

**Minutes of the Fish & Game NZ, Southland Region Council meeting held at the Southland Fish & Game Office, 17 Eye Street, Invercargill on Thursday 15<sup>th</sup> August 2019.**

**Present:** Graeme Watson (Chair)  
Chris Owen  
Paul Stenning  
Dave Harris  
Mike Hartstonge  
David MacGregor  
Corey Carston  
Lyndon Norman  
Craig Horrell  
Ken Cochrane  
Cyril Gilroy (Te Runanga Ngai Tahu,  
Bevan McNaughton

**In attendance:**

Z Moss (Manager), C Stewart, E Garrick, (F&G Officers) J Smyth (Resource Management Officer), C Mason (Minutes).

**Members of the Public:**

Len Prentice  
Gavin Roy

**Welcome:**

The Chairman opened the meeting at 6.00pm and welcomed those present.

The Chairman pointed out all exits from the building should an emergency occur.

The Chairman reported an addition to the agenda being that Len Prentice would be speaking to Council on item 10.4 under General Business.

**Apologies:**

***Resolved Harris/McNaughton that apologies be received & accepted from Lindsay Withington & Bill Jarvie. Carried.***

As he could not make the meeting Cr Withington's comments on items on the agenda were tabled & circulated at the meeting for Councillors information.

**Conflicts of Interest with items on the agenda:**

The individual member declaration of conflicts of interest with any item on the agenda had been circulated to members for signature before the start of the meeting.

Any conflicts were noted by the Chairman.

**Health & Safety Report:**

The Council health & safety report for the period 1<sup>st</sup> June 2019 – 31<sup>st</sup> July 2019 was attached to the agenda for consideration. The report showed a nil return for the period.

All known hazards were listed in the Southland Health & Safety Plan.

***Resolved Watson/Harris that the Health & Safety Report to 31<sup>st</sup> July 2019 be received. Carried.***

**Minutes of the meeting held 13<sup>th</sup> June 2019.**

***Resolved Horrell /Owen that the minutes of the meeting held 13<sup>th</sup> June 2019 were taken as read and were a true and accurate record.*** Carried.

**Matters arising from Minutes:**

There were no matters arising from the minutes that were not dealt with elsewhere in the agenda.

**Administration Reports:**

The accounts paid, direct credit/debit payments list & automatic payments since the last meeting, licence sales progress to 31<sup>st</sup> July 2019, budget to actual expenses to 31/07/2019 & correspondence reports were attached to the agenda for Councillors consideration.

**Staff Report:**

The staff report was attached to the agenda.

**Proposed Southland Water & Land Plan (pSWALP) update – Jacob Smyth.**

The pSWALP Hearing on Topic A appeals commenced on 4<sup>th</sup> June and lasted three weeks plus an additional 3 days for closing submissions. Topic A related to the State of the Environment & overarching policies and objectives which would create the framework for rules in the proposed Plan.

There had been judicial directions made in anticipation of Topic B. An overarching objective currently in the Plan provided that the quality of freshwater would be maintained where it was not degraded and would be improved where it is was degraded. The preliminary view of scientists was that many waterbodies in Southland were degraded and some (mainly estuaries) were very degraded. Judge Borthwick has posed the question where does fresh-water quality degradation exist in Southland? The judicial direction was that there be further conferencing between the scientific witnesses to further develop scientific thresholds for purposes of assessing degradation and to determine where that degradation, with respect to ecosystem health and cultural health, existed in Southland. That work would inform policies to address how degraded waterbodies could be improved and the rules and methods to achieve that outcome. It may necessitate changes to objectives, policies and rules to be addressed in the Topic B Hearing. Topic B parties had been invited to participate in the scientific conferencing for that reason.

Jacob suggested that the Hearings would be unlikely to be concluded within the next 12 months and the Topic B Hearing unlikely before the end of year.

Dr Adam Canning of Wellington Fish & Game will participate in the scientific conferencing on behalf of Fish & Game. He has worked previously on scientific papers with Professor Death, and his involvement would hopefully save some money for Fish & Game.

The Manager noted that the costs of the Hearing had been overrun at this point, despite staff trying to keep it as cost effective as possible. Planner costs had been shared with Forest & Bird and for the expert conferencing we would be sharing legal costs with Forest & Bird as well. Jacob & Zane were doing much of the follow up work to internalise costs as much as possible.

It was surprising to Council that ES did not have the scientific data on freshwater degradation required by the Court.

