

Unconfirmed Minutes of the Fish & Game NZ, Southland Region Council meeting held at the Council Office, 17 Eye Street, Invercargill on Tuesday 13th April 2021.

Present: Lindsay Withington (Chair) Cory Carston
Dave Harris David MacGregor
Mike Hartstonge Craig Horrell (Via Zoom)
Bevan McNaughton
Richard Crean

In attendance: Zane Moss (Manager) **Members of the public.**
C Stewart (Field Officer) Gavin Roy, Len Prentice, Maurice Rodway
C Mason (Minutes). David Linklater.

The Country was currently at Alert level 1 of the COVID-19 pandemic restrictions.

Welcome

The Chairman opened the meeting at 6.10pm & welcomed those present. He advised the meeting that unfortunately the Fish & Game Ministerial Review had not been released. (Later in the meeting it was reported that the Review was to be released at 3.00pm on Friday. However, after the meeting the release was delayed again). The Chairman showed where the exits were should an emergency occur and the assembly point, being the car park.

1 Apologies:
Resolved Harris/Hartstonge that apologies be received and accepted from Lyndon Norman, Paul Stenning, Ken Cochrane, Chris Owen, and Cyril Gilroy. Carried.

2 Declarations of Interest:
The individual member declaration of conflicts of interest with any item on the agenda had been circulated to members before the start of the meeting. Any conflicts were noted by the Chairman. The Chairman noted that Craig Horrell, (on zoom) had advised a conflict with any discussion on farming.

3 Confirmation of Minutes.
The minutes of the public meeting held 11th February 2021 were considered.

Resolved McNaughton /Crean that the minutes of the Public meeting held 11th February 2021 were a true and correct record. Carried.

4 Public Forum.

Effect of excessive tourism on trout fisheries – Maurice Rodway.
Maurice Rodway had attached papers to the agenda for Council’s consideration. He realised Councillors were aware there was an issue of excessive tourism and the effect it had on trout fisheries, and that it needed to be addressed. Pressure sensitive fisheries in NZ and Southland in particular, were a nationally important natural resource, which was being threatened by overuse, primarily from NR anglers.

Maurice urged F&G Southland to implement a system to cap the numbers of these anglers using these fisheries so that the quality of the fishing experience was enhanced for all.

Maurice was suggesting, as a trial, a way of dealing with excessive tourism on trout fisheries. He suggested that NZ anglers should have exclusive access to these fisheries, with no other restrictions other than voluntary beat systems, on 5 days per week and non-resident anglers have access 2 days per week. The NR anglers would go into a ballot for access on their days so that only one group was permitted, per beat, per day. NR anglers would pay a fee for their days fishing to be determined by the F&G Council, to cover the cost of administration and compliance required.

Maurice suggested the waters to be classified pressure sensitive waters could be determined by a working party of experienced anglers, after a public invitation process, and selected by the Council. This was an accepted method of providing expert advice to assist Councils, as had happened in other Councils. It would also be useful for other subjects as well and would allow others who are as passionate as those on Council to have an opportunity to have a say.

This method, to use as a trial, would meet the recommendation for sustainable tourism by the Parliamentary Commissioner for the Environment's recent report. It was also consistent with the goals of the Minister of Conservation, to manage visitor pressure effectively.

This would allow locals to have a say in the level of tourism they wanted, it was a simple method, easy to administer, clear to anglers, easy to monitor and it would be paid for by the non-resident anglers themselves.

Cr Hartstonge asked for clarification of the method, did the 2 days allocated to non-residents mean that NZ anglers could not fish those days at all. Maurice said that would be correct unless the ballot had no applications from NR anglers then NZ anglers could apply for the spaces on those days. That way the government had to accept that we were not excluding non-resident anglers, just limiting their access days.

The Manager said that the challenge facing Fish & Game was not in identifying which fisheries were receiving too much pressure from NR anglers, we have good information around that, but the fact that NR anglers would complain to government that their tourism opportunities were being reduced, so they would no longer come here. The challenge was to convince central government that they had to trust Fish & Game to run a process that was fair & workable for NZ anglers & NR Anglers.

David Linklater - Convenor Kiwianglers – Non-resident Anglers.

Mr Linklater had provided a letter from himself, Don Wallace & Dr Michael Turner which had been emailed to Council before the meeting and also tabled tonight for those who had not had time to read them.

