) of the Act. Therefore, any invoices ORC sends for costs not covered by the deposit on an application could be considered to be additional charges and subject to objection.

#### 3.2 History

The applicant objected to the costs charged for the consent in July 2013 (refer to Appendix 1).

Detail of the costs of the application (with associated time line) is appended as Appendix 2 and 3.



A letter dated 5 April 2013 from the Director Corporate Services regarding the outcome of the costs review is appended as Appendix 4.

#### 4. Discussion

Appendix 2 and 3 sets out the chronology of events for processing the application. It includes comments made by staff (some of whom have left ORC).

In regard to the time charged to the application I agree with the outcome in the letter dated 5 April 2013 from the Director Corporate Services to the applicant which is copied here:

"I consider that from my review of the file, the time charged to date on this consent fairly reflects the work undertaken to progress your application. This process has not been straightforward, and I note that back in June 2012, and again in July 2012, advice was given that it would be likely that the recommendation for the application would be to decline it. Options presented to Fish & Game were to withdraw the application and avoid further costs, or continue with the application, noting that this would likely require public notification. It has been the choice of Fish & Game to continue with the application, having been made aware of the difficulties with the application.

I advise that \$7,389.87 remains payable in respect of this consent, and I look forward to receipt of payment of the balance outstanding."

I understand \$2,000 has been paid by applicant and the outstanding amount now is \$5,389.87. It seems the applicant did not understand the advice ORC was providing them regarding the processing of their application nor the implications of how a plan change need to be considered when an application is being processed.

To show good faith for the applicant trying to restore a regionally significant wetland that would provide public benefit I recommend the outstanding amount be reduced to \$2,000. This means \$3,389.87 would be written off by ORC.

The objection has been discussed with the Director Corporate Services and the Director Policy Planning and Resource Management, who agrees that the recommendations are reasonable in this instance to resolve this outstanding matter.

#### 5. Recommendation

That the objection is partly upheld by reducing the outstanding amount to \$2,000.

**Kylie Galbraith Acting Manager Consents** 

#### 12.0 Items to be Received or Noted

#### 12.1 Project 1352 Take a Kid Fishing & Beginner Adults Fishing Classes

On Saturday the 22<sup>nd</sup> September and Saturday 29<sup>th</sup> September 2018, the Otago Fish & Game Council had two 'Take a Kid Fishing' (TAKF) events at the Southern Reservoir.

#### **Planning**

The DCC approved two Fish & Game Council TAKF events at the Southern Reservoir. A conditional agreement was reached to use the venue.

#### **Sponsorship**

The Otago Community Trust generously donated \$3055.00 towards the event. The money was used for things such as: toilet hire, traffic management, a lure for each child, fish transportation & promotions.

Allan Millars Hunting & Fishing, West Shell and Kinmont Motors kindly donated some items such as rod & reel sets, tackle boxes and lures for a spot prize draw at the end of each session.

#### **Promotion**

The TAKF day was promoted by the way of an email that was sent out to all the primary schools and high schools throughout Dunedin informing them of the event and asking them to mention the TAKF days in their school newsletters. It was also advertised on the Fish & Game web site and the Otago Facebook page.

#### Access

The Southern Reservoir is closed for fishing for the month of September. This is to facilitate the liberation of trout and help improve catch-rates for the events.

#### Support

Traffic Management & Control LTD supplies and erects all the road signage for the event.

#### **Entries**

All entries were done online through the Fish & Game web site using "Survey Monkey".

There were two sessions on each day, session one was from 10am - 12noon and was specifically for children that had never fished before. Session two was from 2pm - 4pm; this one was for children that had fished before. On the day of the event participants lined up at the registration table and received a numbered lanyard. The children also received a goody bag with a spot prize entry form, some stickers and a lure.

The "Take Me Fishing" trailer was set up beside the registration table, children that didn't have a fishing rod (or the rod they bought along was not suitable for trout fishing) could borrow one for the event.

The TAKF trailer has 40 rod and reel sets for loan and all 40 rods were loaned out for session 1 on the 22<sup>nd</sup>.