Staff were optimistic that this Plan was advancing well & would have significant precedent for our region as well as other regions in NZ.

The Government were also soon to release a new National Policy Statement on Fresh Water which would also be influential on how Regional Councils handle these issues and that work hopefully would reduce the scope of the second part of our Appeal, as intensive wintering would be covered in the policies.

In reply to Cr Cochrane's query the Manager reported that as at 31<sup>st</sup> July 2019 the amount spent on the Hearings was \$91,780 and the budget was \$89,500 (\$84,000 approved by NZC from our reserves and \$5,500 approved from the operational budget) leaving an overrun of \$2,280. It was frustrating for staff that the Topic A Hearings originally thought to be a week-long had evolved to three weeks plus, but that was out of our control.

### **New Zealand Council Issues:**

Cr Owen reported on some key aspects of the NZC meeting held 9<sup>th</sup> & 10<sup>th</sup> August 2019 held in Wellington.

- An updated Contestable Fund & Reserves funding application forms for the 2020/2021 F&G Budget round was approved. This provided extra information so NZC could make a more informed decision.
- Three new sub-committees of NZC had been formed.
  - i. Licensing.
  - ii. Financial review.
  - iii. Remuneration.

The Licence sub-committee members were Chris Owen (Chair), Noel Birchall, Ian Hadland, Jay Graybill & Phil Teal.

The Financial Review Committee members were Paul Shortis, Daniel Isbister, Ray Grubb & Richard O'keefe.

The Remuneration Committee members were Colin Weatherall, Bill O'Leary, Phil Teal & Ken Cochrane.

- The current licence management provider's contract expired 31<sup>st</sup> August 2020. NZC had been looking at all options for licence management in the market and would make recommendations to regions in due course.
- Game Bird Habitat Trust Board. - Three persons were nominated for the GBHT Board by NZ Council. All current appointees were eligible for re-appointment. Current members were Mark Sutton, Ian Hogarth & Steve Scragg. NZ Council required nominations from regions by 1<sup>st</sup> November 2019.
- The Non-Resident Licence revenue currently stays within the regions and is transferred to a reserve to be spent on pressure sensitive fisheries. It was not part of the budget process. NZC would like to have this revenue as part of the budget process, as the amount held in reserves nationally was significant enough to have an impact on the licence fee /budgeting process. The issue had been referred to the finance review committee.
- Gun Law reforms phase 11 –The proposed changes to the gun laws were discussed. With more time allowed in this phase Regions would be consulted for their input and a national submission made in due course.
- A letter from the Conservation Minister, Hon Eugenie Sage, sent to the CE of Fish & Game had approved the 19/20 licence fee increase this year, but stated she was concerned at the continued incremental increases in licence fees every year for the past five years. She asked to be provided with a financial overview of what effect there would be with no increase next year to licence fees, what was the sustainability of retaining customers with constant increases & what was Fish & Games strategic approach to fee setting over the coming years.

The Southland Council were aware that increasing licence fees was an issue for F&G and were aware of the Ministerial pressure on the issue. This had been discussed at the Chairman's meetings and NZC meetings as well as at Regional meetings. The meeting agreed that nationally we needed to have steps in place to address the issue of rising licence fees and the decline of participants in our sport.

- NZC council had requested a change in date for some Regional meetings held in the month of June. This was to accommodate the timeline by NZC to advise the Minister of licence fee costs for the following season & Cabinet's 28-day rule. Regional responses had to be back to NZC by the third week of June.  
Southland Council's June meeting was always held in the second week of June, so no change of meeting date was required for this Council.

The meeting asked that a copy of the NZC agenda be distributed to Councillors before each NZC meeting, as it would be helpful to them for background information. Also, they no longer received the media reports and would like to do so again. The Chairman would ask the NZC Chairman for the agenda distribution.

#### **General Business:**

Graeme Watson left the meeting at this point so the Waiau Trust nominations could be discussed. Chris Owen took over the Chair for this part of the meeting.

#### **10.1 Waiau Fisheries & Wildlife Habitat Enhancement Trust, Trustee nominations.**

Under the Waiau Trust Deed, Trustees were appointed for a term of three years. The next three-year term appointments to 30<sup>th</sup> June 2022 were now due.

Southland Fish & Game & the Minister of Conservation jointly nominated the Chairman (currently Cam McCulloch) and the rural representative of the Waiau catchment (currently Mike O'Brien).

Southland Council also nominated two trustees, currently Graeme Watson & Peter Sutton.