Dr Michael Turner's letter noted that the number of NR anglers had increased over the years. NR guiding had seen the commercial exploitation of a limited resource, with vehicles left strategically placed giving NR clients long stretches of water to fish and NZ anglers finding an unoccupied beat very difficult. This season, with no tourist anglers, rivers were once again uncrowded and beats unoccupied, so we locals could fish as we used to.

Mr Linklater also had other letters which he read out to the meeting. The first letter he read out was from Dave Witherow.

In summary, Mr Witherow was concerned at the reluctance of Fish & Game to acknowledge the full effects of tourist angling & professional guiding on the Kiwi angling experience.

Tourist anglers fished many more days per season than the average Kiwi angler particularly in premium waters. Fish being harried continuously by these full-time anglers become very wary & difficult to catch, even by the experts. Resident anglers have complained about this for many years. This season, without the tourist anglers, had been a great delight to kiwi anglers, with dramatic differences noted. Mr Witherow supported Mr Rodway's idea to have a working party where ideas to address the issue were openly discussed and debated, and there was no time to lose as this was a one-time opportunity that may never come again.

The second letter read was from Don Wallace on sustainable angling.

Mr Wallace was a long-time southern rivers angler, and in his view, had seen them deteriorate over time through overcrowding and limited access points. This season he too had noticed a huge difference with no tourist anglers. Access points were not congested, more beats were available to fish, it was easier to stalk and catch fish and the fish were in much better condition. He also supported Maurice Rodway's paper and the suggestions it contained for sustainable angling.

The third letter read was from Graham Sim another long-time local angler who had noticed a significant increase in the number of guided overseas anglers and the corresponding drop off in the quality of the fishing experience. Simply put, rivers were being over fished. We needed to stop the commercialisation of our rivers, so NZ's could enjoy the quality of our rivers again.

Mr Linklater read out his letter which emphasised the great season it had been without tourist anglers, which was a good opportunity to gauge the effect that tourist angling was having on the quality of the NZ angler experience. Kiwiangler's Group supported Maurice Rodway's paper to manage non-resident angling at a level that did not compromise the quality of experience of local anglers. He said voting licence holders wanted non-resident angling controlled as a priority, as they have been treated as second class citizens for too long and overseas anglers should not be allowed to compromise the experience of NZ anglers. NZ anglers were entitled to a NZ quality angling experience. Despite supporting Mr Rodway's paper generally, Mr Linklater said he did not support having days that NZ anglers could not fish. As most NR anglers were sight fly anglers, he wanted to see a working party formed of expert fly anglers, as these people understood the situation very well. Central government was seriously considering sustainable tourism and Southland could lead the way in this.

Council suggested that any representative group to help Council come to a decision should be broadened to accommodate all anglers not just fly anglers and we had to remember that non-resident anglers were licence holders as well. Council had never disagreed that we have a problem, and many anglers had enjoyed a good fishing season without tourists this season, but we needed to find a solution that convinced both the Minister of Conservation and the Tourism Minister.

Pressure Sensitive Fisheries.

A confidential paper from Cohen Stewart on preliminary results of Southland research on pressure sensitive fisheries was distributed to Councillors before the meeting. As the research was still ongoing it was confidential to Councillors at this stage, so the research was not compromised in any way until it was completed. However, the Manager briefly commented on some preliminary results of the ongoing research which Council had been doing since the 2018-2019 season.

The 18/19 season beat occupancy rate of the Upper Oreti by NR anglers had been 35% and 7.3% by resident anglers. This season 20/21 resident anglers had an occupancy rate of 30%. This illustrated the scale of the issue, that kiwi anglers had been displaced in significant numbers and had chosen to again fish these waters without non-resident anglers here.

This was important data, not just locally, but nationally, to justify moves towards reducing the impact of non-resident angling. Unfortunately to get the Dept. of Conservation to make changes to the Anglers Notice, Sports Fish Licences, Fees & Forms Notice & the Freshwater Fisheries regs will take time and won't happen in time prior to the next fishing season. The Manager noted that he would take a proposal to the next Managers Meeting, held in April, to write to the Minister, outlining the problem we had and to highlight to the Minister that we will be approaching her prior to the 21/22 season with the expectation that she supports changes to the legislation that will allow F&G more controls in the management of pressure sensitive fisheries.