## **Stocking of the Southern Reservoir**

Eight hundred two-year-old rainbow trout and 12 larger fish were set aside at the Macraes Hatchery for the event. 406 fish were transported and released into the reservoir before the 22<sup>nd</sup> September. Another 406 fish were released into the reservoir the week after the first event.

#### **Events**

#### Saturday 22<sup>nd</sup>

244 children signed up for the first day, there were 7 extras and 43 didn't show. Session 1, 10am - 12 noon According to the spot prize entry form at least 43 fish were caught and of those 20 were returned.

<u>Session 2, 2pm – 4pm</u> According to the spot prize entry form at least 15 fish were caught and of those 5 were returned.

## Saturday 29th

221 children signed up for the first day, there were 8 extras and 59 didn't show.

<u>Session 1, 10am – 12 noon</u> According to the spot prize entry form at least 12 fish were caught and of those 5 were returned.

<u>Session 2, 2pm – 4pm</u> According to the spot prize entry form at least 17 fish were caught and of those 8 were returned.

Fish ranged in weight from 800g to 4kg, only 2 of the big fish released were caught. The children that caught fish were able keep the fish if they wished which were gutted and cleaned by Fish & Game rangers.

Fish & Game rangers and volunteers walked around the reservoir giving advice on knot tying, casting and assisting with the landing and releasing of fish.

At the end of each session there was a lucky number draw. The items donated were given out to the lucky kids.

#### Media coverage

The ODT ran an article 3 days before the first event informing the public about the releases and about the events. There was another article in the ODT on the Monday after the first event and one more on the Monday after the second event.





A Survey form was filled in for each child and number of questions asked:

- How many fish were taken and how many fish released? (Figure 1)
- How did you hear about the event? (Figure 2)
- Have you been fishing before? (Figure 3)

## How many fish were taken and how many released?

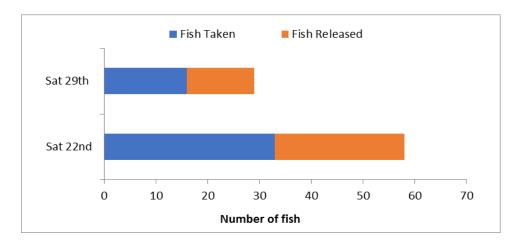


Figure 1: Number of fish taken and number of fish released on Saturday 22<sup>nd</sup> and Saturday 29<sup>th</sup> at the 2018 TAKF events

Over the two days approximately 87 fish were caught and out of those 38 were released. The same number of fish were released for each event and the weather was almost identical but the number of fish caught on the second event was down considerably.

## How did you hear about the event?

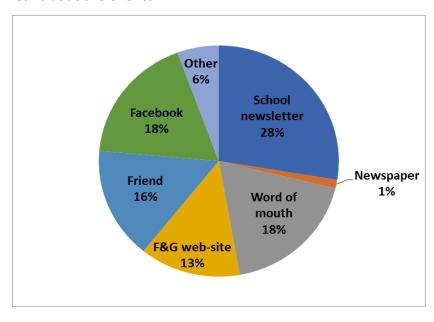


Figure 2: Percentage of people who found out about the 2018 TAKF event through various advertising outlets

The two main sources of promotion for the 2018 TAKF events were the school newsletter and the Otago Facebook page which combined made up 46% of the total registrations.

## Have you been fishing before?

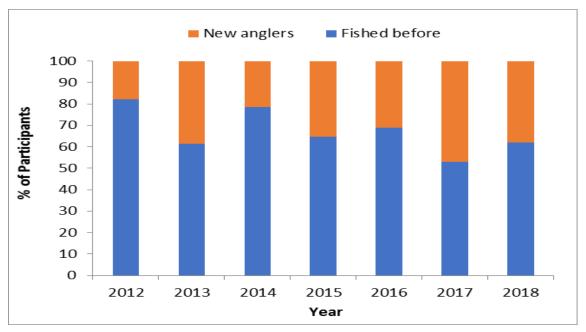


Figure 3: Percentage of participants who had fished previously and who had never fished before.

This year 38% registered as novice fishers. Each year we try to encourage more non-fishers to give fishing a go so it was encouraging to see again this year the percentage of children that hadn't fished before was still reasonably high.