The meeting was unanimous to re-appoint the current trustees for another term.

***Resolved Harris/Hartstonge that the F&G nominated current Trustees of the Waiau Fisheries & Wildlife Habitat Enhancement Trust be re-appointed for another three-year term. Carried.***

Graeme Watson returned to the meeting and resumed the Chair.

He was advised by Chris Owen of his re-appointment as Trustee for the next three year term.

#### **10.2 Governance.**

The Chairman said he would be circulating to Council for discussion at the next meeting a governance paper from the NZ Council meeting held recently.

#### **10.3 Environment Southland Awards:**

The Chairman & Manager had been in discussion with ES (Nicol Horrell) regarding Southland Fish & Game being involved in the next ES Environmental Awards. ES were happy for F&G to be involved in these annual awards that recognised achievements of special significance that benefited Southland's environment. Wetland creation & enhancement would be of interest to Fish & Game to sponsor an award for.

#### **10.4 Upper Mataura Access:**

A report attached to the agenda had been received from Simon Wilkinson concerning access to the Upper Mataura. The upstream access referred to in the report was relatively short and had created conflict issues with anglers. Mr Wilkinson had suggested a resolution to the issue being an extension downstream of the upstream beat, which would still allow plenty of water for both beats. Len Prentice, who was very familiar with the area, gave the meeting a breakdown of the problems that were occurring there, particularly how local farmers were being affected by anglers cutting across their properties and the damage it had caused. Len believed a better solution was to completely remove the short 2<sup>nd</sup> access upstream (at the telephone exchange), did we really need it? The farmers land on the 2<sup>nd</sup> access beat had now been divided into lifestyle blocks. Len believed that once these blocks were sold the access would be shut down anyway, by removing it now it would solve a lot of the conflict issues for anglers and farmers.

As this was a Management issue Council agreed to leave it to the staff to solve the problem.

#### **10.5 Fish & Game costs and licence fees – Dave Harris:**

Dave Harris was a Councillor very concerned at the expected continual increase in licence fees over the next five years, as shown by the NZ Council, CEO, at the last meeting. This was unsustainable and was a serious concern as it resulted in declining licence sales nationally. Cr Harris's report on a possible solution to the licence fees increases was attached to the agenda.

We had to change what we did to make ends meet. He suggested that instead of a bottom up approach and increasing the licence fee every year to cover the budget costs, (like Councils do with rates) the licence fee should be set before starting the budget rounds so the budgets covered the sales, not the other way around. The cost of a full season adult fishing licence had increased by 43% in real terms over the last 25 years. Further to that he suggested that the 2020-2021 licence fee be reduced by \$1 requiring a 1% reduction in regional budgets to accommodate that. He quoted the relevant section from the Conservation Act 26q 1 (d) (ii).

*“to develop and recommend to the New Zealand Fish and Game Council appropriate licence fees to recover costs and game bird habitat stamp fees”;*

Councillor Harris said it was the regions job to recommend to NZC the licence fee.

Nationally, there were 4 regions who could not generate enough income to cover their regions running costs. There were 4 regions who generated enough income to pay their costs but not enough to contribute to their fair share of national costs. Leaving only 4 regions who generated enough income to pay for themselves and contribute to national costs. Southland was one of those regions. Southland had also voted to hold the licence fee at the last round of budgets but was outvoted.

Discussion followed.

Cr Cochrane, while agreeing that we had to make ends meet nationally to be sustainable, said we may be a bit premature at this stage to make any changes. If the new NZC review sub-committees showed there were savings to be made within the organisation, it may solve some of the licence fee arguments.

Cr Harris said it was not too premature, as the 2020/2021 OWP discussions were starting to be held. Other regions also had to have time to consider a licence reduction cost.

The Manager noted that the OWP's were approved by the Regional Councils and the costs of achieving those Plans was the budget. Perhaps budgets should be capped to increase only by the CPI each year.

Cr Hartstonge said we should forget the CPI and look more at where the money was being spent e.g. legal fees.

Cr Owen mentioned huge savings could be made in the organisation e.g. licence management providers, which would have an impact on licence fees.

Cr Carston agreed that something needed to be done now as the ceiling for licence fee increases was nearly reached. There must be plenty of things to look at internally as an organisation to save costs overall and stop raising licence fees.

Cr Owen said we cannot reduce costs in the other regions that was up to them, but we could look at our Council to see if costs could be reduced.

The Manager noted that the Regional Managers did recognise the importance of reducing costs and were a lot firmer in the budget rounds now than they had been in previous years.