Prior to Mr Rodway's paper Southland staff had a proposal to have classified waters that would effectively be iconic fisheries that were pressure sensitive. Regional Governors would then determine through the Angler Notice which rivers were in that category. Non-residents would then have to buy their normal licence plus a special licence (iconic fisheries licence) which they could only buy in multiples of days and restricted to four days per season. This would spread out and reduce pressure and encourage anglers to fish elsewhere. This would allow management of the issue across the board without going into a controlled fishery type process. If a controlled fishery was needed a ballot system for all would be preferable, not just for NR anglers.

There would still be an opportunity to decide what proportion of use by non-residents was appropriate. This could be capped at 50% use by NR anglers, maybe lower if government agreed. NR guiding use was of a low proportion and if we reduced access for non-residents, we could require the use of a guide on the iconic fisheries for NR anglers, thereby discouraging more from going to those fisheries.

This had been discussed with Otago staff, who had agreed it was a good way forward, and could be done within the current licencing system.

Cr Carston reminded the meeting that there were really only four or five Fish & Game regions that were affected by tourist anglers. The rest of the regions did not appear to recognise an issue.

Bevan McNaughton left the meeting 6.55pm

After discussions:

Resolved Harris/Hartstonge that the Manager liaises with the other affected Fish and Game Councils to prepare a paper on the issue of pressured sensitive fisheries. Carried.

In discussions with other regions the Manager would take into account Mr Rodway's proposal, the letters read out tonight, and all the research gathered to date.

Mr Linklater (temporarily) & Mr Rodway left the meeting, 7.00pm

5. Notices of Motion

a) **Health & Safety Report to 31st March 2021.**

The Council health & safety report for the period 1st February to 31st March 2021 was attached to the agenda for consideration. The report described three Health & Safety incidents that had occurred. Staff reported on those and how they would be prevented from happening again.

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

Resolved Hartstonge/MacGregor that the Health & Safety Report to 31st March 2021, be received & accepted. Carried.

b) Annual Council appointments:

The Council had resolved at its 4th February 2020 meeting to have appointments of Council positions annually. The rationale for having appointments on an annual basis was that with shorter terms it would encourage more nominees for the positions. Nominations were called for positions of Chairperson, Deputy Chair, Executive Committee & NZ Council rep.

Hartstonge/Harris nominated Lindsay Withington for Chairman.

There were no further nominations and Lindsay Withington remained as Chair.

Hartstonge/MacGregor nominated Dave Harris for Deputy Chair.

There were no further nominations and Dave Harris remained as Deputy Chair.

Harris/Horrell nominated Bevan McNaughton & Michael Hartstonge for the Executive Committee. (The Chairman was an automatic member of the Executive Committee).

There were no further nominations and Bevan McNaughton & Michael Hartstonge were re-appointed to the Executive Committee.

Hartstonge/MacGregor nominated Dave Harris for NZ Council representative.

There were no further nominations and Dave Harris was re-appointed NZ Council representative.

c) Draft Budget 2021/2022.

The draft budget had been attached to the previous meeting agenda & this meeting agenda for Council to consider. All regions including Southland had continued with the conservative approach of a 5% reduction in budgets for the 21/22 year. Southland's bulk fund therefore was \$643,699. We have budgeted to take from our ARF reserve \$44,941, subject to NZC approval, to replace two vehicles to bring our replacement vehicles up to date. (Every six years vehicles replaced). We have also made a national Contestable Fund bid for a 1.4% CPI salary increase for all staff and for the reduction in interest received because of continuing low interest rates.

The Manager referred to the NZC Resource Allocation project where it was clear some regions received disproportionate amount of funding given the lack of unit use in those regions. The future allocation of resources will be considered along with the Ministerial Review once it has been released.

The Contestable Funding bids would be considered by the Managers & NZC at their next meeting in April.

In the near future the National Policy Statement for Freshwater will have significant implications in respect to costs for Fish & Game. All Regional Councils in NZ will be required to notify Plan changes through the Freshwater Management Units (FMU's) to be processed by the end of 2024. These are likely to be contentious throughout NZ, so any spare reserves within the organisation should be kept for any future litigation costs with Regional Council Plan changes throughout NZ.

After consideration.

Resolved Harris/ Carston that the Southland Draft Budget 2021/2022 as presented to the meeting was approved. Carried.

6 Staff & Administration reports.

The staff report was attached to the agenda and taken as read.

Southland Water & Land Plan Hearing.

Environment Court facilitated mediation in relation to appeals on Topic B of the proposed Southland Water & Land Plan commenced in Invercargill on 29th March 2021. Mediation is scheduled to continue intermittently until late June. The Manager & Jacob Smyth were appearing for Fish & Game at mediation to help limit external expenditure in relation to planning & legal advice. This was a huge body of work for Staff involved in the mediation process.