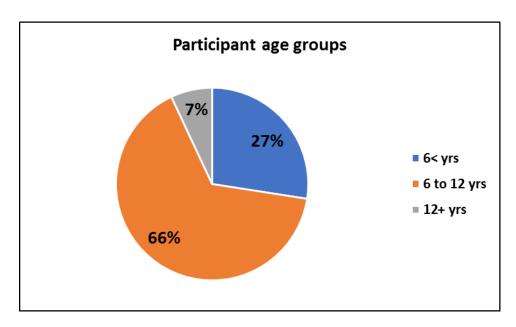


Figure 4: Relative percentage of participants across age groups at the 2018 TAKF events

The most represented group of children were the 6-12 age groups with the pre-teens not showing much interest. This seems to be the trend since the start of Otago's TAKF events.

#### **Beginner Adults Fishing Class**

For the last five years Otago Fish & Game Council has be running adult beginner fishing classes. The classes are run in the first week of September and are held at the Fish & Game office. They consist of a 2hr theory session with a power point presentation on equipment, knots, fish species, where fish can be found, licences etc then on the Saturday following, the classes are combined and there is a 1.5hr practical session at the Southern Reservoir.

Advertising was by way of the Fish & Game web site and on Facebook.

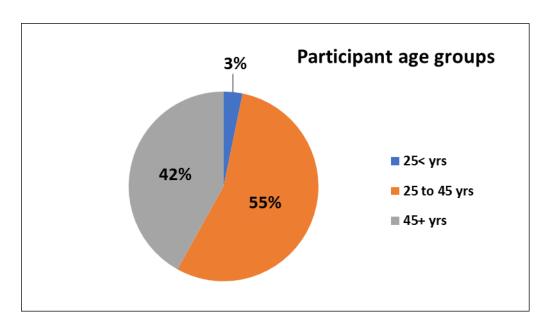


Figure 5: Relative percentage of participants across age groups

There were 31 participants for this year's adult beginner fishing class and of those 24 caught one if not two fish at the practical session.

## **Acknowledgements**

Otago Community Trust, Allan Millars Hunting & Fishing, West Shell, DCC, Macraes Oceana Gold, Traffic Management & Control LTD, Kinmont Motors Mosgiel

**Volunteers/rangers** – Ross Taylor, Scott Weatherall, Colin Weatherall, Tom Wallace, Gordon McManus, Mike Teasdale, Robbie Natta, Gordon Munn, Geoff Dee, John Burnip, Brian Hutton, Steve Brown

Fish & Game staff - Sharon Milne, Steven Dixon

#### Recommendations

That this report be received.

Steven Dixon
Fish & Game Officer
November 2018

## 12.2 Project 1511 - Summer Creel Survey of Southern Lakes

#### 1. Introduction

Planned surveys have been undertaken on Lakes Hawea, Wanaka and Wakatipu since 2012 to obtain angler and catch information, monitor compliance with sports fishing regulations, and providing the opportunity to work with and upskill voluntary rangers in the field.

This report provides a summary of angler interviews, catch information and compliance monitoring on lakes Hawea Wanaka and Wakatipu during the peak summer holiday period from 2014 to 2018 with additional information dating back to 2012 for comparison. Surveys on Lakes Hawea, Wanaka and Wakatipu over the period 2012-2014 have been reported previously, and Lake Wanaka for the 2014/15 season.

Greater emphasis was placed on Lake Wanaka due to the concerns from anglers about the decline in the salmon catch and perceived increased angling pressure.

A single survey was undertaken on Lake Dunstan in the 2017/18 season and future surveys will include this Lake.

## 2. Survey Method

Through December to February annually a schedule of selected survey days was drawn up targeting the period between Xmas and New Year and when holiday anglers were expected to be fishing. Start times were generally planned around weather conditions and not specifically randomised as would be done under a specific creel survey format but the information provided gives good catch per unit effort (CPUE) data and angler information.

Fish and Game boats were used to interview anglers on the water and the shore line. In calm boating conditions survey staff could pull alongside anglers' boats and allow then to continue fishing. Anglers were asked to produce their fishing licence then their fishing details were recorded. All harvested fish were weighed and measured. All angler and catch information was entered onto a data base.