Cr Stenning commented that everyone knew that the budgets had to be reduced to be sustainable. The problem was that every region believed that the work they were doing was important. Imagine if Southland was told it could not appeal the Water & Land Plan. We were asking the regions to stop doing something they were passionate about. We all agreed with Cr Harris's argument but if Southland reduced its budget by 1% all it was doing was making more funds available for the rest of the regions to contest through the contestable fund. The best way for the organisation to save money in his view was to have no contestable fund and therefore any excess funding would go to the licence fee.

Cr Cochrane said it maybe more palatable to encourage regions to have a nil increase in budgets rather than a reduction. From there if we change our regs to help recruit people into the sport and carry out other R3 programmes we may be able to hold the licence fee price.

After discussion:

***Resolved Harris/ Norman that the Southland Council write to the other F&G Regions to get their support in reducing the 2020/2021 season licence fee by \$1. Carried.***

This would require regions nationally to reduce their budgets by 1%.

Everyone at the meeting agreed that cost savings nationally had to be made for the organisation to be sustainable.

Cr. Harris was thanked for his report.

#### **10.6 Council priorities for the 2020/2021 Operational Work Plan, (OWP).**

The yearly OWP outlined the various projects anticipated in the following twelve- month period. This was based around various output codes reflecting Fish & Games statutory responsibilities under the Conservation & Wildlife Acts. There was an opportunity for Councils to prioritise some projects within the OWP. Priorities that Council set could then be developed by staff in the OWP alongside the statutory responsibilities.

Attached to the agenda was a table of output codes that formed the basis of the OWP.

Council were asked by the Manager to consider what their focus was for the next OWP 2020/2021, so staff had priorities to address in the development of the next Plan.

Around the table a top priority was the R3 programme – recruitment, reactivation and retention to help grow licence sales. Councillors asked to revisit the report on the national R3 programme for their information. The Manager briefly explained the programme.

Cr McGregor reported that in respect to recruitment he had talked to two farmers recently who were keen to make available a pond on their properties to a group of females to hunt during the season. This was very helpful as a barrier for female groups was that they had nowhere to hunt.

It was commented that in the US female hunters were the fastest growing section of licence holders.

Cr Harris said the Southland Fly Fishing Club ran a female fly-fishing course a few years ago and could do that again.

Councillors generally were in agreement that Participation & Public interface were very important.

Cr Cochrane said we needed to look at the historic statutory projects & review some of those, as there were areas, we could prune our budget on in his view.

Cr Stenning agreed with all comments so far but added that with the current public emphasis on winter grazing we needed to push forward our Habitat message as well. Wetland creation for sediment traps, riparian zones etc. We need to get our message out about offering positive solutions to water quality problems. The Manager reported that we were getting involved already. He had a meeting with Landcorp's Environmental Manager & Dr Clint Rissman tomorrow on these issues. They would be discussing run off structures & good management practices for intensive winter grazing. New science (lidar data) could become part of Farm Plan's in the future, so we would be involved & promoting our message as well.

Cr Harris said that the pressure sensitive fisheries management should also be a priority along with the R3 programme.

Cr Owen said Governance training should be a priority for every new Council. Cr Cochrane reported on the Nth Canterbury model on governance and agreed training was important. To have governance training was supported by the meeting.

#### **10.7 Pressure sensitive fisheries.**

A draft report on management mechanisms & potential implications on the Upper Oreti fishery compiled by Stu Hayes, postgrad student at Otago University, was attached to the agenda.

Cr Hartstonge said he had participated in the survey and found the questions to be very leading. Cr Cochrane who had also participated agreed. He was also concerned at the management fee option in the survey which may have influenced the result. He said nowhere did Council ever talk about a management fee. The Manager said that the questions were set by Professor Brent Lovelock, Otago University, a very qualified & respected academic on Tourism etc. The perception survey was to get as much information as possible so Council could make an informed decision on pressure sensitive fishery management.

#### **10.8 3 year Angler Notice Review:**

The Angler Notice was reviewed every three years with the next review to take effect for the 2020-2022 seasons. It was timely for Council to identify and start initial discussions on any changes they wished staff to prepare background information on. The Council would be keeping in mind the national focus on recruitment, reactivation & retention (R3) with the regulations.

To help with initial discussions Cohen Stewart had prepared a report for Council to consider. He had recommended a broad review in line with the concerns of the R3 Steve Doughty report which said that complicated regulations were a barrier to some anglers, particularly novice anglers. We had to make fishing easier not harder.