River Erosion Management.

In respect to river erosion management there were a lot of issues in the future that Fish & Game Council, along with the wider Southland Community, needed to be aware of. With climate change increasingly influencing weather patterns, suggesting more frequent floods of greater magnitude, Regional Council's current approach to river management was not sufficiently future focussed. The Manager had provided a link to an article on this issue in the report and encouraged Councillors to read it. Society may have to manage the retreat of some farmland that currently constrained riverbeds from natural behaviour, which would otherwise reduce the impact of flooding elsewhere.

Biodiversity values of waterfowl habitat – eel biomass.

Staff's study of eel biomass in waterfowl habitats has been published in the NZ Journal of Zoology. This paper showed the academic community the good work that hunters & landowners do for wetland habitat creation and the biodiversity values of the wetlands they created.

Waituna Lagoon opening Consent renewal.

The Manager had given a brief background of the Lagoon ecosystem in the report.

A lot of these types of lagoons nationally & internationally had been lost due to high nutrient inputs from surrounding areas. Modelling work had shown that in the Waituna catchment there needed to be at least a halving of nutrients going into the lagoon to reduce the risk of it becoming eutrophic. Ruppia was the key macrophyte that played an important ecological role in the lagoon.

Historically the lagoon had been opened focussing on land drainage but with much of the land subject to inundation now purchased by Ngai Tahu, the focus of the consent renewal was for ecosystem health. The Department of Conservation had established a working group to consider what an ideal opening regime looked like for lagoon health. The working group led by DOC, also involved Environment Southland & Ngai Tahu reps. They will work through a set of draft conditions & establish which parties will hold the consent. Once that is established, they will approach affected parties like Fish & Game, for our feedback. The Manager has had some initial discussion with DOC reps on the working group and was comfortable that our concerns will be shared by the other parties involved in the consent conditions.

Cr Carston asked that the working group be reminded that the consent does allow the opening in two different areas, one being in Hansens Bay which closed more quickly and the other the beach front towards Tiwai point. Sometimes the beach front opening, which was supposed to be by GPS coordinates, was opened in the incorrect spot resulting in some damage to the foreshore. A lot of huts and the established wetland there were becoming eroded, and the gravel being pushed in by it not being open in the correct spot was adding to the shallowing of the lagoon.

When it was opened in the incorrect spot it moved its way down towards Walker Bay and took longer to close. The opening needed to be somewhere more established.

Hut owners of the lagoon were suggesting that if it had to be opened in winter, they should be looking at Hansens Bay rather than the main breakout. Opening at Hansen's Bay would also be a flush for the little Waituna end of the lagoon, which would be another benefit. They needed to use the science rather than just sticking to traditional views.

Cr Carston also suggested they look at the trigger levels for the opening. What has happened in the past was that the levels had started to drop but the digger was already booked and in transit resulting in it being opened when levels were already below the threshold level. Other times at the end of winter coming into November, when the north west winds hit and the evaporation rate and seepage through the gravel was high, they still went ahead and opened it. Levels should just be a baseline not an absolute.

Administration Reports

The Accounts paid, direct credit/debit payments list & automatic payments since the last meeting, licence sales progress to 17th March 2021, Budget to actual progress to 29th March 2021, and the correspondence list were attached to the agenda for Councillor's consideration.

Licence Sales.

Cr Harris reported that nationally fish licence sales were much better than expected and the budgeted 10% loss for Southland & other F&G regions to be taken from regional reserves may not be required now. Initial national game licence sales were also better than expected. The budget for licence revenue was the same as the previous year and we had already surpassed that.

The Manager reported that at the combined Otago/Southland staff meeting recently it had been suggested that staff ring a selection of new licence holders after the season to see what their motivations were for taking up fishing, how they found it and what barriers they perceived.

Correspondence:

Council asked about the Police request re firearms offences, requesting information of all persons committing offences against the Wildlife Act.

The Manager said that we were bound by the Privacy Act and because we were a Public Benefit Entity, we had responsibilities towards the Crown & Police generally and so we were bound to provide them with that information for the purposes requested. As an enforcement agency we relied on Police information as well. It was not up to us to decide if a person was a fit and proper person to have a firearms licence.