#### 3. Results

Between 2014 and 2018 on Lakes Dunstan, Hawea, Wanaka and Wakatipu 595 anglers were interviewed over 33 survey days. (Table 1). Anglers caught 210 fish for 831.05 hours effort and harvested 125 fish, (59%) of the total catch.

The majority of angling effort on all four lakes was trolling. Results varied considerably between lakes which was expected. Lakes Hawea and Wakatipu had increased catch rates in some years due to good salmon catches. But only 2 salmon were recorded from Lake Wanaka.

During survey months and particularly on hot days, fish inhabit deeper water which are often out of reach of conventional fishing methods and to those anglers with limited angling experience. Tourists or visiting holiday anglers are often on the water for the day out and are

generally happy regardless of whether they catch a fish or not. Often their fishing knowledge is limited, and the majority go home without experiencing a fish on the line.

Table 1. Angler interviews and number of survey days ( ) for each lake

| Laka     | Season  |         |         |         |  |  |
|----------|---------|---------|---------|---------|--|--|
| Lake     | 2014/15 | 2015/16 | 2016/17 | 2017/18 |  |  |
| Dunstan  | -       | -       | -       | 16 (1)  |  |  |
| Hawea    | 35 (1)  | 40 (3)  | 26 (1)  | 55 (3)  |  |  |
| Wakatipu | -       | 33 (2)  | 29 (3)  | 43 (2)  |  |  |
| Wanaka   | 104 (5) | 71 (5)  | 36 (3)  | 107 (4) |  |  |

#### 3.1 Compliance

Fish and Game presence over the summer holiday period is required. Anglers are annually interviewed without licences and there have been instances of anglers fishing 2 rods. There is generally a moderate level of failure to produce licences (FTP's) which require processing. In most situations however, anglers are comfortable meeting Fish and Game personnel on the lakes who also provide a wealth of fishing knowledge to assist anglers. Staff compliance reports are presented annually to Council.

#### 3.2 Fish Data

Table 2 below shows the season, number of fish harvested for each lake, and the average length and average condition factor of weighed fish. \* Identifies fish gutted.

Table 3 below provides the average weights of each species from the four lakes. There was no surveys undertaken on Lake Wakatipu during the 2014/15 season due to the commitment to Lake Wanaka and weather conditions.

Table 2. Numbers of fish weighed and measured (mm and their condition factor)

| Season  |           | Hawea     |           |           | Wakatipu  |           | Wanaka     |            |           | Dunstan   |         |           |
|---------|-----------|-----------|-----------|-----------|-----------|-----------|------------|------------|-----------|-----------|---------|-----------|
| Season  | Brown     | Rainbow   | Salmon    | Brown     | Rainbow   | Salmon    | Brown      | Rainbow    | Salmon    | Brown     | Rainbow | Salmon    |
| 2044/45 | 1         | 6         | 0         |           |           |           | 10         | 4          | 0         |           |         |           |
| 2014/15 | (430, 50) | (490, 39) |           | -         | -         | -         | (463, 39)  | (459, 40)  | 0         | -         | -       | -         |
| 2015/16 | 3         | 0         | 0         | 2         | 1         | 20        | 6          | 3          | 0         |           |         |           |
| 2015/16 | (490, 39) |           |           | (404, 35) | (430, 35) | (365, 39) | (485, 40*) | (485, 34)  | U         | -         | -       | -         |
| 2016/17 | 1         | 0         | 10        | 4         | 0         | 6         | 2          | 1          | 1         |           |         |           |
| 2010/17 | (420, 50) |           | (320, 54) | (373, 57) |           | (368, 40) | (405, 45)  | (460, 32)  | (300, 54) | -         | -       | -         |
| 2017/10 | 2         | 15        | 3         | 6         | 1         | 1         | 5          | 8          | 1         | 1         | 0       | 1         |
| 2017/18 | (420, 45) | (461, 47) | (345, 40) | (420, 37) | (420, 35) | (365, 30) | (454, 36*) | (454, 36*) | (430, *)  | (460, 46) | U       | (315, 60) |

Table 3. Average weight (grams) of harvested fish from each lake.