Cohen's report proposed four changes with reasoning behind each change.

1. All fishing methods permissible in all Southland water bodies
2. Season length in Lakes Fergus, Gunn & Hankinson changed from 1<sup>st</sup> Nov – 31<sup>st</sup> May to being open all year round.
3. All anglers fishing from boats must stay at least 100m from any anglers fishing from shore.
4. Proposed changes to the 1<sup>st</sup> Schedule.
  - molluscs to be included in the definition of bait
  - Spin fishing definition to include actively fishing with scented soft baits, so as to imitate a bait fish.

The meeting commended Cohen on his report. Councillors were generally accepting of the changes agreeing that we needed to simplify regulations. However, the exception to that was the special management areas or pressure sensitive fisheries e.g. Clinton, Worsley & Upper Oreti etc Council all agreed those areas should have their own special licence & special regulations as we had to protect those areas. As far as boat fishing in the Upper Waiau etc. they were licence holders as well, there was not many areas that this can occur and the Upper Waiau was a great fishery and could sustain boat fishing well, which everyone who did it enjoyed. You could not prioritise one angler method over another. There was also a concern that opening up fishing during the hunting season could cause conflict e.g. Waituna. It was noted that not all situations caused conflict. It was agreed that Cohen would email to the Councillors the table shown tonight of the changes in his report for Councillors to go through & comment whether they supported it or not and return to Cohen before the next meeting. Cohen would collate the comments and present them to the next meeting for further discussion.

#### 10.9 **Game Bird hunting regulations 2020 – initial discussion.**

Council had been frustrated in the past about not being able to modify Game bird hunting regulations after the robust survey data in late March. This was because of Ministerial timelines required. They wanted to look at other options, than brood counts alone, to create a system to inform the regulations. With this in mind Erin Garrick had developed an alternative option looking at a recipe based on variables that we knew influenced the mallard population & awarding points for those drivers. Variables included spring weather conditions, previous seasons count, brood counts & harvest surveys giving maximum points of 30. If the points were less than 10 we could reduce the bag limit, 10-15 points no change, more than 15 points increase the bag limit. Erin's report gave examples using the point system.

It was noted that the variables over time could change and this would be refined as time went on. Councillors were generally accepting of this system as it was a good workable model to use as an alternative.

Cr Cochrane was not convinced about using brood counts as part of the equation, saying that last year's count was wrong.

The Manager explained that the brood count had been done the same way for the past 30 years to get consistency. By counting the large class of ducklings just about to fledge had been the best fit to the subsequent opening weekend harvest to date. However last year we did the same method as the past 30 years but did not observe that class of duckling during the period of the brood counts. Rainfall & subsequent observations suggested high survival of secondary broods.

Hunters always had an expectation that we do brood counts.

Some Councillors noted that the game regulations were purely for social reasons and did not affect the populations, so why can't there be a three-year review of those regs as well.

There was a concern that if we reduced the bag limit, when points were under 10, would this affect licence sales as it signalled a poor season ahead.

The Manager said that this model was to provide a reasonably robust way to get an indication of what duck numbers were likely to be. Council did not have to use it as it was only for hunter perception and did not affect populations.

It was suggested that Southland align with Otago on bag limits. With Otago dropping theirs by 5 and Southland increasing theirs by 5, we would be aligned.

This model was presented for initial discussion only and the game bird regs would be discussed further at a later meeting.

#### 10.10 **Te Anau wildlife Park – Children's shelter.**

The Chairman referred to the presentation at the last meeting by Crystal Brindle, DoC Te Anau, on the plan to build a children's shelter at the Te Anau Wildlife Park. F&G were asked if they agreed to the build.

Council had no issue with the build of a Children's shelter or the site where it would be situated, as long as there was no cost to the Council.

***Resolved Hartstonge /McNaughton that Council agreed with the shelter being built at the site in the Wildlife Park, shown on the map in the agenda, subject to it having no cost to the Fish & Game Council. Carried.***

**Waituna land buy back & land retirement:**

In reply to Cr Carston's query on Waituna land buy back the Manager said that money had been received and he presumed that negotiations with landowners were continuing. If land was acquired hopefully Fish & Game would become involved in creating wetlands and habitat in the area.

There were no items mentioned for the next agenda.

There was no further business and the meeting closed at 8.30pm.

Chairman \_\_\_\_\_ Date \_\_\_\_\_