Cr Horrell asked if Fish & Game were going to inform licence holders that the Police wanted that information. The Manager replied that the Police should do that, and he would be pushing for that. The Manager also noted that with the changes in the firearms legislation there was the ability to now appeal the loss of a firearms licence and whether you were a fit and proper person to have one.

7. Council Information Reports.

a) Vehicle Procurement Policy

Staff had thoroughly searched but found no record of a previous vehicle procurement policy. A new Vehicle Procurement Policy had been attached to the agenda for Council's consideration. Around the table Council were happy to accept the new Policy.

Resolved Hartstonge/Harris that the Vehicle Procurement Policy as attached to the agenda was accepted & adopted by the Council. Carried.

Councillors would like to review the Policies at each Council term and get a copy of all the policies in the first agenda of the new Council after elections.

8. NZ Council update

Councillor Harris updated the Council on the last NZC meeting.

- 21/22 Budgets were a focus of the meeting. Budgets were set the same as last year meaning 5% below normal. Licence sales generally were looking good.
- A Licence fee increase was discussed but nothing was settled yet.
- Paul Shortis will remain as acting CE until a new CE is appointed.
- NZC had selected an employment agency for the new CE recruitment. The position had been advertised & a short list identified for interviews. The final decision will be made by the NZC Executive Committee and hopefully a new CE should be announced soon. Councillors hoped that there would be safeguards in place so a repeat of mistakes in the past did not happen.
- North Canterbury budget was an issue for NZC to resolve. NC needed to justify the amount of budget they needed and to follow the proper process.

All members of the public left the meeting.

Time 8.08 pm Resolved:(Hartstonge/Harris)

To move into Public Excluded meeting.

Section 48, Local Government Official Information and Meetings Act 1987.

That the public be excluded from the following parts of the proceedings of this meeting, to:

- a) Confirm Public Excluded minutes of the meeting held 11th February 2021.**
- b) Ombudsman Request**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
A) Public Excluded Minutes	Good reason to withhold exists under section 9(2)(I) of the Official Information Act 1982	Section 48(1)(a)(ii)
B) Ombudsman Request.	Good reason to withhold exists under section 9(2)(a) of the Official Information Act 1982	Section 48(1)(a)(ii)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 9 of the Official Information Act 1982 which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

ITEM	REASON UNDER THE OFFICIAL INFORMATION ACT 1982	SECTION	PLAIN ENGLISH REASON
A) Confirmation of Public Excluded Minutes	Section 9(2)(i) OIA The withholding of information is necessary to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage commercial activities.	Sec 9(2)(i)	Section 48(1)(a)(ii) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
B) Ombudsman Request	Section 9 (2) a Protect the Privacy of natural persons.	Section 9(2)(a)	Information provided identifies a particular person or can easily be connected with a particular person.

Note Section 48(4) of the Local Government Official Information & Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the Council.”

Time 8.30pm Resolved Hartstonge/MacGregor

To move out of Public excluded and back into a Public meeting.

Everyone re-joined the meeting.

9. General Business

Iwi Representative on the Council.

With Cyril Gilroy unable to attend meetings lately due to ill health, Council would like to see an Iwi representative attend the meetings on Cyril’s behalf, as they valued Iwi attendance to help with matters concerning them. They also valued a previous meeting held at the Marae.

Resolved Harris /Carston that the Manager be asked to approach Ngai Tahu about having a representative attend the Council meetings, as they were highly valued. Carried.

Game Hunter Survey 2021.

Councillors were asked if they wished to conduct the opening weekend game hunter survey this year. Councillors were generally pleased to do that as they enjoyed talking to hunters and it was valuable to the licence holders to talk to Councillors.

20g Steel shot.

Retailers were waiting on more 20g steel shot to arrive, but it could be in short supply as many were still waiting for their orders to come in, with shipping delays etc.

R3

Cr MacGregor asked if we could run a promotion for new duck hunters to go along with a Councillor. The Manager referred to the “Take a Mate” promotion of a few years ago which worked well and was a good system to try and introduce numbers of people to the sport. There were things we could look at doing for next season.

Plastic Wads:

Cr Harris noted that this was a subject Fish & Game would come under pressure of. The big manufacturers had to lead a change but currently the big manufacturers of ammo were not interested. NZ was a very small consumer and only a select few of the manufacturers were interested in a change eg. Rio & Eley were doing some eco loads, but they were a lot dearer to buy. We would have to wait until the world decided they didn’t want plastic wad ammo anymore.

There was no further business, and the meeting was closed at 8.55pm

Chairman_____Date_____