| Cassan  | Hawea |         |        | Wakatipu |         | Wanaka |       |         | Dunstan |       |         |        |
|---------|-------|---------|--------|----------|---------|--------|-------|---------|---------|-------|---------|--------|
| Season  | Brown | Rainbow | Salmon | Brown    | Rainbow | Salmon | Brown | Rainbow | Salmon  | Brown | Rainbow | Salmon |
| 2014/15 | 1100  | 1336    | 0      |          |         |        | 930   | 1050    | 0       |       |         |        |
| 2015/16 | 1226  | 0       | 0      | 630      | 760     | 522    | 1176  | 1073    | 0       |       |         |        |
| 2016/17 | 1020  | 0       | 490    | 810      | 0       | 550    | 737   | 860     | 400     |       |         |        |
| 2017/18 | 925   | 1316    | 455    | 766      | 720     | 400    | 966   | 840     | 0       | 1240  | 0       | 520    |

#### 3.3 Catch Rates

Catch rates are calculated from the number of fish caught over the length of the fishing trip (fish caught per hour fished) to when anglers were interviewed.

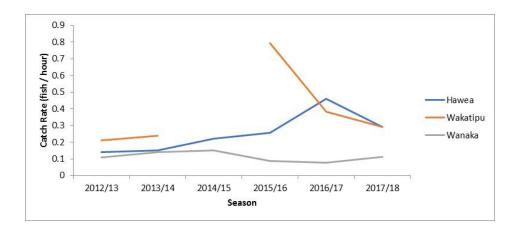


Figure 2. Shows the total catch rates for all species on Lakes Hawea, Wanaka, Wakatipu for the 2012 – 2018 seasons

The higher value for Lake Wakatipu in the 2015/16 season reflects the numbers of salmon caught in that period and likewise with Lake Hawea in the 2016/17 season. Over the four-year period 53% of total interviews were undertaken on Lake Wanaka, so more anglers = more angling effort and low catch rates resulted in a very low overall catch rate for the lake. Hopefully the Lake Wanaka creel surveys will provide clearer information.

Also note with no surveys undertaken on Lake Wakatipu in 2014/15 the data line has disconnected.

## 3.31 Species catch rates for all methods

The following graphs show the total catch rates for all methods for the 3 salmonids in Lakes Hawea, Wanaka and Wakatipu from 2012 to 2018.

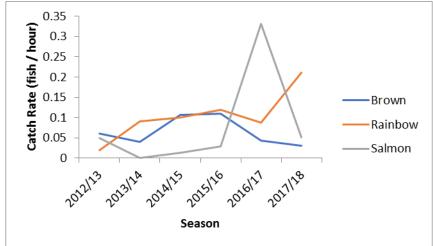


Figure 3. All methods catch rate of salmonids in lake Hawea

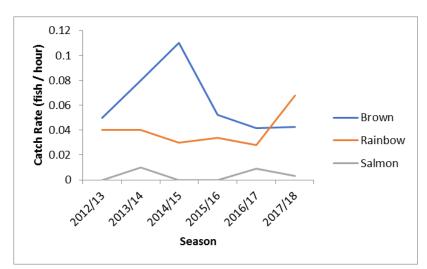


Figure 4. All methods catch rate of salmonids in Lake Wanaka

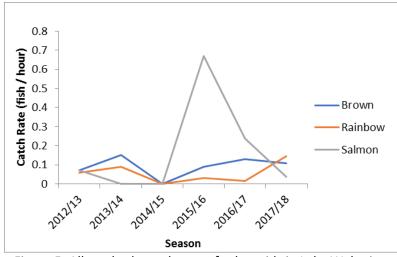


Figure 5. All methods catch rate of salmonids in Lake Wakatipu

## 4. Licencing

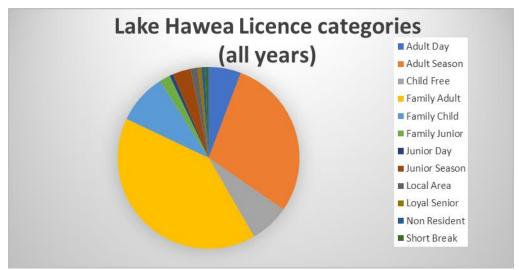


Figure 6. Lake Hawea angler licence categories

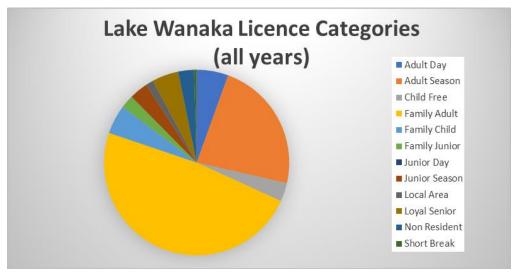


Figure 7. Lake Wanaka angler licence categories

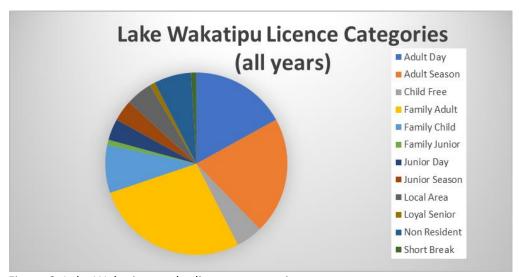


Figure 8. Lake Wakatipu angler licence categories

## 4.1 Angler licence categories

Figures 6,7,8 above show the percentages of angler licence categories for Lakes Hawea, Wanaka and Wakatipu 2014-2018. Lakes Wanaka and Hawea anglers purchase a large percentage of family and adult licences. Wakatipu caters for more short term anglers with a reasonable portion of adult and junior day licences which likely reflect the stronger tourism component. This is also evident with the higher number of non resident licences.

## 5. Summary

The summer season lakes surveys continue to provide an opportunity to interview anglers on four of Otago's main lakes. Important compliance monitoring is also undertaken. Angler and fisheries information is collected, and it provides an opportunity for Fish and Game staff, and rangers, to interact with anglers during the peak of the holiday season when there is high angling use.

While there is a good base of fisheries information, it is premature to establish a position on fishery health or performance until further information is gathered. The Lake Wanaka creel surveys in this year's work plan will provide good information and it is hoped some salmon will turn up in the anglers catch.

#### 6. Recommendation

The report be received

Cliff Halford Fish and Game Officer November 2018.

## 12.3 RMA Consenting Workload 12 Oct - 22 Nov 2018

# Upcoming consents potentially of interest to Council

Earnscleugh Irrigation Company (EIC): the company is applying to renew deemed permits and consents in the Fraser river and Omeo Creek. It appears that the Omeo Creek take may dry the creek unnaturally; or create a situation where the creek unnaturally dries earlier than it otherwise would and may impact on a rainbow trout spawning run. It is proposed that the 1m³/s residual flow on the Fraser River be maintained through consent conditions. Additional hydrological information has been requested on Omeo Creek and this is slated to be collected in December 2018. EIC has suggested the application be split into Fraser and Omeo components and is seeking Fish and Game's written approval for the Fraser component before Christmas.

Lake Onslow: There has been no updates of significance since it was last reported.

Long Gully: There has been no updates of significance since it was last reported.

QLDC global consent to clear waterways: the QLDC is seeking a global consent to clear weeds not identified in permitted activity rules and alluvium from waterways in the district. Staff are not conformable with the weed clearing component but not with the alluvium component. In its current form, the activity could have wide spread impacts across the district. Staff have put their concerns to the applicants and asked that they develop satisfactory consent conditions. Discussions are ongoing.

Written approval provided for ORC consents during the period

| Applicant | Activity | Outcome |
|-----------|----------|---------|
| N.A.      | N.A.     | N.A.    |

Written approval provided for QLDC consents during the period

| Applicant | Activity | Outcome |
|-----------|----------|---------|
| N.A.      | N.A.     | N.A.    |

Written approval provided for CODC consents during the period

| Applicant | Activity | Outcome |
|-----------|----------|---------|
| N.A.      | N.A.     | N.A.    |

Written approval provided for DCC consents during the period

| Applicant | Activity | Outcome |
|-----------|----------|---------|
| N.A.      | N.A.     | N.A.    |

Written approval provided for WDC consents during the period

| Applicant | Activity | Outcome |
|-----------|----------|---------|
| N.A.      | N.A.     | N.A.    |

No written approvals were provided during this period as staff were primarily focused on the Lindis case.

Recommendation: That this report be received.

Nigel Paragreen Environmental Officer 22 November 2018

# 13.0 General Business